

CLARK COUNTY SCHOOL DISTRICT
BOND OVERSIGHT COMMITTEE
BYLAWS AND RULES

ARTICLE I: NAME

The name of this committee is the Bond Oversight Committee. It is a local committee organized under the authority of the Clark County School District's Board of School Trustees.

ARTICLE II: PURPOSE

Section 1: The objectives of the Bond Oversight Committee are:

- a) To advise the Board of School Trustees on the development and assessment of capital funding of any source to make capital improvements.
- b) To monitor compliance with program goals and make recommendation on revisions in capital improvement plans to the Board of School Trustees.
- c) To provide financial, bond, and investment oversight to ensure accountability to the public.
- d) To keep open lines of communication between the public and Board of School Trustees, as well as to keep the public informed of the status of the Bond Construction Program.
- e) To monitor the coordination of school construction and renovation programs throughout the district.
- f) To review any substantial changes to a prototype design, development of custom designs for new schools, or substantial program changes.
- g) To do those special inquires or studies as may be requested by the Board of School Trustees or District staff through the Board of School Trustees Bond Oversight Committee Liaison and accepted by the Bond Oversight Committee.

Section 2: The committee chair may appoint members to serve as representatives of the committee to the school district in the following functional areas:

- a) Design
- b) Construction
- c) Site Selection/Land Use
- d) Finance/Investment
- e) Community Relations

Liaison representatives will keep the committee informed of activities in their assigned functional areas.

ARTICLE III: MEMBERSHIP AND RESPONSIBILITIES

Section 1: The committee will be an independent body of not more than 15 members, 7 of which will be direct appointments by the Board of School Trustees, representing and residing in their appointed districts. The remaining appointments will be at large, appointed by the Board of School Trustees, and will include members in the following areas of expertise:

- a) Architecture/Engineering
- b) Financial Management
- c) Land Development
- d) Public Administration
- e) Labor
- f) Construction Law
- g) Construction
- h) One representative of the Superintendent of Schools

Section 2: Each appointed member is required to be a registered voter.

Section 3: At least 50% of the membership of the Bond Oversight Committee must have children or grandchildren currently enrolled in the Clark County School District.

Section 4: Each appointed member will serve for a period of two years. The terms will begin on June 1 of each calendar year. The appointments will be made on a rotational basis with the rotation being seven members appointed on the even years and eight members on the odd years. Members may be re-appointed for more than one term.

Section 5: If vacancies arise, a member will be appointed to complete the term of the original appointee. Vacancies will be filled by the membership guidelines set forth in ARTICLE III, Section 1, and approved by the Board of School Trustees.

The process for identifying candidates for membership and filling at-large vacancies when they occur, shall be as follows:

- a) Facilities Division staff will determine whether the vacancy requires the appointment of a new member with one of the specific areas of expertise set forth in ARTICLE III, Section 1. If all required areas of expertise have been met, an appointee in one of the least represented areas should be sought.
- b) Candidates to fill a vacancy will be identified, but not contacted. Candidates may be identified by the Associate Superintendent of Facilities, the Chief Operating Officer, Board School of Trustees, Bond Oversight Committee members, or the Superintendent of Schools.
- c) All names will be submitted to the Superintendent of Schools with brief information regarding the individual's area of expertise and/or qualifications.
- d) The Superintendent of Schools will discuss with appropriate staff the merits of each candidate and rank order the recommended names.
- e) The Superintendent of Schools or the Associate Superintendent of Facilities will contact the individuals, in order, until a candidate agrees to be recommended to the Board of School Trustees. If no candidate agrees, a second pool of candidates must

be established and the process repeated. No one other than the Superintendent of Schools or the Associate Superintendent of Facilities should make contact with prospective members about possible committee membership.

- f) The names and brief biographical information will be provided to the Board of School Trustees at a regular meeting for approval (for at-large appointees only).

In the event that a direct appointee of an individual Trustee vacates their seat, the Trustee, at his or her discretion, may request assistance from the Facilities Division to fill the vacancy.

Section 6: Due to the complexity of the committee's charge, it is essential that members attend meetings on a regular basis. After three unexcused absences within a 12-month period, the chair will report in writing the excused or unexcused absences to the full board and may present to the Board of School Trustees a recommendation to replace that committee appointment.

Section 7: The Bond Oversight Committee shall not be construed to be a forum for personal, professional, or political purpose. In the event of misconduct or inappropriate behavior, the Board of School Trustees shall review the action of the member in question and determine the course of action, if any.

Section 8: The committee shall elect three members to serve as the Executive Committee. The Executive Committee will be comprised of the Chair, a First Vice Chair, and a Second Vice Chair. The Executive Committee will be elected during the June meeting and will serve for a period of one year. Elections shall be by a majority vote. No person shall serve any one Executive Committee position for more than 3 (three) consecutive terms.

Section 9: The chair shall act as the official spokesperson of the committee to report on the issues that have been approved by a majority vote of the committee members. The chair shall:

- a) Set the agenda and conduct meetings in accordance with the laws of the State of Nevada.
- b) Make reports or assign designee to make reports to the Board of School Trustees and/or any other committee dealing with school construction on issues that have been approved by the Bond Oversight Committee.
- c) Appoint committee members to serve as liaisons to school district staff on issues before the committee.
- d) Conduct an annual review of Bond Oversight Committee bylaws per Article IV, Section 4.
- e) As necessary, establish ad hoc committees with specific term limits and appoint members thereto.

The Vice Chairs will act as chair in his/her absence. In the event the Chair or Vice Chairs are unable to fulfill any of these duties, the chair may appoint a designee to carry out the task.

