



Board Members:

Bob J. Archuleta, City of Pico Rivera
Ronald Bates, City of Pico Rivera
Belinda V. Faustionos, Los Angeles County
Santos H. Kriemann, Los Angeles County
Armando V. Moreno, Los Angeles County

Thursday, April 12, 2012
Special Meeting 5:00 p.m.
Council Chambers
6615 Passons Blvd.
Pico Rivera, California

PLEDGE OF ALLEGIANCE:

AGENDA ITEMS:

1. Designate a Chairperson and Vice-Chairperson of the Oversight Board.

Recommendation:

1. Select the Oversight Board Chairperson and Vice Chairperson for the 2012 calendar year.

2. Administrative Budget.

Recommendation:

1. Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency approving the Administrative Budget.

Resolution No. _____ A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34177, APPROVING THE ADMINISTRATIVE BUDGET

3. Recognized Obligation Payment Schedule.

Recommendation:

1. Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency establishing the Recognized Obligation Payment Schedule (ROPS).

Resolution No. _____ A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34180, ESTABLISHING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE

4. Designate Official For State.

Recommendation:

1. Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency designating the Director of Finance for the City of Pico Rivera as the official to whom the State Department of Finance can contact to request a review of information submitted by the Oversight Board.

Resolution No. _____ A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DESIGNATING THE DIRECTOR OF FINANCE FOR THE CITY OF PICO RIVERA AS THE OFFICIAL TO WHOM THE STATE DEPARTMENT OF FINANCE CAN CONTACT TO REQUEST A REVIEW OF INFORMATION SUBMITTED BY THE OVERSIGHT BOARD

5. Transfer Housing Responsibilities and Assets.

Recommendation:

1. Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency transferring housing responsibilities, rights, powers, duties, and obligations along with encumbered amounts on deposit in the Low and Moderate Income Housing Fund at January 31, 2012 to the Pico Rivera Housing Assistance Agency.

Resolution No. _____ A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34181, DIRECTING THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY TO TRANSFER THE RESPONSIBILITIES, RIGHTS, POWERS, DUTIES, OBLIGATIONS, ASSETS, AND LIABILITIES OF THE LOW AND MODERATE INCOME HOUSING FUND TO THE PICO RIVERA HOUSING ASSISTANCE AGENCY

6. Approve Resolution Adopting Bylaws and Rules of Procedures.

Recommendation:

1. Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency ("Oversight Board") approving the Bylaws and Procedures of the Oversight Board.

Resolution No. _____ A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY APPROVING AND ADOPTING BYLAWS AND REGULATIONS FOR OPERATIONS OF ITS MEETINGS PROCEEDINGS AND BUSINESS

7. Establishing a Regular Meeting Schedule for the Oversight Board of the Successor Agency for the Pico Rivera Redevelopment Agency.

Recommendation:

1. Staff recommends the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency ("Oversight Board") meet the third Thursday of the first month of each calendar quarter at 4:30 p.m. in the Council Chambers at 6615 Passons Boulevard, Pico Rivera, California.

ADJOURNMENT:

AFFIDAVIT OF POSTING

I, Anna Jerome, Assistant City Clerk, for the City of Pico Rivera, DO HEREBY CERTIFY, under penalty of perjury under the laws of the State of California, that the foregoing notice was posted at the Pico Rivera City Hall bulletin board, the Pico Rivera Post Office and Pico Rivera Parks (Pico, Smith and Rivera) and distributed to members of the media on this the 9th, day of April, 2012.

Dated this 9th, day of April, 2012



Anna M. Jerome, CMC
Assistant City Clerk

SB343 NOTICE

In compliance with and pursuant to the provisions of SB343 any public writing distributed by the City Clerk to at least a majority of the City Council Members regarding any item on this regular meeting agenda will be available on the back table at the entrance of the Council Chamber at the time of the City Council meeting and at the counter of City Hall at 6615 Passons Boulevard, Pico Rivera, California during normal business hours.



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: DESIGNATE A CHAIRPERSON AND VICE-CHAIRPERSON
OF THE OVERSIGHT BOARD

Recommendations:

Select the Oversight Board Chairperson and Vice Chairperson for the 2012 calendar year.

Fiscal Impact:

None

Discussion:

Assembly Bill XI 26 added Health and Safety Code Section 34179(a) requiring selection of a chairperson and vice-chairperson by the members of the Oversight Board and those names of the Chairperson and other members be reported to the Department of Finance on or before May 1, 2012. Staff is recommending that the Oversight Board members select a Chairperson and Vice Chairperson to serve a one-year term by simple majority vote of the board.

Michael Matsumoto

MM:AJ



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: ADMINISTRATIVE BUDGET

Recommendations:

Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency approving the Administrative Budget.

Fiscal Impact:

There is no direct fiscal impact.

