

**CITY OF OAKLAND
COMMISSION ON HOMELESSNESS**

RESOLUTION NO. XXXXX

INTRODUCED BY THE INTERIM GOVERNANCE AD HOC COMMITTEE

**RESOLUTION ADOPTING RULES OF PROCEDURE FOR
OAKLAND'S COMMISSION ON HOMELESSNESS.**

WHEREAS, on November 6, 2018, 70.04 percent of Oakland voters approved Measure W, a vacant parcel tax, which also established a nine-person Commission on Homelessness to provide citizen oversight of tax revenues collected and allocated to homeless programs and services provided by the City; and

WHEREAS, on February 27, 2020, the City Council adopted Ordinance Number 13584 C.M.S. to expand the scope and responsibility of the Commission on Homelessness to include oversight of the 2020 Measure Q Parcel Tax: and

WHEREAS, the enabling legislation, codified in the Oakland Municipal Code Section 4.56.060, stipulates the role of the Commission on Homelessness is to make recommendations to the City Council for strategies to remedy homelessness; and

WHEREAS, pursuant to Oakland City Charter Section 201, Commissioner appointments are to be made by the Mayor and confirmed by the City Council; and

WHEREAS, on November 10, 2020, the City Council adopted Resolution Number 88383 C.M.S. confirming the appointments of Janny Castillo, Candice Elder, Joey Harrison, Alexis Lozano, James Mittelberger, Tomiquia Moss, Trent Rhorer, Beth Stokes and Mark Walker to the Commission on Homelessness; and

WHEREAS, the Commission on Homelessness held its first meeting on December 7, 2020, and assigned the task of developing rules of procedure to an Interim Governance Ad Hoc Committee of Commissioners; and

WHEREAS, the Ad Hoc Committee in consultation with City staff has developed rules of procedure for consideration; and

WHEREAS, the Commission on Homelessness desires to establish Rules of Procedure for the conduct of Commission meetings; now therefore be it

RESOLVED, that in accordance with the Oakland City Charter, the following are established as the By-laws and Rules of Procedure for the conduct of the Commission on Homelessness meetings:

Rule 1. Definition of Terms

The following terms, whenever used or referred to in this Resolution or in these Rules of Procedure, shall have the following and respective meanings, unless a different meaning is clearly made apparent by the context:

- a) **Agenda** shall mean the agenda for the Commission on Homelessness.
- b) **Alternate Commissioner** shall mean a non-voting member of the Commission on Homelessness.
- c) **Chair** shall mean the chairperson of the Commission on Homelessness.
- d) **Charter** shall mean the Charter of the City Oakland.
- e) **Commission** shall mean the Commission on Homelessness.
- f) **Commissioner** shall mean a voting member of the Commission on Homelessness.
- g) **Committee** shall mean a sub-group, working group, or ad hoc committee of the Commission not comprising of a quorum of members.
- h) **Member** shall mean Commissioners and Alternate Commissioners collectively.
- i) **Municipal Code** shall mean the Oakland Municipal Code.
- j) **Sunshine Ordinance** shall mean Oakland Municipal Code Chapter 2.20.
- k) **Vice Chair** shall mean the vice chairperson of the Commission on Homelessness.

Rule 2. Meetings

Except as otherwise determined by the Commission, regular meetings shall be held at 6:00 p.m. on the fourth Wednesday of January, April, July, and October in the City Council Chambers of City Hall, One Frank H. Ogawa Plaza, 3rd Floor, Oakland, California 94612. Meetings shall conclude no later than 9:00 p.m., unless extended by majority vote of the Commissioners in attendance. Commission meetings shall be held virtually while Shelter-In-Place orders are active. Special meetings can be scheduled between regular at the discretion of the Chair or by majority vote of the Commissioners in attendance.

