

Boards and Commissions in Oakland
Findings and Recommendations from the
League of Women Voters of Oakland
May 2010

In 2009, the Oakland City Council asked the League of Women Voters of Oakland to evaluate the functions, operations, and value of Oakland's boards and commissions in order to provide guidance for a rational allocation of resources to their efforts. The focus of this report is on advisory groups created by the city, rather than boards and commissions required by law or statute, and those required for state or federal funding. The League thus did not address, for example, the Planning Commission, the Port Commission, or neighborhood and business area boards or committees, senior center advisory boards, and staff committees. An exception is the Workforce Investment Board (WIB) because the League received specific requests to look at it. The boards, commissions, and committees covered in this review are listed in the Appendix.

To conduct its study the League asked responsible staff to complete a written survey and interviewed past and present members and staff of these boards and commissions. The survey and the interviews were based on the understanding that advisory boards and commissions are designed to give the public a direct voice in determining policies and priorities of city government, and that they do this effectively when

- they focus on policy recommendations which are considered seriously by the city council and its committees;
- boards and commission have their full complement of members and those members participate fully in their bodies' activities;
- elected officials collaborate with boards and commissions in formulating goals and specific charges for the boards and commissions;
- members of boards and commissions take initiatives to bring issues before the bodies of which they are members;
- the council recognizes the contributions to city government made by members of boards and commissions.

Findings

- Boards and commissions for the City of Oakland vary widely in the ways in which they function. While some are models of good government, others fail to meet regularly, often do not have quorums when they do meet, and lack websites that provide minimal information about their purposes, memberships, meeting schedules, minutes, reports, and other activities.

- Many boards and commissions have long-standing vacancies that may suggest these bodies are not considered useful.
- The role of the mayor in appointments to boards and commissions dates from the time the mayor was a member of the city council. Now that this is no longer the case, this role may not be appropriate for bodies charged with advising the city council.
- Members of boards and commissions often do not receive adequate training and orientation.
- Boards and commissions take a large amount of city staff time. This includes preparation work, public notification, set-up for meetings, and preparation of minutes and reports.
- When boards and commissions make reports and recommendations, these are not always personally presented by the chairs to the city council or council committees. Sometimes there is no evident response to recommendations from the city council or the mayor.
- Staff has on occasion interfered with the conduct of a meeting or omitted some recommendations adopted by boards or commissions when those recommendations were presented to the council.
- Boards and commissions often do not ensure that at least one member is present at key discussions of issues in their charge, e.g., Budget Advisory Committee during budget discussions.
- Not all boards and commissions consult their constituencies regularly. Public comments often go directly to council members but are not forwarded to the appropriate board or commission.
- Some council members see the current board and commission process as too slow to respond to issues in a timely way.
- Some council members find that boards and commissions almost never provide information which is new to them; they get equivalent information and advice from other sources.

General Recommendations

Each board, commission, and committee was created to advise the city council and, in some cases, the mayor about a specific policy area. The council continues to need advice from the community in these areas. The League suggests these bodies would work best to benefit the community if the following recommendations were adopted.

1. Size. Limit the size of boards and commissions to ensure that each can coordinate and focus its efforts while allowing for a variety of knowledge, skills, and experience.

In most cases, nine members should be sufficient to do the work of a given board or commission. If a board or commission is to be larger than nine members, that size should be justified.

2. Reporting relationships and Appointment. Review the authority by which each board and commission was established to determine to whom it reports. Amend the appropriate resolutions and ordinances to provide that members of advisory boards and commissions are appointed by the entity or entities—the council and/or the mayor—responsible for receiving recommendations.
3. Criteria for appointment. Require of appointees and potential appointees to boards and commissions that they
 - a. meet legal requirements for the particular board or commission.
 - b. are interested in the relevant topic and have appropriate knowledge or expertise.
 - c. are committed to participate in the work of the body, attending all meetings, gathering information and preparing for meetings, and reaching out to the public.
 - d. have experience of city government from attendance at meetings of council or other committees, boards, or commissions.
4. Attendance. Set and enforce standards for excused and consecutive absences, and remove members failing to meet the standards. Suggested standards for boards and commissions meeting monthly or more often are
 - a. Maximum number of excused absences: 3 per year
 - b. Maximum number of unexcused absences: 2 per year
 - c. Maximum number of consecutive absences: 2 per yearThese standards would apply to regular meetings only, and not to special meetings of the board or commission.
5. Term of Office. Set terms of office and options for reappointment that are long enough for the body to benefit from the experience gained from serving, especially on bodies requiring specialized knowledge. Use staggered terms to provide for both continuity and turnover.
6. Vacancies. Establish and follow procedures in the mayor's office and the city council to ensure timely appointments to fill vacancies.
7. Chairperson. Allow each board or commission to select its own chair from among its members who have two or more years experience as a board or commission member.