Discussion:

On June 28, 2011, the Governor of California signed ABx1 26 which dissolves all California redevelopment agencies unless certain payments are made that reduce the State's obligation. Effective February 1, 2012, all redevelopment agencies in California were dissolved, and the City is now acting as the Successor Agency to manage and curtail the operation of the dissolved Pico Rivera Redevelopment Agency.

Requirement

Health and Safety Code Section 34177(j) requires the Successor Agency to prepare an Administrative Budget and submit it to the Oversight Board for approval. The Administrative Budget is for a six month period, but because of the delay in implementation, the first Administrative Budget will only cover May 1, 2012 through June 30, 2012. Because of the short period and because the July 1, 2012 through December 31, 2012 Administrative Budget will be due soon, the Administrative Budget was prepared for both periods.

OVERSIGHT BOARD AGENDA MEMO – MTG. OF 4/12/12

Administrative Budget

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The amounts are estimates of the amounts that will actually be spent. The City eliminated some positions in February, but with required notices the final payouts may not happen prior to May 1. Therefore, severance costs are included in the proposed Administrative Budget for May and June 2012.

Since January 2012, staff has requested the County Auditor-Controller provide estimates of the property tax payments. The County informed us in early March that we would not receive any property taxes for the remainder of 2011-12. We do not yet have an estimate of the June 1, 2012 payment, so we are unsure whether we will receive any money for administration. The administrative budget may have no fiscal impact because we might not obtain funding.



Michael Matsumoto
Director of Finance

MM

Attachment – Resolution approving the Administrative Budget.

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34177, APPROVING THE ADMINISTRATIVE BUDGET

WHEREAS, on June 28, 2011, the Governor of California signed ABx1 26 which added Health and Safety Code Section 34169; and

WHEREAS, pursuant to Health & Safety Code Section 34177(j), successor agencies are required to submit an administrative budget to the Oversight Board; and

WHEREAS, pursuant to the California Supreme Court decision December 29, 2011, the first administrative budget must be submitted to the County Auditor Controller by April 1, 2012; and

WHEREAS, prior to April 3, 2012, there were only two appointed board members to the Oversight Board, so the Oversight Board could not meet with a required quorum; and

WHEREAS, the first administrative budget for the period May 1, 2012 through June 30, 2012 was submitted to the County Auditor Controller prior to April 1, 2012; and

WHEREAS, pursuant to Health & Safety Code Section 34177(j), the administrative budget is to cover the same time frame as the recognized obligation payment schedule; and

WHEREAS, the administrative budget was designed to cover eight month from May through December to ensure the obligations due through December 2012 are properly shown to other parties; and

WHEREAS, pursuant to Health & Safety Code Section 34177(j), the successor agency is submitting the administrative budget to the Oversight Board for approval;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency, California, pursuant to California Health and Safety Code Section 34180, as follows:

SECTION 1. The Oversight Board approves the administrative budget (Attachment A).

SECTION 2. The City Clerk of the City of Pico Rivera shall attest to the passage of this Resolution and it shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of April 2012.

ATTEST:

OVERSIGHT BOARD

Anna Jerome, Assistant City Clerk

, Chairperson

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

Resolution No. _____
Page 2 of 2

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment A

PICO RIVERA SUCCESSOR AGENCY
 ADMINISTRATIVE BUDGET
 For 2011-12 and 2012-13

Expense Category	Two Months 2011-12 (1) Proposed	Six Months 2012-13 (2) Proposed
<u>Salaries & Wages</u>		
Salaries	6,967	41,800
Severance Costs	40,000	-
Benefits and payroll taxes	3,448	20,688
TOTAL	50,415	62,488
<u>Maintenance & Operation</u>		
Postage	500	2,500
Departmental Supplies	2,000	6,000
Printing & Duplicating	1,000	2,500
Special Dept Expense	2,000	6,000
Contracted Services	20,000	60,000
Legal Services	10,000	30,000
TOTAL	35,500	107,000
<u>Capital Outlay</u>		
Furniture & Equipment	-	-
TOTAL	-	-
TOTAL EXPENDITURES	85,915	169,488

Proposed Sources of Payments H&S Code 34177

Administrative Cost Allowance - unable to determine how much we will receive.
 County Deferral
 Property Tax Trust Fund
 City of Pico Rivera

(1) The 2011-12 proposed budget is for May 1, 2012 through June 30, 2012.

(2) The 2012-13 proposed budget is for July 1, 2012 through December 31, 2012.



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Recommendations:

Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency establishing the Recognized Obligation Payment Schedule (ROPS).

Fiscal Impact:

There is no direct fiscal impact.

Discussion:

On June 28, 2011, the Governor of California signed ABx1 26 which dissolves all California redevelopment agencies unless certain payments are made that reduce the State's obligation. Effective February 1, 2012, all redevelopment agencies in California were dissolved, and the City is now acting as the Successor Agency to manage and curtail the operation of the dissolved Pico Rivera Redevelopment Agency.

