



# Richmond Fund for Children and Youth Oversight Board of the City of Richmond

Monday, December 2, 2019 | 6:30 PM - 8:30 PM  
440 Civic Center Plaza, Richmond, CA 94804  
City Council Chamber

- A.** Call to Order and Roll Call
- B.** Agenda Review and Modifications
- C.** Welcome and Introductions
- D.** Public Forum
- E.** Consent Calendar: None
- F.** Oversight Board as a whole
  - F-1.** RECEIVE a presentation regarding the Richmond Department and Fund for Children and Youth
  - F-2.** RECEIVE an update on a Request For Proposals to be released on December 5, 2019 to hire a consultant to support the Richmond Department of Children and Youth (Department) in conducting a community needs assessment, and draft a strategic investment plan, and SELECT up to six (6) Oversight Board members to participate in a sub-committee to help select the consultant
  - F-3.** RECEIVE the Richmond Fund for Children and Youth Oversight Board Handbook
  - F-4.** RECEIVE a presentation on the requirement of the Ralph M. Brown Act and Rosenberg's Rules of Order
  - F-5.** ELECT two (2) Oversight Board members (one youth and one adult) to serve an initial one-year term as Co-Chairs
  - F-6.** DECIDE on staggered terms of expiration and SELECT eight (8) Oversight Board members, by lottery, to serve an initial term of two years, with the remaining Oversight Board members serving an initial term of one year
  - F-7.** DISCUSS general announcements and administrative matters including upcoming scheduling and future Agenda items
- G.** Adjournment

# MEETING INFORMATION

## Oversight Board members

Geselle Alvarado  
Khaliaghya Dandie-Evans  
Guadalupe Enllana  
Teyona Galloway  
Angel Godinez  
Carol Hegstrom  
Kapris James  
Zeonta Johnson  
Katherine Lee  
Kristin Kilian Lobos  
Christian Mendizabal  
Chastity Ochoa  
Madiha Qader  
Miriam Stephanie Sequeira

## Staff Liaison

David Padilla

The Oversight Board encourages community participation at its meetings and has established procedures that are intended to accommodate public input in a timely manner. As a courtesy to all members of the public who wish to participate, please observe the following procedures:

**Communication Access Information:** This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

**Speaker Registration – Public Comment on Agenda Items:** Persons wishing to comment on an item on the agenda shall file a Speaker’s Request form with Department staff PRIOR to the Oversight Board’s consideration of the item. Once the agenda item is announced and discussion of the agenda item begins, only those persons who have previously submitted Speaker Request Forms shall be permitted to comment on the item. Speakers will be called to address the Oversight Board when the item is announced for discussion. Each speaker will be allowed three (3) minutes to address the Oversight Board on the item(s) for which the speaker is registered.

**Speaker Registration – Public Forum:** Anyone who wishes to address the Oversight Board on a topic that is not on the agenda and is relevant to the Oversight Board’s purpose may file a Speaker’s Request Form with Department staff PRIOR to commencement of the Public Forum portion of the meeting and will be called to address the Oversight Board during the Public Forum. The amount of time allotted to individual speakers shall be a maximum of three (3) minutes. If there are several speakers, the amount of time allowed may be modified at the Co-Chairpersons’ sole discretion.

**Conduct at Meetings:** Oversight Board meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City’s laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time in order to provide public comment, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the Oversight Board or the agenda item at hand, and may not cause immediate threats to public safety.



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
David Padilla, Management Analyst  
Letitia Carpenter, Fellow

**SUBJECT:** RICHMOND DEPARTMENT AND FUND FOR CHILDREN AND YOUTH  
PRESENTATION

**RECOMMENDED ACTION:**

RECEIVE a presentation regarding the Richmond Department and Fund for Children and Youth – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

On June 5, 2018, Richmond voters approved Measures E and K (Attachment 1), known as the Richmond Kids First Initiative, which approved a City of Richmond charter amendment to create a Department of Children and Youth (Department) and require that a portion of the General Fund be set aside to fund youth programs and services through the creation of the Richmond Fund for Children and Youth (Fund). Department staff will provide an overview of the Department and Fund which will include, but is not limited to the goals and responsibilities of the Department, community outreach, and work to-date (Attachment 2).

**ATTACHMENT:**

1. Measures E and K
2. Draft PowerPoint Presentation

## **Richmond Kids First Initiative: The Richmond Fund for Children and Youth**

**SUMMARY:** An amendment to the Richmond City Charter to provide increased and dedicated funding for children, youth and young adult services by creating the Richmond Fund for Children and Youth (“Fund”) through a ballot initiative that will set aside \$950,000 of the City of Richmond’s annual actual unrestricted general purpose revenue from January 1, 2017 through June 30, 2018 to establish the Fund, 1% of such City revenues for Fund purposes in fiscal year 2018-19, 2% of such City revenues for Fund purposes in fiscal year 2019-20, and 3% of such City revenues for Fund purposes commencing in fiscal year 2020-21 through fiscal year 2026-27. Oversight of the Fund will be provided by an independent Oversight Board. Before the end of the initial ten-year period, the Fund’s outcomes will be evaluated for renewal or revision.

Be it ordained by the People of the City of Richmond:

**Title.** This Act shall be known as the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act.”

**Findings and Statement of Purpose.** The people of the City of Richmond hereby make the following findings and declare their purpose in enacting the Act:

Children, youth and young adults under the age of 24 comprise approximately 35% of the City of Richmond’s overall population, and young people in Richmond experience extremely high rates of violence, trauma, poor health and social outcomes, and stress. This includes harm and death due to violence; poverty; unintended pregnancy; harmful substance use; contact with child welfare, law enforcement and the criminal legal system; and suspension, expulsion and school dropout.

The San Francisco and Oakland Funds for Children and Youth have served thousands of children and youth in hundreds of programs, and their services have demonstrated improvements in the well-being of young people and their families. These funds have positively contributed to public safety, family support, and the overall quality of life. Both funds have resulted in improved coordination of city services, better planning, and the leveraging of significant additional resources.

According to a 2014-15 evaluation of the Oakland Fund for Children and Youth, over its nearly 20 years of operations, the Oakland Fund for Children and Youth has produced significant positive outcomes for youth, including: a) 84% showed increased college readiness; b) 92% showed increased knowledge of career paths; c) 85% showed an increased sense of empowerment; d) 86% showed improved decision-making and goal setting; e) 85% showed a greater sense of confidence and self-esteem; and f) 81% expressed having greater connections to caring adults.

According to the Center for American Progress and Urban Alliance, the unemployment rate for Americans ages 16 to 24 is 16.2%, more than double the national rate of unemployment; 6.7 million young Americans lack the skills, knowledge, and experiences needed to succeed in school or employment. Youth of color and low-income youth are disproportionately affected by poor education and unemployment: the high school dropout rate for African American and Hispanic youth was double and triple the rate of white youth, and the unemployment rate for African American young adults is double that of all teens; and 68% of all males in state and federal prison do not have a high school diploma.

According to the U.S. Department of Labor, employment is beneficial for youth by teaching responsibility, organization, and time management and helping establish good work habits, experience, and financial stability. The Department of Labor also concludes that there are many advantages to working during high school, especially for low-income youth, including higher employment rates, and wages in later teen years, and lower probabilities of dropping out of high school.

According to a 2007 report by the Southeast Asian Youth and Families Alliance on homeless Asian Pacific Islander (API) youth in West Contra Costa County, Black communities have the highest total number of arrests and highest arrest rate, and Vietnamese and Laotian have the second and third highest rates relative to the size of their communities. The most common issues that API youth wanted solved were racism, violence, drugs, and prostitution.

According to a 2015 City of Richmond community survey, eight in ten Richmond residents indicated that developing job training opportunities should be a top priority for the City, and 65% felt that developing further programming at recreational centers should be a top priority.

A recent Out-of-School Time Programs study conducted by the West Contra Costa Public Education Fund in 2012 identified that out of the estimated 14,832 out-of-school opportunities needed for low-income West County youth, only 1,286 summer program spaces were available, creating an out-of-school program need for nearly 87% of all low-income young people.

The City of Richmond benefits when the children and young adults who live and spend substantial time in the City, including children and young adults who live in unincorporated North Richmond, are healthy, successful in school, prepared to succeed in the workplace, and live in stable, safe and supported families and communities.

