



COMMUNITY POLICING ADVISORY BOARD (CPAB) BYLAWS

ARTICLE I – IDENTIFICATION

Section 1: Name

The Oakland Community Policing Advisory Board (hereinafter referred to as CPAB).

Section 2: Authority, Statutory Requirements: and Other Laws and Policies

The CPAB shall comply with all applicable laws, including but not limited to, the City of Oakland Charter, the Oakland Sunshine Ordinance (Ordinance No. 11957 C.M.S., adopted January 14, 1997), the Ralph Brown Act (Government Code sections 54950 et seq.), the Public Records Act (Government Code sections 6250 et seq.), Resolution No. 79235 C.M.S. (adopted April 13, 2005), Resolution No. 73185 C.M.S. (adopted on December 17, 1996), and the Oakland Conflict of Interest Code (Ordinance 11979 C.M.S., as amended). If any conflict exists between any of the foregoing laws and these bylaws, the applicable law shall control over the bylaws.

ARTICLE II – MISSION STATEMENT AND PURPOSE

The mission of the Oakland Community Policing Advisory Board is to oversee and insure the complete, successful implementation of Oakland's community policing policy articulated in City Council Resolution No. 79235 C.M.S and revisions thereto. Oakland's community policing policy represents a major achievement in the decentralization of city government, the democratic empowerment of the city's neighborhoods, and contains the potential to reduce crime and the fear of crime in those neighborhoods. Committed to this effort, the CPAB shall fulfill its responsibilities through cooperative interaction with the community, the Oakland Police Department, city officials, staff, and other local public and private agencies.

Article III – ADVISORY BOARD

Section 1: Number, Appointing Authority, and Qualifications

The CPAB shall consist of fifteen (15) members who shall be Oakland residents. These members shall be appointed as follows: three (3) members appointed by the Mayor; one (1) member appointed by each of the City's Council members; one (1) member appointed by the Oakland Housing Authority; two (2) members appointed by the Neighborhood Watch Steering Committee formerly known as the Home Alert Steering

Committee; and one (1) member appointed by the Oakland Unified School District. (Resolution No. 73185 C.M.S.)

Section 2: Term of Appointment

Members of the CPAB shall be appointed to staggered terms, to commence upon the date of the appointment. Members of the CPAB shall serve a term of three (3) years.

Section 3 Limit on Consecutive Terms

No member shall be appointed to serve more than two (2) consecutive three (3) year terms. The exception is for board members appointed to fill a vacant seat with a partial term with less than one (1) year remaining in the previous appointment. The partial term does not count towards consecutive terms and the individual can be reappointed to serve two (2) consecutive three-year (3) terms.

Section 4: Qualifications

Each member of the CPAB shall be a resident of Oakland and has expressed interest and knowledge of community policing policy in Oakland as defined in Resolution 79235 C.M.S.

Section 5: Vacancy and Removal

(a) Vacancy

A vacancy on the CPAB will exist whenever a member dies, resigns, or is removed. Any vacancy shall be filled by the elected official or organization that appointed the CPAB member. A vacancy shall be filled no sooner than thirty (30) days and no later than sixty (60) days from the date that such a vacancy occurs pursuant to the procedures outlined in City Charter section 601.

(b) Vacancies for Unexpired Terms

Board vacancies that occur for unexpired terms shall be appointed pursuant to City Charter section 601. If an individual is appointed to fill a vacant seat with a term that is less than one (1) year remaining on the existing term that term does not count towards their term limit. The board member shall be reappointed to fill the vacant seat upon expiration of the partial term and reappointed to fill a full term of three (3) years.

(c) Removal

Removal of a board member shall follow the procedures listed in Oakland Municipal Code Section 4.56.060 and City Charter Section 601. Among other things, conviction of a felony, misconduct, incompetence, inattention to or inability to perform duties and absence from three (3) consecutive regular meetings for any reason, except by permission of the CPAB, shall constitute cause for removal. The Chairperson or Vice-Chairperson may recommend removal in writing to the appointing authority and/or the City Council. A member may be removed for cause, after hearing, by the affirmative vote of at least six (6) members of the City Council. In the absence of cause, no CPAB member may be

removed prior to the expiration of their term, notwithstanding the expiration of the term of the appointing elected official.

Section 6: Expired Terms and Holdover Status

In the event a board member's term expires and an appointment to fill the vacancy has not occurred by the conclusion of a board member's term, that member may continue to serve as a member of the board in a holdover capacity for a period not to exceed one (1) year, to allow for the appointment of a new board member. A seat filled by a holdover appointment will be considered vacant as of thirty (30) days after the expiration of the holdover's prior term of office.