Requirement

Health and Safety Code Section 34177(l) requires the Successor Agency to prepare a ROPS showing all the obligations of the former Redevelopment Agency and the sources of funds for the repayments, and the ROPS was approved by the City as Successor Agency February 14, 2012. The ROPS is due to the County Auditor-Controller by March 1, 2012 for their review and certification, and the ROPS was sent to the County Auditor-Controller on February 15, 2012.

OVERSIGHT BOARD AGENDA MEMO – MTG. OF 4/12/12

Recognized Obligation Payment Schedule

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The County certified ROPS must be sent to the Oversight Committee for approval; however, the County has not yet certified the ROPS. By April 15, 2012, the approved ROPS must be sent to the State Controller and the State Department of Finance. Because the County is to make disbursements from the Property Tax Trust Fund, staff intends to send a copy of the Oversight Board approved ROPS to the County Auditor-Controller.

The County Auditor-Controller has informed staff that they do not intend to make any payments based on the ROPS for May 1, 2012 through June 30, 2012, so there is no fiscal impact from this action. Health and Safety Code Section 34180(g) requires the Oversight Board to establish the ROPS.



Michael Matsumoto

Director of Finance

MM

Attachment – Resolution establishing the Recognized Obligation Payment Schedule (ROPS).

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34180, ESTABLISHING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE

WHEREAS, on June 28, 2011, the Governor of California signed ABx1 26 which added Health and Safety Code Section 34169; and

WHEREAS, pursuant to Health & Safety Code Section 34177(l), successor agencies are required to adopt preliminary recognized obligation payment schedules by March 1, 2012; and

WHEREAS, pursuant to the California Supreme Court decision December 29, 2011, the first recognized obligation schedule will become effective May 1, 2012; and

WHEREAS, pursuant to Health & Safety Code Section 34177(l), the recognized obligation payment schedule was designed to cover six month periods January through June; and

WHEREAS, the preliminary recognized obligation payment schedule was designed to cover eight month from May through December to ensure the obligations due through December 2012 are properly shown to other parties; and

WHEREAS, pursuant to Health & Safety Code Section 34177(l), the successor agency must file the recognized obligation payment schedule with the County Auditor-Controller; and

WHEREAS, pursuant to Health & Safety Code Section 34180(g), the Oversight Board must establish the recognized obligation payment schedule by April 15, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency, California, pursuant to California Health and Safety Code Section 34180, as follows:

SECTION 1. The Oversight Board establishes the recognized obligation payment schedule (Attachment A).

SECTION 2. Staff are directed to post the recognized obligation payment schedule on the website and submit the recognized obligation payment schedule as required by law.

SECTION 3. The City Clerk of the City of Pico Rivera shall attest to the passage of this Resolution and it shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of April 2012.

ATTEST:

OVERSIGHT BOARD

Anna Jerome, Assistant City Clerk

, Chairperson

Resolution No. _____
Page 2 of 2

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: DESIGNATE OFFICIAL FOR STATE

Recommendations:

Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency designating the Director of Finance for the City of Pico Rivera as the official to whom the State Department of Finance can contact to request a review of information submitted by the Oversight Board.

Fiscal Impact:

There is no fiscal impact to this action.

Discussion:

On June 28, 2011, the Governor of California signed ABx1 26 which dissolves all California redevelopment agencies unless certain payments are made that reduce the State's obligation. Effective February 1, 2012, all redevelopment agencies in California were dissolved, and the City is now acting as the Successor Agency to manage and curtail the operation of the dissolved Pico Rivera Redevelopment Agency.

Requirement

Health and Safety Code Section 34179(h) requires the Successor Agency to designate an official to whom the State Department of Finance can communicate to request a review information submitted to the State Department of Finance by the Oversight Board.

The Director of Finance for the City of Pico Rivera prepares the agendas for the Oversight Board; therefore, the State Department of Finance should contact the Director of Finance

OVERSIGHT BOARD AGENDA MEMO – MTG. OF 4/12/12

Designate Official for State Department of Finance

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for the City of Pico Rivera if the State wishes to review the information supporting the items submitted to the State by the Oversight Board.



