

**HOUSING AUTHORITY  
OF THE  
CITY OF OAKLAND  
CALIFORNIA**

**BYLAWS  
AND  
COMMISSION  
RULES AND PROCEDURES**

REVISED:

- Res. No. 2076 November 25, 1974  
Res. No. 2322 May 29, 1979  
Res. No. 2374 April 21, 1980  
Res. No. 2508 February 28, 1983  
Res. No. 2564 April 23, 1984  
Res. No. 2591 August 27, 1984  
Res. No. 2752 February 22, 1988  
Res. No. 2990 December 16, 1992  
Res. No. 3453 February 26, 2001  
Res. No. 3540 April 22, 2002  
Res. No. 3739 December 16, 2005  
Res. No. 4249 April 26, 2010

**HOUSING AUTHORITY OF THE CITY OF  
OAKLAND, CALIFORNIA**

**BYLAWS**

ARTICLE I - THE AUTHORITY

Section 1. NAME OF AUTHORITY. The name of the Authority shall be "Housing Authority of the City of Oakland, California."

Section 2. SEAL OF THE AUTHORITY. The seal of the Authority shall be in the form of a circle circumscribed around a reproduction of the Oakland City Hall and bearing the name "Housing Authority of the City of Oakland, California - Organized 1938."

Section 3. OFFICE OF THE AUTHORITY. The offices of the Authority shall be at 1619 Harrison Street, in the City of Oakland, California, Zip Code 94612.

ARTICLE II - BOARD

Section 1. MEMBERSHIP. The Mayor, subject to the confirmation of a majority of the members of the governing body, shall appoint seven persons as Commissioners of the Authority. Five Commissioners shall be appointed for four-year fixed terms. Two Tenant Commissioners shall be appointed for two-year fixed terms. All terms shall begin on July 1, and end on June 30. The fixed terms shall be established as follows:

Two Commissioners:

Term 1 and 2: Beginning and ending in years that are multiples of four.

One Commissioner each:

Term 3: Beginning and ending in years that are multiples of four plus one.

Term 4: Beginning and ending in years that are multiples of four plus two.

Term 5: Beginning and ending in years that are multiples of four plus three.

The two Tenant Commissioners shall be appointed as follows: one appointed to a term beginning and ending in even years and one appointed to a term beginning and

ending in odd years. The even years term shall be held by the Tenant Commissioner who is “over 62 years of age.” All vacancies shall be filled for the unexpired period of the fixed term. Commissioners shall hold office until their successors have been appointed and qualified.

A certificate of appointment or reappointment of any Commissioner shall be filed with the City Clerk and the certificate is conclusive evidence of the due and proper appointment of the Commissioner, as prescribed under the Laws of the State of California. A copy of said certificate shall be filed with the Secretary of the Authority.

Section 2. OFFICERS. Officers of the Authority shall be a Chairperson and a Vice Chairperson, both of whom must be members of the Authority Board of Commissioners and a Secretary, who shall not be a member of the Board of Commissioners.

Section 3. CHAIRPERSON. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall sign all contracts, deeds, and other instruments made by the Authority. At each meeting the Chairperson shall submit such recommendations and information as s/he may consider proper concerning the business, affairs, and policies of the Authority.

Section 4. VICE CHAIRPERSON. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 5. SECRETARY. The Secretary shall be the Executive Director of the Authority and, as Executive Director, shall have general supervision over the administration of its business and affairs, subject to the direction of the Commission of the Authority. The Executive Director shall be charged with the Administrative management of the Authority.

The Secretary shall keep the records of the Authority and record all votes, and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to said office. The Secretary shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

The Secretary shall be the Treasurer of the Authority, and as Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Board of Commissioners may select. The Secretary shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board of Commissioners. Except as otherwise authorized by Resolution of the Board of Commissioners, all such orders and checks shall be countersigned by such persons as designated by the Board of Commissioners by Resolution. The Secretary shall keep regular books of accounts,

showing receipts and expenditures, and shall render to the Board of Commissioners, when requested, an account of all such transactions and also of the financial condition of the Authority. The Secretary shall be bonded for the faithful performance of said duties in an amount as the Board of Commissioners may determine.

The compensation of the Secretary shall be determined by the Board of Commissioners. The Secretary shall be appointed for an indefinite term and shall be removable only upon the adoption of a Resolution terminating his services passed by an affirmative vote of five members of the Commission. He shall, upon demand, be given a written statement of the reasons for his proposed removal and the right to be heard publicly at a meeting of the Commission prior to the passage of such a Resolution, but pending such hearing and action, the Commission may suspend him from office. The Commission may not reduce the salary or the benefits of the Secretary.

