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APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

*Macanlay*  
\_\_\_\_\_  
City Attorney

**OAKLAND CITY COUNCIL**  
~~13230~~  
ORDINANCE NO. \_\_\_\_\_ C.M.S.

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**AN ORDINANCE RESCINDING RESOLUTION NO. 76996 C.M.S. AND ESTABLISHING THE HEAD START ADVISORY BOARD IN ACCORDANCE WITH THE REQUIREMENTS OF CITY CHARTER SECTION 601**

**WHEREAS**, the City of Oakland has been the local grantee for the Head Start Program (hereinafter "Program") since 1972; and

**WHEREAS**, the Oakland City Council is the governing body of the Program; and

**WHEREAS**, the Federal regulations governing the Program require that the local grantee establish a Policy Council comprised of Head Start parents and community members that share governance responsibilities of the Program with the governing body; and

**WHEREAS**, the governing body must play an active role in the management and monitoring of the Program and is responsible for the legal and fiscal management of the Program; and

**WHEREAS**, on March 12, 2002, the City Council passed Resolution No. 76996 C.M.S. confirming the creation of the Head Start Advisory Panel to assist the Council in its role as the Head Start governing board; and

**WHEREAS**, section 601 of the City of Oakland Charter authorizes the City Council to create by ordinance such advisory boards as may be required for the proper operation of any function or agency of the City and prescribe the board's function, duties, powers, jurisdiction, number of members, and membership terms; now therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** Resolution No. 76996 hereby is rescinded.

**Section 2.** Creation of the Head Start Advisory Board

Pursuant to Section 601 of the Charter of the City of Oakland there hereby is created a Head Start Advisory Board (hereinafter "Board"). It shall be the duty of the Board to provide advice and recommendations to the City Council in the following areas: Program planning, how the Program can best address the needs of Head Start eligible families, Program multi-year and annual goals and objectives, selection of new delegate agencies, funding applications for the Program, the composition of the Head Start Policy Council and procedures for Policy Council membership, procedures to resolve community complaints about the Program, procedures to implement activities that are shared functions between the Governing Body and the Policy Council, and any other areas related to the efficient administration of the Program.

### **Section 3. Membership of the Board**

#### **A. Composition of the Board**

The Board shall be composed of nine (9) members.

#### **B. Board Member Qualifications**

Members must reside or work within the City of Oakland and be directly involved in at least one of the following areas:

1. Public education: knowledge of issues in early education and kindergarten transition and services to children with disabilities.
2. Public health: knowledge of issues and services in health, including general health, nutrition, mental health, and dental health.
3. Family services: knowledge of issues relating to low-income families and general approaches to services for families.
4. Childcare/child development: knowledge of issues related to early care and education transitions to focus on families involved in welfare reform.
5. Management and administration: knowledge of business practices, budgeting and accountability systems.
6. Human resources: knowledge of training, organizational structure and design.
7. State and Federal government: knowledge of, and relationship to, State and Federal officials representing the City of Oakland.

#### **C. Appointment of Board Members**

New Board members may be recommended by Program staff and existing Board members, and shall be appointed by the Mayor, and confirmed by the City Council.

D. Term of Board Members

1. All appointments shall be for a term period of three (3) years.
2. No person shall be appointed for more than four (4) consecutive terms as a member of the Board.
3. In the event an appointment to fill a vacancy has not occurred by the conclusion of a Board member's term, that member may continue to serve as a member of the Board during the subsequent term in a holdover capacity for a period not to exceed one year to allow for the appointment of a Board member to serve the remainder of said subsequent term.

E. Election of Officers

The Board shall elect a chairperson and vice chairperson from its members at the first regular meeting in September of each year.

F. Removal of Board Members

A member may be removed pursuant to Section 601 of the City Charter, for, among other things, a conviction of a felony, misconduct, incompetence, or inattention to or inability to perform duties. Absence from three consecutive regular meetings shall constitute cause for removal.

G. Vacancies

A vacancy on the Board will exist whenever a member reaches the term limit, dies, resigns, or is removed, or whenever an appointee fails to be confirmed by the Council within thirty (30) days of recommendation.

**Section 4. Board Meetings**

Regular meetings of the Board shall be held at the time and place designated by the Board each year at its first meeting in September. Meetings called for special purposes to meet critical deadlines and scheduled at a time and/or place different from regular meetings shall be designated special meetings.

**Section 5. Rules of Procedure**

A. Adoption of Bylaws

The Board, in consultation with the City Administrator and the City Attorney, shall establish bylaws, consistent with this ordinance, for the conduct of its business. The bylaws shall be reviewed by the Board annually, or more frequently if necessary.

B. Voting Requirements

A quorum is needed to conduct a meeting of the Board. A quorum for the conduct of meetings shall be a majority (50 percent plus one) of currently filled Board positions.

**Section 6. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**Section 7. Effective Date.** This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2014

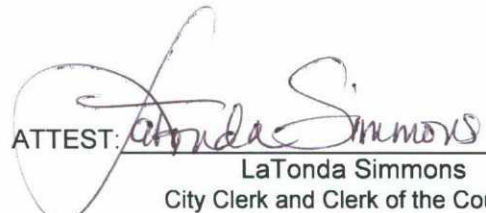
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and PRESIDENT KERNIGHAN — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: 5-27-14