

**OVERSIGHT BOARD
TO THE
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY**

**AGENDA ITEM: F.1.
MEETING DATE: April 25, 2012**

TO: Members of the Oversight Board

FROM: Curtis Cannon, Successor Agency Director, (805) 385-7407
Kymberly Horner, Interim Redevelopment Services Manager,
Successor Agency, (805) 385-7407

1. SUBJECT

Establishing Rules and Regulations for the Operations of the Oversight Board.

2. RECOMMENDED ACTION(S)

Adopt a resolution establishing rules and regulations for the operations of the Oversight Board.

3. DISCUSSION

Attached to this report is a proposed resolution setting forth rules and regulations for the operations of the Oversight Board.

4. ATTACHMENTS

1. Resolution establishing rules and regulations for the operations of the Board.

RESOLUTION NO. _____**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY ESTABLISHING RULES AND REGULATIONS FOR THE OPERATIONS OF THE OVERSIGHT BOARD AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the City of Oxnard Community Development Commission ("Agency") was a Community Development Commission in the City of Oxnard ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, ABx1 26 ("AB 26") and ABx1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with section 34161) and Part 1.85 (commencing with section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a *lawsuit in the Supreme Court of California (California Redevelopment Association, et al. v. Matosantos, et al., Case No. S194861)* alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding AB 26, invalidating AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later; and

WHEREAS, as a result of the Supreme Court's decision, on February 1, 2012, all redevelopment agencies were dissolved and replaced by successor agencies established pursuant to Health and Safety Code section 34173; and

WHEREAS, the City Council of the City adopted Resolution No. 14,135 on January 10, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Agency upon the dissolution of the Agency under AB 26 ("Successor Agency"); and,

WHEREAS, AB 26 adds to the Redevelopment Law Health and Safety Code section 34179, et seq., providing for establishment of an Oversight Board to oversee certain actions of successor agencies and carry out other directions of AB 26;

WHEREAS; the Oversight Board of the Oxnard Community Development Commission Successor Agency ("Board") has been created by the appointment under Health and Safety Code section 34179(a) of members sufficient to constitute a quorum; and;

WHEREAS; the Board desires to establish regulations that will apply to the governance and operations of the Oversight Board.

NOW, THEREFORE, the Board of Directors DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER as follows:

SECTION 1. Governance.

A. Board of Directors. The Oversight Board shall be governed by a Board of Directors ("Board"), which shall exercise the powers and perform the duties set forth in California Health and Safety Code section 34179, et seq.

B. Board Officers. The Board shall have a Chair to preside at and conduct all meetings and a Vice-Chair who shall act in the absence of the Chair. The Chair and Vice-Chair shall be elected by a majority vote of the membership of the Board and shall serve for a term of one year, or until a successor is elected.

C. Meetings of the Board. The Board shall hold meetings on a schedule to be established by Resolution. The Board may hold special meetings as necessary and appropriate to conduct business. All meetings of the Board including, without limitation, regular, adjourned regular, and special meetings shall be called, noticed and conducted in accordance with the provisions of the Ralph M. Brown Act, sections 54950 et seq. of the California Government Code.

D. Quorum. The presence of a majority of the Board members at a meeting shall constitute a quorum for the transaction of Oversight Board business. Less than a quorum may adjourn or continue meetings from time to time.

E. Voting. Pursuant to California Health and Safety Code section 34179(e), decisions of the Board shall be made by a majority of membership.

F. Staff and Executive Director. Pursuant to the provisions of California Health and Safety Code section 34179 (c) the Board may direct staff of the City of Oxnard Community Development Commission Successor Agency ("Successor Agency") to perform work in furtherance of the Board's responsibilities and duties. The Board hereby appoints the Successor Agency Community Development Director to act as the Board Director. The Director may appoint officers (including a Chief Financial Officer) and employees as necessary to perform the duties of the Successor Agency. The Executive Director also may delegate the performance of his/her duties to other officers or employees. The Oxnard City Clerk as the Clerk of the Successor Agency shall act as Board Secretary.

G. Duties and Responsibilities of Board Members. The chair shall:

- a. Preside at all meetings and conduct the meetings as specified herein.
- b. Re-order the agenda as necessary.
- c. Sign resolutions adopted by the Oversight Board and verify the accuracy of the contents.
- d. Call special meetings.
- e. In the absence of the chair, the vice-chair shall perform the duties of the chair. In the absence of both the chair and vice-chair, the secretary shall preside at the meeting.

H. Seating Arrangement. The seating arrangement for the Board shall be as follows: The chair shall be seated in the middle of the dais. The vice-chair shall sit immediately to the chair's right. After the election of officers, the outgoing chair shall be seated at the outside seat on the side where a vacancy is created due to the election of a new chair and vice-chair.

I. Parliamentary Procedure. In conducting meetings, the chair shall be guided by, but is not required to strictly adhere to, Robert's Rules of Order, Newly Revised.

J. Debate and Questions. The chair shall not allow debate among members of the public. Any person wishing to direct a question to another person shall submit such question to the chair, who may, at his or her discretion, ask the question. The chair may prohibit a member of the public from speaking on an issue more than once during any hearing.

K. Disruptive Public Speakers. No member of the public shall engage in conduct that disrupts, disturbs or impedes the orderly conduct of the Board meeting. Such conduct may include making loud, threatening, abusive, or profane remarks. The chair or a majority of the members of the Board present may order any person who engages in such to be silent. If such an order is given, such person shall be barred from further communication with the Board during that meeting or be required to leave the meeting room.

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SECTION 2. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the Board at its meeting held on the ____ day of _____ 2012, by the following vote:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS
ABSENT:	BOARD MEMBERS:

ATTEST:

Daniel Martinez, Board Secretary