



2014 APR 16 AM 11:13

AGENDA REPORT

TO: FRED BLACKWELL
INTERIM CITY ADMINISTRATOR

FROM: Sara Bedford

SUBJECT: Oakland Head Start /
Early Head Start Advisory Board Ordinance

DATE: April 9, 2014

City Administrator
Approval

Date 4-14-14

COUNCIL DISTRICT: Citywide

RECOMMENDATION

Staff recommends that the City Council adopt 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.

OUTCOME

Adoption of this Ordinance will result in the appropriate establishment of the Head Start Advisory Board, confirming its role as an advisory board with members appointed by the Mayor and confirmed by the City Council pursuant to the Oakland City Charter Section 601. The role of the Head Start Advisory Board is to assist the Council in its role as the Head Start/Early Head Start governing body responsible for overseeing, monitoring and reporting on the implementation of the program.

BACKGROUND/LEGISLATIVE HISTORY

The City of Oakland has been the local grantee for the Head Start Program (hereinafter "Program") since 1972. As a local grantee, the City is required to have an established policy group, the Head Start Policy Council, and a well-functioning governing body, the City Council. The Oakland City Council as the governing body of the Program shares responsibility with the Policy Council for overseeing the delivery of services to children and families in accordance with federal Head Start legislation and policies. The governing body is also responsible for the legal and fiscal management of the Program. The intent of the City of Oakland Head Start Advisory Board is to assist the City Council in its governance role for the Program.

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 of overseeing, monitoring and reporting on the implementation of the Oakland Head Start Program. Resolution No. 76996 C.M.S. dictates that the Advisory Panel members be appointed by the Life Enrichment Committee. The resolution also provides that the Advisory Panel will dissolve unless reauthorized by the City Council. The City

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Council reauthorized the Advisory Panel in 2004 (Resolution No. 78553 C.M.S.) and in 2010 (Resolution No. 83158 C.M.S.).

The City Charter requires that the City Council create all Boards and Commissions *by ordinance* and that Board members shall be appointed by the Mayor and confirmed by the City Council. Therefore on advice from City Attorney's Office, an ordinance rescinding Resolution No. 76996 C.M.S. and formally establishing the Head Start Advisory Board is now being submitted for Council approval.

ANALYSIS

Section 601 of the Oakland City Charter states that the City Council may create by ordinance any advisory board as 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. The Charter mandates that members of boards and commissions shall be appointed by the Mayor and confirmed by the City Council.

The proposed ordinance establishes the Head Start Advisory Board so that it is a legally created board under the Oakland City Charter designed to advise the City Council on the operation of the Head Start program. As a Charter created Board, board members will be appointed by the Mayor and confirmed by the City Council. Pursuant to Section 602 of the Charter, the Head Start Advisory Board will continue to operate until modified or discontinued by City Council ordinance and will not need to be reauthorized in future years.

The proposed ordinance establishes Head Start Advisory Board composition, membership qualifications, member appointment, membership terms, officer election, vacancies, meetings, and rules and procedures. The ordinance is modeled after the Head Start Advisory Board Bylaws and only changes how the Advisory Board members are appointed and confirmed. The ordinance does not change the Advisory Board's other functions and operations. The Head Start Advisory Board will be advised to amend the Bylaws to reflect the change in membership appointment and confirmation.

PUBLIC OUTREACH/INTEREST

This item did not require any additional public outreach beyond the standard agenda noticing requirements.

COORDINATION

Coordination around this agenda report and Ordinance has occurred between Department of Human Services, the City Attorney's Office and the Budget Office.

COST SUMMARY/IMPLICATIONS

There is no fiscal impact expected from this action.

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SUSTAINABLE OPPORTUNITIES

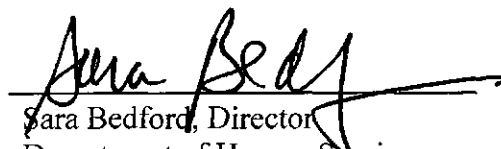
Economic: The Head Start/Early Head Start grant; which the Head Start Advisory Board assists with program oversight on behalf of the City Council, creates approximately 174 jobs, including people directly employed in centers, plus an unknown number of jobs through its economic multiplier effect. Most of these jobs are held by residents of Oakland. In addition, Head Start and Early Head Start buys goods and services to support its programs, and most of these are purchased from Oakland firms or individuals.

Environmental: There are no direct environmental benefits or impacts from the Head Start/Early Head Start Advisory Board to the City of Oakland.

Social Equity: The Oakland Head Start and Early Head Start Program delivers comprehensive, high-quality services to children and families in the City of Oakland. These services are designed to foster healthy development in low-income children, birth to 5 years old. Head Start and Early Head Start provide a range of individualized services in the areas of education and early childhood development, medical, dental, and mental health services, nutrition, and parent involvement. The range of services is responsive and appropriate to each child and family's developmental, ethnic, cultural, and linguistic heritage and experience. Recent scientific research has verified what early childhood educators have known for years: that how children are nurtured and educated in their youngest years has a significant impact on later growth and development.

For questions regarding this report, please contact Usana Hopkins, DHS Manager, Early Childhood & Family Services, (510) 238-3165.

Respectfully submitted,


Sara Bedford, Director
Department of Human Services

Early Childhood & Family Services Division
Reviewed by: Usana Hopkins, DHS Manager
Prepared by: Tracey Black, HHS Planner

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APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER _____



City Attorney

OAKLAND CITY COUNCIL
ORDINANCE NO. _____ C.M.S.

**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, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, GIBSON MOELHANEY, KALB, KAPLAN, REID, SCHAAF, and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST. _____

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

DATE OF ATTESTATION _____

NOTICE AND DIGEST

2014 MAY -2 PM 12: 04

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

This ordinance would rescind Resolution No. 76996, which was passed by the City Council in 2002 to set up the Head Start Advisory Board. This ordinance would establish the Head Start Advisory Board in accordance with the requirements of the Oakland City Charter section 601, which provides that the City Council must create all advisory boards and commissions by Ordinance and that board members must be appointed by the Mayor and confirmed by the City Council. This ordinance would establish the Head Start Advisory Board composition, membership qualifications, member appointment, membership terms, officer election, meetings, and rules and procedures.