Michael Matsumoto

Director of Finance

MM

Attachment – Resolution designating the Director of Finance of the City of Pico Rivera as the Official to whom the State Department of Finance can Contact to Request a Review of Information Submitted by the Oversight Board

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DESIGNATING THE DIRECTOR OF FINANCE FOR THE CITY OF PICO RIVERA AS THE OFFICIAL TO WHOM THE STATE DEPARTMENT OF FINANCE CAN CONTACT TO REQUEST A REVIEW OF INFORMATION SUBMITTED BY THE OVERSIGHT BOARD

WHEREAS, on June 28, 2011, the Governor of California signed ABx1 26 which added Health and Safety Code Section 34169; and

WHEREAS, pursuant to Health & Safety Code Section 34179(h), Oversight Board actions are subject to review by the State Department of Finance; and

WHEREAS, pursuant to Health & Safety Code Section 34179(h), Oversight Boards are required to designate an official to whom the State Department of Finance can contact to request a review of information submitted by the Oversight Board; and

WHEREAS, the Director of Finance of the City of Pico Rivera prepares the agendas for the Oversight Board; and

WHEREAS, the Oversight Board designates the Director of Finance of the City of Pico Rivera as the Official to whom the State Department of Finance may submit requests to review Oversight Board actions;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency, California, pursuant to California Health and Safety Code Section 34179(h), as follows:

SECTION 1. The Oversight Board designates the Director of Finance of the City of Pico Rivera as the Official to whom the State Department of Finance may submit requests to review Oversight Board actions.

SECTION 2. The City Clerk of the City of Pico Rivera shall attest to the passage of this Resolution and it shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of April 2012.

ATTEST:

OVERSIGHT BOARD

Anna Jerome, Assistant City Clerk

, Chairperson

Resolution No. _____
Page 2 of 2

APPROVED AS TO FORM:

Arnold Alvarez-Glasman
City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: TRANSFER HOUSING RESPONSIBILITIES AND ASSETS

Recommendations:

Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency transferring housing responsibilities, rights, powers, duties, and obligations along with encumbered amounts on deposit in the Low and Moderate Income Housing Fund at January 31, 2012 to the Pico Rivera Housing Assistance Agency.

Fiscal Impact:

There is no fiscal impact to this action. The Successor Agency to the Pico Rivera Redevelopment Agency will not retain any of the Low and Moderate Income Housing Fund assets.

Discussion:

On June 28, 2011, the Governor of California signed ABx1 26 which dissolves all California redevelopment agencies unless certain payments are made that reduce the State's obligation. Effective February 1, 2012, all redevelopment agencies in California were dissolved, and the City is now acting as the Successor Agency to manage and curtail the operation of the dissolved Pico Rivera Redevelopment Agency. Pursuant to Health and Safety Code Section 34176, the City of Pico Rivera selected the Pico Rivera Housing Assistance Agency to succeed to the housing assets of and housing functions of the dissolved Pico Rivera Redevelopment Agency.

Requirement

Health and Safety Code Section 34181(c) requires the Oversight Board to direct the Successor Agency to transfer housing responsibilities and all rights, powers, duties, and

obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity pursuant to Section 34176.

Health and Safety Code Section 34177(d) requires the unencumbered balance of the Low and Moderate Income Housing Fund to be transferred to the County Auditor-Controller.

The resolution includes a report showing the assets and liabilities including the encumbered balance of the Low and Moderate Income Housing Fund at January 31, 2012.

The State Department of Finance may review this action pursuant to Health and Safety Code Section 34179(h).



Michael Matsumoto

Director of Finance

MM

Attachment - Resolution directing the Successor Agency to the Pico Rivera Redevelopment Agency to Transfer the Responsibilities, Rights, Powers, Duties, Obligations, Assets, and Liabilities of the Low and Moderate Income Housing Fund to the Pico Rivera Housing Assistance Agency.

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34181, DIRECTING THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY TO TRANSFER THE RESPONSIBILITIES, RIGHTS, POWERS, DUTIES, OBLIGATIONS, ASSETS, AND LIABILITIES OF THE LOW AND MODERATE INCOME HOUSING FUND TO THE PICO RIVERA HOUSING ASSISTANCE AGENCY

WHEREAS, on June 28, 2011, the Governor of California signed ABx1 26 which added Health and Safety Code Section 34169; and

WHEREAS, pursuant to Health & Safety Code Section 34181(C), Oversight Boards are required to direct Successor Agencies to distribute the responsibilities, rights, powers, duties, obligations, assets, and liabilities of the Low and Moderate Income Housing Fund at January 31, 2012 to the Successor Housing Authority; and

WHEREAS, pursuant to Health & Safety Code Section 34176, the City of Pico Rivera designated the Pico Rivera Housing Assistance Agency as the Successor Housing Authority;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency, California, pursuant to California Health and Safety Code Section 34180, as follows:

SECTION 1. The Oversight Board directs the Successor Agency to the Pico Rivera Redevelopment Agency to transfer the responsibilities, rights, powers, duties, obligations, assets, and liabilities of the Low and Moderate Income Housing Fund, including the assets and liabilities identified in Attachment A, to the Pico Rivera Housing Assistance Agency.

SECTION 2. The City Clerk of the City of Pico Rivera shall attest to the passage of this Resolution and it shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of April 2012.