Therefore, we seek to establish a sustainable funding stream to address the structural and environmental conditions that drive harmful behavior in children, youth and families; strengthen the diverse assets and resilience of children, youth and families; build alternatives to trauma, violence, hopelessness, despair and victimization; and supplement rather than supplant existing funding or programs.

A new Article XV titled "Richmond Fund for Children and Youth" is hereby added to the Richmond City Charter, as follows:

**Section 1. Fund:** Beginning January 1, 2017, there is hereby established in the treasury of the City of Richmond (the "City") a special fund to expand children's services in the City, which shall be called the Richmond Fund for Children and Youth (the "Fund").

**Section 2. Amount and Source of Funding.** The City shall set aside a portion of the annual actual unrestricted general purpose revenues of the City to be transferred to the Fund in the amounts specified below.

For the last six months of fiscal year 2016-2017 (January 1, 2017 through June 30, 2017), there is hereby set aside for the Fund, the amount of \$250,000 from the City's annual actual unrestricted general purpose revenues for the express purpose of establishing and supporting the infrastructure of the Fund and the newly created Department of Children and Youth, as described in Section 7, including the development of the Strategic Investment Plan, as described in Section 8.

For fiscal year 2017-18, there is hereby set aside for the Fund, the amount of \$700,000 from the City's annual actual unrestricted general purpose revenues for the express purpose of establishing and supporting the infrastructure of the Fund and the newly created Department of Children and Youth, including the development of the Strategic Investment Plan.

For fiscal year 2018-2019, there is hereby set aside for the Fund, an amount equal to one percent (1%) of the City's annual actual unrestricted general purpose revenues, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.

For fiscal year 2019-2020, there is hereby set aside for the Fund, an amount equal to two percent (2%) of the City's annual actual unrestricted general purpose revenues, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.

For fiscal year 2020-2021 and each fiscal year thereafter through fiscal year 2026-2027, there is hereby set aside for the Fund, an amount equal to three percent (3%) of the City's annual actual unrestricted general purpose revenues, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.

The Fund shall be maintained separate and apart from all other City funds and shall be appropriated annually at the time of the City's budget adoption, and by supplemental appropriation, when necessary as determined by the City Council.

The annual amount of actual unrestricted general purpose revenues shall be calculated by the City Manager and shall fully include all of the following sources of revenue received by the City: (1) Property Taxes, (2) General Sales and Use Taxes (including locally approved general sales taxes and the City's portion of the Bradley-Burns Sales and Use Tax), (3) Utility Users Tax, (4) Property Transfer Tax, (5) Transient Occupancy Tax, (6) Fines, forfeitures and penalties, (7) Interest from general fund reserves, and (8) other revenues that the City can use for any lawful, municipal purpose. The City shall not define which revenues are to be considered unrestricted general purpose revenues in a manner inconsistent with the provisions of this section. Errors in calculation for a fiscal year shall be corrected by an adjustment in the set aside for the next fiscal year.

Before the end of the initial ten-year period, the Fund's effectiveness shall be evaluated and the funding and terms of the Fund shall be presented to the voters for renewal or revision, unless renewed by the City Council.

**Section 3. Goals.** The goals of expenditures from the Fund shall be:

- a. To ensure that Richmond's children, youth and young adults are physically, emotionally, mentally and socially healthy, educated, successful in school, and live in stable, safe and supported families and communities;
- b. To increase safety for children, youth, young adults, their parents/guardians, families and the communities in which they live by preventing problems and enhancing the strengths of children, youth, young adults and their families;
- c. To ensure young people are provided with gender-responsive, trauma-informed, population-specific and culturally-competent services;

- d. To strengthen collaboration among public agencies and community-based organizations around shared outcomes among all service providers for children, youth, young adults and their parents/guardians;
- e. To ensure an equitable distribution of resources to all of Richmond's young people in recognition of the importance of investment in their futures from birth through young adulthood;
- f. To fill gaps in services and leverage other resources whenever feasible.

#### **Section 4. Eligible Uses.**

The City shall only use monies from the Fund for services provided to children and youth from birth to 18 years old and their caregivers, and, as defined in Section 4.b., disconnected transitional-aged young adults from ages 18 to 24 years and, when relevant, their caregivers, or as part of programs that predominantly serve children, youth and disconnected transitional-aged young adults within those ages and their caregivers, including:

**Violence Prevention and Response:** including restorative and transformative justice; programs that support positive communication and relationships between young people and within families; programs that train young people, adult allies and parents/guardians in de-escalation; programs that address domestic and sexual violence, including child abuse prevention; emergency relocation; programs that address homophobia and bullying; alternatives to incarceration including diversion and re-entry programs; and preventing and responding to police violence against children, youth, young adults and their caregivers.

**Education and Job Training:** including programs that help youth stay in school; promote academic success and college and career readiness; language services; support parents/guardians in advocating for their young people's education; assist in developing life skills and gaining work experience; and provide job training and placement.

**Parent/Guardian Support:** including fostering positive child-adult and youth-adult relationships that support young people's safety, self-esteem, well-being and positive futures.

**Media, Arts, Culture and Technology:** including artistic and cultural expression and education, and job and life skills development.

**Youth and Family Leadership, Organizing and Civic Engagement:** including community organizing and support that amplify the voices and engagement of children, youth and family in how Richmond prioritizes its resources; and builds youth civic engagement and leadership.

**Health and Well-Being:** including physical, mental, emotional, behavioral and social health services that support health and well-being and reduce drug-related harm, violence and self-harm, and harmful and disrespectful sexual behavior.

**Environmental Health and Justice:** including programs that improve the environmental health of children and youth and their right to live free of pollution, toxins and lead, and increase access to healthy food, safe and accessible outdoor and recreational spaces and other places to be physically active.

**Outdoor Education and Recreation:** including sports, recreation centers, play, camps, gardening and urban agriculture.

**Deportation Support:** support for young people and families experiencing or being threatened with deportation.

The Fund will prioritize three groups of young people living in Richmond and adjacent unincorporated North Richmond: children ages 0 to 12; youth ages 13 to 17; and disconnected

young adults ages 18 to 24, who are most impacted by harm, inequity and lack of access to support and services. The priority populations include but are not limited to: system-involved young people; young people who have been pushed out of school; young people who themselves or whose families are homeless or threatened by homelessness; young people living in poverty; immigrant and undocumented children, youth and families; Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) children, youth and families; teen parents and families, including single mothers; young people with poor physical, mental, emotional and behavioral health outcomes and disabilities; and families with children and youth who are impacted by the criminal justice system and/or who have family members who are incarcerated; and/or are involved in or transitioning from the foster care, juvenile justice, criminal justice or special education systems.

Entities eligible to receive funding shall be non-profit community-based organizations, including organizations with a non-profit fiscal agent; and public agencies, in partnership with non-profit organizations, that serve children, youth and disconnected transitional-aged young adults. In any fiscal year, public agencies shall not receive, in total, more than 20% of the funding awarded to applicants.

Commencing in fiscal year 2018-2019 and each fiscal year thereafter through fiscal year 2026-2027, (1) a maximum of ten percent (10%) of the Fund can be used for costs related to administering the Fund, including staff support, basic infrastructure, support for the agencies administering the contracts, and overhead costs; and (2) an additional maximum of five percent (5%) of the Fund may be used to evaluate the results of this Article.

A maximum of ten percent (10%) of the amount used to administer the Fund (as described in Section 4.d.) can be used for City overhead.

Entities eligible to receive funding include those (1) located outside but in close proximity to Richmond to the extent that those entities serve children, youth and disconnected transitional-aged young adults who reside in Richmond or unincorporated North Richmond, and (2) located in Richmond or unincorporated North Richmond that serve children, youth and disconnected transitional-aged young adults in Richmond or unincorporated North Richmond, regardless of the residence of the children or youth.

