

NORTH COAST ADVISORY COUNCIL BYLAWS

Adopted as amended September 15, 1999

ARTICLE I

NAME

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

ARTICLE II

PURPOSES OF THE COUNCIL

Section 1: 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: The Council's primary focus shall be on matters relative to areas of direct county supervision.

Section 3: 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. This encompasses a forum 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: The Council's authority is advisory only. Inasmuch as the NCAC is advisory in nature to the County, no member of the Council is empowered to commit the community, or the County, to an action, participation, or financial involvement. Only the Chairperson, or, in his/her absence, the Vice Chairperson, or of he Council member specifically authorized, shall speak formally for the Council.

ARTICLE III

COUNCIL MEMBERSHIP

Section 1: The Council shall be made up of a total of twelve (12) members: eight (8) elected members and four (4) appointed members, determined by the Community Election Committee caucus procedure as provided for the NCAC Election Code. The eight elected members represent the Cambria and San Simeon Geographical Voting Areas (GVAs). The four appointed members represent the following concerns: Business and Commerce, Agriculture, Environment, and Latino/Latina.

Section 1a: Elected members from odd-numbered geographical voting areas one (1), three (3), five (5), and seven (7) elected in 1995 shall serve through November of 1997. Elected members from the even-numbered geographical voting area two (2), four (4), six (6), and eight (8) elected in 1995 shall serve through May of 1998. Elected members from odd-numbered geographical voting areas (1), three (3), five (5), and seven (7) elected in 1997 shall serve through May of 1999. Thereafter, all terms of office shall be two (2) years. An election shall be held on the first Tuesday of May, annually, for those seats where the members' terms will expire in that year.

Section 1b: Appointed members shall be seated for two (2) – year terms. The Business and Commerce ad Latino/Latina representatives' terms shall run in concurrence with the odd-numbered GVA elected council members. The Agriculture and Environment representatives' terms shall run in concurrence with the even-numbered GVA elected council members. 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.

Section 2: Elected members shall be elected from the eight (8) GVAs by a simple majority of votes cast within a GVA. These areas will insure each neighborhood has a voting representative. No proxy or absentee voting shall be allowed. An exhibit map covering the Geographical Voting Areas is attached to these bylaws and included by reference. A copy is on file at the Cambria Public Library.

Section 3: A qualified candidate for election representing a geographical voting area is: any full time resident, over 18 years of age, residing in his/her Cambria or San Simeon geographical voting area.

Section 3a: A qualified appointee-candidate representing a designated group is: any full time resident, over 18 years of age, who has significantly contributed to and is recognized by such group.

Section 4: 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, shall be considered nominated. His/her name will then be listed on the election ballot.

Section 4a: Any appointed candidate will be required to complete and return to the Community Election Committee a signed "Conditions of Service" form, specifying the group he/she represents.

Section 5: 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 6: 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 7: 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 7a: An elected or appointed Council member may be removed from office by t 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.

Section 8: f a conflict of interests exists, any elected or appointed member may be disqualified from voting on a particular item or business by a two-thirds (2/3) vote of Council. The Member should then remove him/herself from the seated position.

ARTICLE IV

ELECTION DATE AND PROCEDURES

Section 1: Public notice of election shall be made no less than seventy-five (75) days prior to the date of the election. Nomination submittals (Conditions of Service) must be received no less than forty-five (45) days prior to the election. The Council shall publish a list of candidates and election details no less than thirty (30) days prior to the date of the election.

Section 2: As of January 1, 1998, an election shall be held on the first Tuesday in May, annually, for those seats where the members' terms will expire in that year. The election shall be conducted by the Community Election Committee as provided for in the NCAC Election Code, the chairperson of which shall be an independent volunteer approved by the Council.

Section 3: No elected representative or alternate shall serve more than two (2) consecutive full terms, representing the same geographical voting area. No appointed representative shall serve more than two (2) consecutive full terms, representing the same group.

Section 4: There shall be a campaign fund limitation of a total of One Hundred Dollars (\$100.00) spent by each candidate election and/or committee acting in his/her behalf. "In kind" contributions o materials and professional services are to be considered as part of this total and must be declared. Each candidate must furnish to the NCAC Treasurer a Statement of Expenditures within ten (10) days after the election.

Section 5: Each proposed candidate for election and each appointed representative candidate shall be required to sign the NCAC "Condition of Service" statement.

Section 6: The Community Election Committee Chairperson shall present the election results to the Council at the next regularly scheduled meeting following the election. The NCAC 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.

ARTICLE V

COUNCIL OFFICERS

Section 1: 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.

Section 2: The Chairperson shall preside over all meetings and shall speak for the council. This officer shall be responsible for agendizing the Council's business.