ATTEST:

OVERSIGHT BOARD

Anna Jerome, Assistant City Clerk

, Chairperson

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment A

PICO RIVERA
 LOW & MOD HOUSING FUND
 BALANCE SHEET
 AS OF JANUARY 31, 2012

ASSETS

Current Assets:		
Cash and investments - Encumbered for Housing Projects (1)		\$ 2,854,869
Non Current Assets:		
Advances to other Funds (RDA)		<u>2,011,156</u>
TOTAL ASSETS (2)		<u><u>\$ 4,866,025</u></u>

LIABILITIES

Current Liabilities:		
Accounts payable		\$ -
Noncurrent Liabilities:		
Advances from other funds		<u>\$ -</u>
TOTAL LIABILITIES		<u><u>\$ -</u></u>

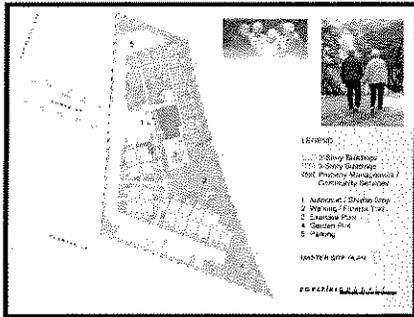
FUND BALANCE

Fund Balance		<u>\$ 4,866,025</u>
TOTAL FUND BALANCE		<u><u>\$ 4,866,025</u></u>

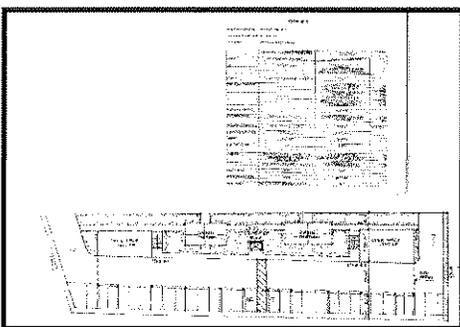
Note:

- (1) See attached list of Housing Projects showing the full cash balance is encumbered at January 31, 2012.
- (2) In addition to these assets and liabilities, the Burke Street Site (APN 6384-004-900) should be transferred to the Successor Housing Agency (the Pico Rivera Housing Assistance Agency).

**Encumbered Project Report-Affordable Housing Program
City of Pico Rivera Community & Economic Development Department
As of January 31, 2012**

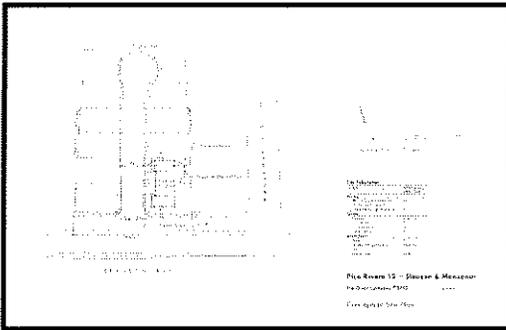


Project Name: Burke Street Property
Project ID: CED 1999-12-01
Location: Intersection of Burke Street and San Gabriel River
APN: 6384-004-900
Zoning: Planned Unit Development
Site Acreage: 2.65 Acres
Ownership: Pico Rivera Redevelopment Agency
Description: Proposal to construct 79 units of senior housing with related community facilities, parking, open space and recreation facilities by Jamboree Housing
City Funds: Low/Mod Housing (20% Housing Set-Aside from RDA)
City Subsidy: \$1,250,000 (\$15,822 per unit)
Income Category: Very Low to Low Income
Supporting Docs: Phase I Environmental Site Assessment –October 2, 2008; Phase II Environmental Site Assessment-September 30, 2003; DDA Agreement No. 98-707/R98-300 (Pico Redevelopment Agency and MRC Development)-July 16, 1998; Appraisal for Excess Railroad Right of Way-March 15, 1991; Jamboree Housing Conceptual Plans



Project Name: PACE Housing Development
Project ID: CED 2009-12-02
Location: 8554-8642 Beverly Boulevard
APN: 5272-005-012, 5272-005-045, 5272-004-035
Site Acreage: Commercial Planned Development, Community Commercial
Zoning: General Commercial

Ownership: Phil Pace Private Developer/Owner
Description: Proposal to construct 55 unit of senior housing with related community facilities, parking, open space and recreation facilities by PACE Development
City Funds: Low/Mod Housing (20% Housing Set-Aside from RDA)
City Subsidy: \$1,100,000 (\$ per unit): \$20,000 per unit
Income Category: Very Low to Low Income
Supporting Docs: Developer Conceptual Plans submitted and reviewed by Planning Division



