

Board Meeting of
May 7, 2014

Honorable Chair and Members
of the City of Torrance Oversight Board
City Hall
Torrance, California

SUBJECT: Amendment of Oversight Board Rules of Procedure

RECOMMENDATION

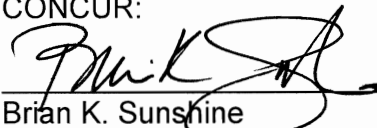
Recommendation that the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance adopt a RESOLUTION amending its Rules of Procedure.

BACKGROUND AND ANALYSIS

Following the adoption of redevelopment dissolution bill ABx1-26, the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance (Oversight Board) was created to oversee actions taken by the Successor Agency. On May 16, 2012 the Oversight Board adopted Rules of Procedure which dictated how the Board would function and when and where they would meet. At the time of adoption, the rules stated that regular meetings would be held on the first and third Wednesday of each month at 3:00 p.m. in the City Council Chambers. Since that time, new members of the Board have been chosen where previous Board members were no longer able to serve their position. At the meeting of February 26, 2014, Members discussed the potential for a new meeting time that would better meet the needs of the current Oversight Board Members. Board Members agreed to make a change to the meeting start time from 3:00 P.M. to 1:30 P.M. and directed staff to bring a resolution confirming this change at the next Oversight Board Meeting.

Staff recommends that the Oversight Board adopt a RESOLUTION to approve an amendment to change the official meeting time to 1:30 P.M. on the Rules of Procedure for the City of Torrance Oversight Board.

CONCUR:



Brian K. Sunshine
Assistant to the City Manager



Kenneth Flewellyn
Assistant Finance Director

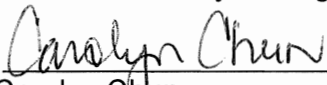
NOTED:



LeRoy J. Jackson
City Manager

Respectfully submitted,

Brian Sunshine
Assistant to the City Manager

By 

Carolyn Chun
Senior Planning Associate

Attachment: RESOLUTION

RESOLUTION NO. OB2014-_____**A RESOLUTION OF THE OVERSIGHT BOARD TO THE CITY OF TORRANCE AS SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE ADOPTING THE RULES OF PROCEDURE**

WHEREAS, the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance (“Oversight Board”, as applicable) has been established to direct the Successor Agency to take certain actions to wind down the affairs of the Redevelopment Agency in accordance with ABX1-26 and AB1484; and

WHEREAS, on May 16, 2012, the Oversight Board adopted rules of procedure for the general operation of the Oversight Board, including but not limited to the conduct of meetings and approval of contracts in accordance with the California Health & Safety Code; and.

WHEREAS, the members of Oversight Board have proposed an amendment to the meeting time listed in the rules of procedure to reflect schedules of Oversight Board Members.

NOW, THEREFORE, the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance does hereby resolve as follows:

SECTION 1

Section 1.1 of the Rules of Procedure of the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance has been amended to read as follows: “Unless otherwise directed by a majority of the entire membership of the Oversight Board, the Board shall meet regularly on the first and third Wednesdays of the month with regular business commencing at 1:30 p.m. When the day for any regular meeting of the Board falls on a holiday, Christmas Eve, New Year’s Eve, or on a statewide or municipal election day, such meeting shall be cancelled or held on another day, as determined by the Oversight Board.”

SECTION 2

The amended Rules of Procedure of the Oversight Board to the City of Torrance as Successor Agency to the former Redevelopment Agency of the City of Torrance, a copy of which is attached hereto and incorporated herein as Exhibit “A,” are hereby approved.

SECTION 3

The Oversight Board Secretary shall certify the adoption of this Resolution.

INTRODUCED, APPROVED, AND ADOPTED this 7th day of May, 2014.

ATTEST:

Steve Maguin, Chairperson,
Oversight Board of the Successor Agency
to the former Redevelopment Agency of
the City of Torrance

Secretary to the Oversight Board

**OVERSIGHT BOARD
TO THE CITY OF TORRANCE AS
SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE
CITY OF TORRANCE**

RULES OF PROCEDURE

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ARTICLE I — MEETINGS

SECTION 1.1 TIME OF MEETINGS

Unless otherwise directed by a majority of the entire membership of the Oversight Board, the Board shall meet regularly on the first and third Wednesdays of the month with regular business commencing at 1:30 P.M.. When the day for any regular meeting of the Board falls on a holiday, Christmas Eve, New Year's Eve, or on a statewide or municipal election day, such meeting shall be cancelled or held on another day, as determined by the Oversight Board.