**Section 5. Excluded Services.** The Fund shall not fund the following services or types of expenditures:

Services provided by the Police Department, Sheriff, other law enforcement agencies, Courts, District Attorney, Public Defender, City Attorney or Fire Department; detention or probation services mandated by state or federal law; or public transportation, except to the extent that transportation may be needed to access eligible services supported by the Fund;

Services provided by the West Contra Costa Unified School District, Richmond libraries, Office of Neighborhood Safety, Richmond Promise College Scholarship Program, Richmond Housing Authority and Youth Works, except for collaborations between the above mentioned entities and community-based organizations and programs that meet the goals and eligible uses of the Fund;

Any service that primarily benefits adults over 24 years;

Any service for which a fixed or minimum level of expenditure is mandated by state or federal law, to the extent of the fixed or minimum level of expenditure;

Acquisition of any capital item not for primary and direct use by children or youth; acquisition, other than by lease for a term of ten years or less, of any real property; or maintenance, utilities or any similar operating costs of any facility not used primarily and directly by children or youth, or of any recreation or park facility, library, or hospital;

Capital expenditures for housing, or rent subsidies;

Primary and specialized medical and direct mental health services; however, prevention, education, and other behavioral and mental health support services are eligible for funding;

Income supports that supplant state or federal benefits or post-secondary tuition assistance;

Administration of other funds; or

Replacing existing funding for children and youth services as set forth in the Children's Baseline Budget in Section 6, except to the extent that the City ceases to receive federal, state, county, or private foundation funds that the funding agency required to be spent only on these services.

**Section 6. Children and Youth Baseline Budget.** The City shall ensure that the Fund is used exclusively to increase overall City expenditures for eligible services for children, youth and disconnected transitional-aged young adults.

- a. The City Manager shall calculate the City's total actual unrestricted general purpose revenues in fiscal year 2015-2016, and shall calculate the percentage of those revenues that were allocated in fiscal year 2015-2016 to services that would be eligible uses for monies from the Fund, excluding allocations for services mandated by state or federal law (the "Base Percentage").
- b. Commencing in fiscal year 2017-2018 and each fiscal year thereafter through fiscal year 2026-2027, the City shall allocate at least the Base Percentage of total actual unrestricted general purpose revenues to services that would be eligible uses of the Fund, excluding allocations for services mandated by state or federal law, and excluding any allocation of revenue required by this Article.

**Section 7. Administration and Oversight.** The Fund shall be administered by staff in a newly established Department of Children and Youth within the City Manager's office. Oversight of the Fund shall be provided by a fifteen-member Richmond Fund for Children and Youth Oversight Board (the "Oversight Board") that shall be composed as follows:

- a. Each member of the Richmond City Council shall appoint two City residents as members — one over 24 years old, and one who is 15 to 24 years of age.
- b. The Mayor of Richmond shall appoint three City residents as members, at least one of which shall be 15 to 24 years of age.
- c. The Mayor and City Council members shall use their best efforts to coordinate their appointments so that the members of the Oversight Board represent Richmond's diverse geographic communities, including unincorporated North Richmond.
- d. The Oversight Board shall have the following responsibilities, powers, and functions:
  - i. The role of the Oversight Board will be to develop written policies regarding the Fund, monitor the Fund, ensure that the Fund is managed in a manner accountable to the community, and ensure the highest standards of care and transparency.
  - ii. Responsibilities of the Oversight Board shall be:

1. Strategic planning: (a) creating an initial Strategic Investment Plan as described under Section 8, and (b) updating the Strategic Investment Plan every three years.
  2. Reviewing applications for funding from the Fund through a transparent and fair application process.
  3. Recommending to the City Council a list of grants to be awarded for each funding cycle.
  4. Facilitating an annual evaluation: working with a third-party, external independent evaluator to identify relevant evaluation measures and ensure that programs funded through the Fund are impactful and meet established outcomes. Evaluation reports shall be provided to the City Council and the Mayor's office and made available to the public.
  5. Reviewing financial reports and audits to confirm that spending from the Fund is consistent with all provisions of this Article, and that the funds are being managed responsibly.
- iii. The Oversight Board shall adopt rules and regulations to govern its procedures, which shall, among other things, include the manner of calling and giving notices of meetings. The Oversight Board shall meet a minimum of six times per year. Its meetings shall be open to the public and subject to the Ralph M. Brown Act open meetings law. A majority of the regular members shall constitute a quorum. Minutes of the meetings shall be filed with the city clerk.
  - iv. The Oversight Board shall be responsible for reporting to the public the services and outcomes supported by the Fund.
- e. The Oversight Board members serve two-year terms, provided that members under age 24 may serve a one-year term. There shall be no limitation on the number of consecutive terms served. The terms of the initial appointees to the Oversight Board shall commence on the date of the first meeting of the Oversight Board, which may occur when at least ten members have been appointed and are present. Oversight Board members shall serve at the pleasure of the appointing authority.
  - f. If a vacancy occurs during the term of office of any Oversight Board member, the appointing authority shall appoint a successor to complete the unexpired term in the same manner as the selection of the initial member.
  - g. In order to provide for staggered terms, eight members shall be chosen by lot, from among those able to serve for two years, to serve for an initial term of two years, with the remaining members to serve for an initial term of one year. Except for appointments to fill a vacancy, all subsequent appointments shall be for a term of two years, provided that members under age 24 may serve a one-year term.
  - h. Oversight Board members that are over 24 years of age shall not be a paid employee of an organization funded from the Fund or applying for funding from the Fund.

**Section 8. Strategic Investment Plan.** Each Strategic Investment Plan shall set forth funding priorities for a three-year period, and shall set forth a plan for overseeing and evaluating the Fund and the programs supported by the Fund. The Department of Children and Youth shall work with the Oversight Board to complete the Strategic Investment Plan and conduct a needs assessment.

- a. The needs assessment shall involve community meetings throughout the City, gathering input on the service needs of various populations.

- b. The funding priorities in the Strategic Investment Plan shall be based on the community needs assessment and input from the community.
- c. The initial Strategic Investment Plan shall be approved by a majority of the Oversight Board and presented to the City Council for its review and approval by September 30, 2017. The Strategic Investment Plan shall take effect no later than June 1, 2018.
- d. Any change in an approved Strategic Investment Plan shall be based on the community needs assessment and input from the community.

**Section 9. Application Process.** In order to ensure a stable, fair and effective service delivery system, the Fund shall be implemented as follows:

There shall be three-year planning and funding cycles, with funding beginning in the 2018-19 fiscal year.

Funds shall be allocated through an open and fair application process administered by the Department of Children and Youth in the City Manager's office in compliance with the policies adopted by the Oversight Board. The first application process shall begin no later than February 1, 2018 with funding available for encumbrance no later than July 1, 2018.

Recommendations for a list of grants to be awarded shall be made by the Oversight Board to the City Council. The City Council shall review and consider the recommendations of the Oversight Board. The City Council may reject the recommendations only if it determines that one or more recommendation is inconsistent with this Article or the priorities identified in the Strategic Investment Plan. The City Council shall accept or reject the Oversight Board's recommendations in their entirety and may not partially accept or partially reject the recommendations.

In the event the City Council rejects the list of grants proposed by the Oversight Board, it shall set forth its rationale for such rejection and recommend revisions to the Oversight Board for its consideration and action.

The City Council shall review and consider the amended recommendations of the Oversight Board, provide final approval of the list of grants to be awarded, and appropriate all necessary monies from the Fund. All grants and appropriations shall be consistent the provisions of this Article and the Strategic Investment Plan.

**Section 10. Fiscal Emergencies.** Commencing with fiscal year 2019-20, if a moderate fiscal emergency, as defined in this section, or a severe fiscal emergency, as defined in this section, is deemed to exist by the City Council, the portion of the City's annual actual unrestricted general purpose revenues to be allocated to the Fund shall be reduced as provided in this section. The City Council may deem a moderate fiscal emergency to exist in the event that the City's annual actual unrestricted general purpose revenues for a given fiscal year decrease by greater than ten percent (10%) but less than twenty percent (20%) from the level of such revenues during the previous fiscal year (defined as the "Benchmark Year"), and it may deem the moderate fiscal emergency to continue until the City's annual actual unrestricted general purpose revenues are no longer ten percent (10%) less than the level of such revenues during the Benchmark Year. If the City Council deems a moderate fiscal emergency to exist for a fiscal year, the amount required to be allocated to the Fund shall be reduced to two percent (2%) of the City's total annual actual unrestricted general purpose revenues for that particular fiscal year. The City Council may deem a severe fiscal emergency to exist in the event that the City's annual actual unrestricted general purpose revenues for a given fiscal year decrease by twenty percent (20%) or more from the level of such revenues during the Benchmark Year, and it may deem the severe fiscal emergency to continue until the City's annual

actual unrestricted general purpose revenues are no longer twenty percent (20%) less than the level of such revenues during the Benchmark Year. If the City Council deems a severe fiscal emergency to exist for a fiscal year, the amount required to be allocated to the Fund shall be reduced to one percent (1%) of the City's total annual actual unrestricted general purpose revenues for that particular fiscal year. Allocations to the Fund shall return to the level required in Section 2 for the first fiscal year in which a fiscal emergency no longer exists. There shall be no reductions in the allocation to the Fund pursuant to this Section 10 prior to fiscal year 2019-20.