Project Name: Olson Company
Project ID: CED 2005-12-03
Location: 8841 East Slauson Avenue
APN: 6369-023-900
Site Acreage: 1.7 Acres
Ownership: Los Angeles County
Description: Proposal to construct 14 units of single family housing
City Funds: Low/Mod Housing (20% Housing Set-Aside from RDA)
City Subsidy: \$1,100,000 (\$ per unit): \$78,571 per unit
Income Category: Very Low to Low Income
Supporting Docs: Olson Company Conceptual Plans; Los Angeles County correspondence regarding transfer of title to City;

Project Name: Infill Housing Program
Project ID: CED 1001-12-04
Location: Various
APN: Various
Site Acreage: Multiple sites
Description: Development of single-family and multiple-family housing projects throughout Pico Rivera per Affordable Housing Implementation Agreement No. R-11-418/HA-15 dated March 8, 2011. Annual Payments from Redevelopment Agency to Housing Assistance Agency to be made from FY 2010-11 through FY 2039-40 for a total of \$19,250,000
City Funds: Low/Mod Housing (20% Housing Set-Aside from RDA)
City Subsidy: \$19,250,000
Income Category: Very Low to Low Income
Entitlements: n/a



To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: APPROVE RESOLUTION ADOPTING BYLAWS AND
PROCEDURES

Recommendations:

Adopt the resolution of the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency ("Oversight Board") approving the Bylaws and Procedures of the Oversight Board.

Fiscal Impact:

None.

Discussion:

Staff is recommending that the Oversight Board adopt bylaws and regulations for operations of its meetings proceedings and business. The proposed by laws and regulations are attached as Exhibit "A". The bylaws and regulations provide for, among other things, the powers and duties of the Chairperson and Vice Chairperson, the appointment of the Clerk of the Oversight Board, the Oversight Board Liaison, and providing for the meeting be conducted in accordance with the Brown Act.

Michael Matsumoto

MM:AJ

Attachment: Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY APPROVING AND ADOPTING BYLAWS AND REGULATIONS FOR OPERATIONS OF ITS MEETINGS PROCEEDINGS AND BUSINESS

WHEREAS, the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency (the "Oversight Board") has been established to direct the Successor Agency to take certain actions to wind down the affairs of the redevelopment agency in accordance with the California Health and Safety Code; and

WHEREAS, the Oversight Board desires to adopt bylaws and regulations for the general conduct of its meetings, proceedings and business.

NOW, THEREFORE, the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency does hereby resolve as follows:

Section 1. The bylaws and regulations for operations of the Oversight Board, a copy of which is attached hereto and incorporated herein as Exhibit "A", are hereby approved.

Section 2. The Clerk of the Oversight Board shall certify to the adoption of this Resolution.

Section 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2012.

, Chairperson

ATTEST:

APPROVED AS TO FORM:

Anna M. Jerome, Assistant City Clerk

Arnold M. Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

**BYLAWS OF THE
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE PICO RIVERA REDEVELOPMENT AGENCY**

ARTICLE 1 – THE OVERSIGHT BOARD

Section 1. Name of Authority

The official name shall be the “Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency” (herein referred to as “Oversight Board”).

Section 2. Office and place of Meeting

The regular place of meeting of the Oversight Board shall be in the Council Chambers at Pico Rivera City Hall, 6615 Passons Boulevard, California, 90660. The Oversight Board may hold its meetings at such other locations as the Oversight Board may from time to time designate by resolution, in the order of adjournment, or notice of call of any special meetings.

Section 3. Records

All books, records, papers, tapes, and minutes of the Oversight Board meetings shall be maintained in the Office of the City Clerk, Pico Rivera City Hall, 6615 Passons Boulevard, Pico Rivera, California 90660, which shall act as the Clerk for the Oversight Board.

Section 4. Powers and Duties of the Oversight Board

The Oversight Board shall be vested with all the rights, powers, duties, privileges, and immunities established by Assembly Bill X1 26 (2011) and in particular, California Health and Safety Code Sections 34179, 34180, and 34181.

ARTICLE II – BOARD MEMBERS AND SECRETARY

Section 1. Board Members

The Oversight Board shall be composed of seven members. The members shall elect one of their members as the chairperson and select one of the members as the vice-chairperson. All Oversight Board members shall be selected pursuant to the guidelines set forth in the California Health and Safety Code 34179.

Section 2. Chairperson

The Chairperson shall have the following powers and duties:

- (a) To preside at all meetings and hearings of the Oversight board;
- (b) To sign all written resolution, minutes of meetings or hearings of the Oversight Board which have been approved by the Oversight Board;

(c) To perform such other duties as may be required of the Chairperson either by State law or by resolution or order of the Oversight Board consistent with State and such other duties as may be necessary to perform the required duties of the Chairperson; and

(d) To meet with staff as appropriate to set agenda for the Oversight Board meetings.

