

CITY OF YUBA CITY
STAFF REPORT

Date: February 5, 2008

To: Honorable Mayor & Members of the City Council
Honorable Chairperson & Members of the Board

From: Administration

Presentation By: Steve Kroeger, Assistant City Manager

Summary

Subject: Amendment to the Bylaws of the Redevelopment Agency and Establishment of Compensation for Board Members

Recommendation: a) Adopt a resolution of the Redevelopment Agency of the City of Yuba City adopting the amended and restated Bylaws of the Redevelopment Agency of the City of Yuba City

b) Adopt a resolution of the City Council of the City of Yuba City prescribing compensation for members of the Redevelopment Agency of the City of Yuba City

Fiscal Impact: \$3,600 annually based on 2 meetings per month from account 6011-61210 Redevelopment Agency Salaries

Background:

On April 18, 1988, the original bylaws of the Redevelopment Agency of the City of Yuba City were adopted. Subsequently, the bylaws were amended on May 15, 2001, to change the time and day of regular meetings of the Agency.

Analysis:

Staff has reviewed the bylaws and is recommending that they be updated to address the following:

- Provide that the City Council prescribe compensation for Board Members (within the limitations established by state law) – Section 2.08
- Provide that the annual meeting of the Agency shall be held on the third Tuesday of January of each year, since meetings of the first Tuesday in January can be subject to cancellation – Section 3.01
- Provide that the Agency will conduct its meetings in an order of business consistent with that of City Council meetings – Section 3.08
- Provide that the bylaws are gender neutral

Fiscal Impact:

\$3,600 annually based on 2 meetings per month. Funds are available within the salaries line item of the current Redevelopment Agency budget (6011-61201).

Alternatives:

1. Adopt bylaws with alternate amendments
2. Do not amend bylaws

Recommendation:

1. Adopt a resolution of the Redevelopment Agency of the City of Yuba City adopting the amended and restated Bylaws of the Redevelopment Agency of the City of Yuba City
2. Adopt a resolution of the City Council of the City of Yuba City prescribing compensation for members of the Redevelopment Agency of the City of Yuba City

Attachments: 1) Agency Resolution adopting amended and restated Bylaws
2) Redlined version of amended and restated Bylaws
3) City Resolution prescribing compensation for Agency Board Members

Prepared By:




Steven C. Kroeger
Assistant City Manager

Submitted By:

Steven R. Jepsen
City Manager

Reviewed By:

Finance
City Attorney



AGENCY RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY
OF THE CITY OF YUBA CITY ADOPTING THE AMENDED AND
RESTATED BYLAWS OF THE REDEVELOPMENT AGENCY
OF THE CITY OF YUBA CITY**

WHEREAS, the Agency has, by Resolution No. 88-02, dated April 18, 1988, adopted the "Bylaws of the Redevelopment Agency of the City of Yuba City", which Bylaws were thereafter amended by Resolution No. 01-03, dated May 15, 2001 (the "Bylaws"); and

WHEREAS, Article IV, Section 4.01 of the Bylaws grants authority to the Redevelopment Agency of the City of Yuba City (the "Agency") and Agency members to amend the Bylaws following at least seven days written notice to all members of the Agency; and

WHEREAS, the Agency has provided the required written notice to the Agency members, and the Agency desires to amend and restate the Bylaws to make certain clarifying and otherwise desirable amendments; and

NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF YUBA CITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The "Amended and Restated Bylaws of the Redevelopment Agency of the City of Yuba City" (the "Amended and Restated Bylaws") in the form attached to this resolution and incorporated herein by reference, are hereby adopted.

Section 2. The Amended and Restated Bylaws shall replace and supersede the Bylaws in their entirety

Section 3. The officers of the Agency, other than the Chairman and Vice-Chairman, as set forth in the Bylaws, are appointed to be as follows:

- | | |
|---------------------|------------------|
| Executive Director: | City Manager |
| Secretary: | City Clerk |
| Finance Director: | Finance Director |
| General Counsel | City Attorney |

The foregoing Resolution of the City Council of the City of Yuba City is duly and regularly introduced, PASSED AND ADOPTED at a regular meeting thereof held on this 5th day of February 2008, by the following vote:

Ayes:

Noes:

Absent:

Attest:

Chairperson

Secretary

**AMENDED AND RESTATED
BYLAWS OF THE
REDEVELOPMENT AGENCY OF THE
CITY OF YUBA CITY**

ARTICLE I – THE AGENCY

Section 1.01. Name of Agency. The official name of the Agency shall be the "Redevelopment Agency of the City of Yuba City."

