

# ROSAMOND TOWN COUNCIL

*A KERN COUNTY MUNICIPAL ADVISORY COUNCIL*



## Bylaws

March 7, 2006

*"Bringing County Government to your Neighborhood"*

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**Article I: General Information**

**Section A. NAME**

The name of this organization shall be "ROSAMOND TOWN COUNCIL (hereafter 'RTC'), A KERN COUNTY MUNICIPAL ADVISORY COUNCIL (hereafter 'MAC')." Its informal name shall be ROSAMOND TOWN COUNCIL and its website shall remain [www.rosamondtowncouncil.org](http://www.rosamondtowncouncil.org).

**Section B. BOUNDARIES**

The boundaries for which the boundaries established are generally within the area bounded on the south by Avenue A, on the west by 60th Street West, on the north by Dawn Road and on the east by Edwards Air Force Base. The specific boundaries are delineated on the map attached hereto as Exhibit "A."

**Section C. PRINCIPAL OFFICES**

1. Town Hall Meetings are held on the 3rd Thursday of each month at 7 PM at Hummel Hall, 2500 20th Street West, P.O. Box 626, Rosamond, CA 93560.
2. Council Board Meetings are held on the 1st Thursday of each month at 7 PM at the Sheriff's Substation, 1379 Sierra Hwy., Rosamond, CA 93560.

**Section D. COUNCIL PURPOSE**

1. To be a credible and effective two-way governmental gateway between Kern County and the Rosamond community.
2. To advise county officials on public health, safety, welfare, public works and land-use planning issues of interest to Rosamond residents.

**Article II: Understanding Municipal Advisory Councils**

**Section A. ROLE OF THE MUNICIPAL ADVISORY COUNCIL**

1. **Council Advises County.** The Council advises the Board of Supervisors on all matters specifically referred to the Council by the Board of Supervisors and authorized by Government Code section 31010.
2. **Council May Represent Rosamond When Authorized.** The Council may represent the community of Rosamond to any state, county, city, district, agency or other organization on a matter concerning the community when authorized by the Supervisor of the District.
3. **Council Engages Community Issues.** The MAC will hold meetings open to the public, survey community opinion and speak for the community to the Board of Supervisors.

4. **Council Advises Board of Supervisors on Planning Issues.** The County may use the group as a planning advisory council to draft or revise the community's portion of the county general plan or other planning matters.

Section B. **LEGISLATIVE AUTHORITY FOR MAC'S**

1. **California Legislative Statute.** In recognition of the need by unincorporated communities for increased influence with their County Board of Supervisors, the California Legislature authorized formation of municipal advisory councils in 1971 with the enactment of Government Code section 31010.
2. **Council Elected by the Community.** Such a council is an advisory body of local citizens elected by the community or appointed by the Board of Supervisors with the purpose of representing the community to the Board.
3. **Provides Link for Community to County Government.** Although a municipal advisory council is a governmental body, it has no legislative or executive authority. Because it lacks authority to implement its position directly, it seeks to accomplish its goals through county government.

Article III: **Membership**

Section A. **ROSAMOND TOWN COUNCIL COMPOSITION**

The RTC (also referred to as the Council) shall be composed of seven (7) members, all of whom shall be registered electors residing within the boundaries of the Council.

Section B. **ELECTIONS AND REPLACEMENTS**

1. **Initial Appointees.** The initial members of the Council shall be appointed by the Board of Supervisors and serve at the pleasure of the Board of Supervisors or until their successors are elected as set forth herein.
2. **Elections and Terms.** RTC Members shall be elected commencing with the first election of members to be held on the First Tuesday after the First Monday in November of 2006. At the initial election, four (4) members shall be elected for four-year terms and three (3) members shall be elected for a two-year term.
3. **Responsibility for Elections.** Kern County Auditor-Controller-County Clerk shall conduct the elections, the cost of which shall be borne by the County. At the Auditor's discretion, elections may be conducted by an all-mail ballot except elections falling on statewide election dates. Except as provided herein to the contrary, the Uniform District Election Law shall apply.

4. **Member Vacancies.** In the event a vacancy occurs during the term of an elected member of the Council, the Board of Supervisors shall appoint a member to serve the remainder of the term. A vacancy will occur on the happening of any of the following before the expiration of the term: the resignation of the member; the member's ceasing to be a resident, as defined in Article I, Section B; or, the member's unexcused absence from three consecutive meetings or five meetings in a calendar year.
5. **Member Compensation.** RTC members shall serve without compensation, but the necessary expenses of each member for actual traveling in connection with meetings or business of the Council shall be allowed and paid from County funds at the then current rate of reimbursement for County employees as contained in the County Administrative Procedures Manual.

#### Article IV: **Officers**

##### Section A. **GENERAL**

The members of the Council shall select officers and establish the form of its organization, manner of calling meetings and all other matters necessary to the effective functioning of the Council.

1. Officers will be elected annually by a vote of a majority of the Council members present and voting at the time of the election.
2. Officers shall consist of a Chair, Vice-Chair, and a Secretary.
3. Three separate elections shall be conducted; first the Chair, second the Vice-Chair and third the Secretary.

##### Section B. **CHAIR**

Presides at all meetings and performs the following duties as required:

1. Reviews and decides which items need to be on the RTC agenda.
2. Decides whether or not there are issues the RTC needs to discuss. If the Chair is unsure, the Field Representative of the Supervisor of the District may assist in that decision.
3. Coordinates and approves the final format of the agenda so the Clerk of the Council can mail it out no later than one week prior to the meeting (in compliance with the Brown Act).
4. Opens the meeting after ascertaining that a quorum is present.
5. Conducts the meeting through the order established in the agenda.

6. Recognizes members entitled to the floor.
7. States and puts to vote all legitimate questions that come before the Council as motions.
8. Announces the results of each vote. Rules frivolous motions out of order or refuses to recognize them.
9. Expedites business in all ways compatible with the rights of the members.
10. Responds to all inquires of members bearing on the business of the Council.
11. Authenticates by his or her signature, when necessary, all acts, orders or proceedings of the meeting.
12. Adjourns the meeting when the Council so votes.
13. Appoints committees and committee chairpersons or fills committee vacancies as required.
14. Serves as a member of all committees except the Nominating Committee.
15. Ensures compliance with the provisions of Articles of these Bylaws, when attending any meetings of the Council.
16. Transmits the actions of the Council to the Second District Supervisor or staff.
17. Represents the Council at meetings of other public bodies, unless a Council member is designated by the Chair to serve as the representative of the Council at such activities and events.
18. Directs all correspondence to the Clerk of the Council and makes arrangements to contact the Clerk to pick up any correspondence. If unable to get the mail, advises the Clerk.
19. Arranges for Vice-Chair or Secretary to chair the meeting if unable to attend.
20. Signs all RTC approved recommendation letters. In the absence of the Chair, the Vice-Chair or Secretary may sign.
21. Assumes other duties as directed by Council.

Section C. **VICE-CHAIR**

The Vice-Chair presides over general meetings and performs the following duties.

1. Assumes all duties of the Chair, in his/her absences, and assume other duties as directed by the Council.
2. In the Chair's absence or inability to serve, the Vice-Chair or the Secretary shall, in that order, perform the Chair's duties.

Section D. **SECRETARY**

The Secretary will act as a second Vice-Chair.

1. Assumes all duties of the Chair if the Chair and Vice-Chair are absent, and assume other duties as directed by the Council.

Section E **CLERK OF THE COUNCIL**

The Clerk shall be a non-elected, independent contractor engaged by the County to perform clerical functions on behalf of the Council outlined below. This position ensures that all elected RTC members are free of clerical duties in order to more fully serve the community.

The Clerk shall submit monthly a County of Kern Claim for Payment form to the Bakersfield Office of the Second District Supervisor that lists the hours worked and a brief project or job description. The Clerk shall also submit to the same office with first Claim for Payment (or before) a completed Internal Revenue Service Form W-9 so that the County will have a Taxpayer Identification Number. (Also, Council members seeking reimbursement for expenses incurred shall submit all such expenses on the same Claim for Payment form.) Any and all payments made by the County on behalf of the Council, including but not limited to the Clerk's claims, shall be made from the Second District Supervisor's special budget key and shall not exceed \$10,000 in any fiscal year.

Clerk's duties include:

1. Attends scheduled RTC meetings to take and transcribe summary (not verbatim) minutes.
2. Makes minutes available to Council members prior to the following meeting.
3. Signs and sends a copy of the approved minutes to the office of the Second District Supervisor.
4. Contacts RTC Chair and assists in preparing draft agenda.
5. Calls or e-mails the project applicants to notify them of when their project is on the agenda.
6. Two weeks prior to an upcoming meeting, e-mails the draft agenda to the Field Representative to review.