Section 3. Vice-Chairperson

The Vice-Chairperson shall have the following powers and duties;

(a) To perform all powers and duties of the Chairperson in the event of an during the absence or incapacity of the Chairperson;

(b) To preside as Chairperson at all meetings and hearings of the Oversight Board in the event of and during the absence or incapacity of the Chairperson; and

(c) To perform such other duties as may be required of the Vice-Chairperson either by State law or by resolution or order of the Oversight Board consistent with State law and such other duties as may be necessary to perform the required duties of the Vice-Chairperson

Section 4. Vacancy in Office

If the Chairperson or Vice-Chairperson should cease to be a member of the Oversight Board, or if for any other reason the office of the Chairperson or Vice-Chairperson should become vacant prior to the expirations of the term of office, the Oversight Board shall elect a successor to the office of Chairperson or Vice-Chairperson for the unexpired portion of the term. The Chairperson and Vice-Chairperson shall serve at the pleasure of the Oversight Board.

Section 5. Chair Pro Tempore

In the event of vacancies in office of the Chairperson and Vice-Chairperson, or in the event of the absence of the Chairperson and Vice-Chairperson, at the time of any meetings, the Oversight Board may elect one of its members Chair Pro Tempore to preside over such meetings during such vacancies and absences. The Chair Pro Tempore shall have all the powers and duties of the Chairperson during such meetings.

Section 6. Secretary – Clerk of the Oversight Board

The City Clerk of the City of Pico Rivera or his designee, shall serve as Clerk of the Oversight Board. The Clerk of the Oversight Board shall have the following powers and duties:

(a) To act as the clerk at all meetings of the Oversight Board by recording all votes and other records of such meetings and to perform all duties incident to the office;

(b) To attest to all minutes of the meetings of the Oversight Board;

(c) To maintain a record of all official proceedings of the Oversight Board; and

(d) To perform all duties required of him or her by the bylaws, resolutions or orders of the Oversight Board consistent with State law.

In the absence of the Clerk of the Oversight Board, the Assistant City Clerk of the City of Pico Rivera shall act as Clerk of the Oversight Board.

ARTICLE III – MEETINGS

Section 1. Regular Meetings

Regular meetings of the Oversight Board shall be held at a time to be determined by the Oversight Board. The meetings will be held in the Council Chambers at City Hall, Pico Rivera, California or at such locations as the Oversight Board may from time to time designate by resolution, in the order of adjournment, or notice of call of any special meetings. In the event of a day of meeting shall be a legal holiday, said meeting shall be held on the next business day unless otherwise determined by the Oversight Board.

Section 2. Special Meetings

The Chairperson of the Oversight Board may, when he or she deems it necessary, and shall, upon the written request of four members of the Oversight Board, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for the calling of such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq. (the “Brown Act”).

Section 3. Adjournment – Adjourned Meetings

The board members may adjourn any meeting to a time and place specified in the order of the adjournment. When an order of adjournment of any meetings fails to state an hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings. In adjourning any meeting, there shall be compliance with all procedures of the Brown Act.

Section 4. Executive Session

Every meeting of the Oversight Board shall be open and public, provided, however, that the Oversight Board may hold executive session during a regular or special meeting to consider items in closed session as authorized under the Brown Act.

Section 5. Quorum/Vote Required

Four (4) board members of the Oversight Board shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. All actions of the Oversight Board shall be adopted by a majority vote of the total membership of the Oversight Board, meaning all actions of the Oversight Board must receive at least four affirmative votes.

Section 6. Manner and Recordation of Votes

Voting members of the Oversight Board shall signify their vote by an “aye” or a “no,” and the result of each vote shall be entered by the Clerk in the record of the Oversight Board proceedings. Upon the request of any Board member, a roll call vote shall be taken on any matter upon which a vote is called, and each vote shall be recorded by the Clerk.

Section 7. Order of Business

(a) **Agenda.** The order of business of each meeting shall be as contained in the Oversight Board Agenda prepared by the Clerk of the Oversight Board, although the Chairperson may change the order of business unless a majority of the quorum of the Oversight Board otherwise objects. The Agenda shall be a listing by topic of subjects which shall be taken up for consideration in the following order.

- (i) Opening
- (ii) Call to Order
- (iii) Roll Call
- (iv) Flag Salute
- (v) Public Comments
- (vi) Public Hearing
- (vii) Consent Calendar
- (viii) Legislative Action
- (ix) Old Business
- (x) New Business
- (xi) Closed Session
- (xii) Adjournment

All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and approved copy of each resolution filed in the official book of resolutions of the Oversight Board.

(b) **Preparation of Agenda.** The staff of the Successor Agency shall be responsible for the preparation of the Agenda. The Oversight Board, by a majority, may direct a matter to be placed upon a future agenda.

(c) **Delivery of Agenda.** The Agenda and related staff reports will ordinarily be delivered to the board members via-email 72 hours preceding the meeting to which it pertains. The Agenda and staff reports shall be made available to the general public once they have been delivered to the board members.

