

NORTH COAST ADVISORY COUNCIL BYLAWS

ADOPTED AS AMENDED SEPTEMBER 15, 1999

DRAFT REVISION JANUARY 2009

ARTICLE I----- NAME

SECTION 1. The name of this organization shall be "NORTH COAST ADVISORY COUNCIL", also known as "NCAC" or the "COUNCIL".

ARTICLE II----- PURPOSE AND AUTHORITY

SECTION 1. PURPOSE: The purpose shall be to develop a unified, cooperative effort among all individuals, organizations and public jurisdictions interested in furthering sound planning development, resulting in a positive quality of life to the North Coast Area.

SECTION 2. MISSION: The Council's Mission is to establish an organization truly representative of the people of the North Coast Area in matters of civic interest, and to represent the community before all bodies, public and private, where the subject is appropriate to the objectives of the NCAC.

SECTION 3. FOCUS: The Council's primary focus shall be to provide a forum for citizen education, involvement, and discussion on issues that pertain to the North Coast Area. The forum shall provide for the public review of matters identified with sound development including, but not limited to: land use, public services, circulation, zoning, public improvements and all aspects of orderly community growth.

SECTION 4. AUTHORITY: The Council's authority is advisory in nature. No member of the Council is empowered to commit the council, community, or the County, to an action, participation, or financial involvement. Only the Chairperson, or, in his/her absence, the Vice Chairperson, or another councilmember specifically authorized, shall speak formally for the Council.

ARTICLE III -----MEMBERS

SECTION 1. REPRESENTATIVE MEMBERSHIP: The Community will be represented by twelve (12) regular members: eight (8) elected members and four (4) appointed members. Each regular member shall have an alternate who shall be available to represent their Area or interest in the absence of the regular member.

SECTION 2. A qualified candidate for election or appointment must be over 18 and reside in Cambria or San Simeon. Elected members must reside in the Area they represent. Appointed members must contribute to and be recognized by the interest they represent.

SECTION 3. ELECTIONS. An election shall be held annually on the first Tuesday of May. Appointments will coincide with the election and seating of elected members. Thereby, six (6) experienced council members will serve establishing continuity for the Council each year.

i. The Community Election Committee Chairperson shall present the election results to the Council at the next regularly scheduled meeting following the election. The NCAC Council

Chairperson shall receive the election results and provide for the seating of newly elected and appointed members, the election of new officers, and the naming of new subcommittee chairpersons as the last items of business at said meeting. The out-going Chairperson shall be responsible for a smooth transition of information to the new Council.

SECTION 4. ELECTED MEMBERS. The eight elected members represent specific Areas in Cambria and San Simeon.

- i. Elected members from odd-numbered Areas (one (1), three (3), five (5), and seven (7)) shall have their terms begin and expire in odd numbered years; elected members from the even-numbered Areas (two (2), four (4), six (6), and eight (8)) shall have their terms begin and expire in even numbered years.
- ii. Elected members shall be elected from the eight (8) Areas by a simple majority of votes of residents within an Area. This will insure each neighborhood has a voting representative. No proxy or absentee voting shall be allowed. An exhibit map covering the Areas is attached to these bylaws and included by reference. A copy is on file at the Cambria Public Library and at www.northcoastadvisorycouncil.org.

SECTION 5. NOMINATION OF CANDIDATES FOR ELECTION: Any candidate eligible for election who completes and returns to the Council a signed "Conditions of Service" form, specifying the geographical voting area he/she seeks to represent, no later than the regular March meeting of an election year. The Council will accept the nominated candidates and approve the official ballot at the regular Council meeting in March and publish the candidates names in the Cambrian published the third week of April.

SECTION 6. APPOINTED MEMBERS. The four appointed members represent the following concerns: Business, Agriculture, Environment, and Latino/Latina Outreach.

- i. The Business and Latino/Latina Outreach representatives' terms shall run in concurrence with the odd-numbered Area elected council members. The Agriculture and Environment representatives' terms shall run in concurrence with the even-numbered Area elected council members.

SECTION 7. NOMINATION OF CANDIDATES FOR APPOINTMENT: Any candidate eligible for appointment who completes and returns to the Council Election Committee or Chair a signed "Conditions of Service" form, specifying the interest he/she seeks to represent, shall be considered nominated and included for consideration of appointment.

SECTION 8. TERMS OF OFFICE. Terms of office for elected and appointed members are two years. All regular members are limited to two full consecutive terms in office.

SECTION 9. COMMITMENT OF COUNCIL MEMBERS: Members of the council volunteer their time to achieving the mission of the council. All members of NCAC, by virtue of their commitment to NCAC and the acceptance of the responsibility of representing their constituents, agree to:

- i. reading, understanding and abiding by the NCAC bylaws, policies and procedures, Rosenberg's Rules of Order and the San Luis Obispo County Community Advisory Council handbook.
- ii. serve as an officer (if elected) or committee member during their tenure in office

- iii. taking advantage of the annual community advisory council training provided by San Luis Obispo County at least once, if feasible.
- iv. regularly attending meetings prepared to do business.

SECTION 10. In the event there are no candidates from a given geographical area, the NCAC shall designate a representative and alternate at the first regular Council meeting following the seating of the newly –elected representatives. Any representative so selected must meet the qualification standards of an elected representative and have submitted a signed “Conditions of Service” form.

SECTION 11. An Alternate shall be the runner-up to the elected member in each geographical voting area. Nominations of alternates for appointed members, and nominations for alternates to elected members with no existing alternate, may be made by any Council member. Alternates will then be selected by vote of the Council. No regular voting privileges are to be bestowed upon alternates. If however, an elected or appointed member cannot attend a meeting, his/her alternate may vote in his/her place. In the event of a vacancy caused by the loss of an elected or appointed member, the alternate will fill the vacancy. The member shall then select a new alternate subject to the approval of the Council.

SECTION 12. Recall of an elected Council member may be held by the constituents of the geographical voting area represented. Upon validation of a petition bearing the signature of ten (10) percent of the registered voters of the geographical voting area requesting the recall, the Council shall schedule a special election. This special election will determine if that representative of that area shall be recalled, This recall election shall be within sixty (60) days of validation of the petition/s. Council will determine form and procedure appropriate at the time. If a Council member is successfully recalled, the alternate shall serve the remainder of the original term.

SECTION 13. An elected or appointed Council member may be removed from office by two-thirds (2/3) vote of the NCAC of non-compliance with the signed “Condition of Service” or for any conduct that is deemed inappropriate.

ARTICLE IV----- CONFLICT OF INTEREST

SECTION 1. All NCAC Board Members shall comply with the model Conflict of Interest Code for state and local agencies promulgated by the California Fair Political Practices Commission, set forth in Title 2 California Code of Regulations §18730 et seq, only as enumerated in the following paragraph:

No NCAC Board Member shall make, participate in making, or in any way attempt to use his or her position to influence the making of any decision which he or she knows or has reason to know, will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the Board member or a member of his or her immediate family or on:

1. Any business entity in which the NCAC Board Member has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
2. Any real property in which the NCAC Board Member has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
3. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the NCAC Board Member, within 12 months prior to the time when the decision is made;
4. Any organization in which the NCAC Board Member is a director, officer, partner, trustee, employee, or holds any position of management: or
5. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$340 or more provided to, received by, or promised to the NCAC Board Member within 12 months prior to the time when the decision is made.

ARTICLE V--- COUNCIL OFFICERS

SECTION 1. OFFICERS. Officers of the Council shall consist of the Chairperson, Vice Chairperson, Treasurer, Recording Secretary, and Corresponding Secretary, elected from the regular members of the council by a majority of a quorum. Chairpersons of standing committees are also officers.

- i. Any officer other than the chairperson may hold two offices or an office and committee chair.

SECTION 2. OFFICER RESPONSIBILITIES.

- i. **CHAIRPERSON DUTIES.** The Chairperson shall preside over all meetings and shall speak for the council. This officer shall be responsible for agendaizing the Council's business and sending agendas for general meetings to membership and media.
- ii. **VICE-CHAIRPERSON DUTIES.** The Vice Chairpersons shall preside over meetings in the absence of the Chairperson. This officer shall be the Historian of the Council, and maintain a History of news articles from the local paper.
- iii. **RECORDING SECRETARY DUTIES.** The Recording Secretary will keep an accurate written record of all the proceedings of the Council, will provide each member with a copy of Minutes of the prior meeting no later than five (5) days prior to the next regularly scheduled meeting, and keep an archive of minutes of past meetings in the event they are needed.
- iv. **CORRESPONDING SECRETARY DUTIES.** The Corresponding Secretary shall be responsible, as requested, for composing, mailing and filing of all correspondence. In addition, a chronological correspondence report shall be maintained at the Cambria Public Library. The Corresponding Secretary shall provide copies of agendas, minutes and other materials deemed necessary for inclusion in the Cambria Public Library NCAC file. An Addendum covering procedures, forms, form letter, etc. will be developed and maintained for yearly review by the Executive Committee.
- v. **TREASURER DUTIES.** The Treasurer shall maintain an accurate accounting of all expenditures and income in the Council's account. A current report of the account will be provided at each regular meeting. This officer is also responsible for making regular payments to

vendors and reimbursements to Council members and preparing the budget as part of the executive committee.

- vi. COMMITTEE CHAIR DUTIES. Committee Chairs shall preside over committee meetings and make written reports and recommendations and present them to the Council at regular monthly meetings. Committee Chair may be a regular or alternate council member.

SECTION 2. OFFICER TERMS. The term of each elected officer shall be one year, unless the Council unanimously approves a successive term for the officer desiring to succeed himself/herself.

SECTION 3. ELECTION OF OFFICERS. Election of officers shall be held, annually, at the end of the regularly scheduled meeting following the Council elections, or such other date as agreed upon by the Council. Officers will take office immediately following their election at the end of the meeting.

ARTICLE VI-- COMMITTEES

SECTION 1. THE EXECUTIVE COMMITTEE. The Executive Committee shall meet as needs arise and make reports and recommendations to the Council.

- i. The Executive Committee consists of the Chairperson, Vice-Chairperson, Recording Secretary, Corresponding Secretary and the Treasurer.
- ii. The Executive Committee shall appoint and determine the duties of Standing and Special Committees consistent with the mission of the Council and these bylaws.

SECTION 2. STANDING COMMITTEES. There are three (3) Standing Committees: Land Use and Project Review, Traffic and Transportation, and Website.

- i. Each standing committee will be composed of at least one regular Council member, plus two (2) or more persons chosen from regular Council members, alternate members, or the community-at-large.
- ii. The number of Council members on a committee shall not constitute a quorum of the council.
- iii. A listing of committee members shall be maintained by the committee chair and changes reported to the recording secretary.
- iv. Standing committees may only be dissolved by a 2/3 vote of the Council.
- v. Standing committee policies and definitions as approved by a majority of a quorum are attached.

SECTION 3. SPECIAL COMMITTEES. Special Committees shall be appointed as needs arise by the Executive Committee.

- i. Special Committees shall be dissolved when the task for which they were formed is completed.

SECTION 4. ELECTION COMMITTEE. The Election Committee shall be appointed each year at the January meeting and disbanded at the end of the May meeting of the Council.

- i. The chair of the election committee shall be a Council member or community volunteer who is not a candidate and is approved by the Council.