Section 1.02. Seal of Agency. The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 1.03. Office of Agency and Place of Meeting. The office of the Agency shall be at City Hall, 1201 Civic Center Boulevard, Yuba City, California. The Agency meetings shall be held in the City Council Chambers, 1201 Civic Center Boulevard, Yuba City, California, or at any place in the City of Yuba City, California, which the Agency may from time-to-time designate by resolution.

Section 1.04. Powers. The powers of the Agency shall be vested in the members thereof then in office, who reserve unto themselves the right to delegate by resolution such powers as are appropriate and permissible by law.

Section 1.05. Members. The members of the Agency shall be the members of the City Council of the City of Yuba City.

ARTICLE II – OFFICERS

Section 2.01. Officers. The officers of the Agency shall be a Chairperson and a Vice-Chairperson. Other officials acting as its staff shall be an Executive Director, a Secretary, a Finance Director and a General Counsel, as may be appointed by the Agency from time to time.

Section 2.02. Chairperson. The Chairperson of the Agency shall be the Mayor of the City of Yuba City elected as provided by statute. The Chairperson shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency or the provisions of these Bylaws, the Chairperson shall sign all contracts, deeds and other instruments made by the Agency. At each meeting, the Chairperson shall submit recommendations and information as the Chairperson may consider proper concerning the business, affairs and policies of the Agency.

Section 2.03. Vice-Chairperson. The Vice-Chairperson shall be the Vice-Mayor of the City of Yuba City elected as provided by statute. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of the

resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Agency shall elect a new Chairperson.

Section 2.04. Executive Director. The Executive Director shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Executive Director shall have general supervision over the administration of Agency business and affairs, subject to the direction of the Agency.

Section 2.05. Secretary. The Secretary shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Secretary shall keep the records of the Agency, act as secretary at meetings of the Agency, record all votes and keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and perform all duties incident to the Secretary's office. The Secretary shall maintain a record of all official proceedings of the City Council of the City of Yuba City relevant to the Agency and the redevelopment program.

Section 2.06. Finance Director. The Finance Director shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Finance Director shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency may select. The Finance Director shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Agency. The Finance Director shall keep regular books of account, showing receipts and expenditures, and shall render to the Agency at each regular meeting, or more often when requested, an account of transactions and the financial conditions of the Agency. The Finance Director shall give such bond for the faithful performance of the Finance Director's duties as the Agency may determine.

Section 2.07. General Counsel. The General Counsel shall be appointed by the Agency and shall serve at the pleasure of the Agency. The General Counsel shall be the chief legal officer of the Agency and shall be responsible for the preparation of all proposed resolutions, laws, rules, contracts, bonds and other legal papers for the Agency. The General Counsel shall give advice or opinions in writing to the Chairperson or other Agency officers whenever requested to do so. The General Counsel shall attend to all suits and other matters to which the Agency is a part or in which the Agency may be legally interested and do such other things pertaining to the General Counsel's office as the Agency may request.

Section 2.08. Compensation. The members of the Agency shall receive compensation as the City Council prescribes by resolution, provided that such compensation shall not exceed any limitations established by state law. In addition, members shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties.

Section 2.09. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time-to-time be required by the Agency or the Bylaws or rules and regulations of the Agency.

Section 2.10. Absences and Vacancies. In the temporary absence of the Chairperson and Vice-Chairperson, the Agency members shall elect a member present as temporary

Chairperson for the purpose of conducting meetings and performing the duties of the Chairperson. Should the offices of Chairperson or Vice-Chairperson become vacant, the Agency shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. Should any office other than Chairperson or Vice-Chairperson become vacant, the Agency shall appoint a successor within a reasonable time or by resolution determine that such office shall remain vacant for a definite or indefinite period of time.