Section 7: Compensation

CPAB members shall serve without compensation.

Section 8: Oath of Public Office

Acceptance of the Oath of Public Office constitutes CPAB members' sworn responsibility of public trust. Members are required to serve well and to faithfully discharge their duties and responsibilities diligently and consistent with the laws of the City of Oakland and all pertinent state and federal laws.

Section 9: Functions and Duties of the CPAB

It shall be the function and duty of the CPAB, for and on behalf of the City of Oakland, its residents, elected officials, and officers to:

- (a) Oversee, monitor, and report at least twice yearly on the implementation of Resolution No. 79235 C.M.S. and to provide recommendations to the Mayor, Council, City Administrator, and Chief of Police on further steps necessary to carry out the objectives of said resolution;
- (b) Assist in setting city-wide priorities for the full implementation of community policing through a review of community policing strategies, materials, and training;
- (c) Assess the effectiveness of community policing strategies and make recommendations for improvement;
- (d) Serves as a primary communication link to the community and brings feedback from the community to the CPAB;
- (e) Serve as advisors to the Chief of Police and top command staff on community policing strategies planned, or implemented;
- (f) Review and make budget recommendations of the Oakland Police Department's community policing programs;
- (g) Assist in educating and informing the public about community policing, its current progress, and its directions;
- (h) Serve as an advocate for the community policing philosophy;
- (i) Help host and actively participate in community policing public meetings, including Neighborhood Council meetings;
- (j) Make recommendations to the Chief of Police to support the successful implementation of community policing; and

- (k) Serve as a community review and involvement body for the City Council and Oakland Police Department on community policing issues suggested by the CPAB members and by the Chief of Police.

Section 10: Authority

The CPAB shall have no authority or responsibility to inquire into or investigate personal actions or practices subject to review by either the Civil Service Commission, Community Police Review Agency, or any other duly constituted regulatory or oversight body.

Section 11: Rules, Regulations, and Procedures

Rules, regulations, and procedures for the conduct of CPAB business shall be established by a majority vote of the members present. The CPAB must vote to adopt any motion or resolution. The CPAB must transmit to the City Council any rules, regulations, and procedures adopted by the CPAB.

Section 12: Role of Individual CPAB Members

It shall be the duty of individual CPAB members to:

- (a) Attend board and committee meetings.
- (b) Represent stakeholders' groups, the constituents in the Council District from which they are appointed, or the community as a whole in providing input which reflects the concerns, visions, and ideas of the community;
- (c) Participate in CPAB activities and functions; and
- (d) Suggest issues to be brought before the CPAB.

Board members are expected not to have, in a calendar year, three or more consecutive absences. Board members may request permission to be absent from a meeting by notifying staff at least 24 hours prior to the meeting.

ARTICLE IV – OFFICERS

Officers shall be the Chairperson and Vice-Chairperson selected by the board members.

Section 1 – Election of Officers

Board members shall elect a Chairperson and Vice-Chairperson from among its members. Election of the Officers, the Chairperson and Vice-Chairperson, shall be held at the last regular meeting in October. Board members can either be nominated or volunteer to be nominated for an office. If more than one board member is nominated for office, each nominee may speak regarding their qualifications and willingness to serve. Board members may discuss the nominations and, when the vote is called, each Board member may cast a single vote for each office. Officers are elected by the affirmative vote of a majority of the board members. Elected Officers term shall begin on January 1, or as close to these dates as is practical. The Officers of the Board shall serve a one (1) year term, and their duties shall be as follows:

Section 2: Chairperson

The Chairperson shall preside at all meetings of the CPAB and is an ex-officio member of all the standing committees. The Chairperson is accountable to the CPAB as a whole in setting policy and shall also perform such duties as may be assigned by the CPAB. The Chairperson, or the Chairperson's designee, serves as the liaison to the media and other departments and agencies, as necessary. The Chairperson, or the Chairperson's designee is the official representative of the CPAB and is the only individual authorized to make reports to the City Council on behalf of the CPAB.

Section 3: Vice-Chairperson

The Vice-Chairperson shall perform the duties and responsibilities that may be delegated by the Chairperson, and the assignments traditionally assigned to that office. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties as described in Article IV, Section 1.

Section 4: Removal of the Chairperson

Removal of the Chairperson shall be made by a motion, with a second, and an affirmative majority vote of the board members to remove the Chairperson.

Section 5 – Officer Vacancies

If the office of Chairperson or Vice-Chairperson becomes vacant for any reason, the board members shall vote to elect a successor from among the board members at the next regular meeting, and such office shall be for the unexpired term of said office.

