

OAKLAND CITY COUNCIL

RESOLUTION No. 76276 C.M.S.

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RESOLUTION TO **1) RESCIND RESOLUTION #70999 C.M.S. WHICH AUTHORIZED ESTABLISHMENT OF THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PROCESS; 2) RESCIND RESOLUTION NO. 74274 C.M.S. WHICH AMENDED ELEMENTS OF THE CITIZEN PARTICIPATION PROCESS; 3) RESCIND RESOLUTION NO. 63566 C.M.S. APPROVING BY LAWS; 4) ABOLISH EXISTING BY LAWS FOR THE SEVEN COMMUNITY DEVELOPMENT DISTRICT BOARDS AND 5) ADOPT THE COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS PARTICIPATION PROCESS APPROVED BY MOTION OF THE CITY COUNCIL ON JUNE 6, 2000.**

WHEREAS, the City has adopted a CDBG Citizens Participation Process ("CD/CP Process") for reviewing proposals and recommending organizations for CDBG funding; and

WHEREAS, on May 10, 1994 The Council adopted Resolution No. 70999 C.M.S. which authorized major reform of the CD/CP Process, based on recommendations of a Council-established working group; and

WHEREAS, on January 21, 1986 the Council adopted Resolution No. 63566 C.M.S. which approved standardized By-laws; and on May 26, 1998 the Council adopted Resolution No. 74274 C.M.S. approving amendments to the By-laws; and

WHEREAS, the Economic Development, Community Development, and Housing ("ED/CD") Committee of the City Council at its regular meeting on May 30, 2000 considered a report recommending major restructuring of the CD/CP Process, and the City Council approved the recommendations to revise the CD/CP Process at its meeting on June 6, 2000; , now, therefore, be it

RESOLVED: that the CDBG Citizen Participation process is hereby revised as follows:

- A. The City Manager or designee will be responsible for preparing an annual Community needs assessment that describes the needs identified by citizens living in the CD Districts.
- B. The City Manager or designee shall be responsible for conducting an annual Evaluation of the prior year's programs .
- C. Based on the Community needs assessment, evaluations and public input, the City Council will determine the percentage allocation for Housing, Economic Development,

Administration and Neighborhood improvement/public service activities, Upon approval of City Council, a request for Proposal (RFP) will be issued.

- D. City Council representatives will conduct elections for CDBG District Boards. Council members will appoint a 17-member Citizens Advisory Committee (“CAC”) made up of representatives of CDBG eligible communities.
- E. All proposals requesting CDBG funds allocated for Economic Development, Housing, Neighborhood Improvement, and Public Service programs and Administrative activities shall be sent to the City Manager or designee and then shall be submitted by the City to the appropriate CD district boards for review. The CD district boards’ recommendations shall be forwarded to the CAC, which shall consider the CD Boards’ advice and thereafter make its own recommendation to the City Manager. The City Manager will make the final recommendation to City Council.
- F. Pursuant to HUD requirements, the City Council shall hold two public hearings each year– one to review program performance, and one to review program allocations and obtain additional public input.
- G. Following the two public hearings, the City Council shall make the final allocation of all CDBG funds for eligible programs and shall approve the Annual Action Plan, which will be submitted to HUD; and be it;

**FURTHER RESOLVED:** That the organizational structure and composition of the Seven CD Districts’ Boards of Directors and general membership shall be as follows:

#### **Membership Criteria**

- A. General membership in a CD District Board shall be open to residents and Business Owners of the CD District who are at least 18 years old.

#### **Composition of Boards of Directors**

- B. Each CD District Board shall have **15** directors (officers included).
- C. All directors shall serve as directors at-large, elected by the general membership. All directors must be members of that CD District.