SECTION 1.2 PLACE OF MEETINGS

All regular meetings of the Oversight Board shall be held in the Council Chambers of the City Hall, 3031 Torrance Boulevard or at any other place within the corporate limits of the City or in any other place as designated by the Oversight Board.

SECTION 1.3 SPECIAL MEETINGS

Special meetings shall be called and held in accordance with the Ralph M. Brown Act. (Section 54950 et seq. of the State Government Code.)

SECTION 1.4 ADJOURNED MEETINGS

The Oversight Board may adjourn any meeting to a time and place specified in the order of adjournment, in accordance with the Ralph M. Brown Act.

SECTION 1.5 OPEN MEETINGS

All meetings of the Oversight Board shall be open to the public; however, the Oversight Board may hold closed (executive) sessions as provided in the Ralph M. Brown Act and as otherwise permitted by law.

SECTION 1.6 RECESSES

Once each two (2) hours, or as Board business permits, the Board shall recess for not more than fifteen (15) minutes.

ARTICLE 2 — BUSINESS

SECTION 2.1 COMMUNICATIONS FROM THE PUBLIC

- a) All matters submitted by the public requesting action by the Oversight Board shall be delivered to the Oversight Board Secretary and transmitted by the Oversight Board Secretary to the staff liaison from the City Manager's Office.
- b) The staff liaison from the City Manager's Office shall decide if any written matter requesting action by the Oversight Board shall be submitted to the Oversight Board. The staff liaison from the City Manager's Office shall respond to such

written matters within thirty (30) days after receipt by the Oversight Board Secretary, unless otherwise directed by the Board.

SECTION 2.2 AGENDA

- a) All matters intended for action by the Oversight Board, whether originating with the public or City officials, shall be submitted to the Board on an agenda submitted by the staff liaison from the City Manager's Office and prepared by the Oversight Board Secretary in the form as determined by the Board.
- b) The agenda shall contain a description of other business of public interest to be transacted at the Board meeting sufficient to enable members of the general public to determine the general nature or subject matter of each agenda item so that they may seek further information on items of interest to them.
- c) Each agenda for regular meetings shall provide under oral communication an opportunity for members of the public to directly address the Oversight Board on items of interest to the public that are within the jurisdiction of the Oversight Board.
- d) No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subsection (b) of Section 54954.2 of the California Government Code (emergency items of a critical nature and those where the need arose subsequent to the agenda being posted).
- e) The Oversight Board Secretary may prepare a supplementary agenda for a regular meeting consisting of items on which Board action is permissible by the provisions of said subsection (b) of Section 54954.2. The supplementary agenda shall be placed and posted in the Main Library in the same manner as the regular agenda as soon as practicable after being issued.

SECTION 2.3 AVAILABILITY OF AGENDA

- a. On or before noon of the Saturday preceding a regular meeting of the Oversight Board, the Oversight Board Secretary shall post a copy of the agenda on the Public Notice Board on the exterior of City Hall at 3031 Torrance Boulevard and shall cause a copy of the agenda with supporting material to be delivered to each Member of the Oversight Board.
- b) The Oversight Board Secretary shall cause a copy of the agenda (including supporting material) to be delivered to the Main Library where it shall be available for public inspection at all times that the Main Library is open to the public.
- c) In the case of a special meeting of the Oversight Board, the Oversight Board Secretary shall post a copy of the call and notice of the meeting on the Public Notice Board at least 24 hours prior to the special meeting and otherwise comply with the provisions of Section 54956 of the Government Code.

- d) As soon as practicable following the opening of business on the Monday preceding a regular meeting of the Oversight Board (or if Monday is a holiday, on the following Tuesday), the Oversight Board Secretary shall place a copy of the agenda with supporting material in the office of the Oversight Board Secretary and in each Branch City Library for inspection by the public.
- e) On or before 5:00 p.m. on the Friday preceding a regular meeting of the Oversight Board, or as soon thereafter as practicable, the Oversight Board Secretary shall deliver a copy of the agenda with supporting material to the City Manager and the Attorney for the Oversight Board, and shall make available to or mail a copy thereof to each newspaper and radio station so requesting. In the event of a special meeting or adjourned regular meeting of the Oversight Board, the Oversight Board Secretary shall perform such tasks as soon as practicable after the agenda is delivered to members of the Board.
- f) The Oversight Board Secretary shall provide agendas and supporting materials to interested persons and groups in accordance with rules to be determined from time to time by resolution of the Oversight Board.
- g) The Oversight Board Secretary, or the Secretary's designee who actually posted the agenda, shall sign an affidavit of the time and place that the agenda was posted as required above. The Oversight Board Secretary will report the posting of such affidavit to the Oversight Board at the following Board meeting. Affidavits will be kept in the office of the Oversight Board Secretary for public reference according to the Records Retention Schedule.