Rule 3. Committees

The Commission may at any time design by resolution standing committees of its members. The Commission hereby delegates to the Chair the authority to designate and appoint the members of the standing committees and the chairs of such committees (which members shall total no more than three including the chair)

Standing Committees:

- a) Governance
- b) Policy
- c) Advisory Partners (This will be a committee that will be comprised of people with recent lived experience with homelessness that informs policy related to homelessness programs and resource allocations)

The Chair or Commission (by resolution) may from time-to-time designate and appoint members and chairs of such other ad hoc committees consistent with the Ralph M. Brown Act to assist in the transaction of the business of the Commission.

Each committee shall be advisory to the Commission. It shall investigate and formulate recommendations based on By- Laws and Administrative Rules of the Homelessness Commission. In the course of its investigation and formulation of recommendations to the Commission, committee shall consult with the Oakland Homelessness Administrator or, to the extent necessary, other Direct Reporting Officers.

Each committee shall meet from time-to-time, as its responsibilities require and upon the call of the committee's chair. Each committee shall report to the Commission at a regular or special meeting a summary of all matters considered and its findings and recommendations thereon.

Rule 3. Roberts Rules of Order

The business of the Commission shall be conducted, so far as it is practical, in accordance with parliamentary rules as contained in Roberts Rules of Order, except as modified by these rules and in accordance with state open meeting laws and local sunshine ordinance protocols. The Homelessness Administrator, or such other person as may be designated by the presiding officer upon approval of the Commission, shall serve as the official parliamentarian for meetings of the Commission.

Rule 4. Voting Order

The Commissioners shall vote in alphabetical order according to their surnames, with the Vice Chair, Chair or presiding officer of the Commission voting last.

Rule 5. Election of Chair and Vice Chair

The Interim Governance Committee shall propose a rotating schedule for Commissioners appointed as Chair and Vice Chair. The term for Chair and Vice Chair shall be determined by majority vote. Commissioners may serve no more than two terms as Chair or Vice Chair. The Interim Governance Committee proposes that the Chair and Vice-Chair be appointed together.

Process for election: The Commission will call for voluntary (self-nominations) for Chair and Vice- Chair. If none emerge, nominations will be solicited from the full Commission which would require a 1st and 2nd following formal motions procedures.

The Chair of the Commission shall perform the following duties:

- a) Chair and preside at all regular and special meetings of the Commission.
- b) The Chair may call a special meeting of the Commission.
- c) The Chair may create ad hoc committees to perform such advisory functions as they shall determine and may appoint and remove members from such committees.
- d) Represent the Commission in meetings or communications with local officials and the public.

In the absence or inability of the Chair to act, the Vice Chair shall take the place and perform the duties of the Chair. If two Commissioners are assigned as co-Vice Chairs, the co-Vice Chairs shall select which co-Vice Chair shall serve as the presiding officer and may rotate duties during a meeting after announcing such a rotation to the Commission and public.

Rule 6. Quorum

Five (5) Commissioners shall constitute a quorum.

Rule 7. Rights of Commissioners less than a Quorum

In the absence of a quorum, no information may be presented, and no official action shall be taken by the Commissioners except to order a call of the Commission, engage in discussion and present information, to reschedule the meeting, to recess or to adjourn. If there are three or less Commissioners present, the meeting must be rescheduled.

Rule 8. Alternate Commissioners

The Commission requests that there be alternates for the commission. Alternate Commissioners may participate in all Commission discussion, express their favor or disfavor for all items before the Commission, and be assigned to a committee.

Rule 9. Commissioner Protocols at Meetings

The Chair shall recognize a member before the member addresses the Commission. No member shall speak for more than ten (10) minutes on any matter without the consent of the Chair or a majority of the Commissioners in attendance.

Rule 10. Member Absences

If any member cannot attend a meeting, the member shall notify the Chair and City staff of their absence prior to the start of the meeting. Members submitting adequate notice (24 hours) as determined by the Chair or presiding officer shall be noted as an excused absence for purposes of the meeting minutes. Members that do not submit prior notice will be noted as an unexcused absence for purposes of the meeting minutes.

Members recording three (3) unexcused absences may be subject to removal as stipulated in Oakland Municipal Code 4.56.060. The

Chair will facilitate the process of removal subject to the Municipal Code.

