

# Los Osos Community Advisory Council (LOCAC)

## Policies and Procedures Manual

**FINAL DRAFT 12-7-2020- yellow highlights are changes based on comments**

The LOCAC Bylaws supersede any and all provisions in this document

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# I. Purpose

- A. The Los Osos Community Advisory Council Policies and Procedure Manual is a reference guide that sets out the accepted practices and policies of the Los Osos Community Advisory Council (LOCAC) regarding the conduct of its business. Every meeting, event, or activity associated with LOCAC is expected to abide by these policies and procedures.
- B. Referred to in this manual are the following:
  - 1. Council meeting policies and procedures
  - 2. Committees
  - 3. Election Process of Council Members
  - 4. Amendments
  - 5. Expectation of Council Members, Committee Members and Public Participants
  - 6. Voting Districts
  - 7. Conditions of Service
  - 8. Standards and Code of Conduct
  - 9. Host, Co-host, and online Meeting procedures

# II. Meetings

## A. Definitions

- 1. **Regular** - The Council shall hold regular meetings at 7:00 pm on the fourth Thursday of the month or another time agreed upon by a majority vote of the members. The regular meetings of November or December may be combined to an alternate date in November or December to avoid conflict with the holidays. In the event in-person meetings are not possible, virtual meetings can be held following regular policies and procedures. Virtual meetings may be called by the Chairperson or Vice Chairperson when agreed upon by a majority of the Council.
- 2. **Recess to Continue** - The Council may recess a meeting to continue on a specified time, date, and location with notice to members of the public being required.
- 3. **Joint** - The Council has authority to hold joint meetings and public hearings with governmental units. Such joint meetings may be held in the jurisdiction of any of the participating bodies.
- 4. **Special** - The Council may hold special meetings to discuss a specific topic that is considered too time consuming for a regular meeting. A special meeting will be approved by the Council at a regularly scheduled meeting or by email. Date and time is to be set by the

Chairperson in agreement with the Council. Such special meetings require a one week public notice. Minutes of special meetings shall be taken and will be reported at the next regular meeting.

5. **Emergency** - Emergency meetings may be held to deal with an emergency at any time. The definition of an emergency meeting has two elements. First, the meeting must concern generally unexpected circumstances and second, those circumstances must require immediate consideration by the Council. There is no minimum time period for notice, and the meeting may be held as quickly as the members of the Council can gather. Members of the public shall be notified as soon as possible under the circumstances. Minutes of emergency meetings shall be taken and will be reported at the next regular meeting.
6. **Closed Sessions** - Any council member can at any time request a closed session. Closed sessions are by nature confidential and discussions at these meetings must always be kept private amongst the Council members. No votes or discussions will take place that would affect the public as it relates to planning and development including, but not limited to, land use, circulation, zoning, public improvements and all aspects of community growth. These sessions must be approved by majority vote of the Council and an agreed upon date for the closed session will be decided. In rare circumstances, a closed session may be called during a council meeting when an unforeseen issue has come up and the council needs to communicate in private session. The Public will be asked to take a break for a specified amount of time and then asked to rejoin the meeting.

## B. Agenda of Council Meetings

1. The business of a Council meeting is established by the agenda that is prepared by the Chairperson with input from the council members. Items may be placed on the agenda at the request of any council member or by a public participant following the procedure outlined in 1c below.
  - a) **Items on the Agenda** - All necessary relevant reports, supporting data, and memoranda for each item listed on the agenda will be posted online as soon as they are available, and best efforts will be made to post materials at least 72 hours in advance of the scheduled meeting. There should be rare exceptions if the 72 hours are not met
  - b) **Adding items to the Agenda** - No item may be added to the agenda during a Council meeting nor within 72 hours prior to the meeting. An exception to this would be an urgent request by a County Agency or a necessary meeting is rescheduled which results in less than 72 hours between a committee meeting and a LOCAC meeting.

- c) **Public Request for Agenda Items:** If a member of the Public wants an item placed on the agenda they must submit a request to the Chairperson in writing at least 2 weeks in advance of the meeting when the item should be discussed. The Chairperson, in consultation with Council members, will decide how to include the item on the agenda and will notify the participant. The participant submitting the item will be responsible for its presentation as they are the most informed on the issue.
- d) **Order of the Meeting** - The meeting shall be ordered as follows unless the Chairperson determines that a change would be appropriate to accommodate a participant and the change is agreed upon by majority of the Council.
- (1) Call to order
  - (2) Roll Call
  - (3) Chairperson Announcements, explanation of meeting process and commitment to the Standards and Code of Conduct
  - (4) Council Member Announcements
  - (5) County, Local Agency and Organization Reports
  - (6) Public Comment for Items not on the Agenda (See Section II Meetings C7)
  - (7) Approval of Minutes
  - (8) LOCAC officer and Committee Reports, Member comments
  - (9) Consent Agenda Items (See Section II Meetings C8)
  - (10) Regular Agenda Items ( Section II Meetings C9)
  - (11) LOCAC Business items (Section II Meetings C10)
  - (12) Next meeting date announcements and adjournment
- e) **Preparation and distribution of the Agenda** - After the Chairperson has received the requested input from the Council, the Chairperson shall prepare an agenda. The agenda will be posted on the LOCAC website (locac.info) at least 72 hours in advance of the LOCAC meeting except as noted in Section II Meetings B1 a&b. A copy of documents and committee reports will also be made available online for all agenda items. Copies of the agenda will be available at the meeting.
- f) **Removal of items from the Consent and Regular Agendas**
- (1) Items can be removed by any Council member from the Consent Agenda at any time. If removed within 72 hours prior to the scheduled meeting, they will be added to the regular agenda of that same meeting. If they are removed before the 72 hour period, they can be moved to the regular agenda of that same meeting or referred to the next regularly scheduled meeting for discussion. For

this, consideration should be made to each project in regards to its specific time considerations and county deadlines. Applicants must be notified of the change.