Section 2.11. Additional Personnel. The Agency may from time-to-time appoint or employ such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the California Community Redevelopment Law (Health & Safety Code, § 33000 et seq.) and all other laws of the State of California applicable thereto. The selection, duties and compensation of such personnel shall be determined by the Agency, subject to the laws of the State of California.

ARTICLE III – MEETINGS

Section 3.01. Annual Meeting. The annual meeting of the Agency shall be held on the third Tuesday of January of each year at 7:00 p.m. in the City Council Chambers, 1201 Civic Center Boulevard, Yuba City, California, except as may be changed by future resolution of the Agency. In the event such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding business day.

Section 3.02. Regular Meeting. The regular meetings of the Agency shall be held, without official notice, on the first and third Tuesdays of each month at 7:00 p.m. in the City Council Chambers, except as may be changed by future resolution of the Agency. In the event a day of regular meeting shall be a legal holiday, said meeting shall be held on the next succeeding business day.

Section 3.03. Special Meetings. The Chairperson of the Agency may, when it is deemed expedient, and shall, upon the written request of two (2) members of the Agency, call a special meeting of the Agency for the purpose of transacting the business designated in the call. At such special meeting, no business shall be considered other than as designated in the call.

Section 3.04. Posting Agendas/Notices. The Secretary or his authorized representative shall post an agenda for each regular Agency meeting or a notice for each special Agency meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at City Hall, 1201 Civic Center Boulevard, Yuba City, CA (a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting. The Secretary shall maintain a record of such posting.

Section 3.05. Right of Public to Appear and Speak. At every regular meeting, members of the public shall have an opportunity to address the Agency on matters within the

Agency's subject matter jurisdiction. Except for matters scheduled for formal public hearing, public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Agency may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The Chairperson or presiding officer may limit the total amount of time allocated for public discussion by particular issues and/or the time allocated for each individual speaker.

Section 3.06. Non-Agenda Items. Matters brought before the Agency at a regular meeting that were not placed on the agenda of the meeting shall not be acted upon by the Agency at that meeting, unless action on such matters is permissible pursuant to the Ralph M. Brown Act (the "Brown Act," Gov. Code §54950 et seq.). Those non-agenda items brought before the Agency that the Agency determines will require Agency consideration and action and where an Agency action at that meeting is not so authorized, shall either be placed on the agenda for the next regular meeting or referred to staff as directed by the Chairperson or the presiding officer.

Section 3.07. Quorum. Three (3) members of the Agency shall constitute a quorum for the purpose of conducting Agency business, exercising Agency powers and for all other purposes, but a smaller number may adjourn from time to time until the quorum is obtained. Every official act of the Agency shall be adopted by a majority vote. A "majority vote" shall mean a majority of all members present when a quorum is present.

Section 3.08. Order of Business. At the regular meetings of the Agency, the Agency shall conduct its meetings in an order of business consistent with the order of business utilized in the meetings of the City Council provided, however, that the Chairperson may, with the approval of the majority of the Agency, address items out of order, if because of the number of persons present who are interested in a particular issue, or because of the distance that persons interested in a given matter must travel or otherwise for the orderly conduct of the meeting the Agency should so decide.

All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and an approved copy of each resolution filed in the official book of resolutions of the Agency.

Section 3.09. Manner of Voting. The voting on formal resolutions, matters referred to any federal, state, county or city agency, and on such other matters as may be requested by a majority of the Agency members shall be by roll call, and the ayes, noes and members present not voting shall be entered upon the minutes of such meeting. Voting on all other matters shall be by voice vote.

Section 3.10. Parliamentary Procedure. Unless a different procedure is established by resolution of the Agency or set forth in these Bylaws, the rules of parliamentary procedure as set forth in Robert's Rules of Order Revised shall govern all meetings of the Agency.

Section 3.11. Brown Act Requirements. The provisions contained in this Article III are consistent with the provisions set forth in the Brown Act. In the event any provision

contained herein is inconsistent with the Brown Act, as it currently exists or as it may be subsequently amended, the provisions contained in the Brown Act shall prevail.

ARTICLE IV – AMENDMENTS

Section 4.01. Amendments to Bylaws. The Bylaws of the Agency may be amended by the Agency at any regular or special meeting by majority vote provided that no such amendment shall be adopted unless at least seven (7) days' written notice thereof has been previously given to all members of the Agency. Such notice shall identify the section or sections of the Bylaws proposed to be amended.