Section 6. ADDITIONAL DUTIES. The officers of the Authority shall perform such other duties and functions as may, from time to time, be required by the Board of Commissioners or the bylaws or rules and regulations of the Board of Commissioners.

Section 7. ELECTION OR APPOINTMENTS. The Chairperson and Vice Chairperson shall be elected at the Annual Meeting of the Authority from among the Commissioners of the Authority, and shall hold offices for two years or until their successors are elected and qualified.

The Secretary shall be appointed by the Board of Commissioners. Any person appointed to fill the office of Secretary, or any vacancy therein, shall serve for such term as the Authority fixes.

Section 8. VACANCIES. Should the office of Chairperson or Vice Chairperson become vacant, the Board of Commissioners shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. When the office of Secretary becomes vacant, the Board of Commissioners shall appoint a successor, as aforesaid.

Section 9. ADDITIONAL PERSONNEL. The Authority may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties and functions, as prescribed under the Laws of the State of California applicable thereto. The selection and compensation of such personnel shall be determined by the Board of Commissioners in accordance with the Authority's Personnel Policy and upon recommendation of the Executive Director.

### ARTICLE III - MEETINGS

Section 1. ANNUAL MEETING. The Annual Meeting of the Authority shall be held on the fourth Monday of June at 6:00 p.m., at the regular meeting place of the Authority.

Section 2. REGULAR MEETINGS. Monthly meetings shall be held, giving prior notice to the news media, at the regular meeting place of the Authority, 1619 Harrison Street, Oakland, California, on the fourth Monday of each month, at 6:00 p.m., unless the same shall be a legal holiday. In this event, said meetings shall be held on the next succeeding secular day, but the Authority may hold its meetings at such other place as it may designate by resolution.

Section 3. SPECIAL MEETINGS. When deemed expedient by the Chairperson of the Commission, or upon the written request of two members of the Board of Commissioners, the Chairperson shall call a special meeting of the Commission for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Board of Commissioners or may be mailed to the business or home address of each member at least two days (forty-eight hours) prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call.

Section 4. QUORUM. The powers of the Authority shall be vested in the Board of Commissioners thereof. Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers, and for all other purposes, except as otherwise stated herein, and where a quorum is in attendance action may be taken by a vote of a majority of the Commissioners present. A smaller number may adjourn, from time to time, until a quorum is obtained. Unless otherwise provided herein, when a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present.

Section 5. ORDER OF BUSINESS. As revised by Resolution No. 2374, adopted April 21, 1980 and Resolution No. 2752, adopted February 22, 1988 at the regular meetings of the Authority the following shall be the order of business:

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. OLD OR UNFINISHED BUSINESS
5. MODIFICATIONS TO THE AGENDA
6. NEW BUSINESS
  - (a) Item(s) of business shall be specified
  - (b) Last item under NEW BUSINESS shall be RECOGNITION OF PERSONS WISHING TO ADDRESS THE COMMISSION

7. WRITTEN COMMUNICATIONS
8. EXECUTIVE DIRECTOR'S REPORT
9. REPORTS OF COMMISSION COMMITTEES
10. ANNOUNCEMENTS BY COMMISSIONERS
11. ADJOURNMENT

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

The Executive Director/Secretary shall cause an Agenda of items of business, in conformity with this rule, to be prepared and distributed to Commission members no later than the Thursday preceding each meeting of the Commission. The Commission, by vote, may alter the foregoing order of business pursuant to 4. MODIFICATIONS TO THE AGENDA during any meeting, however, action by the Commission on items not on the meeting agenda can only be taken if a finding can be made that an emergency exists or if the need to take action arose after the posting of the agenda.

Section 6. MANNER OF VOTING. The voting on all questions coming before the Authority shall be by voice vote or by roll call, and the yeas and nays shall be entered upon the minutes of such meetings.

Section 7. PROCEDURES. By Resolution 2374, adopted April 21, 1980 and by Resolution 2752, adopted February 22, 1988, Commission Rules and Procedures were revised. This revision is attached hereto as Appendix I, and incorporated herein by reference.

#### ARTICLE IV - AMENDMENTS

AMENDMENTS TO BYLAWS. The bylaws of the Authority shall be amended only by the affirmative vote of at least five of the members of the Board of Commissioners, at a regular or special meeting; but no such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all of the members of the Board of Commissioners.