(d) **Roll Call.** Before proceeding with business of the Oversight Board, the Clerk of the Oversight Board shall call the roll of the board members and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Chairperson called last.

(e) **Approval of Minutes.** Unless requested by majority of the Oversight Board, minutes of the previous meeting may be approved without public reading if the Clerk of the Oversight Board has previously furnished each board member with a copy thereof.

(f) **Public Comment.** Pursuant to Government Code 54954.3, each agenda for a regular meeting shall provide an item entitled "Public Comment." The purpose of such item shall be to provide an opportunity for members of the public to directly address the Oversight Board on items of interest to the public that are within the subject matter jurisdiction of the Oversight Board, but not listed on the agenda. In order to assure that the intent of Government Code 54954.3 is carried out, three (3) minutes, or a reduced or extended amount of time as determined by the Chairperson, is the amount of time allocated for each individual speaker. In addition, pursuant to the Brown Act, members of the public shall be allowed to comment on any matter on the agenda prior to any action taken by the Oversight Board on such matter.

(g) **Consent Agenda.** Items of routine nature, and non-controversial, may be placed on the consent calendar. All items may be approved by one blanket motion upon unanimous consent. Prior to review of the consent agenda, any board member may request that any item be withdrawn from, the consent agenda for separate consideration.

(h) **Call to Order.** The meeting of the Oversight Board shall be called to order by the Chairperson or in his/her absence, by the Vice-Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the meeting shall be called to order by Clerk of the Oversight Board and the Board shall select a Temporary Chairperson, who shall serve as the Chairperson of the meeting, unless and until the Chairperson or Vice-Chairperson is in attendance.

(i) **Question to be Stated.** The Chairperson may verbally restate each question immediately prior to calling for the vote to ensure there is no ambiguity in the action being considered. Following the vote, the Chairperson shall verbally announce whether the question carried or was defeated. The Chairperson may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

(j) **Maintenance of Order.** The Chairperson is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chairperson. All questions and remarks shall be addressed to the Chairperson.

(k) **Decorum and Order.** The Chairperson shall determine all Points of Order subject to the right of any member to appeal to the Oversight Board.

a. Any board member desiring to speak shall address the Chairperson and, upon recognition by the Chairperson, shall confine himself or herself to the questions under debate.

b. A board member, once recognized shall not be interrupted while speaking unless called to order by the Chairperson; unless a Point of Order is raised by another board member; or unless the speaker chooses to yield to questions from another board member.

c. Any board member called to order while he or she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order he or she shall be permitted to proceed. If ruled to be not in order, he or she shall remain silent or shall alter his or her remarks so as to comply with rules of the Oversight Board.

d. Board members shall accord the utmost courtesy to each other, to city or Oversight Board employees, and to the public appearing before the Oversight Board and are encouraged to refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

e. Any board member may move to require the Chairperson to enforce the rules and the affirmative vote of a majority of the Oversight Board shall require him or her to so act.

f. Except where specifically authorized by Oversight Board action, no board member shall make any statement or give the appearance or indicate in any way that he or she is representing the Oversight Board.

g. The Oversight Board shall operate under Rosenberg's Rules of Order (attached).

ARTICLE IV – MISCELLANEOUS

Section 1. Amendments to Bylaws and General Operations

The bylaws and regulations for the general operations of the Oversight Board may be amended by the Oversight Board at any regular or special meeting by a vote held in accordance with these Bylaws.

Rosenberg's Rules of Order:
Simple Parliamentary
Procedures for the 21st Century



MISSION:

To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION:

To be recognized and respected as the leading advocate for the common interests of California cities.



About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

About *Western City* Magazine

Western City is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit www.westerncity.com.

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. Rules should establish order. The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

- 2. Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.
- 3. Rules should be user-friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.
- 4. Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."
2. Suggesting a motion to the members: "A motion would be in order that we give 10-days' notice in the future for all our meetings."
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

3. The substitute motion. If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would “move a substitute motion.” A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn.

This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook.

motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ☞

SKU 1533

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To: Oversight Board of the Successor Agency to the Pico Rivera
Redevelopment Agency

From: Director of Finance

Meeting Date: April 12, 2012

Subject: ESTABLISH A REGULAR MEETING SCHEDULE FOR THE
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR
THE PICO RIVERA REDEVELOPMENT AGENCY

Recommendations:

Staff recommends the Oversight Board of the Successor Agency to the Pico Rivera Redevelopment Agency ("Oversight Board") meet the third Thursday of the first month of each calendar quarter at 4:30 p.m. in the Council Chambers at 6615 Passons Boulevard, Pico Rivera, California.

Fiscal Impact:

None.

Discussion:

By establishing a regular meeting schedule it will enable the members of the Oversight board, the Successor Agency staff and the members of the public to better participate in the activities of the Oversight Board.

Michael Matsumoto

MM:AJ