ARTICE V – ADVISORY BOARD STAFF

Section 1: City Administrator and Chief of Police

The City Administrator and the Chief of Police, or designees thereof, shall provide the CPAB with staff assistance as necessary to enable the CPAB to fulfill its functions and duties. The Office of the City Administrator shall record minutes for staff and agendize all regularly scheduled CPAB meetings.

Section 2: Legal Advisor

The City Attorney is the CPABs legal advisor. The City Attorney shall provide the CPAB with legal assistance, to the extent such assistance does not constitute a conflict of interest. If the City Attorney makes a determination communicated in writing that she or he cannot, consistent with the California State Bar Rules of Professional Conduct, provide advice sought by the CPAB, the City Attorney may retain outside counsel at the City's expense. (Oakland City Charter, sec. 401.)

Section 3: Custodian of Records

Pursuant to section 00.24 of the Sunshine Ordinance, the CPAB shall maintain a public records file that is accessible to the public during normal business hours. The City Clerk shall be the official custodian of these public records, which shall be maintained in a manner consistent with records kept by the City Clerk on behalf of all other standing

Commissions. In addition, the City Administrator's office shall also maintain, on behalf of the CPAB, a set of public records.

ARTICLE VI – MEETINGS

Section 1: Notice of Quorum

All meetings must comply with public notice requirements. At all meetings of the full CPAB, the presences of a majority of the appointed members shall constitute a quorum. In the event that a quorum is not established within fifteen (15) minutes of the noticed start time of the meeting, the Chairperson, in his/her discretion, may cancel the meeting. Discussion of the items notices on the agenda may continue, and the Chairperson will determine whether or not any formal action may be taken. A designee of the City Administrator's Office will prepare a record of the discussion, and the record will reflect whether or not (I) the meeting was cancelled due to a lack of a quorum and (II) any formal action was taken on the items discussed. In determining whether a meeting should be cancelled, the Chairperson should consider factors such as (I) whether the delay is caused by conflicting meeting schedules and (II) whether prior notice from the member was given that he or she would be late.

The individual designated by the Office of the City Administrator to prepare a record of the meeting shall keep a record of CPAB attendance. The attendance record shall reflect absences and tardiness (arrival after the fifteen (15) minutes scheduled start time) and shall indicate whether the absence or tardiness was excused or unexcused. A CPAB member shall notify the Chairperson or the designee of the City Administrator's Office of an anticipated absence.

Section 2: Motions

If any CPAB member shall demand a second to any motion, such motion shall not be debated, or further discussed or considered, or voted upon, until after a second to such motion is made by a CPAB member.

Section 3: Public Input

All interested person shall be allowed to express their views (oral or written) at regular CPAB or standing Committee meetings regarding matters within the jurisdiction of the CPAB and at special CPAB or standing Committee meetings on matters that are agendized. Written comments by e-comment need to be submitted 24 hours prior to the meeting to be considered. However, the CPAB agenda need not provide an opportunity for members of the public to address the CPAB on any item that has already been considered by a Committee composed exclusively of CPAB members, at a public meeting wherein all interested members of the public were afforded the opportunity to address the Committee on the item, before or during the Committee's consideration of the item, unless the item has been substantially changed since the Committee heard the item, as determined by the CPAB.

Section 4: Public Input On Agendized Items

IN-PERSON PUBLIC SPEAKERS: A person wishing to speak must complete and submit a speaker card with his or her name and the item on the agenda he or she

wishes to discuss, if any, to the designated individual to prepare a record of the meeting before being recognized by the Chairperson. A speaker card must be submitted for each agenda item on which he/she wishes to speak. Multiple agenda items cannot be listed on one speaker card. Speakers' cards must be received by the Chairperson or Vice-Chairperson prior to the CPAB or Committee action on modifications to the agenda, unless consent to speak is given by the Chairperson, Vice-Chairperson, or a majority of the CPAB. If a speaker signs up to speak on multiple items listed on the agenda, the Chairperson or Vice-Chairperson may rule that the speaker be given an appropriate allocation of time to address all issues at one time (cumulatively) before the items are called. Each agenda for regular or special meetings of the CPAB, or its standing Committees at which action is proposed to be taken on an item, shall provide an opportunity for each member of the public to directly address the CPAB prior to action thereon. Each person wishing to speak on an item shall be permitted to speak once based upon previously adopted time constraints, which are reasonable and uniformly applied.

