

AVILA VALLEY ADVISORY COUNCIL BYLAWS

Article I. Name and Form of the Organization

1. The name of this organization shall be the Avila Valley Advisory Council, herein referred at as AVAC.
2. The Avila Valley Advisory Council, by Resolution 78-55 3 of the Board of Supervisors on September 2, 1975, was recognized to be the “official Citizens” advisory committee representing the Avila Valley area.

Article II. Purpose

1. To advise the Supervisor of the 3rd District of the San Luis Obispo County Board of Supervisors.
2. To represent the interests of the residents and engaged stakeholders in the unincorporated area of San Luis Obispo County known in general as the Avila Valley area that lays between the incorporated areas of Pismo Beach and San Luis Obispo.
3. To provide a venue through which the community can reach a collaborative solution on issues related to land uses, natural resource conservation, zoning, public services, circulation, public improvements, public safety, and other aspects of harmonious community life and orderly development.
4. To foster a coherent planning framework for the Avila Valley, as reflected in County plans, that responds to the values and standards of the community and that can be applied to specific development proposals that come before the Council for review.
5. To hold meetings open to the public and conduct studies on all matters brought to the Council and/or selected by the Council, so as to aid in formulating sound recommendations to the County Board of Supervisors and the County Planning Commission, as well as to other public agencies with relevant jurisdiction on the issues in question.
6. To advocate the interest of the residents of Avila Valley in public hearings, legal proceedings and other civic decision making processes related to land uses, natural resource conservation, zoning, public services, circulation, public improvements, public safety and other aspects of harmonious community life and orderly development.

Article III. Membership on the Council

1. The Council will be composed of representatives of the residents/homeowners in the Avila Valley, chosen by the community's established collective decision-making bodies for each of the following areas.
 - a. Avila Beach: The Avila Beach Civic Association
 - b. Avila Valley: *Ad Hoc* representation
 - c. San Luis Bay Estates: The Home Owners Association
 - d. See Canyon: *Ad Hoc* representation
 - e. Squire Canyon: *Ad Hoc* representation
2. Area representation on the Council shall be in the following numbers with no one area having more than 40 percent of the total membership:
 - a. Avila Beach Civic Association: 3 Members and 1 Alternate

- b. Avila Valley Association: 2 Members and 1 Alternate
 - c. San Luis Bay Estates Home Owners Assn: 6 Members and 2 Alternates
 - d. See Canyon: 2 Members and 1 Alternate
 - e. Squire Canyon CSD: 2 Members and 1 Alternate
3. The manner of selection of representatives will be determined by the governing board of each area.
 4. Each of the Council-recognized areas will select representatives who are chosen to act on behalf of their community and its interests in considering all matters before the Council. For Qualifications, refer to section 9 below.
 5. The Council may adjust the number of representatives allocated to each area or change the recognition of the governing body for an area when the construction of residences, changes in land use, or changes in legally constituted community organization, or other factors make such adjustments warranted. These types of changes are implemented through an amendment to the Bylaws.
 6. To provide continuity to the Council, it is recommended that the area bodies select their representatives for terms of service of two or three years each, staggered so that only half to one- third of the Council membership is renewed each year. However, terms of service and how representatives are selected remain at the discretion of each area's governing body.
 7. In the absence of any regular representative to the Council, an Area Alternate shall be seated as a full voting member of the Council for that meeting. Such action shall be noted at the time of the roll call of members present.
 8. Members are encouraged to attend the annual Advisory Council Training Program conducted by the Department of Planning and Building. Additional sources of training materials, such as the Community Advisory Council Training Manual and the Community Advisory Council Handbook can be accessed through a link on the AVAC Website at <http://avac-avila.org>
 9. A qualified candidate to become an advisory council member representing an AVAC area is any registered voter over 18 years of age who is a full time resident for at least 3 years or a homeowner of that AVAC area.

Article IV. Officers

1. All officers shall be elected by majority vote of the area representatives at the Annual Meeting on the second Monday of January and serve until the next Annual meeting one year thereafter.
2. Officers of the Council shall consist of Chair, Vice-Chair, Secretary, and Treasurer. No individual shall simultaneously hold more than one office unless there are no volunteers for a particular office and one of the remaining officers is willing to hold two offices concurrently. No individual shall hold more than two offices concurrently. If unable to fill an officer position, an Alternate may be nominated to fill that position.
3. These officers will constitute the Executive Committee.

Article V. Terms of Office

1. No Council member may serve more than three (3) consecutive one-year terms in the same office.
2. A Council office vacated during its term shall be filled for the balance of that term by election of

the Council at any meeting following notice of the vacancy.

Article VI. Duties of Officers

1. The Chair shall preside at all Council meetings. The Chair will transmit in writing and/or orally actions of the Council to the County Board Supervisor or staff.
2. The Chair shall represent the Council at meetings of other public bodies, unless a Council member is designated by the Chair to serve as the representative to the Council activities and events.
3. The Chair will report to the Council activities occurring since the preceding meeting. In the Chair's absence or disability to serve, the Vice-Chair, the Secretary, or the Treasurer shall, in that order, perform the Chair's duties.
4. The Secretary is responsible for the notes of meetings and for the preparation of the minutes to be presented at the following meeting.
5. The Treasurer shall account to the Council at the regularly scheduled monthly meetings for any and all funds received and/or held for the Council as well as funds disbursed in the Council's name.
6. The four elected officers shall serve as the Council Executive Committee which will meet/communicate regularly prior to the monthly Council meetings to discuss and approve the agenda for that meeting. Council members may submit items to be included on the agenda to any of the four Executive Committee members at least ten (10) days prior to the Council meeting.
7. The Chair is responsible for order at all meetings and utilizes the Robert's Rules of Order to conduct the business of the Council. The Chair may request any person who is disrespectful of that order to leave the meeting. The Chair may limit the period for public comment as well as the time allowed for each individual commentary as deemed necessary for the orderly conduct of the business.