**Section 11. Reauthorization.** The provisions of this Article may be extended without amendments for additional ten-year terms by a simple majority vote of the City Council. If the City Council does not act to extend the provisions of this Article before June 30, 2026, the City Council shall be obligated to place a measure on the November 2026 election ballot seeking voter approval of whether to extend the term for an additional ten years. This process shall be repeated every ten years, or until reauthorization is rejected by a vote of the electorate.

**Enabling Legislation.** The City Council may pass enabling legislation consistent with this Article regarding any aspect of the fund implementation not addressed in this legislation, including reporting requirements. The City Council shall adopt such legislation to be effective by October 1, 2017, and shall amend such legislation as necessary in the future.

**Severability.** If any provision or part of this Act, or the application of any provision or part to any person or circumstance, is for any reason held invalid or unenforceable by a court of competent jurisdiction, the remaining provisions and parts and their applications shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. The People declare that they would have adopted this Act and each provision and part thereof irrespective of the fact that any one or more provision or part may be declared invalid.

**Interpretation.** This Act shall be liberally interpreted to affect its purposes. Nothing in this Act shall be interpreted or applied so as to create any requirement, power or duty in conflict with any State or federal law.

**Amendment or Repeal.** This Act may only be amended or repealed by the affirmative vote of a majority of voters voting in a citywide election.

**Judicial Enforcement.** Any aggrieved person or registered voter in the City of Richmond shall have the right to maintain an action for equitable relief to restrain any violation of this Act, or to enforce the duties imposed on the City by this Act.

## REVISIONS TO RICHMOND KIDS FIRST INITIATIVE

Be it ordained by the People of the City of Richmond:

**SEC. 1. Title.** This Act shall be known as the “Revisions To Richmond Kids First Initiative” Act.

**SEC. 2. Findings and Statement of Purpose.** The People of the City of Richmond hereby make the following findings and declare their purpose in enacting the Act:

- a. In order to further the purposes and goals of the ballot measure entitled the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act,” which will appear on the ballot for the City of Richmond at the June 5, 2018 election, it is essential to make several amendments to that Act.
- b. In the event the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” is approved at the June 5, 2018 election, the Charter shall be further amended to:
  - i. Provide that the dates in the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” are adjusted to reflect the fact that that Initiative will appear on the June 5, 2018 ballot, rather than the November 8, 2016 ballot, as anticipated when that Initiative was drafted; and to provide that the requirements that the City set aside specified funding levels in specified years begin three years after passage of this Act;
  - ii. Provide that public entities may provide services under the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act,” without being subject to a limit of no more than 20% of the funding awarded to applicants, and without being subject to the requirement that the public agencies act in partnership with non-profit organizations; and
  - iii. Provide that the requirements that the City set aside specified funding levels in specified years be contingent upon the passage of a general tax measure that makes additional funding available for the unrestricted general purposes of the City.
- c. This Act is intended to complement and supplement the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act.”

- d. This Act will be given effect only if both this Act and the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” are approved by the voters at the June 5, 2018 election.

**SEC. 3.** Section 1 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 1. Fund: Beginning ~~January 1, 2017~~ July 1, 2018, there is hereby established in the treasury of the City of Richmond (the “City”) a special fund to expand children’s services in the City, which shall be called the Richmond Fund for Children and Youth (the “Fund”).

**SEC. 4.** Section 2 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 2. Amount and Source of Funding. The City shall set aside a portion of the annual actual unrestricted general purpose revenues of the City to be transferred to the Fund in the amounts specified below, subject to the conditions set forth in subdivision (i).

- a. ~~For the last six months of fiscal year 2016-2017 (January 1, 2017 through June 30, 2017),~~ During fiscal year 2018-2019 (July 1, 2018 through June 30, 2019), there is hereby set aside for the Fund, the amount of \$250,000 from the City’s annual actual unrestricted general purpose revenues for the express purpose of establishing and supporting the infrastructure of the Fund and the newly created Department of Children and Youth, as described in Section 7, including the development of the Strategic Investment Plan, as described in Section 8.
- b. For fiscal year ~~2017-18~~ 2019-2020, there is hereby set aside for the Fund, the amount of \$700,000 from the City’s annual actual unrestricted general purpose revenues for the express purpose of establishing and supporting the infrastructure of the Fund and the newly created Department of Children and Youth, including the development of the Strategic Investment Plan.
- c. For fiscal year ~~2018-2019~~ 2021-2022, there is hereby set aside for the Fund, an amount equal to one percent (1%) of the City’s annual actual unrestricted general purpose revenues, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.
- d. For fiscal year ~~2019-2020~~ 2022-2023, there is hereby set aside for the Fund, an amount equal to two percent (2%) of the City’s annual actual unrestricted general purpose revenues, together with any interest earned

on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.

- e. For fiscal year ~~2020-2021~~ 2023-2024 and each fiscal year thereafter through fiscal year ~~2026-2027~~ 2027-2028, there is hereby set aside for the Fund, an amount equal to three percent (3%) of the City's annual actual unrestricted general purpose revenues, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year.
- f. The Fund shall be maintained separate and apart from all other City funds and shall be appropriated annually at the time of the City's budget adoption, and by supplemental appropriation, when necessary as determined by the City Council.
- g. The annual amount of actual unrestricted general purpose revenues shall be calculated by the City Manager and shall fully include all of the following sources of revenue received by the City: (1) Property Taxes, (2) General Sales and Use Taxes (including locally approved general sales taxes and the City's portion of the Bradley-Burns Sales and Use Tax), (3) Utility Users Tax, (4) Property Transfer Tax, (5) Transient Occupancy Tax, (6) Fines, forfeitures and penalties, (7) Interest from general fund reserves, and (8) other revenues that the City can use for any lawful, municipal purpose. The City shall not define which revenues are to be considered unrestricted general purpose revenues in a manner inconsistent with the provisions of this section. Errors in calculation for a fiscal year shall be corrected by an adjustment in the set aside for the next fiscal year.
- h. Before the end of the initial ten-year period, the Fund's effectiveness shall be evaluated and the funding and terms of the Fund shall be presented to the voters for renewal or revision, unless renewed by the City Council.
- i. The requirements to set aside funds pursuant to subdivisions (c), (d) and (e) shall not become effective unless and until a general tax measure is approved after the effective date of this Act which levies a new tax or increases an existing tax to make additional funding available for the unrestricted general purposes of the City of Richmond. Nothing in this subdivision shall be construed to require the revenues from such a general tax measure to be dedicated to the purposes of this Act or the "Richmond Kids' First Initiative: The Richmond Fund for Children and Youth Act." In the event that a general tax measure meeting the requirements of this subdivision is not passed by December 31, 2020, the City Council shall pass enabling legislation to delay the effective dates in subdivisions (c), (d) and (e) until the fiscal year following the passage of a general tax measure, and making any other necessary adjustments to the times set forth in this Act.