## **APPENDIX I**

### **REVISED COMMISSON RULES AND PROCEDURES**

#### **RULE 1** (See ARTICLE III, Section 2)

The time of meetings of the Board of Commissioners, unless otherwise determined by the Commission, shall be 6:00 p.m. on the fourth Monday of each month.

#### **RULE 2** (See ARTICLE III, Section 5)

The following is established as the order of business for regular Commission meetings:

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. OLD OR UNFINISHED BUSINESS
5. MODIFICATIONS TO THE AGENDA
6. NEW BUSINESS (LAST ITEM: RECONGINITION OF PERSONS WISHING TO ADDRESS THE COMMISSION)
7. WRITTEN COMMUNICATIONS
8. EXECUTIVE DIRECTOR'S REPORT
9. REPORTS OF COMMISSION COMMITTEES
10. ANNOUNCEMENTS BY COMMISSIONERS
11. ADJOURNMENT

The Executive Director/Secretary shall cause an agenda of items of business, in conformity with this rule, to be prepared and distributed to Commission members no later than the Thursday preceding each meeting of the Commission. The Commission, by vote, may alter the foregoing order of business at any meeting, pursuant to 4. MODIFICATIONS TO THE AGENDA, however, action by the Commission on items not on the meeting agenda can only be taken if a finding is made that an emergency exists or if the need to take action arose after the posting of the agenda.

### RULE 3

The procedure of the Board of Commissioners shall be governed by these rules, including any amendments hereafter adopted; provided that the provisions of the latest edition of Robert's Rules of Order (newest revision) shall govern any procedural situation not covered by these rules, either expressly or by necessary implications.

### RULE 4

The Chairperson, or alternate, shall preside at each meeting. It shall be his/her duty to preserve order, and s/he may speak on all questions of order. S/he shall decide all questions of order subject to an appeal to the Commission. (The presiding officer may impose a maximum time limit for any speaker, subject, or topic.)

### RULE 5

A member desiring to speak shall address the Commission Chairperson, and proceed only when recognized by the Chairperson. No member shall be permitted to speak twice on any question until each member desiring to speak has been heard.

### RULE 6

Except as otherwise required by law or by the bylaws of the Commission, a majority vote of the members present, constituting a quorum, shall be sufficient to adopt any motion or resolution; provided that a two-third's vote of the members present, constituting a quorum, shall be necessary to suspend these rules.



RULE 7 (See ARTICLE III, Section 6)

The vote upon any question shall be counted by voice vote or by roll call and shall be recorded in the minutes.

RULE 8

Persons wishing to speak before the Commission must submit their name and the item on the agenda they wish to discuss to the Secretary before being recognized by the presiding officer. Requests to speak on matters not on the agenda, which are submitted to the presiding officer, shall be considered under new business.

Persons who persist in disruptive conduct may be ejected from the meeting of the Commission.

RULE 9

Persons addressing the commission shall state their name, address, and organization (if any) they are representing. The following conditions shall apply:

- a. Persons speaking to the commission on an agenda item shall confine their remarks to the subject under discussion.
- b. Persons wishing to present a complaint to the Commission must have adhered to the Oakland Housing Authority Commission Complaint policy prior to presenting the matter to the Commission.
- c. A time limit of five (5) minutes shall be imposed on persons speaking before the Commission. This time limit may be extended at the discretion of the Chairperson, or upon request by a Commissioner.
- d. If a group of persons desires to present the same complaint, to the extent feasible one of the group's members shall be designated to present the matter before the Commission.

RULE 10

An assignment of Commissioners to committees shall be made by the Chairperson and ratified by the Commission. The assignment of members to committees shall terminate at the time of the regular election of new officers, except that when a vacancy on the Commission is filled, the Chairperson shall reassign members to committees as deemed necessary.

## RULE 11

The reports of standing and special committees responsible to the Commission shall be received and filed. In order to be implemented, any recommendation of a committee must be contained in a written resolution and approved by the Commission during the proper order of business.

## RULE 12

The Chairperson shall, at the time of assigning projects to established committees, inform the commission of these assignments.

## RULE 13

The commission may, at its discretion, declare a recess for the purpose of holding an Executive Session, pursuant to applicable laws and regulations.

## RULE 14

Smoking is prohibited in the Commission room during Commission meetings.

## RULE 15 (See ARTICLE III, Section 5)

Commissioners may make any change in the order of business or announce the postponement or continuation of agenda items.

## RULE 16 (See ARTICLE III, Section 5)

Commissioners shall have the right to make announcements without a previous motion upon matters relating to the welfare and condition of the Authority. They shall, at the commencement of their announcements, state the subject matter on which they desire to speak.