

Ventura County Consolidated Oversight Board

Bylaws

September 2018

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ARTICLE I. THE COUNTYWIDE OVERSIGHT BOARD

Section 1. Legislative Requirement

Pursuant to subdivision (j) of Health and Safety Code Section (HSC §) 34179, commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the terms of Assembly Bill 1X 26 (2011), there shall be only one consolidated, countywide oversight board vested with all rights, powers, duties, privileges, and immunities established by HSC §§ 34179-34181.

Section 2. Title

The seven-member countywide oversight board, created in accordance with HSC § 34179, shall be entitled the “Ventura County Consolidated Oversight Board” (hereinafter referred to as “VCCOB”).

Section 3. Purpose

VCCOB exists by virtue of and shall perform the duties, obligations and responsibilities described in HSC §§ 34179 through 34181, in connection with the winding down of the affairs of the eleven successor agencies within Ventura County.

These bylaws are adopted to promote the efficient and orderly fulfillment of the duties, obligations, and responsibilities with which VCCOB is charged.

Section 4. Local Entity

Pursuant to subdivision (e) of HSC § 34179, VCCOB is deemed a local entity for purposes of the Ralph M. Brown Act (Brown Act), the California Public Records Act, and the Political Reform Act of 1974.

Section 5. Membership

The VCCOB has up to seven (7) members appointed pursuant to the terms of subdivision (j) of HSC § 34179, as follows:

- 1) One member appointed by the Ventura County Board of Supervisors.
- 2) One member appointed by the city selection committee established pursuant to Section 50270 of the Government Code.
- 3) One member appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of

special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188.

- 4) One member appointed by the Ventura County Superintendent of Education to represent schools.
- 5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in Ventura County.
- 6) One member of the public appointed by the Ventura County Board of Supervisors.
- 7) One member appointed by the recognized employee organization representing the largest number of successor agency employees in Ventura County.

Members shall serve without compensation and without reimbursement for expenses, and shall serve at the pleasure of the appointing authority that appointed such member. Each appointing authority may also (but is not required to) appoint an alternate member to attend meetings and vote in place of the primary member upon the primary member's absence.

Section 6. Personal Immunity

Pursuant to subdivision (d) of HSC § 34179, VCCOB members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

Section 7. Fiduciary Responsibilities

The members of VCCOB have fiduciary responsibilities to holders of enforceable obligations, as that term is defined in subdivision (d) of HSC § 34171, and the taxing entities that benefit from distributions of property tax and other revenues pursuant to HSC § 34188.

Section 8. Resignation

Members have a responsibility to provide written notification to the appointing authority and staff of VCCOB if they can no longer serve on the board. Members should make all reasonable efforts to provide a minimum of a 30 days' prior notice of any resignation to allow the appointing authority time to appoint a new member to VCCOB.

Section 9. Vacancies

In the event of a vacancy on VCCOB, the appointing authority for the vacant member position shall appoint a qualified replacement to fill such vacancy. Pursuant to subdivision (k) of HSC § 34179, the Governor may appoint individuals to fill positions that were not filled by July 15, 2018, or that thereafter remain vacant for more than 60 days.

Section 10. Staff

VCCOB is advised and staffed by the County of Ventura's Office of County Counsel and County Executive Office (CEO). The CEO is the point of contact between VCCOB and the State of California's Department of Finance (DOF). However, in accordance with subdivision (c) of HSC § 34179, VCCOB may direct the staff of one or more of the successor agencies to perform work in furtherance of VCCOB's and each such successor agencies' duties and responsibilities under Part 1.85 of Division 24 of the Health and Safety Code. VCCOB may also direct successor agency staff to provide it with additional legal or financial advice beyond what is provided by successor agency staff and counsel, pursuant to subdivision (n) of HSC § 34179.

Section 11. Dissolution

In accordance with subdivision (m) of HSC § 34179, VCCOB shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to HSC § 34187.

ARTICLE II. OFFICERS AND OFFICIALS

Section 1. Election of Chair and Vice-Chair

VCCOB, at the first regular meeting following the first day of July of every even-numbered year, shall elect from among its members a Chair and Vice-Chair, who shall each serve for two (2) years or until their successors have been elected and taken office.

Section 2. Chair

The Chair shall preside over and conduct all meetings of VCCOB by a formal order of business; shall give general direction to the affairs of VCCOB; shall call special meetings of VCCOB; and shall have authority to administer all matters not otherwise expressly delegated by VCCOB to its staff.

Section 3. Vice-Chair

The Vice-Chair shall assist the Chair in the discharge of his or her official duties. In the absence of the Chair, or in the event of his or her inability to service, the Vice-Chair shall preside at all meetings and perform all duties of the Chair.

Section 4. Secretary-Clerk of the Board

The County of Ventura's Clerk of the Board of Supervisors shall serve as VCCOB Clerk and VCCOB Secretary.

Section 5. Legal Counsel

The County of Ventura's Office of County Counsel shall provide legal counsel to VCCOB. VCCOB may retain outside counsel as deemed necessary by majority vote of VCCOB's members.

ARTICLE III. MEETINGS

Section 1. General

VCCOB meetings shall be open and public, and all VCCOB meetings shall comply with the requirements of the Brown Act. All persons shall be permitted to attend such meetings, except as otherwise provided by law.

Section 2. Regular Meetings

Regular meetings of VCCOB shall be held on the fourth Wednesday of each month (with the exception of July, August, November and December) at 9:30 a.m. in the County Government Center, Hall of Administration, Board of Supervisors Hearing Room. There shall be no regular meetings in July, August, November and December.

Section 3. Special Meetings

Special meetings may be called by the Chair or by a majority of VCCOB's members pursuant to Government Code Section 54956.