**SEC. 5.** Section 4 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 4. Eligible Uses.

- a. The City shall only use monies from the Fund for services provided to children and youth from birth to 18 years old and their caregivers, and, as defined in Section 4.b., disconnected transitional-aged young adults from ages 18 to 24 years and, when relevant, their caregivers, or as part of programs that predominantly serve children, youth and disconnected transitional-aged young adults within those ages and their caregivers, including:
  - i. **Violence Prevention and Response:** including restorative and transformative justice; programs that support positive communication and relationships between young people and within families; programs that train young people, adult allies and parents/guardians in de-escalation; programs that address domestic and sexual violence, including child abuse prevention; emergency relocation; programs that address homophobia and bullying; ~~and alternatives to incarceration including diversion and re-entry programs. and preventing and responding to police violence against children, youth, young adults and their caregivers.~~
  - ii. **Education and Job Training:** including programs that help youth stay in school; promote academic success and college and career readiness; language services; support parents/guardians in advocating for their young people’s education; assist in developing life skills and gaining work experience; and provide job training and placement.
  - iii. **Parent/Guardian Support:** including fostering positive child-adult and youth-adult relationships that support young people’s safety, self-esteem, well-being and positive futures.
  - iv. **Media, Arts, Culture and Technology:** including artistic and cultural expression and education, and job and life skills development.
  - v. **Youth and Family Leadership, Organizing and Civic Engagement:** including community organizing and support that amplify the voices and engagement of children, youth and family in how Richmond prioritizes its resources; and builds youth civic engagement and leadership.
  - vi. **Health and Well-Being:** including physical, mental, emotional, behavioral and social health services that support health and well-being and reduce drug-related harm, violence and self-harm, and harmful and disrespectful sexual behavior.

- vii. **Environmental Health and Justice:** including programs that improve the environmental health of children and youth and their right to live free of pollution, toxins and lead, and increase access to healthy food, safe and accessible outdoor and recreational spaces and other places to be physically active.
  - viii. **Outdoor Education and Recreation:** including sports, recreation centers, play, camps, gardening and urban agriculture.
  - ix. **Deportation Support:** support for young people and families experiencing or being threatened with deportation.
- b. The Fund will prioritize three groups of young people living in Richmond and adjacent unincorporated North Richmond: children ages 0 to 12; youth ages 13 to 17; and disconnected young adults ages 18 to 24, who are most impacted by harm, inequity and lack of access to support and services. The priority populations include but are not limited to: system-involved young people; young people who have been pushed out of school; young people who themselves or whose families are homeless or threatened by homelessness; young people living in poverty; immigrant and undocumented children, youth and families; Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) children, youth and families; teen parents and families, including single mothers; young people with poor physical, mental, emotional and behavioral health outcomes and disabilities; and families with children and youth who are impacted by the criminal justice system and/or who have family members who are incarcerated; and/or are involved in or transitioning from the foster care, juvenile justice, criminal justice or special education systems.
  - c. Entities eligible to receive funding shall be public agencies and non-profit community-based organizations, including organizations with a non-profit fiscal agent; ~~and public agencies, in partnership with non-profit organizations,~~ that serve children, youth and disconnected transitional-aged young adults. ~~In any fiscal year, public agencies shall not receive, in total, more than 20% of the funding awarded to applicants.~~
  - d. Commencing in fiscal year ~~2018-2019~~ 2021-2022 and each fiscal year thereafter through fiscal year ~~2026-2027~~ 2027-2028, (1) a maximum of ten percent (10%) of the Fund can be used for costs related to administering the Fund, including staff support, basic infrastructure, support for the agencies administering the contracts, and overhead costs; and (2) an additional maximum of five percent (5%) of the Fund may be used to evaluate the results of this Article.
  - e. A maximum of ten percent (10%) of the amount used to administer the Fund (as described in Section 4.d.) can be used for City overhead.
  - f. Entities eligible to receive funding include those (1) located outside but in close proximity to Richmond to the extent that those entities serve children, youth and disconnected transitional-aged young adults who reside in Richmond or unincorporated North Richmond, and (2) located in Richmond or unincorporated North Richmond that serve children,

youth and disconnected transitional-aged young adults in Richmond or unincorporated North Richmond, regardless of the residence of the children or youth.

**SEC. 6.** Section 6 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 6. Children and Youth Baseline Budget. The City shall ensure that the Fund is used exclusively to increase overall City expenditures for eligible services for children, youth and disconnected transitional-aged young adults.

- a. The City Manager shall calculate the City’s total actual unrestricted general purpose revenues in fiscal year ~~2015-2016~~ 2017-2018, and shall calculate the percentage of those revenues that were allocated in fiscal year ~~2015-2016~~ 2017-2018 to services that would be eligible uses for monies from the Fund, excluding allocations for services mandated by state or federal law (the “Base Percentage”).
- b. Commencing in fiscal year ~~2017-2018~~ 2019-2020 and each fiscal year thereafter through fiscal year ~~2026-2027~~ 2027-2028, the City shall allocate at least the Base Percentage of total actual unrestricted general purpose revenues to services that would be eligible uses of the Fund, excluding allocations for services mandated by state or federal law, and excluding any allocation of revenue required by this Article.

**SEC. 7.** Section 8 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 8. Strategic Investment Plan. Each Strategic Investment Plan shall set forth funding priorities for a three-year period, and shall set forth a plan for overseeing and evaluating the Fund and the programs supported by the Fund. The Department of Children and Youth shall work with the Oversight Board to complete the Strategic Investment Plan and conduct a needs assessment.

- a. The needs assessment shall involve community meetings throughout the City, gathering input on the service needs of various populations.
- b. The funding priorities in the Strategic Investment Plan shall be based on the community needs assessment and input from the community.
- c. The initial Strategic Investment Plan shall be approved by a majority of the Oversight Board and presented to the City Council for its review and

approval by ~~September 30, 2017~~ December 30, 2020. The Strategic Investment Plan shall take effect no later than ~~June 1, 2018~~ June 1, 2021.

- d. Any change in an approved Strategic Investment Plan shall be based on the community needs assessment and input from the community.

**SEC. 8.** Section 9 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 9. Application Process. In order to ensure a stable, fair and effective service delivery system, the Fund shall be implemented as follows:

- a. There shall be three-year planning and funding cycles, with funding beginning in the ~~2018-19~~ 2021-2022 fiscal year.
- b. Funds shall be allocated through an open and fair application process administered by the Department of Children and Youth in the City Manager’s office in compliance with the policies adopted by the Oversight Board. Unless the conditions set forth in subdivision (i) of section 2 have not been met, the first application process shall begin no later than February 1, 2018 January 1, 2021 with funding available for encumbrance no later than July 1, ~~2018~~ 2021.
- c. Recommendations for a list of grants to be awarded shall be made by the Oversight Board to the City Council. The City Council shall review and consider the recommendations of the Oversight Board. The City Council may reject the recommendations only if it determines that one or more recommendation is inconsistent with this Article or the priorities identified in the Strategic Investment Plan. The City Council shall accept or reject the Oversight Board’s recommendations in their entirety and may not partially accept or partially reject the recommendations.
- d. In the event the City Council rejects the list of grants proposed by the Oversight Board, it shall set forth its rationale for such rejection and recommend revisions to the Oversight Board for its consideration and action.
- e. The City Council shall review and consider the amended recommendations of the Oversight Board, provide final approval of the list of grants to be awarded, and appropriate all necessary monies from the Fund. All grants and appropriations shall be consistent the provisions of this Article and the Strategic Investment Plan.

**SEC. 9.** Section 10 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 10. Fiscal Emergencies. Commencing with fiscal year ~~2019-20~~ 2022-2023, if a moderate fiscal emergency, as defined in this section, or a severe fiscal emergency, as defined in this section, is deemed to exist by the City Council, the portion of the City’s annual actual unrestricted general purpose revenues to be allocated to the Fund shall be reduced as provided in this section. The City Council may deem a moderate fiscal emergency to exist in the event that the City’s annual actual unrestricted general purpose revenues for a given fiscal year decrease by greater than ten percent (10%) but less than twenty percent (20%) from the level of such revenues during the previous fiscal year (defined as the “Benchmark Year”), and it may deem the moderate fiscal emergency to continue until the City’s annual actual unrestricted general purpose revenues are no longer ten percent (10%) less than the level of such revenues during the Benchmark Year. If the City Council deems a moderate fiscal emergency to exist for a fiscal year, the amount required to be allocated to the Fund shall be reduced to two percent (2%) of the City’s total annual actual unrestricted general purpose revenues for that particular fiscal year. The City Council may deem a severe fiscal emergency to exist in the event that the City’s annual actual unrestricted general purpose revenues for a given fiscal year decrease by twenty percent (20%) or more from the level of such revenues during the Benchmark Year, and it may deem the severe fiscal emergency to continue until the City’s annual actual unrestricted general purpose revenues are no longer twenty percent (20%) less than the level of such revenues during the Benchmark Year. If the City Council deems a severe fiscal emergency to exist for a fiscal year, the amount required to be allocated to the Fund shall be reduced to one percent (1%) of the City’s total annual actual unrestricted general purpose revenues for that particular fiscal year. Allocations to the Fund shall return to the level required in Section 2 for the first fiscal year in which a fiscal emergency no longer exists. There shall be no reductions in the allocation to the Fund pursuant to this Section 10 prior to fiscal year ~~2019-20~~ 2022-2023.