8. Council Liaison. Assign city council members to serve as liaisons to boards or commissions. The liaison can be the chair of the committee to which the board or commission reports, or another member of the council committee. Include among the liaison's responsibilities regular meetings with the board or commission and overseeing appointment and reappointment processes.
9. Goals. Require each board and commission to adopt formal goals and specific tasks and objectives annually through a cooperative process between the councilmember liaison and the board or commission.
10. Operations. Establish guidelines for each board and commission to ensure that it
 - a. provides timely orientation and training for new members and keeps all members apprised of legal and Council actions that affect its mission;
 - b. conducts meetings according to *Robert's Rules of Order*;
 - c. can rely on staff for administrative support and as a source of information;
 - d. produces reports and recommendations for the city council and/or the mayor, and formally approves all documents and reports issued in its name;
 - e. keeps accurate records of its actions and activities.
11. Website. Establish and keep up-to-date a website for each board or commission. The website will display, at a minimum,
 - a. statement of authority: when created, charge, to whom it reports,
 - b. meeting dates and agendas,
 - c. minutes of past meetings,
 - d. current year goals, tasks and objectives,
 - e. current year budget,
 - f. annual report (at least current and one past),
 - g. list of members with contact information,
 - h. staff assigned to the board or commission.
12. Recommendations and Reports. Require the chair of each board or commission, or a member designated by the chair, to present at least annually a report of the body's actions and activities and any recommendations deriving from those actions to the council and/or the mayor. Post the council's and/or mayor's responses on the board or commission website along with the recommendations and reports.

Recommendations concerning specific boards and commissions

Oversight committees

- Measure Z – Marijuana Law Enforcement
- Measure K – Oakland Fund for Children and Youth
- Measure DD – Clean Water, Safe Parks
- Measure Y – Violence Prevention and Public Safety Oversight
- Measure Q – Library Commission

Findings

- Oversight committees were created by ballot measures; their purpose is to inform voters how the funds authorized by the measure are used.
- Each oversight committee functions in a different way. Some have oversight as their only charge; others have additional responsibilities.
- Public access to annual findings of oversight committees and responses from the city council is not readily available.
- Oversight committees do not report in person to the city council
- It appears that at least some of the time, the same department that is being audited or overseen is providing the staff support and information to the oversight committee

Recommendations

We feel the role and function of the oversight committees warrants a separate study. We recommend that the city council charge a task force with this job. These are the ideas which we considered, some of which can be implemented now:

1. Compare Oakland's oversight committees with those in other cities to seek new ideas, possible models for both structure of the committee and how the committee reports to the public.
2. Establish a system of timely annual reports from each oversight committee with an audit hearing at a city council meeting.
3. Ensure that oversight committees have their full complement of members and ready access to all information to enable them to carry out their responsibilities.
4. Consider consolidating some or all of the committees into one master oversight committee.
5. For future ballot measures, consider whether adding another single purpose committee is appropriate. Is there a model which consolidates the citizen oversight for these measures into one or two more powerful committees?
6. Ask the City Auditor to provide input to all oversight committees, and provide the additional resources to the Auditor's office so that this is possible.

B. Workforce Investment Board (WIB)

Findings

- The Oakland WIB currently comprises 48 members, up from 36 in 2007. It is not unusual for WIBs to be considerably larger than other boards and commissions because the federal Workforce Investment Act mandates that business, labor and program contractors all be represented. However, a smaller number than 48 would facilitate full participation.
- Neither the WIB nor its committees has followed a regular meeting schedule for some time.
- The primary responsibility of the WIB is to set policy and priorities regarding workforce development and jobs programs, but no policy discussions have occurred in years. One of the results is that no updated local workforce development plan is in place.
- The work of WIBs in other jurisdictions is done by full-time professional staff with experience in workforce development and contract administration. However, in Oakland, a member of the mayor's staff serves as a part-time acting executive director for the WIB, and is supported by an assistant who also has responsibility for most other city boards, commissions and committees. The head of the Private Industry Council (PIC), which provides services as a WIB contractor, also serves as "systems administrator" for and member of the WIB.

Recommendations

1. Hire professional staff devoted only to the WIB so that a full-time executive director and other staff are in place no later than the beginning of the new fiscal year beginning July 1, 2010.
2. Reduce the number of WIB members.
3. Set regular schedules for the full WIB and all committees, and stick to them. Publish the schedules and notice all meetings and agendas well in advance on a website that is kept up-to-date. Make draft minutes available to all members within a week of a meeting.
4. Provide in-depth orientation for new WIB members, and regular updates on relevant laws, regulations and other requirements for all WIB members. This should include clear definitions of the authority of the WIB and its relationship to the mayor and the city council.
5. Prioritize policy discussions and the development of a local plan.
6. Ensure that all contracts are approved by the WIB in a timely manner that allows for city council approval.

Appendix

Boards and commissions covered in this report

Commission on Aging
Budget Advisory Commission
Children’s Fund Planning and Oversight Committee
Citizen’s Police Review Board
Commission on Persons with Disabilities
Community Policing Advisory Board
Cultural Affairs Commission
Emergency Management Board
Head Start Advisory Panel
Head Start Policy Council Committee
Housing, Residential Rent and Relocation Board
Landmarks Preservation Advisory Board
Library Advisory Commission
Measure Z Cannabis Regulatory Commission
Parks and Recreation Advisory Commission
Public Arts Advisory Committee
Public Ethics Commission
Violence Prevention and Public Safety Oversight Committee
Wildfire Prevention Assessment District Advisory Board
Workforce Investment Board (WIB)
Youth Advisory Commission