VIRTUAL PUBLIC SPEAKERS: Physical speaker cards are not required for members of the public participating remotely at hybrid teleconference meetings. Instead, City staff assigned to the CPAB may utilize a method of assembling a list of speakers that is aligned with staffing and technological capabilities while also ensuring that members of the public participate remotely have equal rights to speak as those participating in person. Such methods may include the following: when an item is called, City staff will announce that those members of the public participating remotely who wish to speak shall raise their virtual hands. City staff assembles a list of raised hands and thereupon provides a warning announcement that no additional speakers will be recognized unless they have timely raised their hand. No less than fifteen seconds after the warning, City staff notes that the opportunity to raise hands has been closed and states the number of online speakers who will be recognized by their screen name and/or phone number.

Section 5: Public Input on Non-Agendized Items (Open Forum)

All regular CPAB meetings shall provide the opportunity for public comment on items not on the agenda but within the jurisdiction of the CPAB. Such opportunities for public comment, Open Forum, shall appear on the agenda prior to adjournment. Each person wishing to speak on such items shall be allowed to do so, after filling out a speaker's card. The CPAB may limit the time for public comment under Open Forum to a total of fifteen (15) minutes. Members of the public may, after submittal of speaker's cards, address the CPAB regarding any items of public interest that are not on the meeting agenda. Ordinarily, each speaker may speak for up to three (3) minutes, but the Chairperson has the discretion to limit or extend the time. Open Forum speaker cards are to be numbered in order received by the individual designated by the City Administrator's Office to prepare a record of the meeting.

Section 6: Identification of Speaker

Persons addressing the CPAB or Committees shall state their name and the organization they are representing, if any. They shall confine their remarks to the subject under discussion unless they are speaking during the Open Forum portion of the Agenda.

Section 7: Meeting Order and Procedure

Where eight (8) or more speakers have submitted speaker's cards, the Chairperson may, in the interest of time, request that speakers organize by sides with designated speakers. The Chairperson shall maintain order in the meeting, have authority to refuse the floor to any person, and may limit or extend the time allocated to any speaker. The Chairperson may rule a public speaker out of order if:

- (a) The speaker is speaking beyond the allocated time limit;
- (b) The manner, tone, and content of the speaker's remarks are disruptive (disturb the peace and good order of the meeting), attack the character of the individuals, including staff, or are abusive (e.g., use vulgar or obscene language). Speakers shall not use profanity or hate speech of any kind.

The public has the right to criticize policies, procedures, programs, or services of the City, CPAB, or of any other aspect of the City's or CPAB's proposals or activities or the acts or omissions of the CPAB or its staff or that of other public employees. The CPAB shall not abridge or prohibit public criticism. Nothing in this section confers any privilege or protection beyond that which is otherwise provided by law.

Section 8: Removal of a Disruptive Person

The Chairperson may call for the removal of any person who commits the following acts after being warned of the following unacceptable actions:

- (a) Disorderly conduct that disrupts the due and orderly course of the meeting such as making noise, speaking out of turn, or otherwise refusing to comply with the bylaws.
- (b) A breach of peace, boisterous conduct, or violent disturbance, tending to interrupt the due and orderly course of the meeting; or
- (c) Disobedience of any lawful order of the Chair, which shall include, but not limited to, an order to be seated.

Section 9: Meeting Minutes

Minutes shall be taken at every regular and special CPAB meeting and shall be approved by the majority vote of the CPAB. The minutes shall be taken by an individual designated by the Office of the City Administrator.

Section 10: Regular Meetings

Regular CPAB meetings shall be held on the first Wednesday of each month at 6:00 p.m. except in the case of a City recognized holidays, when the meeting shall be held on a date mutually agreeable to a majority of the CPAB. Meetings shall be held in Oakland City Hall, One (1) Frank Ogawa Plaza in the City of Oakland, California.

Section 11: Notice and Conduct of Regular Meetings

Notices and agendas of all regular CPAB and standing Committee meetings requiring notice shall be posted in the City Clerk's Office and on an exterior bulletin board accessible twenty-four (24) hours a day. Notice of regular meetings shall be posted at least seventy-two (72) hours before the meeting. Action may only be taken on items

properly noticed pursuant to this section unless it is an emergency item under the Brown Act.

Section 12: Notice and Conduct of Special Meetings

Special meetings may be called at any time by the Chairperson or by a majority of the CPAB members in accordance with Section 00.6(E) of the Sunshine Ordinance.

Section 13: Recess

The CPAB shall recess for the period of August 1 through August 31 each year, which shall be known as the “annual recess”. During the annual recess, the CPAB may be convened by the Chairperson for special Board meetings.