Rule 11. Motions

If any Commissioner makes a motion, such motion shall not be debated, or further discussed or considered, or voted upon, until after a second to such motion is made by a Commissioner.

Rule 12. Agenda

City staff in consultation with the Chair and Vice Chair shall set the Agenda for Commission meetings. If a member requests an item be added to a meeting Agenda, the member shall notify City staff no less than a week prior to the meeting date.

Rule 13. Disclosure Requirements by Commissioners

Under a standing Agenda item, members shall verbally report any contacts with the purpose of influencing the decision-making authority of the Commission. Contacts shall include, but is not limited to, verbal or written communications from a City Council Member, School Board Member, locally elected official, public entity, partisan lobbyist, or individual speaking on behalf of the a forementioned offices or entities.

Rule 14. Vacancy

A member voluntarily resigning from the Commission shall immediately submit written notice to the Chair and City staff of their decision. Should the resignation of a Commissioner occur more than fifteen (15) days before the next scheduled meeting, the Chair shall call a Special Meeting of the Commission to fill the vacancy. In accordance with the governing legislation, the Chair will call a meeting of the governance committee to put forth nominations to fill vacancies that will be presented to the full Commission.

Rule 15. Eligibility

In the event a member is no longer eligible to serve on the Commission based on the criteria listed in Oakland Municipal Code Section 4.56.060, the member shall immediately submit written notice to the Chair and City staff by submitting their resignation.

Rule 16. Removal

Removal of a member shall follow the procedures listed in Oakland Municipal Code Section 4.56.060.

Rule 17. Open Forum

Open Forum shall be listed at the beginning of the Agenda. The public shall be awarded 2 minutes to address the Commission under Open Forum. The Chair or presiding officer may adjust the speaking time for Open Forum; however, the public shall be awarded at minimum one (1) minute to address the Commission.

Rule 18. Speaking Time Limits on Agenda Items

The public shall be awarded 2 minutes to address the Commission on each Agenda item. The Chair or presiding officer may adjust the speaking time for Agenda Items; however, the public shall be awarded at minimum one (1) minute to address the Commission.

Rule 19. Speaker Cards

Persons wishing to address the Commission must complete a speaker card for each agenda item they wish to speak on. Speaker cards shall not be required for teleconference meetings.

Rule 20. Ceding Time

A speaker may extend their speaking time on Agenda items if other speakers who have submitted their names to speak agree to cede their time to the recipient speaker. The recipient speaker will receive one (1) minute speaking time from each ceding speaker, up to a maximum of five (5) minutes. At the Chair or presiding officer's discretion, a speaker may be allotted more than five (5) minutes based on ceded time. The recipient speaker must submit the ceding speakers' speaking cards, and the ceding speakers must be present at the time the recipient speaker speaks. Ceding time shall not be awarded for teleconference meeting or during Open Forum.

Rule 21. Addressing the Commission

Speakers must speak from the podium when addressing the Commission and shall speak clearly into the microphone. Speakers are to refrain from using profanity, yelling and/or screaming. Members of the public should address their questions or remarks to the Chair or presiding officer. Other members and City staff will respond to questions only when requested to do so by the Chair.

Members and City staff shall refrain from entering into any debates or discussion with speakers during public comment.

Rule 22. Audience Conduct

The public has the right to criticize policies, procedures, actions or omissions of the Commission or City staff. The public should not vocally oppose statements made by anyone while they speak. The public may not display signs that impede the ability of the public or Commission to see or participate in the meeting or that endanger any meeting participants.

Rule 23. Removal of a Disruptive Person

The Chair or presiding officer shall possess the power and duty to order removal from the meeting room any person who commits the following acts after being warned that such conduct could lead to their removal:

- a) Disorderly conduct that disrupts the due and orderly course of the meeting such as making noise, speaking out of turn, or otherwise refusing to comply with the Commission's Rules of Procedures;
- b) A breach of the peace, boisterous conduct, or violent disturbance, tending to interrupt the due and orderly course of the meeting; or
- c) Disobedience of any lawful order of the Chair, which shall include, but be not limited to, an order to be seated.