SECTION 2.4 ACTION ONLY ON AGENDA ITEM--EXCEPTIONS

- a) Except as provided in subsection b) below, no action or discussion shall be taken by the Oversight Board on any item not appearing on the posted agenda, except that members of the Oversight Board may briefly respond to statements made or questions posed by, persons exercising their public testimony rights under Govt Code Section 54954.3. In addition, on their own initiative, or in response to questions posed by the public, members of the Oversight Board may ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to the Board at a subsequent meeting concerning any matter. Furthermore, the Oversight Board, may take action to direct staff to place a matter of business on a future agenda.
- b) The Oversight Board may take action on any item not appearing on the agenda upon a determination by a two-thirds vote or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.

SECTION 2.5 THE CHAIR AS PRESIDING OFFICER

- a) The Chair shall take the chair at the hour appointed for the meeting and shall call the Oversight Board to order. In the absence of the Chair, the Vice Chair shall be

the presiding officer of the Board. Upon the arrival of the Chair, the Vice Chair shall relinquish the chair when the business immediately before the Board is concluded.

SECTION 2.6 ORDER OF BUSINESS

At the time set for the commencement of the meeting, the members of the Board, the Oversight Board Secretary, the Attorney for the Oversight Board and the City Manager, and such department heads as designated by the City Manager shall take their regular stations in the Council Chamber and the business of the Board shall be taken up for consideration and disposition in the following order, except as may otherwise be ordered by the Board:

- Call to order by Chair
- Roll call of members by Oversight Board Secretary
- Flag salute
- Report of Oversight Board Secretary on posting of agenda.
- Motion to waive further readings
- Withdrawn or deferred items
- Notice of Board Committee meetings and other Announcements
- Report of Board Committees
- Community Matters
- Oral Communications #1 (Limited to 30 minutes)
- Approval of minutes of previous meetings
- Agenda items
- Adjournment

SECTION 2.7 ROLL CALL

Before proceeding with the business of the Board, the Oversight Board Secretary shall call the roll of the members. The names of those present shall be entered in the minutes.

SECTION 2.8 READING OF MINUTES

Unless a member requests a reading of the minutes of a Oversight Board meeting, such minutes may be approved without reading by majority vote if the Oversight Board Secretary has previously furnished each member with a copy thereof. The signature of the Chair, attested by the Oversight Board Secretary shall authenticate their approval.

SECTION 2.9 READING OF RESOLUTIONS

The reading of all resolutions on the agenda, following the assignment of a number and the reading of the title, may be waived by the passage of a blanket motion by the unanimous vote of the members present, but any ordinance or resolution shall be read in regular order on request of any member.

SECTION 2.10 SPEAKERS UNDER ORAL COMMUNICATIONS

- a. Speakers under Oral Communications shall be limited to three (3) minutes each unless otherwise permitted by the Chair.
- b. Under Oral Communications (after Community Matters) a period of up to 30 minutes will be set aside for speakers.
- c. Speakers under Oral Communications may not speak on any matter scheduled to be considered by Board as part of the meeting agenda.
- d. Those who wish to speak under Oral Communications must reserve a spot on the Speaker Request List available at the podium, prior to the start of the meeting. Speakers will be taken in the order in which they appear on the Speaker Request List.
- e. To the extent all pre-registered speakers have spoken and time remains within the 30 minute period, the Chair may open orals to members of the audience for the remainder of the period.

ARTICLE 3 — MOTIONS

SECTION 3.1 MAKING OF MOTIONS

When any subject is opened for consideration by the Oversight Board, whether before or after debate thereon, a motion shall be made by a member and seconded by a member. Where a motion is made and seconded, the Chair may rule the motion out of order if in violation of the rules of order. The mover, with the consent of the second, may withdraw or amend the motion at any time before a decision or amendment.

SECTION 3.2 AMENDMENT

Any motion may be amended with the consent of the maker and second.