**SEC. 10.** Section 11 of Article XV of the Charter of the City of Richmond, as proposed to be added to the Charter by the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” at the June 5, 2018 election, is hereby amended and restated to read as follows:

Section 11. Reauthorization. The provisions of this Article may be extended without amendments for additional ten-year terms by a simple majority vote of the City Council. If the City Council does not act to extend the provisions of this Article before ~~June 30, 2026~~ December 31, 2027, the City Council shall be obligated to place a measure on ~~the November 2026~~ a 2028 election ballot seeking voter approval of whether to extend the term for an additional ten years. This process shall be

repeated every ten years, or until reauthorization is rejected by a vote of the electorate.

**SEC 11. Enabling Legislation.** Notwithstanding any other provision of law, in the event a ballot measure entitled the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act” is approved at the June 5, 2018 election, the City Council may pass enabling or clarifying legislation consistent with Article XV of the Charter, provided that such legislation is consistent with and furthers the intent of the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act”, as amended by this Act. The City Council shall adopt such legislation to be effective by July 1, 2019, and shall amend such legislation as necessary in the future.

**SEC. 12. Severability.** If any provision or part of this Act, or the application of any provision or part to any person or circumstance, is for any reason held invalid or unenforceable by a court of competent jurisdiction, the remaining provisions and parts and their applications shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. The People declare that they would have adopted this Act and each provision and part thereof irrespective of the fact that any one or more provision or part may be declared invalid.

**SEC. 13. Interpretation.** This Act shall be liberally interpreted to affect its purposes. Nothing in this Act shall be interpreted or applied so as to create any requirement, power or duty in conflict with any State or federal law.

**SEC. 14. Amendment or Repeal.** This Act may only be amended or repealed by the affirmative vote of a majority of voters voting in a citywide election.

**SEC. 15. Judicial Enforcement.** Any aggrieved person or registered voter in the City of Richmond shall have the right to maintain an action for equitable relief to restrain any violation of this Act, or to enforce the duties imposed on the City by this Act.

**SEC. 16. Complementary Measures.** This Act is intended to complement and supplement the “Richmond Kids First Initiative: The Richmond Fund for Children and Youth Act,” which will appear on the ballot for the City of Richmond at the June 5, 2018 election. This Act is not intended to, and does not, conflict in any way with that Act.

DRAFT

Attachment 2



**Richmond Fund for Children and Youth Oversight Board Meeting  
December 2, 2019**

# Richmond Department and Fund for Children and Youth

- The Richmond Kids First Initiative led to the creation of the Department and Fund
- Richmond voters approved Measures E and K on June 5, 2018
- The Department will provide funding for youth-serving organizations in Richmond and North Richmond (Ages 0-24)
- A 15-member Oversight Board made up of youth and adults will be established in November 2019



**THE RICHMOND DEPARTMENT OF CHILDREN AND YOUTH NEEDS YOU!**

The Richmond Department of Children and Youth is seeking 15 Richmond and North Richmond residents to serve on the inaugural **Oversight Board** and attend monthly meetings for the Richmond Fund for Children and Youth.

Richmond and North Richmond residents over the age of 18 are eligible to apply!

**Do you want to?**

- Make Richmond a better place for youth
- Help guide funding for youth-serving organizations
- Receive free training and professional development opportunities

**APPLICATIONS AVAILABLE: JUNE 2019**  
**APPLICATION DEADLINE: AUGUST 31st, 2019**

Apply online at: [www.richmondyouth.org](http://www.richmondyouth.org)  
or visit 400 Civic Center Plaza (third floor)  
to pick up English and Spanish applications.  
For more information, contact us at  
**(510) 620-6523**

Meals, snacks, childcare, and interpretation and translation services may be provided at Oversight Board meetings.

# Richmond Department and Fund for Children and Youth

Goals of the Department include:

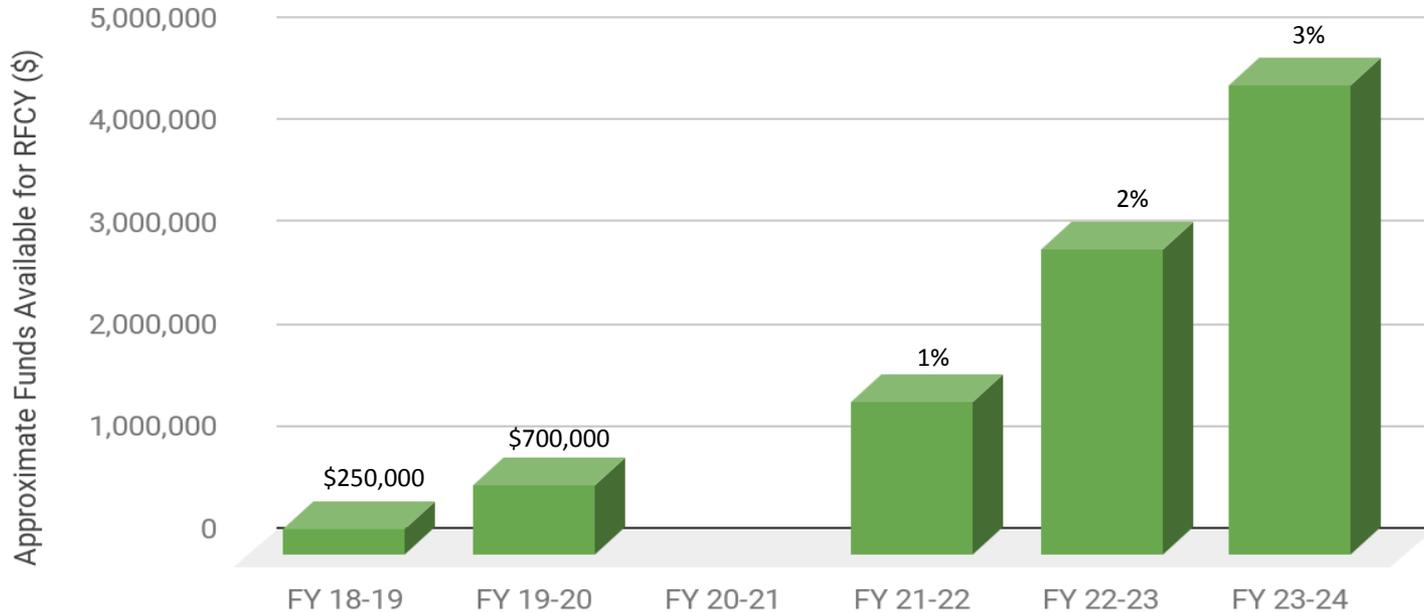
- Ensuring the physical, emotional, and mental health of youth
- Filling gaps in services and leveraging other resources
- Ensuring equitable distribution of resources to all youth

## Services that can be Funded by RFCY

- Violence Prevention and Response
- Education and Job Training
- Parent / Guardian Support
- Media, Arts, Culture and Technology
- Youth and Family Leadership, Organizing and Civic Engagement
- Health and Well-Being
- Environmental Health and Justice
- Outdoor Education and Recreation
- Support for young people and families experiencing or being threatened with deportation