#### **Composition of Citizen Advisory Committee**

- D. The Citizens Advisory Committee shall be comprised of 17 members: Three (3) appointed by the President of the City Council, and two (2) appointed by each of the other City Council members. Each Council member must appoint at least one CAC member from the elected CD Board in his/her District. All members of the Citizens Advisory Committee shall be from Oakland CD Districts. The CAC members shall serve a one-year term to commence in October. In the event of a vacancy during the term, the Council member in the District with the vacancy shall appoint a person for the unexpired portion of the term.

## Election of Directors and Appointment of Officers

- E. All CD District directors shall be elected by the general membership. Directors shall be elected to a one-year term.
- F. CD District Board chairpersons shall be appointed by the City Council member from the Board of Directors. All officers shall serve one-year terms. Any vacancy in the Office of Chairperson shall be filled immediately by the City Council member in the District from the Board of Directors for the unexpired portion of the term.
- G. All CD District Board elections shall be held each year during the month of September. The term of office for all elected directors and officers shall begin October of each year,
- H. The City Council Member for each CD District shall be charged with ensuring that all geographic areas in the District be given the opportunity to be represented on the Board.

## Removal of CD District Board Directors and CAC Members

- I. A CD District Board Director may be removed pursuant to Section 601 of the Oakland City Charter, upon recommendation from two-thirds of the CD Board of which the director is a member. Causes for removal shall include, but not be limited to, conviction of a felony, misconduct, incompetence, inattention or inability to perform duties.
- J. A CAC member may be removed pursuant to Section 601 of the Oakland City Charter, upon recommendation from two-thirds of the CAC or upon recommendation of the Council member, or successor, who appointed the person recommended for removal. Causes for removal shall include, but not be limited to, conviction of a felony, misconduct, incompetence, inattention or inability to perform duties.

FURTHER RESOLVED: That the above rules governing CD District members, directors and officers shall become effective and shall be in force for each CD District beginning in November 2000, and that this Resolution shall have precedence over any conflicting rules and procedure provisions; and be it

FURTHER RESOLVED: That all CD bylaws are hereby abolished. The City Manager or his designee, in consultation with the City Attorney, is hereby authorized and directed to establish rules and procedures for each CD District consistent with this Resolution, and the rules and procedures will be deemed approved upon issuance by the City Manager. Such rules and procedures may be revised or amended by the City Manager or designee consistent with this Resolution; and be it

FURTHER RESOLVED: That City staff, the CD District Boards, the Citizens Advisory Committee, and the City Council shall not consider any incomplete CDBG funding proposals or any proposal submitted after the established application submission deadline; and be it

FURTHER RESOLVED: That the City Council shall not consider any CDBG funding proposal if the appropriate CD District Board and the Citizens Advisory Committee have not been given an opportunity to review the proposal; and be it

**FURTHER RESOLVED:** That each CD District Board may recommend no more than eight proposals for funding each year to the City Council ; and he it

**FURTHER RESOLVED:** That no CDBG contract shall be amended to extend the time of performance or modify the scope of services more than twice, unless there are unusual circumstances that justify additional amendments; and be it

**FURTHER RESOLVED:** That Resolutions Nos. 70999 C.M.S., 63566 C.M.S., and 74274 C.M.S. are hereby rescinded and CD District Board By-laws revoked; and be it

**FURTHER RESOLVED:** That the City Manager or his designee is hereby authorized and directed to implement all said directives of the City Council, and to take whatever other action is necessary in his/her discretion to carry out the intent of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA, **FEB 13 2001**, 2001

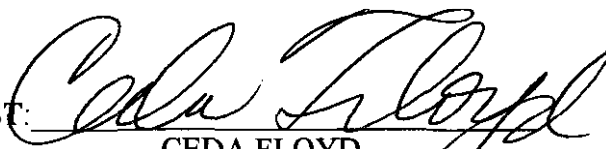
**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BRUNNER, CHANG, ~~MILBY~~, NADEL, REID, ~~SPEES~~, WAN, AND CHAIRPERSON DE LA FUENTE - 6

**NOES-** None

**ABSENT-** Spees (Excused) - 1

**ABSTENTION-** None

ATTEST:   
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland