

ORDINANCE NO. 2436

AN ORDINANCE repealing ordinances numbered 1862 and 2084; reestablishing and continuing the Economic Opportunities Commission; providing for the membership of the commission; prescribing the commission's functions, powers and duties; reestablishing the Alexandria Office of Economic Opportunities, prescribing its functions, duties and responsibilities and providing for the appointment of the executive director.

WHEREAS, the City Council of the City of Alexandria has been apprised that the federal Community Services Administration has revised its rules pertaining to membership on and the authority of the Economic Opportunities Commission, "Community Action Program: Boards and Committees of Title II Programs" (45 C.F.R. 1062.200-1 et seq. and CSA Instruction 6400-01a); and

WHEREAS, the city council reaffirms its commitment to address the problems of lower income and disadvantaged residents of the City of Alexandria through community action; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That ordinances numbered 1862 and 2084 of the City of Alexandria are hereby repealed.

Section 2. That the Economic Opportunities Commission shall be reestablished as follows:

Sec. 1. Economic Opportunities Commission: Creation, composition and organization.

(a) There is hereby established a commission to be known as the "Economic Opportunities Commission of the City of Alexandria, Virginia," hereinafter referred to as the Commission.

(b) (1) The Commission shall consist of eighteen (18) residents of Alexandria. Of the eighteen (18) commissioners, one-third (1/3) (Category I) shall be appointed by city council and shall be elected public officials, currently holding office, or their representatives; at least one-third (1/3) (Category II) shall be representatives of the poor certified by the Commission; and the remainder (Category III) shall be representatives of business, industry, labor, religious, welfare or other private groups and interests certified by the Commission.

a. Elected officials (Category I). Of the six (6) elected public officials, four (4) shall be members of the city council and two (2) shall be from the following elected officials who represent city residents: members of the United States Congress (who need not be a resident of the city), state senators, delegates to the Virginia General Assembly, commonwealth's attorney, city attorney or sheriff.

b. Representatives of the poor (Category II). The commission shall determine and state in its by-laws the number of representatives of the poor who will serve on the Commission. This determination shall ensure, to the maximum extent practicable, that there is a representative from each target area

of the Commission and available organizations which represent the poor.

c. Representatives of the private sector (Category III). The Commission shall establish in its by-laws the exact number of representatives of private sector organizations or interests who will serve on the Commission.

d. Alternates. The Commission may authorize alternates to serve for representatives of the poor or for private organizations or interests (Categories II and III). Alternates shall be selected at the same time and in the same manner as the principal representatives of the poor, and private groups or interests.

(2) City council shall adopt rules and procedures for the process whereby Category I commissioners will be appointed and may be removed.

(3) The Commission shall adopt rules and procedures for the democratic process whereby candidates for membership on the Commission from Categories II and III will be selected. Upon such selection, the Commission shall certify the names of the individuals so selected to the city clerk and the mayor. Upon such certification and the attesting of such certification by the city clerk, the individuals selected from Category II and Category III shall be deemed members of the Commission. Any member of the Commission serving in Categories II and III may be removed by the Commission if such person has failed to attend at least fifty percent (50%) of the regular meetings of the Commission or has been otherwise neglectful of duties or for misfeasance in office.

(4) The commissioners shall serve terms of two (2) years beginning with the first city council legislative meeting after the adoption of this ordinance. No Category II or III commissioner may serve more than two (2) consecutive two- (2) year terms or serve more than a total of ten (10) years. Intervals after consecutive terms must consist of at least one (1) full year during which the individual may not serve on the commission in any capacity.

(5) Any group or community agency which is representative of the poor and which believes that it is inadequately represented on the Commission may petition the Commission for representation. The petition shall state the grounds therefor and include at least seventy-five (75) signatures of individuals who belong to the group or agency. Following receipt of the petition, the Commission shall hold a public hearing and, if it determines that the petitioner is inadequately represented, it shall notwithstanding sec. 1(b)(1) of this ordinance and pursuant to sec. 1(b)(3), certify the individual who has been properly selected by the petitioner and such person shall be deemed a member of the Commission. In such instance where an additional seat is created, the Commission shall also, at the same time as it certifies the name of the additional representative, recommend for city council adoption, an ordinance amendment which will maintain the ratio of public, private and representative of the poor sectors as provided elsewhere in this ordinance.

(c) The Commission shall elect from its membership a chairperson, a vice-chairperson, who shall serve in the absence of the chairperson, and a secretary, who shall be responsible for the

keeping and signing of minutes of meetings. A quorum, which shall be at least fifty percent (50%) of the nonvacant seats on the Commission, shall be required for the Commission to transact business.

(d) The Commission is authorized to establish an executive committee chosen from among its members which may transact Commission business as provided in the by-laws of the Commission, between regular meetings of the Commission, provided that the composition of the executive committee fairly reflects the composition of the Commission as a whole and that the executive committee reports to the full Commission all of its actions at the next following regular meeting.

(e) All meetings of the Commission and its committees shall be open to the public to the full extent required by the Virginia Freedom of Information Act.

(f) The Commission shall submit all of its by-laws and procedures to the city council for its approval. All such rules and regulations must conform to the applicable regulations prescribed by federal law. Where a particular activity of the Commission is not governed by federal laws or regulations, such by-laws and procedures shall conform to city ordinances governing city boards and commissions generally and the specific provisions of this ordinance, as the case may be.

Sec. 2. Functions, powers and duties of the Commission.

(a) The functions of the Commission shall include the following: to recommend to city council programs to assist the poor and disadvantaged; to review and advise city council regarding proposed projects which impact on the poor and disadvantaged; to develop policy for and coordinate programs which will develop training and employment opportunities and will facilitate the improvement of human performance, motivation and productivity; to improve conditions under which people live, learn and work; to serve as an advocate for the poor; to oversee community outreach and organization functions; and to monitor and evaluate programs providing services for the poor.

(b) In order to carry out its functions, the Commission is authorized to and shall:

(1) Serve as an advocate for the poor and, in this capacity, shall provide leadership to enable the poor and disadvantaged within the city to achieve equality of opportunity and social justice.

(2) Develop goals, objectives and priorities which shall guide the Alexandria Office of Economic Opportunities in performing its functions identified in section 4 below.

(3) Develop policy for and coordinate programs, projects or activities which will further its goals and objectives.

(4) Oversee the extent and quality of the participation of the poor in the programs of the Commission.

(5) Submit to city council plans for increasing, coordinating, improving or retargeting resources that effect the poor and disadvantaged.

(6) Hold such public hearings as it deems necessary or as city council shall request.

(7) Submit to city council reports prepared by the Alexandria Office of Economic Opportunities which set forth activities, expenditures and evaluations of the effectiveness of the work programs. Such reports shall be submitted to city council on the same schedule which governs the submission of the reports to the Community Services Administration.

(8) Submit to city council for its approval applications to federal and state agencies for financial assistance.

(9) Participate jointly with the city manager and concur formally in the selection of the executive director of the Alexandria Office of Economic Opportunities.

(10) Establish by-laws or procedures governing its activities, provided they are not contrary to the mandate or spirit of this ordinance or to any federal statutes, rules or regulations governing community action agencies.

Sec. 3. Alexandria Office of Economic Opportunities: Creation and organization; appointment of the executive director.

(a) There is hereby established a city agency to be known as the Alexandria Office of Economic Opportunities, hereinafter referred to as AOEO.

(b) The organizational structure of the AOEO shall be determined by the city manager after the Commission and any of its committees (as appropriate) shall have had the opportunity to review and provide comments.

(c) The Commission and the city manager shall participate jointly and concur formally in the selection of the executive director. The procedure for the joint selection and the concurrence shall be determined by mutual agreement of the Commission and the city manager. Such procedures must be in accordance with CSA Instruction 6400-01a. The Commission is authorized to evaluate the executive director annually and submit the evaluation to the city manager. The executive director may be removed by the city manager only after submitting to the Commission his reasons for proposing the removal and reviewing the Commission's response, if any, to those reasons.

(d) The executive director and all other staff of the AOEO shall be city employees whose conduct and performance shall be subject to city personnel policies and procedures. Subject to the availability of funds, the executive director shall hire such staff as required to satisfactorily perform the functions of the AOEO.

Sec. 4. Functions, duties and responsibilities of the Alexandria Office of Economic Opportunities.

Under the direction of the executive director, subject to the approval of the Commission, the AOEO is authorized to and shall:

(a) Operate and/or sponsor such programs, projects or activities which carry out the Commission's goals and objectives and work programs.

(b) Research, plan, design, mobilize, operate or sponsor programs, projects and activities which will develop training and employment opportunities and will facilitate the improvement of human performance, motivation and productivity.

(c) To improve conditions under which people live, learn and work.

(d) To serve as an advocate for the poor.

(e) To perform community outreach and organization functions.

(f) Provide technical assistance to neighborhood and community organizations whose goals and objectives include the achievement of equality of opportunity and social justice for the poor and disadvantaged.

(g) Provide staff assistance to the Commission and its committees which includes, but is not limited to, preparation and mailing of notices and agenda; location of meeting place; and research and preparation of issues and items to be presented to the Commission and its committees.

(h) Research and prepare grant and contract applications for the Commission's approval and presentation to city council, which include statements of need, budgets and work programs.

(i) Coordinate activities with appropriate city and private human service agencies to maximize the effectiveness of services for the poor and disadvantaged.

(j) Undertake activities designed to fulfill its community outreach and community organization functions, including but not limited to contacting individuals who reside in designated areas of the city, identifying their problems, assisting them to secure needed services from appropriate public and private agencies and assisting them to organize themselves to better represent their views and needs to various city, state and federal bodies.

(k) Through the press and other media, keep the community informed of progress made toward achieving economic and social justice for all in the city.

Section 3. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Introduction: 2/12/80
First Reading: 2/12/80
Publication: 2/15/80

Public Hearing: 2/23/80
Second Reading: 2/23/80
Final Passage: 2/23/80

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