# Richmond Fund for Children and Youth

Estimated Amount of Funding for RFCY Separated by Fiscal Year



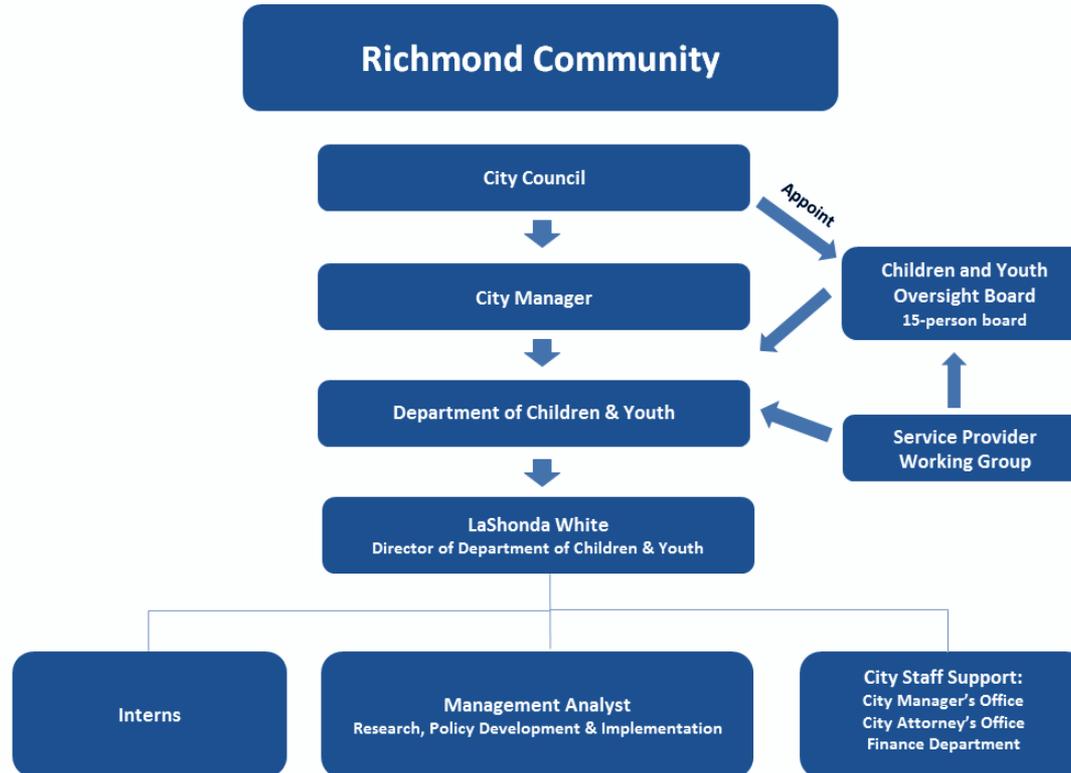
1% of the GF ~ \$1,656,952\*

2% of the GF ~ \$3,313,904\*

3% of the GF ~ \$4,970,856\*

\*Numbers Based on Adopted FY 2019-20 Budget

# Department Structure



# Oversight Board Guidelines

## Per Measures E & K

- 15-member Oversight Board
- 2 appointees from each City Councilmember
  - One over 24 years old
  - One who is 15 to 24 years of age
- 3 appointees from the Mayor
  - At least one of which shall be 15 to 24 years of age
- The Oversight Board shall meet a minimum of six times per year

# Oversight Board Roles and Responsibilities

Main roles of the Oversight Board include, but are not limited to:

- Ensuring that the Fund is managed in a manner accountable to the community
- Assisting in the development of a Community Needs Assessment to determine the most pressing needs of Richmond families, children, and youth under the age of 24
- Assisting in the development of a Strategic Investment Plan that would determine funding strategies and grant-making for the next three years

# Community Needs Assessment

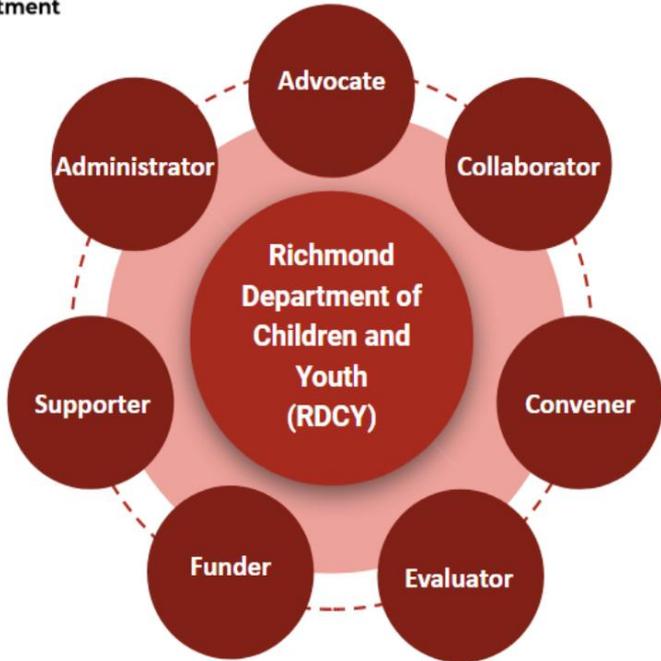
Measure E, Section 8: *The Department of Children and Youth shall work with the Oversight Board to complete the Strategic Investment Plan and conduct a needs assessment*

Desired Outcome:

- Identifying "gaps" between current conditions and desired conditions
- Acknowledging community strengths and resources

# Roles of the Department

## Department Roles



<b>Supporter</b>	Provide support to the Board (Board recruitment, retention, development, training, agenda setting, meeting facilitation, etc.)
<b>Funder</b>	Develop and administer the grant program in alignment with the Community Needs Assessment and Strategic Investment Plan
<b>Convener</b>	Hold space for City interdepartmental meetings, as well as cross-entity meetings to discuss service delivery, opportunities for collaboration, etc.
<b>Collaborator</b>	Collaborate with various governmental, faith-based, CBOs, philanthropy and community organizations to support work in the community and ensure that children and youth needs are met
<b>Advocate</b>	Work to advocate for services, adequate funding, etc. for children and youth supported by this Fund
<b>Administrator</b>	Administer the grant program in alignment with Measures E & K and Board direction
<b>Evaluator</b>	Develop and implement a process to evaluate and/or support the evaluation of grantees, the grant process, collaborative work with other entities, and the program. Will use the evaluation process to document the collective impact of the Fund

# Community Outreach and Meetings

## Government Entities

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Various City of Richmond Departments

Supervisor John Gioia

Department of Children, Youth and their  
Families (City and County of San Francisco)

Oakland Fund for Children and Youth  
(City of Oakland)

City of San Pablo, Community Services

West Contra Costa Unified School District

## Community-Based Organizations

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West County EdFund

Health Leads

Healthy Richmond

RYSE

Richmond Promise

YES Nature to Neighborhoods

Building Blocks For Kids

Richmond Neighborhood  
Coordinating Council

## Foundations

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The California Endowment

Hellman Family Foundation

Richmond Funders Panel  
(presentation to various funders  
that meet on a monthly basis)

# Department Collaborations and Practices



Service Provider Working Group



Partnerships



Community Meetings



Interdepartmental Collaboration



Community Outreach



WCCUSD Collaboration

## Tentative Timeline (Dates Subject to Change)

<b>November 5, 2019</b>	City Council Selection of Oversight Board
<b>December 2019</b>	First Oversight Board Meeting
<b>December 2019 – May 2020</b>	Community Needs Assessment Outreach and Development Process
<b>June – November 2020</b>	Strategic Investment Plan Development Process
<b>December 2020</b>	Strategic Investment Plan Approval by City Council
<b>January 2021</b>	Richmond Fund for Children and Youth Grant Application Released

## Contact Information

youth@ci.richmond.ca.us

(510) 620-6523

LaShonda White, Director  
LaShonda\_White@ci.richmond.ca.us



/richmondcayouth

David Padilla, Management Analyst  
David\_Padilla@ci.richmond.ca.us



@richmondcayouth



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
Sarah Ferrell, Graduate Student Intern

**SUBJECT:** REQUEST FOR PROPOSALS (RFP) AND RFP REVIEW/INTERVIEW PANEL

## RECOMMENDED ACTION:

RECEIVE an update on a Request For Proposals to be released on December 5, 2019 to hire a consultant to support the Richmond Department of Children and Youth (Department) in conducting a community needs assessment and draft a strategic investment plan, and SELECT up to six (6) Oversight Board members to participate in a sub-committee to help select the consultant – Department of Children and Youth (620-6523).

## FINANCIAL IMPACT OF RECOMMENDATION:

There is no financial impact for the release of the RFP. Department staff will return with a future agenda item with detailed budget information when it is time to enter into a contract with a consultant.