ARTICLE VII – COMMITTEES

Section 1: Committees

It is the policy of the CPAB to appoint individual CPAB members to perform specific tasks or functions. The Chairperson is authorized to form standing and ad hoc committees, as deemed necessary to carry out the responsibilities of the CPAB. With respect to standing committees that are formed, the Chairperson shall appoint CPAB members to serve as committee chairperson (s) for a period of one (1) year, unless otherwise specified. Individuals appointed to ad hoc committees shall serve for the period specified by the Chairperson.

Section 2: Standing Committee Meetings

Standing committees shall meet at the call of their appointed chairperson, or as deemed necessary by a majority of the committee membership.

Section 3: Committee Quorum

A majority of the members of a committee constitute a quorum.

Section 4: Executive Committee

This standing committee shall be responsible for the administrative and operational aspects of the CPAB.

Section 5: Fund Development Committee

This standing committee shall be responsible for identifying and seeking financial support for the CPAB and various Neighborhood Councils.

Section 6: Program and Services Committee

This standing committee shall be primarily responsible for recommending program activities, including outreach and training, media relations, and providing services to the Neighborhood Councils.

Section 7: Neighborhood Council Resource Committee

This standing committee shall serve as a primary liaison to the Neighborhood Councils. This standing committee will also prepare and provide each Neighborhood Council with a generic set of ground rules to be adopted or amended by individual groups.

Section 8: Committee Responsibilities

Each committee shall regularly provide a written report with a summary of all matters considered, its findings, and recommendations to the Chairperson.

ARTICLE VIII – AGENDA REQUIREMENTS

Section 1: Agenda Preparation

The agenda is prepared through a joint effort of the Chairperson and the Chief of Police or their designees. In the event of a special meeting, the agenda shall be prepared through the joint effort of either the Chairperson or designee, or the CPAB members and their designee (s). The agenda shall contain a meaningful description of each item to be transacted or discussed at the CPAB or Committee meetings so as to alert a person of average intelligence whose interest may be affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

ARTICLE IX – VOTING

Section 1: Voting, Abstention and Recusal

Each member present at a CPAB meeting or standing Committee meeting shall vote on all matters put to a vote, unless, the member is excused from voting by a motion adopted by a majority of the members present or unless the member has been advised to recuse himself or herself from the vote by the City Attorney because he or she may have a conflict of interest regarding the item.

ARTICLE X – PARLIAMENTARY PROCEDURE

Section 1: Robert’s Rules of Order (Newly Revised)

The business of the CPAB and its standing Committees shall be conducted, to the extent possible, in accordance with parliamentary rules as contained in Robert’s Rules of Order (Newly Revised), except as modified by these rules and in accordance with State open meeting laws and local open meetings laws, including the Oakland Sunshine Ordinance. The City Attorney, or such other person as may be designated by the Chairperson, upon approval of the CPAB shall serve as the official parliamentarian for meetings of the CPAB.

ARTICLE XI – REPRESENTATION OF THE ADVISORY BOARD

Section 1: Representation of the Advisory Board

The Chairperson, or its designee, is the official representative of the CPAB. The Chairperson, or its designee, is the only individual authorized to speak on behalf of the CPAB to all entities including, but not limited to, City Council, the media, the public and at all hearings and public forums. All communications with the CPAB shall be conducted

through the Chairperson or its designee. Whenever the CPAB learns that a view, position, or opinion of the CPAB as a whole has been misinterpreted or misrepresented in the media, at a hearing, or in a public forum, the CPAB, through the Chairperson or the Chairperson's appointed representative, shall make every reasonable effort to clarify the CPAB's true position as soon as practicable. Whenever an CPAB member communicates with the news media or others, or appears at a public hearing or before another City Agency or Department to discuss existing or proposed legislation or policy, the CPAB member shall make every reasonable effort to specify whether the CPAB member is expressing a personal opinion, view, position, or an opinion, view or position of the CPAB as a whole.

ARTICLE XII – BYLAW AMENDMENTS

These bylaws shall be reviewed annually or as necessary. The CPAB may adopt bylaw amendments at any regular meeting of the CPAB by a majority vote of those present, provided such proposed amendments are circulated in writing to all CPAB members at least ten (10) days prior to such meeting, and ten (10) days' public notice shall be posted. The CPAB shall transmit the proposed bylaw amendments to the City Council within seven (7) calendar days of adoption. The bylaw amendments become effective sixty (60) days after the date of adoption by the CPAB unless before the expiration of this sixty (60) day period two-thirds (2/3) of all the members of the City Council vote to veto the bylaw amendments.

Bylaws adapted 02APR2025 by CPAB (7 approval, 1 abstention, 0 nays)