

Resolution No. 002

A RESOLUTION OF THE BUTTE COUNTY CONSOLIDATED OVERSIGHT BOARD ADOPTING BYLAWS

WHEREAS, The Butte County Consolidated Oversight Board (Oversight Board) has been established to direct the Successor Agencies to the former Redevelopment Agencies within Butte County to take certain actions to wind down the affairs of said Redevelopment Agencies in accordance with the Health and Safety Code; and

WHEREAS, the Oversight Board desires to adopt bylaws and regulation for the general operation of the Oversight Board, including but not limited to the designation of officers and conduct of meetings.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

1. The Bylaws of the Oversight Board, a copy of which is attached hereto and incorporated herein as "Exhibit A", are hereby approved.
2. The clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the Butte County Consolidated Oversight Board this 24th day of September, 2018, by the following vote:

AYES: Jones, Nicholas, Grundmann, Steel, McGreehan

NOES: None

ABSENT: Bultema

NOT VOTING: None



 Chair
 Butte County Consolidated Oversight Board

ATTEST:

Heather MacDonald,
Clerk of the Butte County Consolidated Oversight Board

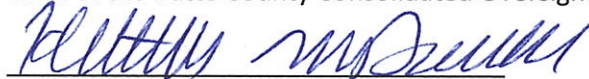


Exhibit A

BYLAWS OF THE BUTTE COUNTY CONSOLIDATED OVERSIGHT BOARD

ARTICLE I – THE OVERSIGHT BOARD

Section 1. Name of Board.

The official name shall be the "Butte County Consolidated Oversight Board" ("Oversight Board").

Section 2. Purpose.

The Oversight Board exists by virtue of and shall perform the duties described in the California Health and Safety Code §§34179-34181 in connection with the winding down of the affairs of the former Redevelopment Agency of the City of Chico by the City of Chico in its capacity as Successor Agency of the Former Redevelopment Agency of the City of Chico, the former Redevelopment Agency of the City of Oroville by the City of Oroville in its capacity as Successor Agency of the Former Redevelopment Agency of the City of Oroville, the former Redevelopment Agency of the City of Gridley by the City of Gridley in its capacity as Successor Agency of the Former Redevelopment Agency of the City of Gridley, and the former Redevelopment Agency of the Town of Paradise by the Town of Paradise in its capacity as Successor Agency of the Former Redevelopment Agency of the Town of Paradise.

Section 3. Membership/Duration.

a. **Total Membership/Appointment**

The total membership of the Oversight Board shall be seven (7), appointed pursuant to Health and Safety Code §34179. The members shall serve without compensation and without reimbursement of expenses. Each member shall serve at the pleasure of the entity that appointed such member.

b. **Duration**

The Oversight Board shall remain established until terminated pursuant to Health and Safety Code §34179(m).

Section 4. Local Entity.

Pursuant to Health and Safety Code §34179(e), the Oversight Board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform act of 1974.

Section 5. Personal Immunity.

Oversight Board members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as members of the Oversight Board in accordance with applicable law.

Section 6. Fiduciary Responsibilities.

Oversight Board members shall have fiduciary responsibilities to holders of enforceable obligations, as the term is defined in Health and Safety Code §34171(d), and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Health and Safety Code §34188. Oversight Board members shall exercise independent judgement considering the interests of the community and not solely the interests of their appointing entities.

Section 7. Resignation.

Any Oversight Board member may resign at any time by giving written notice to his or her appointing entity and the Clerk of the Oversight Board. Any such resignation will take effect upon receipt or upon date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 8. Filling of Vacancies.

In the event of a vacancy on the Oversight Board, the appointing entity for the vacant seat shall select a member to fill such vacancy as soon as reasonably practicable, provided, however, that the Governor may appoint individuals to fill any member position that remains vacant for more than sixty (60) days pursuant to Health and Safety Code §34179(k).

Section 9. Staff.

Pursuant to Health and Safety Code §34179(j), The Butte County Auditor-Controller's Office is working in coordination with the Butte County Administration Office to act as staff to the Oversight Board. The Butte County Administration Office shall keep the records of the Oversight Board. The Butte County Administration Office shall, in consultation with the Chairperson and the Successor Agencies, prepare agendas and minutes of meetings of the Oversight Board, keep a record of the meetings in a journal of proceedings of the Oversight Board, and shall attest to and/or countersign all documents of the Oversight Board. The Butte County Administration Office shall contract with an attorney to provide legal counsel to the Oversight Board.

Pursuant to Health and Safety Code §34179(n), the Oversight Board may direct a Successor Agency to provide additional legal or financial advice than what was given by agency staff.

Pursuant to Health and Safety Code §34179(o), the Oversight Board is authorized to contract with the County or other public and private agencies for administrative support.

ARTICLE II – OFFICERS

Section 1. Officers.

The officers of the Oversight Board shall consist of a Chairperson and Vice Chairperson, who shall be elected in the manner set forth in this Article.