## DISCUSSION:

The Department seeks to hire a consultant to support outreach and data collection, conduct a community needs assessment, and develop a strategic investment plan to inform the first three-year grant cycle of the Richmond Fund for Children and Youth. To meet these provisions, the Department has drafted a RFP that outlines four elements that detail the scope of services and suggested activities and deliverables. These four elements of the RFP include the following:

- **Community Engagement:** The consultant should have the qualifications and competency to engage diverse populations throughout the planning process, ensuring all events are inclusive and accessible for a wide range of stakeholders including but not limited to youth, parents/guardians, service providers, and English and Spanish-speaking residents. The community engagement plan will be developed in consultation with Department Staff and the Oversight Board. The community engagement plan should include a variety of opportunities for public input, such as listening groups, interviews,

community meetings, and questionnaires. Learnings from the community engagement process will be communicated back to the public and interested stakeholders.

- **Community Needs Assessment:** The consultant will evaluate existing infrastructure and services for youth 24 years and younger, identifying community assets, needs, and gaps in services. The community needs assessment will be aligned to the community engagement plan and should identify trends across the Measures' priority populations. The final report should include a summary of findings and strategies for achieving outcomes. The report will be presented to the Oversight Board, City Council and other key stakeholders.
- **Strategic Investment Plan:** The consultant will use all inputs and learnings from the community needs assessment to identify recommended strategies and funding allocations to strengthen Richmond's resources and address needs and gaps for the first three-year grant cycle. The strategic investment plan will be explicit in its intended impact and aligned to the City's existing policies such as Health in All Policies. The strategic investment plan will be made available for public comment prior to finalization and then presented to the Oversight Board and City Council for review, approval, and adoption by December 2020.
- **Ongoing Project Management:** The consultant must be able to effectively plan and facilitate community engagement events, communicate proactively with Department staff and the Oversight Board, and collaborate with relevant stakeholders.

A review team, consisting of mainly Department staff and Oversight Board members, will evaluate the proposers on their proposed plan to implement the project, their ability to substantiate their expertise in conducting needs assessments and strategic planning, the project timeline, and budget. Proposers must also demonstrate experience working in diverse populations and communities similar to Richmond.

Staff plans to release the RFP on December 5, 2019, and all submittals are tentatively due on January 9, 2020. Members of the review team will independently review and score each proposal and then meet to identify finalist candidates. Oversight Board members not on the review team may also review all proposals, submit feedback, and provide suggested interview questions to the review team. The review team will then interview each finalist and identify the top candidate. The Department aims to enter into a contract with a consultant by early or mid-February 2020, and per the City's procurement process, the contract must be approved by the City Council.

The Board will receive a more detailed update on this process at the December 2, 2019, Oversight Board meeting. Oversight Board members will be asked to volunteer for the review team to review and select candidates.



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
Guadalupe Morales, Youth Services Coordinator

**SUBJECT:** RICHMOND FUND FOR CHILDREN AND YOUTH OVERSIGHT BOARD  
HANDBOOK

**RECOMMENDED ACTION:**

RECEIVE the Richmond Fund for Children and Youth Oversight Board Handbook – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

Inaugural Oversight Board members will receive a handbook to prepare the members on the functions and duties of the Oversight Board. This handbook will contribute to the general knowledge and understanding of public affairs and aid in identifying the scope and parameters of Oversight Board roles and responsibilities. Information covered in the handbook includes, but is not limited to, the Ralph M. Brown Act, Rosenberg's Rules of Order, and City of Richmond Board and Commission procedures.



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
Patrick Seals, Supervising Office Assistant

**SUBJECT:** BROWN ACT AND ROSENBERG'S RULES OF ORDER

**RECOMMENDED ACTION:**

RECEIVE a presentation on the requirement of the Ralph M. Brown Act and Rosenberg's Rules of Order – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

The Ralph M. Brown Act, commonly referred to as the "Brown Act," is codified in the California Government Code beginning at Section 54950. The Brown Act mandates that local government business be conducted at open and public meetings, except in certain limited situations (i.e. closed sessions when discussing personnel and/or legal matters). The central provision of the Brown Act requires all "meetings" of a "legislative body" to be open and public. Richmond boards, commissions, and committees follow Rosenberg's Rules of Order for public meeting proceedings (Attachment 1).

**ATTACHMENT:**

1. Rosenberg's Rules of Order (Revised 2011)



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand 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's 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 education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not 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 for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, 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*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of 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 the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, 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, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often 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 roadmap for the meeting. 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 agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

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

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

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body 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 of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding 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 vote on a 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 body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. 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), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, 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 a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body 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 a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day 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 should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion**. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they 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.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they 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 their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but 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 if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. 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 *passed*, 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 completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, 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 then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**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). 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):

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

**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 be a few minutes or an hour. It requires a simple majority vote.

**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.

**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 can 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 can 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.

**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 the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), 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, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** 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 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, a simple majority vote determines a question. 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 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 come up when the body is taking an action which 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,” or “I move the question,” or “I call 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.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since 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 suspend 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.

### Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## 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 consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, 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. 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 — including a member who voted in the minority on the original motion — 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 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 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. 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 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 focuses on the item and the policy in question, not 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, is too loud, or is 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 privilege 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 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, “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.

**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.

## Special Notes About Public Input

The rules outlined above will 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.



1400 K Street, Sacramento, CA 95814  
(916) 658-8200 | Fax (916) 658-8240  
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# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
Patrick Seals, Supervising Office Assistant

**SUBJECT:** CO-CHAIR ELECTIONS

**RECOMMENDED ACTION:**

ELECT two (2) Oversight Board members (one youth and one adult) to serve an initial one-year term as Co-Chairs – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

Section 7 of Measure E establishes the creation of a fifteen (15) member Oversight Board. Department staff recommends that the Oversight Board elects two (2) members to serve as Co-Chairs. There shall be at least one youth Chairperson (between 15 to 24 years of age) and one adult Chairperson (over 24 years of age).

The Chairpersons shall preside at all meetings of the Oversight Board. The Chairpersons are accountable to work with Department staff in setting agendas for Oversight Board meetings. Chairpersons shall be elected by majority vote of the Oversight Board at its first regular meeting. Each Chairperson shall serve a one year (1) term and cannot serve more than two (2) consecutive terms. Additional rules and responsibilities of the Co-Chairs will be determined as part of the development process of the Oversight Board's bylaws.



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
Patrick Seals, Supervising Office Assistant  
Letitia Carpenter, Fellow

**SUBJECT:** STAGGERING INITIAL TERMS OF EXPIRATION FOR OVERSIGHT BOARD MEMBERS

**RECOMMENDED ACTION:**

DECIDE on staggered terms of expiration and SELECT eight (8) Oversight Board members, by lottery, to serve an initial term of two years, with the remaining Oversight Board members serving an initial term of one year – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

In accordance with Sections 7 (e),(f), and (g) of Measure E, Oversight Board members serve two-year terms, although members under 24 years of age may choose to serve a one-year term. Those terms begin on the day of the first meeting of the Oversight Board.

Consequently, to avoid having terms end or expire on the same date for all Oversight Board members, Measure E requires that eight (8) or approximately half of the Oversight Board members serve an initial term of two years, with the remaining board members serving an initial term of one year. Given that Oversight Board members, whose terms have expired, do not seek re-appointment, staggered terms assist with retaining institutional knowledge and promoting fresh perspectives.



# AGENDA REPORT

Department of  
Children and Youth

**DATE:** December 2, 2019

**TO:** Members of the Richmond Fund for Children and Youth Oversight Board

**FROM:** LaShonda White, Director  
David Padilla, Management Analyst

**SUBJECT:** ADMINISTRATIVE MANNERS

**RECOMMENDED ACTION:**

DISCUSS general announcements and administrative matters including upcoming scheduling and future Agenda items – Department of Children and Youth (620-6523).

**FINANCIAL IMPACT OF RECOMMENDATION:**

There is no financial impact.

**DISCUSSION:**

Oversight Board members will have the opportunity to discuss upcoming scheduling and agenda items for future Oversight Board meetings. This will also serve as a designated time for Oversight Board members to share general announcements with the Department, Oversight Board, and Richmond community as a whole.