ARTICLE V – CONFLICTS

Section 5.01. Conflicts. Conflicts shall be determined and governed by a Conflict of Interest Code to be adopted by the Agency and approved by the City Council.

AMENDED AND RESTATED
BYLAWS OF THE
REDEVELOPMENT AGENCY OF THE
CITY OF YUBA CITY

ARTICLE I – THE AGENCY

Section 1.01. Name of Agency. The official name of the Agency shall be the “Redevelopment Agency of the City of Yuba City.”

Section 1.02. Seal of Agency. The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 1.03. Office of Agency and Place of Meeting. The office of the Agency shall be at City Hall, 1201 Civic Center Boulevard, Yuba City, California. The Agency meetings shall be held in the City Council Chambers, 1201 Civic Center Boulevard, Yuba City, California, or at any place in the City of Yuba City, California, which the Agency may from time-to-time designate by resolution.

Section 1.04. Powers. The powers of the Agency shall be vested in the members thereof then in office, who reserve unto themselves the right to delegate by resolution such powers as are appropriate and permissible by law.

Section 1.05. Members. The members of the Agency shall be the members of the City Council of the City of Yuba City.

ARTICLE II – OFFICERS

Section 2.01. Officers. The officers of the Agency shall be a ~~Chairman~~Chairperson and a ~~Vice-Chairman~~Chairperson. Other officials acting as its staff shall be an Executive Director, a Secretary, a Finance Director and a General Counsel, as may be appointed by the Agency from time to time.

Section 2.02. ~~Chairman~~Chairperson. The ~~Chairman~~Chairperson of the Agency shall be the Mayor of the City of Yuba City elected as provided by statute. The ~~Chairman~~Chairperson shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency or the provisions of these Bylaws, the ~~Chairman~~Chairperson shall sign all contracts, deeds and other instruments made by the Agency. At each meeting, the ~~Chairman~~Chairperson shall submit recommendations and information as the ~~Chairman~~Chairperson may consider proper concerning the business, affairs and policies of the Agency.

Section 2.03. Vice-ChairmanChairperson. The ~~Vice-Chairman~~Chairperson shall be the Vice-Mayor of the City of Yuba City elected as provided by statute. The ~~Vice-Chairman~~Chairperson shall perform the duties of the ~~Chairman~~Chairperson in the absence or incapacity of the ~~Chairman~~Chairperson. In case of the resignation or death of the ~~Chairman~~Chairperson, the ~~Vice-Chairman~~Chairperson shall perform such duties as are imposed on the ~~Chairman~~Chairperson until such time as the Agency shall elect a new ~~Chairman~~Chairperson.

Section 2.04. Executive Director. The Executive Director shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Executive Director shall have general supervision over the administration of Agency business and affairs, subject to the direction of the Agency.

Section 2.05. Secretary. The Secretary shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Secretary shall keep the records of the Agency, act as secretary at meetings of the Agency, record all votes and keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purpose, and perform all duties incident to the Secretary's office. The Secretary shall maintain a record of all official proceedings of the City Council of the City of Yuba City relevant to the Agency and the redevelopment program.

Section 2.06. Finance Director. The Finance Director shall be appointed by the Agency and shall serve at the pleasure of the Agency. The Finance Director shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency may select. The Finance Director shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Agency. The Finance Director shall keep regular books of account, showing receipts and expenditures, and shall render to the Agency at each regular meeting, or more often when requested, an account of transactions and the financial conditions of the Agency. The Finance Director shall give such bond for the faithful performance of the Finance Director's duties as the Agency may determine.

Section 2.07. General Counsel. The General Counsel shall be appointed by the Agency and shall serve at the pleasure of the Agency. The General Counsel shall be the chief legal officer of the Agency and shall be responsible for the preparation of all proposed resolutions, laws, rules, contracts, bonds and other legal papers for the Agency. The General Counsel shall give advice or opinions in writing to the ~~Chairman~~Chairperson or other Agency officers whenever requested to do so. The General Counsel shall attend to all suits and other matters to which the Agency is a part or in which the Agency may be legally interested and do such other things pertaining to the General Counsel's office as the Agency may request.

