

[DRAFT]

OAKLAND OVERSIGHT BOARD

RULES AND PROCEDURES

(Adopted on _____, 2012)

ARTICLE I NAME

The name of this body is the OAKLAND OVERSIGHT BOARD.

ARTICLE II PURPOSE

The Oakland Oversight Board, hereinafter referred to as the "Board," is created pursuant to California Health and Safety Code Section 34179. The purpose of the Board is to oversee the activities of the successor agency to the Redevelopment Agency of the City of Oakland under Part 1.85 of Division 24 of the California Health and Safety Code. The City of Oakland is currently designated as the successor agency.

ARTICLE III POWERS

The Board shall have the powers granted to oversight boards under Chapter 4 of Part 1.85 of Division 24 of the California Health and Safety Code. Pursuant to Section 34179(e) of the California Health and Safety Code, the Board is deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

ARTICLE IV MEMBERSHIP

The Board's membership shall be as prescribed in Chapter 4 of Part 1.85 of Division 24 of the California Health and Safety Code. The Board shall have seven members. Each member shall serve at the pleasure of the entity or official that appointed such member. Members shall serve without compensation or reimbursement for expenses. An appointing entity or official may choose to appoint a person to serve as alternate to each primary Board member. The appointed alternate shall have the authority to serve and act as a Board member at Board meetings in the absence of the primary Board member.

ARTICLES V OFFICERS

Section 1. Officers of the Board shall be a Chairperson and a Vice Chairperson.

Section 2. The Chairperson shall preside at all meetings of the Board, represent the Board whenever the occasion demands, appoint committees, and call special meetings as necessary upon appropriate advance notification to members.

Section 3. The Vice Chairperson shall assist the Chairperson as directed and shall assume all the obligations and authority of the Chairperson in the absence of the Chairperson.

Section 4. The Chairperson and Vice Chairperson shall be elected from among members of the Board. Said election shall take place at the first regular meeting of the Board in April in the year that the term expires.

Section 5. The term of office for Chairperson and Vice Chairperson shall be two years. If the office of the Chairperson becomes vacant for any reason, the Vice Chairperson shall become Chairperson to serve the remainder of the unexpired term.

Section 6. If the office of the Vice Chairperson becomes vacant for any reason, the Board shall elect a replacement from among its members to serve the remainder of the unexpired term.

ARTICLES VI STAFFING

Section 1. City staff persons designated by the City Administrator of the City of Oakland shall serve as staff to the Board, and shall perform work in furtherance of the Board's duties and responsibilities. The City or other successor agency shall pay for the costs of Board meetings.

Section 2. A City staff person designed by the City Administrator shall serve as Secretary to the Board. The Secretary or his or her designee shall prepare written agendas for Board meetings in consultation with the Chairperson, prepare and transmit written material for Board meetings, attend all meetings of the Board, record and keep minutes of Board actions, certify Board resolutions, and act as custodian of all Board records.

Section 3. A City staff person designed by the Board shall serve as liaison officer to the California Department of Finance on Board matters. Said official shall be responsible for communicating with the California Department of Finance on Board matters, including requests for review of Board decisions under Section 34179(h) of the California Health and Safety Code.

ARTICLE VII MEETINGS

Section 1. Regular meetings of the Board shall be every [first and third Monday] OR [second and fourth Wednesday] of the month beginning at ____ p.m. Regulator meetings shall be at Oakland City Hall in a room to be designated on the meeting agenda.

Section 2. Special meetings of the Board may be called at the discretion of the Chairperson in accordance with the Ralph M. Brown Act.

Section 3. Closed sessions of the Board may be called at the discretion of the Chairperson. Closed sessions shall be held only if authorized by the Ralph M. Brown Act.

Section 4. All notices of Board meetings and Board agendas shall comply with noticing and posting requirements of the Ralph M. Brown Act. Notices shall be posted on either the successor agency's website or the Board's website.

Section 5. Four members of the Board shall constitute a quorum to transact business. A quorum must be established prior to any formal action being taken at the meeting. If there is no quorum, discussion of the items noticed on the agenda may continue at the discretion of the Chairperson, but no formal action may be taken.

Section 6. Each member of the Board shall have one vote. All Board actions shall require four or more affirmative votes from members voting at the meeting. Board action may be taken either by motion or by resolution. Board meetings shall be conducted in general accordance with parliamentary rules set forth in Robert's Rules of Order, newly revised, except as modified by the Board, these Rules, the Ralph M. Brown Act, or other state law requirements.

Section 7. All regular and special meetings of the Board shall be open to the public (other than closed sessions as authorized by law), shall be held in facilities accessible to people with disabilities, and shall be held in conformance with the provisions of the Ralph M. Brown Act.

Section 8. Members of the public shall be permitted to speak on each item listed on the Board's agenda prior to Board action on the item. Members of the public who wish to speak must submit a speaker's card to the Board Secretary prior to the agenda item being called. Public speakers shall be allotted a minimum of two minutes to speak on an item. All speakers shall be allotted the same amount of speaking time on each item, unless time has been ceded to the speaker.

Section 9. A speaker may extend his or her speaking time if other speakers who have submitted speaker's cards agree to cede their time to the recipient speaker and are present at the time the recipient speaker speaks. The recipient speaker shall receive one minute speaking time from each ceding speaker, up to a total maximum of five minutes of speaking time.

Section 10. Each Board agenda shall include an Open Forum. Members of the public who wish to speak at Open Forum must submit a speaker's card to the Board Secretary prior to Open

Forum. During Open Forum, public speakers shall be allotted a minimum of two minutes per speaker to address the Board on any items of public interest that are not on the agenda.

Section 11. A Board member who is legally disqualified from participating in a Board action under applicable conflict of interest laws shall take no part in the discussion (formal or informal) or vote on the action. The Board member shall disclose the member's disqualification and the reasons for the disqualification as the time the matter is reached on the agenda.

ARTICLE VIII COMMITTEES

The Board may establish standing committees or ad hoc committees as necessary to carry out its functions. The Chairperson shall appoint the committee members. Standing committees may function on behalf of the Board in gathering information, hearing testimony, or drafting recommendations to be submitted to the Board; however, all official final action shall be taken at a properly noticed meeting of the Board unless the Board has specifically delegated authority for such action to the committee.

ARTICLE IX AMENDMENT OF RULES AND PROCEDURES

These Rules and Procedures may be amended at any Board meeting by Board action.