Section 2. Chairperson.

The Chairperson shall preside at all meetings of the Oversight Board.

Section 3. Vice Chairperson.

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation, or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such a time as the Oversight Board shall elect a new Chairperson.

Section 4. Election.

The Chairperson and Vice Chairperson shall be elected from among the members of the Oversight Board by a majority vote.

Section 5. Terms.

The Chairperson and Vice Chairperson shall serve one (1) year terms.

Section 6. Vacancies.

Should the office of Chairperson or Vice Chairperson become vacant, the Oversight Board shall elect a successor from among the Oversight Board members at the next regular or special meeting.

ARTICLE III – MEETINGS

Section 1. Annual Meetings.

Annual meetings shall be held the third Wednesday of January at 2:00pm of each year until such time as the Oversight Board shall cease to exist pursuant to Health and Safety Code §34179(m). Annual meetings will take place in the County Board of Supervisors Chambers located at 25 County Center Drive, Suite 205 in Oroville, California at 2:00pm unless otherwise cancelled or adjourned to another day or place pursuant to the Ralph M. Brown Act. At annual meetings, the Chairperson and Vice

Chairperson shall be elected and any other business may be transacted which is within the purposes of the Oversight Board. Notice of an annual meeting shall be posted in the front window of 25 County Center Drive and on the website of the Oversight Board at least 72 hours prior to the date of the annual meeting.

Section 2. Special Meetings.

Special meetings may be held upon notice of the Chairperson, or by written request of at least a majority of the members of the Oversight Board, for the purpose of transacting any business designated in the notice, after notification of all members of the Oversight Board by written notice personally delivered or by email at least twenty-four (24) hours before the time specified in the notice for a special meeting. At such special meeting, no business other than that designated in the notice shall be considered. Notice of a special meeting with a brief description of the business to be discussed shall be posted in the front window of 25 County Center Drive and on the website of the Oversight Board at least 24 hours prior to the date of the special meeting.

Section 3. Posting Agendas/Notices

Except where additional notice is required for specific actions as stated in Health and Safety Code §34181(f), concerning proposed disposal of certain assets and properties or the transfer of certain housing assets, the clerk, or his/her authorized representative, shall post an agenda for each regular Oversight Board meeting or a notice for each special Oversight Board meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at 25 County Center Drive, Oroville, California (a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting. All agendas and notices required by law for proposed actions by the Oversight Board shall also be posted on the Oversight Board's internet website.

Section 4. All Meetings to be Open to the Public.

All meetings of the Oversight Board shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings, except as otherwise provided by law.

Section 5. Right of Public to Appear and Speak.

At every meeting, members of the public shall have an opportunity to address the Oversight Board on matters within the Oversight Board subject matter jurisdiction. Public input and comment on matters on the agenda as well as public input and comment on matters not otherwise on the agenda, shall be made during time set aside for public comment; provided, however, that the Oversight Board may direct that public input and comment on matters on the agenda be heard when the matter regularly

comes upon the agenda. The time allotted for public discussion for each individual speaker shall be three (3) minutes, unless more or less time is allocated by the Oversight Board.

Section 6. Non-Agenda Items.

Matters brought before the Oversight Board at a regular meeting, which were not placed on the agenda of the meeting, shall not be acted upon by the Oversight Board at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Government Code § 54950 et seq.).

Section 7. Quorum.

A majority of the total membership of the Oversight board shall constitute a quorum for the purpose of conducting business of the Oversight Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority (4) of the total membership (7) of the Oversight Board shall be required for approval of any matters brought before the Oversight Board.

Section 7. Order of Business.

All business and matters of the Oversight Board shall be transacted in conformance with Robert's Rules of Order Newly Revised and any additional procedural rules adopted by resolution by the Oversight Board.

Section 8. Minutes.

Minutes of the meetings of the Oversight Board shall be prepared in writing by the clerk. Copies of the minutes of each Oversight Board meeting shall be made available to each member of the Oversight Board, to the County Auditor-Controller's Office and the Successor Agencies. Approved minutes shall be filed in the official book of minutes of the Oversight Board.

ARTICLE IV – CONFLICT OF INTEREST

The Oversight Board shall adopt and maintain a conflict of interest policy by resolution.

ARTICLE V – AMENDMENTS

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Oversight Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Oversight Board. Notice of the amendment shall identify the section or sections of these Bylaws to be amended. The Successor Agencies shall be notified of any amendments to these Bylaws.

CERTIFICATION OF THE CLERK

I, the undersigned, do hereby certify:

- (1) That I am the acting Clerk of the Butte County Consolidated Oversight Board; and
- (2) That the foregoing Bylaws comprising five (5) pages, constitute the Bylaws of such Butte County Consolidated Oversight Board as adopted by the members at a duly constituted meeting held on September 24th, 2018.

In witness, whereof, I have hereunto subscribed my name, this 24th day of September, 2018.



Heather MacDonald, Clerk