Section 3: 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.

Section 4: The Recording Secretary 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.

Section 5: 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.

Section 6: 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.

Section 7: 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 8: 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. Offices will take office immediately following their election at the end of the meeting.

ARTICLE VI

COMMITTEES

Section 1: An Executive Committee consisting of presiding officers shall appoint and determine the duties of Standing and Special Committees. Each appointed committee will be composed of at least one regular Council member serving as Chairperson, plus two (2) or more persons chosen from regular Council members, Alternate members, or the community-at-large. A listing of these committees shall be maintained by the Recording Secretary.

Section 2: Standing Committees shall include: Land Use, Project Review, and Traffic and Transportation.

Section 3: Special Committees shall be appointed as needs arise by the Executive Committee.

Section 4: Committee Chairpersons shall make reports and recommendations to the Council at regular monthly meetings.

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 scheduled meeting. A person appointed by the Executive Committee shall post the agenda at a designated place 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 five (5) or more members ask for one.

Section 4: Robert'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 their Alternates. No Proxy voting will be allowed. No official business may be conducted unless a quorum is present.

Section 5: A copy of the Agenda of 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 6: 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 6a: 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 7: 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 8: 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 Council and the County.

ARTICLE VIII

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 IX

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 executed through a two-thirds (2/3) vote of the elected and appointed Council members on the Fifteenth day of October 1997.

CHAIRPERSON

VICE CHAIRPERSON

TREASURER

CORRESPONDING SECRETARY

RECORDING SECRETARY

NORTH COAST ADVISORY COUNCIL ELECTION CODE

COMMUNITY ELECTION COMMITTEE

1. To oversee the election, the North Coast Advisory Council (herein after referred to as "NCAC") shall appoint a committee of independent volunteers to be known as: Community Election Committee (herein after referred to as "CEC"). No one whose name appears on the NCAC official ballot may serve on the CEC. For purposes of continuity in this first election, two active members of the NCAC shall be appointed to serve as liaison to the CEC for this first election (1995) only.
2. The purpose of the CEC is to conduct the NCAC election in a fair, impartial and orderly manner. The CEC is completely independent of the Council. Members of the CEC shall conduct the election according to NCAC's Election Procedure outline, attached.
3. The CEC shall declare the opening and closing of the poll. At least two members of the CEC shall be present at all times during polling hours to act as election workers. Polling hours on Election Day shall be 10:00 a.m. to 6:00 p.m. Voters shall be admitted to the polling place during these hours only. Voters inside the polling place, at closing time, shall be allowed to finish.
4. NCAC shall be responsible for selecting suitable polling places: one in Cambria and one in San Simeon. The CEC will provide the NCAC with a list of necessary materials required, i.e., ballots geographical voting area maps, tables, stationery, etc.
5. The day of the election, the CEC shall set up the polling place with necessary materials, per checklist. The CEC Chair shall be responsible for assuring that the ballots provided are the official ballots.
6. Candidates must submit their written candidacy forms and signed conditions of service forty-five (45) days prior to the election. The NCAC will publish the candidates' names thirty (30) days prior to the election. Any candidate who withdraws must do so in writing to the NCAC Chair. A candidate may not re-enter his candidacy after he has formally withdrawn.
7. There shall be no proxies or write-ins.
8. After the official ballot is printed, it shall be authenticated by the Chair and Vice Chair (or those officers next in succession) of NCAC.
9. The CEC shall convene a caucus for the purpose of appointing representatives of the four concerns: Latino/Latina, Business & Commerce, Agriculture, and Environment as those terms expire. The CEC shall contact all appropriate, recognized organizations to send one (1) representative to the caucus. Each caucus, under the direction of the CEC, will nominate candidates and conduct a secret ballot to determine a representative. The runner-up shall serve as Alternate for that position.

VOTING PROCEDURES FOR ELECTIONS

1. No campaigning shall be allowed within 300 feet of the polling place. No voter shall accompany another voter past the verification table for Geographical Voting Area, with the exception of those who may have a physical disability.

2. The geographical voting area in which the voter lives shall be verified at and by, the geographical voting area map and descriptions.
3. Voters shall print their full-time residence addresses and sign their names on the voters' sign-in sheet, affirming that they meet the age and full-time residency requirements specified in the NCAC Bylaws. Each voter shall be asked to verify full-time residence address by one of the following: a driver's license, voter registration card, or other photo ID. The sign-in process shall not in any way connect a specific voter with a specific ballot.
4. A CEC member will write the voter's Geographical Voting Area number on the ballot, circle the candidate/s for that Geographical Voting Area, and instruct the voter to vote for no more than two of those candidates.
5. The voter will be directed to a voting space, and instructed to deposit the completed ballot in the ballot box.
6. The CEC shall ask all voters to exit the Polling Place immediately after voting. Reasons for those who do not exit will be recorded promptly.
7. No voters shall re-enter the polling area after they have voted.
8. After the poll closes, the ballots shall be counted in a closed area of the polling place by only members of the CEC. Ballots shall be disqualified if they are wrongly or illegally marked, or, if they are not official ballots. Example: a ballot shall be disqualified entirely if the wrong Geographical Voting Area has been voted, if more than one candidate was marked, or if write-ins appear. A majority of the CEC present must agree in order to disqualify a ballot. Disqualified ballots shall be marked as such and held separately.
9. Upon completion of the count, the CEC Chair shall give the summary of the election results, including count of disqualified ballots, to the Vice Chair of the CEC. The Vice Chair shall dismiss the CEC members and post the results outside the polling place. The Vice Chair shall forward the election results to the Chair of the NCAC. The NCAC Chair, or CEC Chair, shall notify the candidates and the news media of the results in a timely manner.
10. The NCAC Chair shall store all ballots in sealed envelopes by Geographical Voting Areas. Voter registration sheets shall be stored in sealed envelopes. Sealing of the envelopes shall be verified by the signatures of at least two NCAC members, across the back envelope flap. The stored materials shall be presented to Council Chair at the next regular meeting. No one shall have access to these materials until that time.
- 10a. Challenges to the election results (including requests for recount), shall be heard at the next regular Council meeting. Neither the Chair, nor Vice Chair, nor any CEC member shall accept such challenges at the time the results are posted.
- 10b. Voter Registration Sheets shall be held for three months following the election date.

NORTH COAST ADVISORY COUNCIL

CONDITIONS OF SERVICE FOR ELECTED MEMBERS

I, _____, intend to run for election to the North Coast Advisory Council (NCAC). By my signature, I state that I am of at least eighteen years of age and residing full time in the area I intend to represent and thereby qualify to run in Geographical Voting Area # _____.

I agree to abide by and comply with any and all NCAC rules and regulations concerning election procedures.

I agree, if elected to the NCAC as a regular member or alternate, that I will to the best of my ability comply both in spirit and letter with the bylaws of the NCAC.

I agree to consult with my constituents and to bring the knowledge, opinions, and concerns of my constituents to the NCAC in order to best represent their interests.

I agree to attend all NCAC meetings and to be prepared to make informed decisions representing my constituents.

I agree to serve as chairperson or member on any committee or work group to which I am assigned, as provided by NCAC bylaws, and to attend all meetings of committees to which I have been assigned as well as other NCAC functions which call for my participation.

I agree to conduct myself in an honorable and ethical manner in all NCAC matters. I will refrain from representing my opinions as NCAC positions. I will not presume to speak on behalf of the NCAC unless specifically authorized to do so.

I agree to disclose and disqualify myself from council discussion and voting on any issue in which I, my employer, or my family members have a financial, or other conflict of interest.

I agree that should I violate any of the above agreements that I will immediately resign my position on the NCAC or consent to be removed by a vote of the council.

(Signature)

(Date)

(Address)

(Phone number)

(Email)

NORTH COAST ADVISORY COUNCIL

CONDITIONS OF SERVICE FOR APPOINTED MEMBERS

I, _____, desire to be appointed to the North Coast Advisory Council (NCAC) representing _____ concerns. By my signature, I state that I am of at least eighteen years of age and residing full time in the Cambria/San Simeon area and have been active in _____ concerns.

I agree to abide by and comply with any and all NCAC rules and regulations concerning election procedures.

I agree, if elected to the NCAC as a regular member of alternate, that I will to the best of my ability comply both I spirit and letter with the bylaws of the NCAC.

I agree to consult with my constituents and to bring the knowledge, opinions, and concerns of my constituents to the NCAC in order to best represent their interests.

I agree to attend all NCAC meetings and to be prepared to make informed decisions representing my constituents.

I agree to serve as chairperson or member on any committee or work group to which I am assigned, as provided by NCAC bylaws, and to attend all meetings of committees to which I have been assigned as well as other NCAC functions which call for my participation.

I agree to conduct myself in an honorable and ethical manner in all NCAC matters. I will refrain from representing my opinions as NCAC positions. I will not presume to speak on behalf of the NCAC unless specifically authorized to do so.

I agree to disclose and disqualify myself from council discussion and voting on any issue in which I, my employer, or my family members have a financial, or other conflict of interest.

I agree that should I violate any of the above agreements that I will immediately resign my position on the NCAC or consent to be removed by a vote of the council.

(Signature)

(Date)

(Address)

(Phone number)

(Email)