Section 4. Closed Session

VCCOB may hold closed sessions during a regular or special meeting to consider items as provided by the Brown Act.

Section 5. Adjourned Meetings

VCCOB members may adjourn any meeting to a time and place specified in the order of adjournment as provided by the Brown Act.

Section 6. Public Hearings

All public hearings held by VCCOB shall be held during regular, adjourned or special meetings.

Section 7. Notices of Cancelled Meetings

The Chair may direct VCCOB staff to publish and post (and transmit to VCCOB members and all others having requested notices regarding VCCOB's meetings) a "Notice of Canceled Meeting" at or before the time when a scheduled meeting's agenda would have normally been noticed, provided that there are no substantive matters necessary to be heard for said meeting's agenda. "Substantive matters necessary to be heard" means any VCCOB business that requires timely action by VCCOB. It does not include matters that are not time sensitive such as the review and approval of minutes or other routine matters.

Section 8. Posting Agendas/Notices

Agendas for all VCCOB meeting shall be timely posted at the County of Ventura's Government Center Hall of Administration notice board and on the following website: <https://www.ventura.org/county-executive-office/clerk-of-the-board/ventura-county-consolidated-oversight-board/>. Agendas for regular meetings shall be posted not less than 72 hours prior to each regular meeting and agendas for special meetings shall be posted not less than 24 hours prior to each special meeting.

Section 9. Order of Business

The order of business for each VCCOB meeting shall be as set forth in its agenda unless otherwise directed by the Chair or altered by majority vote of VCCOB's members. California State Law, these Bylaws, and any rules established by VCCOB regarding public participation will govern procedures at all VCCOB meetings.

Section 10. Non-Agenda Items

Matters not on a meeting's agenda shall not be acted upon by VCCOB at that meeting unless action on such matters is permissible pursuant to the Brown Act. Items brought to the attention of VCCOB at any meeting which, by a majority vote, VCCOB determines require VCCOB consideration and action where action at that meeting is not authorized

under the Brown Act shall be placed by VCCOB staff on the agenda for the next regular meeting or at a special meeting at the direction of the Chair.

Section 11. Public Comment

All regular, adjourned and special meetings shall provide for an opportunity for the public to address VCCOB. Speakers shall be permitted to comment on any subject matter not appearing on the agenda and within the jurisdiction of VCCOB at the time VCCOB takes up Public Comment, as designated on the agenda. VCCOB members may themselves briefly comment on any issue brought up during Public Comment, however, no action may be taken by VCCOB unless and until the item is properly agendized. VCCOB may refer any issue raised during Public Comment to staff for appropriate action.

VCCOB will entertain public comments regarding items on the agenda only during the allotted time for discussion and action on such agenda items. Members of the public wishing to address VCCOB for items placed on the agenda may submit a Public Speaker Card to the VCCOB Clerk prior to the item's consideration by VCCOB unless invited to speak by the Chair or a VCCOB member thereafter.

Persons making comments shall first be recognized by the Chair. Comments should be directed to the VCCOB as a whole and not to any particular Member or staff member. Each speaker's comments shall be limited to three (3) minutes unless noted differently on the agenda or authorized by the Chair. The Chair, at his or her discretion, may expand or limit the time allotted for public comment to enable VCCOB to timely act on all agenda items.

Section 12. Quorum

A majority of the total authorized number of members of VCCOB shall constitute a quorum for the transaction of business, which is four (4) members. If a quorum is not present at the scheduled start of any VCCOB meeting, the meeting shall be either adjourned or continued, by order of the Chair or Acting Chair, or any member in their absence, or by the VCCOB Clerk if no member is present, pursuant to the Brown Act.

Section 13. Voting

A majority vote of the total membership of VCCOB, which is four (4) affirmative votes, shall be required to approve, disapprove, or otherwise act on any proposal.

Section 14. Absences

Member absences shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chair of his or her intent to be absent and the reasons therefor.

At each meeting, after the roll has been called, the Chair shall report to VCCOB the name of any member who has so notified him or her of his or her intent to be absent and the reason for such absence.

Section 15. Unexcused Absences

If a member shall be absent from three (3) consecutive meetings such absence shall result in a request for termination of the membership of the absenting member. The Chair shall send written notice to the appointing authority identified in subdivision (j) of HSC § 34179 requesting the appointing authority to consider appointing a replacement member to serve on VCCOB.

Section 16. Resolutions

In accordance with subdivision (e) of HSC § 34179, all actions subject to such subdivision and taken by VCCOB shall be adopted by resolution.

Section 17. Minutes

Minutes of VCCOB meetings shall be prepared and kept by the VCCOB Clerk and made available on the VCCOB website.

ARTICLE IV. CONFLICT OF INTEREST/ETHICS TRAINING

VCCOB members are subject to the provisions of California Government Code Title 9, Chapter 7, relative to Conflicts of Interest and to the Conflict of Interest Code adopted by VCCOB and must file Statements of Economic Interests as required by law.

VCCOB members are to complete ethics training every two years as required by California Government Code Title 5, Division 2, Part 1, Chapter 2, Article 2.4, and Assembly Bill 1234 (2005).

ARTICLE V. PUBLIC REPRESENTATION/RELEASE OF INFORMATION

VCCOB Chair acts as the official representative to any public body on behalf of VCCOB. No VCCOB member shall take any actions or make any statement on behalf of VCCOB unless specifically authorized by VCCOB.

ARTICLE VI. AMENDMENTS

These bylaws shall become effective immediately upon adoption by a majority vote of VCCOB at a regular or special meeting.

These bylaws may be amended by a majority vote of VCCOB members at a regular or special meeting, provided the amendment is first proposed for consideration at a regular or special meeting of VCCOB at least thirty days prior to any such vote.