Article VII. Committees and Sub-Committees of the Council

1. Working Committees or Task Forces may be created either by appointment by the Chair of the Council or by a majority-approved Council resolution. The Council Chair shall appoint the Chairs of these groups, appoint all committee members, and shall serve as an "Ex Officio" member of such groups.
2. Committees may be composed of any resident voter or homeowner in the Avila Valley, though normally the Chair of the committee will be a Council member.
3. Such committees or task forces shall prepare recommendations to the Council as a whole for action by the members. Committees and Task Forces shall not implement any recommendations without specific authorization of the Council.
4. The chair of a committee may form a sub-committee or a task force to expedite the preparation of reviews and studies.
5. The Executive Committee shall act on behalf of the Council to expedite the work of the organization. An individual Officer may act on behalf of the Council only after consultation with the other members of the Executive Committee. When an issue must be addressed prior to a meeting of AVAC, the Executive Committee would have the authority to speak/comment for the

Council provided there is a positive e-mail vote of 2/3rds of the council membership.

6. At least 30 days prior to each annual meeting, the Chair shall appoint a Nominating Committee of three Council members. It shall be the duty of the Nominating Committee to nominate at least one member, or accept volunteers from the Council membership, for each officer vacancy, including any unexpired term vacancy, for which elections are being held.
7. After the report of the Nominating Committee, the Chair shall call for nominations from the Council. Election will be determined by plurality vote by Council members and shall be by ballot except where there is only one nominee to the office.

Standing committees shall include Avila Beach, Squire Canyon, See Canyon, San Luis Bay Estates, Avila Valley, Land Use, Diablo Canyon, Port San Luis and others as deemed necessary. Standing committees shall report their activities at regular meetings of the Council. The Chair shall be an *ex officio* member of all standing committees. The Chair shall not serve as a committee chair in order to encourage broad participation and foster additional leadership. Each standing committee will be included in the monthly agenda. Other items can be added as needed.

8. The Chair shall appoint an Audit Committee, which shall review the financial records at least every other year. The findings shall be reported at a regularly scheduled meeting of the Council.

Article VIII. Meetings

1. The Council will hold regular meetings, open to the public, on the second Monday of every month, unless rescheduled or cancelled by the Chair at least five days prior by posted public notice.
2. Special meetings may be called by the Chair with a two-thirds agreement from the Executive Committee or whenever five Council members request a Special Meeting.
3. Five days in advance of all meetings, in an accessible public place, such as the Avila Beach Community Center and the Council website, as made known at regular Council meetings, notice shall be posted by the Council Secretary, with time and place of the meeting, along with an agenda.
4. The Secretary will make the minutes available for distribution to the Council as least 5 days in advance of all regular meetings.
5. A quorum shall consist of a majority of Council members, not counting unfilled vacancies for which a new member or an alternate has not been seated.

Article IX. General

1. Unless otherwise provided herein or by amendment hereto, the proceedings of the Council shall be governed by "Robert's Rules of Order, Revised." The Vice-chair shall serve as Parliamentarian.
2. No voting on any matters can be by proxy.
3. Membership is dependent upon avoiding or creating the appearance of a conflict of interest. Conflict of interest can be avoided by:
 - a. Abstaining from a vote on a proposed project if the member is directly involved with

- the project.
 - b. Not talking privately about matters that concern the Council and the community.
 - c. Rejecting gifts from people or organizations whose projects are in the review process and will be voted on by the Council.
 - d. Stating clearly at public meetings and hearings whether one is representing the action of the whole of the Council or whether one is speaking as a private citizen.
4. Members are encouraged to adhere to the "Conduct Guidelines" adopted November 14, 2005, and found as Appendix I to these By-Laws.
 5. The disbursement of funds, authorized by the Council, shall require the signatures of any two elected officers.
 6. The Council may not incur any indebtedness in excess of available funds.

Article X. Amendments

1. Amendments to these Bylaws are to be proposed and read at a regular meeting for consideration on the agenda at the next regular meeting. When so presented, an amendment shall be approved when a two-thirds majority of the members present vote in the affirmative.

Note: Previous amendments of the Bylaws were:

- a. May 1993
 - b. August 1998
 - c. January 1999
 - d. December 1999
 - e. June 2002
 - f. October 14, 2002
 - g. February 11, 2008
 - h. January 12, 2015
2. Bylaws Approved - These Bylaws have been duly adopted by the AVAC Council at a meeting on February 9, 2015 and are in effect immediately.

- Chair Person *Jim Hartig* Date 2/10/2015
- Secretary *Karla Bittner* Date 2/10/2015

Appendix A

Avila Valley Advisory Council Conduct Guidelines November 14, 2005

The Avila Valley Advisory Council is committed to providing a hospitable and civil environment in advocating the interests of the residents of Avila Valley. In order to assist in the government of the behavior between and among members of the Board and the public, the following guidelines shall be observed.

- The dignity, style, values, and opinions of each Board member and members of the public shall be respected.
- Responsiveness and attentive listening in communication are encouraged.
- The needs of the Council's constituents should be the priority of the Board.
- Board members should commit themselves to emphasizing the positive.
- Board members should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.
- Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions but without being disagreeable. Once the Board takes action, Board members should commit to supporting said action and not to create barriers to its implementation.
- Members shall have transparent disclosure for discussion purposes and recuse themselves from voting if a conflict of interest is apparent.
- The work of AVAC is a team effort. All Board members should work together in the collaborative process, assisting each other in conducting the affairs of the Council.