ARTICLE VII-COUNCIL MEETINGS

- SECTION 1. The Council shall meet on a regular monthly basis at a time and place as determined by the Council.
- SECTION 2. Public notice shall be given stating the time and place of each regularly schedules meeting. A person appointed by the Executive Committee shall post the agenda on the NCAC website and the Cambria Library five (5) days prior to the meeting.
- SECTION 3. The Chairperson may call Special meetings. Notice must be posted and the Council members must be notified at least seventy-two (72) hours in advance. The Chairperson must call a special meeting if three (3) or more members ask for one.
- SECTION 4. Action by the Council requires a vote of the majority (or, in special cases 2/3) of a quorum.
- SECTION 5. Rosenberg’s Rules of Order, Revised will prevail in conducting Council business. A parliamentarian may be appointed by the Chair. Ordinary business may be conducted by a quorum of the Council. A quorum will be constituted by the presence of more than fifty (50) percent of regular Council member or, in their absence, their Alternates. No Proxy voting will be allowed. No official business may be conducted unless a quorum is present.
- SECTION 6. A copy of the Minutes of the prior meeting shall be in hands of each Council member and Alternate at least five (5) days in advance of each regularly scheduled meeting. This procedure will also prevail for special “called” meetings, except where time does not permit because of the emergency nature of the called special meeting.
- SECTION 7. When a Council member misses two (2) consecutive meetings, the Corresponding Secretary shall mail a reminder letter pointing out the possible loss of the Council or Alternate position. Absence of a member from three (3) consecutive regular meetings, unless excused for just cause, shall constitute termination from the Council. If the terminated member is not reinstated by a two-thirds (2/3) vote of the Council members, that member will be deemed to have been removed from office.
- SECTION 8. Such Council member or Alternate member who desires to resign must submit his/her resignation to the Chairperson in writing one (1) month prior to a scheduled Council meeting. This procedure is required to afford the Council opportunity for replacement.
- SECTION 9. All meetings shall be open to the public with a specific fifteen (15) minute segment set aside at the beginning of the agenda for open public comment on items not otherwise on the agenda.
- SECTION 10. The Council shall hold formal public hearings from time to time in conjunction with County Planning, Engineering, Environmental Coordinator, or General Services. These public hearings will be held when deemed necessary by the Executive Committee or a majority of the Council.

ARTICLE VIII-----BUDGET AND SPENDING

- SECTION 1. The County Board of Supervisors provide funds for Council business. Each fiscal year the Executive Committee shall develop an application for funds and projected budget for the coming year which will be sent to the County after council approval.
- SECTION 2. A checking account shall be maintained to receive funds from the County and to pay for expenses incurred in the course of Council business. The account shall have as signatories the Treasurer and the Chairperson.
- SECTION 3. EXPENDITURE POLICIES. It is the policy of the Council that no Member shall sustain personal monetary loss as a result of duties performed in the service of the Council. However, all expenditures and requests for reimbursement shall logically relate to the conduct of Council business and shall be “necessary” to accomplish the purposes of such business and shall be “reasonable” in amount.
- i. \$50 or less – An NCAC officer may be reimbursed for purchases of goods or services that are reasonably priced and necessary for Council business without prior Council approval. The officer must present a receipt and cannot be reimbursed for more than \$50 in any 12 month period without prior Council approval.
 - ii. \$51 to \$350 – The Executive Committee may approve expenditures that are reasonable and necessary for Council business. All expenditures without prior approval must be paid directly from the NCAC bank account, either by check or electronic transfer. To be personally reimbursed for amounts over \$51, the expenditure must be approved by the council PRIOR to spending the funds.
 - iii. \$351 and more – The full Council must approve in advance any expenditure. Amounts larger than \$351 must be paid directly from the NCAC account, either by check or electronic transfer.

ARTICLE IX---GENERAL POLICIES

- SECTION 1. A Policies & Procedures Manual shall be maintained by the Executive Committee with the advice and consent of the Council. This manual shall outline the policies and the procedures that the Council uses to conduct its activities and the activities of its committees. The Policies & Procedures Manual may be amended or revised at any time by a majority vote of the entire number of North Coast Advisory Council members.
- SECTION 2. The Council will abide by the intent and spirit of the Brown Act and the Fair Political Practices Act.

ARTICLE X-----AMENDMENTS

- SECTION 1. Amendments to these Bylaws shall be adopted by a two-thirds (2/3) vote of the elected and appointed Council members, after having been submitted in writing to the members at the previous, regular meeting. An Amendment goes into effect immediately upon adoption, unless the motion to adopt specifies a time to become effective.

ARTICLE XI-----APPROVAL OF BYLAWS

SECTION 1. These Revised Bylaws supersede all previously adopted/amended Bylaws of the NORTH COAST ADVISORY COUNCIL and are approved as constituted herein. This approval is executed through a unanimous vote of the elected and appointed Council members on the 20th day of May, 2009. .

Amanda Rice

CHAIRPERSON

Jeff Miller

VICE CHAIRPERSON

Gary Gall

TREASURER

Javier Velez

CORRESPONDING SECRETARY

Marty Muñoz-Main

RECORDING SECRETARY