Section 2.08. Compensation. The members of the Agency ~~may~~shall receive compensation as the City Council prescribes, ~~but at this time, there shall be no compensation for attending meetings of the Agency~~provided that such compensation shall not exceed any limitations established by state law. In addition, members shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties.

Section 2.09. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time-to-time be required by the Agency or the Bylaws or rules and regulations of the Agency.

~~Section 2.10. Election or Appointment of Officers.~~ Officers other than Chairman and Vice Chairman shall be appointed at the annual meeting of the Agency.
~~Section 2.11. Absences and Vacancies.~~ In the temporary absence of the ~~Chairman~~Chairperson and Vice ~~Chairman~~Chairperson, the Agency members shall elect a member present as temporary ~~Chairman~~Chairperson for the purpose of conducting meetings and performing the duties of the ~~Chairman~~Chairperson. Should the offices of ~~Chairman~~Chairperson or Vice ~~Chairman~~Chairperson become vacant, the Agency shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. Should any office other than ~~Chairman~~Chairperson or Vice ~~Chairman~~Chairperson become vacant, the Agency shall appoint a successor within a reasonable time or by resolution determine that such office shall remain vacant for a definite or indefinite period of time.

~~Section 2.12-2.11.~~ Section 2.11. Additional Personnel. The Agency may from time-to-time appoint or employ such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the California Community Redevelopment Law (Health & Safety Code, § 33000 et seq.) and all other laws of the State of California applicable thereto. The selection, duties and compensation of such personnel shall be determined by the Agency, subject to the laws of the State of California.

ARTICLE III – MEETINGS

Section 3.01. Annual Meeting. The annual meeting of the Agency shall be held on the ~~first~~ third Tuesday of January of each year at 7:3000 p.m. in the City Council Chambers, 1201 Civic Center Boulevard, Yuba City, California, except as may be changed by future resolution of the Agency. In the event such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding business day.

Section 3.02. Regular Meeting. The regular meetings of the Agency shall be held, without official notice, on the first and third Tuesdays of each month at 7:3000 p.m. in the City Council Chambers, except as may be changed by future resolution of the Agency. In the event a day of regular meeting shall be a legal holiday, said meeting shall be held on the next succeeding business day.

Section 3.03. Special Meetings. The ~~Chairman~~Chairperson of the Agency may, when it is deemed expedient, and shall, upon the written request of two (2) members of the Agency, call a special meeting of the Agency for the purpose of transacting the business designated in the call. At such special meeting, no business shall be considered other than as designated in the call.

Section 3.04. Posting Agendas/Notices. The Secretary or his authorized representative shall post an agenda for each regular Agency meeting or a notice for each special

Agency meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at City Hall, 1201 Civic Center Boulevard, Yuba City, CA (a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting. The Secretary shall maintain a record of such ~~Posting~~posting.

Section 3.05. Right of Public to Appear and Speak. At every regular meeting, members of the public shall have an opportunity to address the Agency on matters within the Agency's subject matter jurisdiction. Except for matters scheduled for formal public hearing, public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Agency may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The ~~Chairman~~Chairperson or presiding officer may limit the total amount of time allocated for public discussion by particular issues and/or the time allocated for each individual speaker.

Section 3.06. Non-Agenda Items. Matters brought before the Agency at a regular meeting ~~which~~that were not placed on the agenda of the meeting shall not be acted upon by the Agency at that meeting, unless action on such matters is permissible pursuant to the Ralph M. Brown Act (the "Brown Act," Gov. Code §54950 et seq.). Those non-agenda items brought before the Agency ~~which~~that the Agency determines will require Agency consideration and action and where a Agency action at that meeting is not so authorized, shall either be placed on the agenda for the next regular meeting or referred to staff, as directed by the ~~Chairman~~Chairperson or the presiding officer.

Section 3.07. Quorum. Three (3) members of the Agency shall constitute a quorum for the purpose of conducting Agency business, exercising Agency powers and for all other purposes, but a smaller number may adjourn from time- to- time until the quorum is obtained. Every official act of the Agency shall be adopted by a majority vote. A "majority vote" shall mean a majority of all members present when a quorum is present.