SECTION 3.3. SECONDING MOTIONS

The following motions do not require a second: Questions of order, division of the question, and nominations.

SECTION 3.4 SUBSTITUTE MOTIONS

A substitute motion may be made to take the place of any motion on the floor. When a substitute motion has been made and seconded, it shall be voted on ahead of the main motion. Only one substitute motion may be on the floor at any time.

SECTION 3.5 IMPROPER MOTIONS

No dilatory, absurd or frivolous motion shall be considered. The Chair shall decide which motions are improper, subject to the right to appeal to the Oversight Board.

SECTION 3.6 MOTION TO RECONSIDER

A motion to reconsider any action taken by the Board may only be made by one of the Board members who voted with the prevailing side or who was absent when the motion was voted on.

- 1) Tie votes are considered failed motions and may be reconsidered. Any Board member may move to reconsider any action taken by the Board that resulted in a tie vote.
- 2) A motion to reconsider any action taken by the Board may only be made once at the meeting at which the matter was first considered, and once within the succeeding two meetings.
- 3) Any Board member may second a motion to reconsider.

SECTION 3.7 CONSENT CALENDAR

When several items of Board business have been combined into a single agenda item, identified as a Consent Calendar, and a member of the public requests that any of the several items be considered separately, the Board may, and if a member of the Board makes such a request, shall hear and consider the item or items separately, thereby permitting public comment.

ARTICLE 4 VOTING

SECTION 4.1 DISPOSITION BY CHAIR

Except where a vote is otherwise required, the Chair may order the disposition of matters coming before the Oversight Board; provided, however, that if a member objects, a vote shall be taken. Where a motion is made and seconded, unless a vote is required by law or desired by any member, the Chair may order the disposition of the matter in accordance with the motion. Such decision of the Chair shall be deemed to be the action of the Board.

SECTION 4.2 RECORDING VOTES

When a vote on any matter is called for, the Oversight Board Secretary shall call the roll, and each member who is present shall be recorded as voting YES, unless when the member's name is called the answer is NO and except as provided in Section 4.3. On a tie vote, the motion is lost. The vote shall be taken in alphabetical order with the Chair voting last. The Chair shall announce the result of the vote and then announce the next order of business.

SECTION 4.3. ABSTAINING FROM VOTING

When a roll call vote is being taken on a motion and a member declines to vote because of a disqualifying interest or for any other reason, the member's vote shall not be counted in determining the passage of the motion and such member shall be recorded as having abstained from voting.

SECTION 4.4 EXPLANATION OF VOTE

A member is allowed to briefly explain a vote before, during or after a vote.

SECTION 4.5 CHANGE OF VOTE.

A member shall be allowed to change a vote only until the next item of business is announced by the Chair. This rule may be suspended by a vote of two-thirds of the members present or upon compliance with the provisions of Section 3.6 (motion to reconsider).

SECTION 4.6. ROLL CALL VOTE

Any member may demand that a roll call vote be taken on a motion.

SECTION 4.7 DIVISION OF A QUESTION

On the demand of any member before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

SECTION 4.8 MAJORITY VOTE

All actions or motions of the Oversight Board require four affirmative votes. Health & Safety Code § 34179(e).

NOTE:

Section 2.4(b) of these Rules requires a two-thirds vote (or in some cases a unanimous vote) for the Board to take action on items not listed on the agenda, but where the need to take action arose subsequent to the agenda being posted (per Section 54954.2, California Government Code).

ARTICLE 5 — DEBATE

SECTION 5.1 DEBATABLE MOTIONS

- a) When a matter is before the Oversight Board, the Chair may call for debate or comment before or after a motion has been made and seconded.
- b) All motions to adopt ordinances, resolutions, reports, communications and all amendments proposed to them, and all other motions, except as otherwise provided herein, may be debated or commented upon before action is taken on

them, unless the Board by a two-thirds vote of the members present decides to dispose of them without debate.

- c) The following motions are undebatable: Limit, close or extend debate, the . previous question, object to consideration of a question.

SECTION 5.2 RULES OF DEBATE

- a) Every member shall have the right to speak at least once on each item.
- b) Every member desiring to speak shall address the Chair and, upon recognition by the Chair, may speak.
- c) The speaker shall confine comments to the question under debate, avoiding all personalities and indecorous language.
- d) A member, once recognized, shall not be interrupted when speaking unless called to order, in which case the member shall cease speaking until the question of order is determined.
- e) A member may not make a second speech on the same question as long as any member who has not spoken desires the floor.

SECTION 5.3 LIMITING AND EXTENDING DEBATE

Subject to the provisions of subsection (a) of Section 5.2., debate and comment may be limited or extended upon the passage of a motion by a vote of the Oversight Board. A motion to limit or extend debate is undebatable.

SECTION 5.4 THE PREVIOUS QUESTION

Subject to the provisions of subsection (a) of Section 5.2, debate and comment may be closed and the Oversight Board brought at once to a vote on the pending question by a vote on a motion for the previous question. The motion for the previous question is undebatable.

ARTICLE 6 — PUBLIC COMMENT

SECTION 6.1 RIGHT TO COMMENT

- a) The public shall be given an opportunity to speak on each item of business that appears on the agenda of the Oversight Board for Board action in open meeting, subject, however, to the other provisions of these Rules of Order.
- b) Under the agenda item designation of Oral Communications, any member of the public may address the Oversight Board on items of interest to the public that are within the subject matter jurisdiction of the Board; provided however, that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by the California Government Code.

SECTION 6.2 ADDRESSING THE BOARD

- a) No person shall address the Oversight Board without first securing the permission of the Chair; provided, however, that permission shall not be refused except for good cause.
- b) The Oversight Board Secretary shall first swear speakers as may be required or when so directed by the Chair.
- c) After a hearing is closed or the Board makes a substantive motion, no person shall address the Board without first securing permission from the Chair.

SECTION 6.3 MANNER OF ADDRESSING BOARD

All remarks shall be addressed to the Board as a body, and not to any member thereof. No person other than a member of the Board and the person having the floor shall be permitted to enter into the discussion without the permission of the Chair. No question shall be asked of a member of the Board except with the consent of, and through, the Chair.

SECTION 6.4 ALLOTTED TIME

As a guideline, three (3) minutes shall be the maximum time that is allotted to each speaker, except a member of the Board, unless the Chair shall extend the time. Unless otherwise ordered by the Oversight Board, the Chair may limit the number of speakers where, in his or her opinion, the facts or arguments advocated are cumulative in nature. Unless otherwise ordered by the Oversight Board, the Chair may limit the aggregate time of hearing or discussion.

SECTION 6.5 RELEVANCY

Speakers shall confine their remarks to those that are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chair, subject to appeal to the Board, shall be the judge of relevancy and whether character or motives are being impugned.

SECTION 6.6 INTERRUPTIONS

With the consent of the Chair, Board members may interrupt a speaker at any time to ask questions or make comments in order to clarify the discussion.

SECTION 6.7 DECORUM

Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Board shall be forthwith barred from further audience before the Board, unless permission to continue is granted by the Chair.

SECTION 6.8 DISORDERLY CONDUCT

In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting

room cleared and continue in session in accordance with the provisions of Government Code Section 54957.9 and any amendments thereto.

ARTICLE 7 — POINTS OF ORDER

SECTION 7.1 GENERALLY

Any member may raise a point of order (procedure). The Chair shall decide all questions of order; provided, however, that any two members shall have the right to appeal his decision, in which case the question shall be decided by a majority of the members present. The Chair or any other member may request advice of the Attorney for the Oversight Board thereon.

SECTION 7.2 SUSPENSION OF RULES

Any provision of this Chapter, except the provisions of Section 1.1, may be suspended by a two-thirds vote of the members present.

SECTION 7.3 ORDER OF SPEAKING UNDER ORAL COMMUNICATIONS

Boardmembers shall speak under Oral Communications by alphabetical rotation each meeting with the Chair speaking last. The Oversight Board Secretary will monitor/maintain the order for each meeting and place the continuing order on each agenda for the benefit of the members and the public.

ARTICLE 8 — VICE CHAIR

SECTION 8.1 SELECTION

Each member, other than the Chair, shall serve a term of appointment as Vice Chair in order of seniority. No member shall so serve for a second term until every other member has served one term.

SECTION 8.2 TERM OF APPOINTMENT

The term of appointment of the Vice Chair shall be six (6) months commencing on January 1 or July 1 after the first meeting of the Oversight Board.

ARTICLE 9 – CONFLICT OF INTEREST**SECTION 9.1 CONFLICT OF INTEREST**

All Oversight Board members are subject to the provisions of California Law, such as Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to conflicts of interest codes adopted by the Oversight Board.