ARTICLE IV: POLICIES AND PRACTICES

Section 1: In advising and making recommendations, the committee shall follow all relevant district policies, regulations, procedures, and guidelines.

Section 2: The Bond Oversight Committee, with approval of the Board of School Trustees, may employ a consultant (firms or individuals) to assist with its tasks.

Section 3: The roles and responsibilities of the committee liaison representatives may include but are not limited to:

DESIGN LIAISON REPRESENTATIVES

- a) Review the prototype designs for the elementary, middle, and high schools, and make recommendations in potential improvements to both school district staff and their contracted architectural (design) consultants.
- b) Examine the cost effectiveness of prototype designs to ensure the school district maximizes the use of bond funds from school to school.
- c) Suggest design modifications and value engineering studies to be completed by, as appropriate, school district staff and/or their architectural consultants.
- d) Serve as a liaison and conduit for feedback from the community (principals, teachers, parents, students) as well as architectural consultants on the impact of current prototype designs.
- e) Make recommendations to the Board of School Trustees on any findings or observations after review of prototype designs and processes, proposed or existing, that the school district has for architectural services and/or contracts issued; and review, and have input for architectural selection process as opportunities or projects demand.
- f) Review the architectural selection process, and list of qualification to promote expansion of pool of architectural firms.

CONSTRUCTION LIAISON REPRESENTATIVES

- a) Review the contractor pre-qualification criteria and process and determine whether it meets the needs of the Clark County School District in producing a pool of qualified contractors. Refine the process to eliminate inadequate and/or unresponsive contractors from the selection pool.
- b) Evaluate the need for a contractor performance evaluation (at the completion of a job) and to develop and maintain an objective evaluation form if the evaluation process is deemed valuable.
- c) Evaluate the amount of documentation required to contract with the Clark County School District and recommend ways to attract prospective contractors.
- d) Evaluate procedures and make recommendations regarding the change order process.
- e) Examine and recommend methods to speed up the processing of Construction Change Directives.
- f) Review the causes of slow payments and recommend methods to improve payment procedures.
- g) Recommend a mechanism for dispute resolution other than formal arbitration.
- h) Evaluate and make recommendations regarding Project Labor Agreements.
- i) Evaluate and make recommendations regarding the role of architects in the contract administration function.

SITE SELECTION/LAND USE LIAISON REPRESENTATIVES

- a) Identify concerns and considerations on site selection and priorities for site acquisition.
- b) Develop a recommended schedule of site selection decisions to recommend to Bond Oversight Committee in order to open schools on time.
- c) Work with district staff to develop and modify, over time, a site selection methodology based on geographic areas of need within the district.
- d) Work with elected and staff representatives of various jurisdictions to ensure that accurate and timely information on evolving land use, demographics and residential development activity is being provided to district staff.
- e) Periodically review methodology conclusions for recommendations to the full Bond Oversight Committee.
- f) Work with district staff to review and confirm evaluations of alternative site options for recommendations to Bond Oversight Committee, providing flexibility for site selection within identified parameters.
- g) Issues for evaluation may include: methodology assumptions, evolving land use, methodology conclusions, land availability in area of need, site suitability checklist, site selection-schedule, prioritization of site selection flexibility on specific sites, and review of ultimate site selections by district staff.

FINANCE AND OPERATIONS LIAISON REPRESENTATIVES

- a) Provide recommendations to the Bond Oversight Committee on issues related to financial, bond and investment oversight.
- b) Review all proposed major new construction and renovation project budgets and related projected costs and identify any areas of concern to the Bond Oversight Committee. Assess budget to actual expenditures on an ongoing basis.
- c) Review proposed project budgets and ensure that funding requirements are coordinated with Finance and Operations.
- d) Review and endorse construction finance plan(s) for Board of School Trustees approved construction projects.
- e) Collaborate with staff to set financial priorities and make financial allocations.
- f) Monitor bond construction programs for compliance with goals and objectives of the Clark County School District Investment Committee.
- g) Review and recommend three year bond authorization schedules to the Debt Management Committee of Clark County.
- h) Monitor and report on bond sales and refunding.
- i) Monitor bond administration and review investment policies and performance.

COMMUNITY RELATIONS LIAISON REPRESENTATIVES

- a) Increase the awareness of and the credibility of the Bond Oversight Committee to the Board of School Trustees and to the public in general.
- b) Provide a liaison from the Bond Oversight Committee to impart pertinent information related to school building and renovation programs from the committee to the communications specialist to improve public awareness.
- c) Coordinate communications between the Bond Oversight Committee, Board of School Trustees, district staff, and the AB353 panel and any other interested parties related to school construction.
- d) Monitor and report legislative and interim activities related to school construction and renovations.

Section 4: Bylaws shall receive an annual review by the Executive Committee. Changes to the Bylaws will be recommended to the Bond Oversight Committee for approval. The revised Bylaws may be proposed by either the Bond Oversight Committee or the Board of School Trustees, and must be approved by the Board of School Trustees.

ARTICLE V: MEETINGS

All meetings of the committee will be conducted in accordance with the open meeting laws of the State of Nevada (NRS Chapter 241). The executive committee will determine the date, time, and place of all meetings. The committee may hold community input meetings as required.

ARTICLE VI: QUORUM

A quorum shall be established when a majority of the current sitting members are in attendance for a properly noticed meeting. Each member shall be entitled to one vote and no proxy votes will be allowed. A simple majority vote of the members in attendance at a properly noticed meeting will be required to pass a motion.

Adopted: May 3, 1999

Amended: July 13, 2000; June 14, 2001; November 20, 2008; February 14, 2013; June 28, 2018