Section 3.08. Order of Business. At the regular meetings of the Agency, the ~~following~~Agency shall be the~~conduct its meetings in an~~ order of business; consistent with the order of business utilized in the meetings of the City Council provided, however, that the ~~Chairman~~Chairperson may, with the approval of the majority of the Agency, address items out of order, if because of the number of persons present who are interested in a particular issue, or because of the distance that persons interested in a given matter must travel or otherwise for the orderly conduct of the meeting, the Agency should so decide:

- (1) ~~Roll call;~~
- (2) ~~Approval of the Minutes of the previous meeting;~~
- (3) ~~Public communications;~~
- (4) ~~Bills and correspondence;~~

- (5) — Acknowledgments, awards and announcements;
- (6) — Business items and matters; and (7) — Adjournment.

All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and an approved copy of each resolution filed in the official book of resolutions of the Agency.

Section 3.09. Manner of Voting. The voting on formal resolutions; matters ~~to any federal, state, county or city agency,~~ submitted to the Agency for consideration by Agency Staff; and on such other matters as may be requested by a majority of the Agency members shall be by roll call, and the ayes, noes and members present not voting shall be entered upon the minutes of such meeting, except on the election of officers, which may be by ballot.

Section 3.10. Parliamentary Procedure. Unless a different procedure is established by resolution of the Agency or set forth in these Bylaws, the rules of parliamentary procedure as set forth in Robert's Rules of Order Revised shall govern all meetings of the Agency.

Section 3.11. Brown Act Requirements. The provisions contained in this Article III are consistent with the provisions set forth in the ~~Ralph M. Brown Act-government Code Section 54950 et seq.~~ In the event any provision contained herein is inconsistent with the Brown Act, as it currently exists or as it may be subsequently amended, the provisions contained in the Brown Act shall prevail.

ARTICLE IV – AMENDMENTS

Section 4.01. Amendments to Bylaws. The Bylaws of the Agency may be amended by the Agency at any regular or special meeting by majority vote, provided that no such amendment shall be adopted unless at least seven (7) days' written notice thereof has been previously given to all members of the Agency. Such notice shall identify the section or sections of the Bylaws proposed to be amended.

ARTICLE V – CONFLICTS

Section 5.01. Conflicts. Conflicts shall be determined and governed by a Conflict of Interest Code to be adopted by the Agency and approved by the City Council.

CITY COUNCIL RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF YUBA CITY PRESCRIBING COMPENSATION
FOR MEMBERS OF REDEVELOPMENT AGENCY
OF THE CITY OF YUBA CITY**

WHEREAS, the City Council of the City of Yuba City has, by Resolution No. 3125, adopted on August 4, 1958, declared the need for a redevelopment agency to function within the City of Yuba City, and declared itself to be the Redevelopment Agency of the City of Yuba City (the "Agency"); and

WHEREAS, Health and Safety Code Section 33114 provides that the Members of the Agency shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties and such other compensation as the legislative body prescribes; and

WHEREAS, Health and Safety Code Section 33114.5 provides that when the legislative body is the Agency, the compensation provided for in Section 33114 shall not exceed thirty dollars (\$30) per member for each meeting of the Agency attended by the member and no member shall receive compensation for attending more than four (4) meetings of the Agency during any calendar month; and

WHEREAS, Section 2.08 of the Agency Bylaws provides that "the members of the Agency shall receive such compensation as the City Council prescribes, as permitted by applicable statutes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council does hereby prescribe that the Agency members shall receive \$30.00 per member for each meeting of the Agency attended by the member and no member shall receive compensation for attending more than four (4) meetings of the Agency during any calendar month; and

Section 2. Upon the passing and adoption of this Resolution, the City Clerk is hereby directed to send a certified copy of this Resolution to the Executive Director of the Agency, whereupon the Finance Director of the Agency shall commence payment of such compensation to the Agency members.

The foregoing Resolution of the City Council of the City of Yuba City is duly and regularly introduced, PASSED AND ADOPTED at a regular meeting thereof held on this 5th day of February 2008, by the following vote:

Ayes:

Noes:

Absent:

Attest:

Mayor

City Clerk