7. At the direction of the RTC Chair, prepares the final agenda and mails no later than one week prior to the meeting.
8. Sends copies of the agenda, draft minutes and other related information to the RTC members.
9. Sends copies of the agenda to everyone who is on the RTC mailing list, and maintains the mailing list.
10. Posts the RTC agenda in designated public places as soon as possible after the agenda is finalized (\*note - posting 72 hours prior to the meeting is a Brown Act requirement)
11. Unless other arrangements are made with Council officers, receives, prepares and transmits the Council's correspondence.
12. Maintains a file of RTC agendas, approved minutes, committee reports, correspondence, past minutes, and other pertinent records.
13. Notifies the Council whenever a member's absence record is deemed excessive.
14. Makes additional copies of the agendas and makes them available for the public at RTC meetings.
15. When meetings are cancelled, sends everyone on the RTC mailing list a cancellation notice and posts the notice in the usual public places and on the RTC website.
16. Within a week after a meeting, transcribes and mails RTC correspondence as directed by the RTC Chair.
17. Brings RTC materials such as member name-cards, maps, and other regularly used RTC materials, to each meeting.

Section F. **BUDGET OFFICER**

1. The Budget Officer shall be appointed by the Chair from the Council members and will head a Budget Committee to include two additional RTC members to prepare a budget for the ensuing fiscal year and to review and track expenses submitted to the Second District Supervisor.

Article V: **Meetings**

Section A. **MONTHLY MEETINGS**

1. **Business Meetings.** Business Meetings are on the first Thursday monthly and open to the public for the Council to consider matters concerning public health, safety, welfare, public works and planning.
2. **Town Hall Meetings.** This meeting concept originated in New England when everybody in the town showed up to "speak their mind" and then vote on issues. In today's heterogeneous communities with large

populations, more often, town hall meetings are held so that people can influence elected officials in their decision-making. RTC Town Hall Meetings include speaker and candidate forums, county departmental presentations and briefings, public comment periods, and community announcements.

Section B. **MEETING GUIDELINES**

1. **Schedules.** Two monthly meetings are scheduled for 7:00 PM. The Council Business Meeting is held on the first Thursday, and the Town Hall Meeting is held on the third Thursday, unless publicly noticed otherwise by the Council.
2. **Notices.** A meeting notice, stating time and place of the meeting, shall be provided five days in advance of each regularly scheduled meeting, in an accessible public place, such as the newspapers and the Council website. Meeting notices with time and place of the meeting shall also be posted by the Clerk of the Council at least five days in advance.
3. **Meeting Documents.** The Clerk of the Council will publicly post the agenda no less than 72 hours in advance of all regular meetings and will provide to all Council members at the same time a packet that shall include the agenda, copies of the last meeting's minutes and any deliberative materials to be considered by the Council.
4. **Quorum.** All regular and special meetings require a quorum consisting of a majority (no less than four) of all seven voting Council members, determined when the meeting is called to order. In the event that a meeting is called to order and no quorum is established the meeting must immediately be adjourned. Unfilled vacancies for which a new member or an alternate has not been seated shall not be counted.
5. **Solicitations.** The Council must approve all functions, solicitations and/or collections of all funds from the membership or community.
6. **Procedural Rules.** The Council shall adopt such procedural rules as are reasonable and appropriate, subject to the approval of the Board of Supervisors. All meetings of the Council shall be governed by the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).

Article VI: **Administrative**

Section A. **BYLAW AMENDMENTS**

1. **Initial Vote.** The Members shall vote for approval or disapproval on any changes to the Bylaws. Amendments or revisions to these Bylaws are to be proposed and read at a regular meeting. With a majority vote the amendments will be placed on the agenda for final consideration at the next regular meeting.

2. **Final Vote.** When so presented, an amendment shall be approved when a two-thirds majority of the members present vote in the affirmative.
3. **Incorporation of Approved Changes.** All bylaw changes are to be incorporated into the appropriate sections and sequence where they are applicable.
4. **Approval for Amendments or Additions.** Any and all amendments or additions to these Bylaws shall be submitted for approval to the Board of Supervisors, and no amendment or addition shall be effective until such approval is obtained.