- (2) Items cannot be removed from the Regular Agenda during the 72 hours prior to the scheduled meeting.
- (3) Any item on the Regular Agenda that is not discussed by the Council or postponed for whatever reason can still hear public comment.

g) **Communication of actions to the County Staff** - After each LOCAC meeting, the Secretary will prepare and submit a letter to the San Luis Obispo County Planning and Building Department and/or any other persons or agencies appropriate to be notified, specifically the Project Manager for each project. This letter will alert all parties to the recommendations voted on by the Council along with any concerns voiced by the Council and the Community. This letter shall be sent via email within 3 days of the meeting. The Chairperson will be cc'd on this notification and the letter will be posted on the LOCAC website alongside the minutes, remaining there as part of the archives.

## C. Meeting Procedures

1. **Presiding Officer** - The Chairperson is the presiding officer. In their absence, the Chair will appoint the Vice Chair or designate another member of the Council or Committee to lead a meeting. In the absence of both officers and a predetermined designation has not been made, the Council shall select a Chair Pro Tempore from the members present.
2. **On-line meetings** - there will always be a Co-host. The Co-host will make sure all public participants are muted for the duration of the meeting, all "chat" features are to be private within the Council. The Co-host and the Chairperson will decide the best way to accept public comment, via the raise hand feature or another manner mutually agreed upon. See instructions for Hosting, Co-hosting and Online Zoom meeting procedures in Exhibit D of this Manual. This document is also available on google docs.
3. **Quorum** - A majority of members of the Council shall constitute a quorum. Six (6) members is a quorum. Unless a quorum is present, no business may be conducted. Even though no business can be acted upon, Public Comment can be heard.
4. **Decisions made by the Council** - Decisions will be determined by a majority vote of those present, unless noted elsewhere in the bylaws.
5. **Public Comment** - All public comment made during a LOCAC meeting at any time must adhere to the Standards and Code of Conduct set forth in Exhibit C. There will be one warning made to a speaker choosing not to follow those guidelines. If there needs to be a second

warning, the Chairperson will ask the speaker to leave the meeting. If on-line, the CoHost will either permanently mute or send the speaker to the waiting room. Chairperson has discretion to call a recess as necessary.

During any public comment period, public participants will address the Chairperson when speaking, not individual Council members. Council members will not respond to public comment until the designated time as written below in Section II Meetings C6-9.

Comments **may** be limited to 3 minutes and timed by a designated member of the Council/Committee.

6. **Council deliberations after Public Comment** - The Chairperson will ask if any Council members would like to speak. Those wishing to speak will raise their hand and wait to be called on by Chairperson or Co-host, having a second opportunity to speak only after everyone else on the Council has had their chance to comment. The intent of this process is to limit cross talk, especially during contentious discussions, so that all have the opportunity to speak and be heard.
7. **Public Comment on items not on the Agenda** - At each meeting the Council will hear public comment on items not on the agenda, either written or oral.
  - a) Depending on circumstances, the Chairperson has the option to limit public comments to three minutes per speaker. The Chairperson may further limit the time for each speaker, depending on the number of people wishing to speak if the three-minute limit per person will cause the meeting to extend beyond the 9:30pm adjournment time. The Council may, by a majority vote of those present, extend the time for comments on any subject.
  - b) Council members shall not respond to or discuss comments made by a public speaker during the Public Comment period. A request to question a speaker can be made through the Chairperson, who has the option to hold the question until all speakers have been heard.
  - c) Public participants shall not react or attempt to engage any speaker in conversation. Thereafter, the Council shall decide whether and how to proceed with any of these items under the direction of the Chairperson.
  - d) Council members may make comments as public participants during the meeting segment "Public Comment on Items not on the Agenda."

8. **Items on the Consent Agenda** - A Consent Agenda item is meant to be any procedural request or a committee referral that is expected to not need discussion. Any council member can ask an item be removed from the Consent Agenda for any reason at any time. Chairperson will remind participants of the process for discussion of any agenda items and for adherence to the Standards and Code of Conduct, and ramifications thereof.
- a) Documentation for each item will be posted online, available to the Council 72 hours prior to the meeting, except as noted in Section II Meetings B1a&b, so that Council members feel confident that their vote reflects their attention.
  - b) It is not always necessary to remove an item from the consent agenda if anyone has simple questions or needs clarification. If after clarifying questions are answered and more discussion is needed then the agenda item can be removed from the consent portion of the agenda and put on the regular agenda.
  - c) The procedure for the Consent Agenda is as follows:
    - (1) After introduction of the Consent Agenda, the Chairperson will ask if there is any public comment. The Standards and Code of Conduct (Exhibit C) shall be followed at all times for public comment. The 3 minute limit per speaker will always apply for an item on the Consent Agenda. Public participants should be reminded that items referred by a committee to the Consent Agenda were previously vetted and discussed at the committee level.
    - (2) After public comment, the Chairperson then asks the Council for any questions or discussion on the items remaining on the Consent Agenda. It is understood that the Council members have come prepared and other than a quick point or question, are prepared to vote on the items. At this time, if discussion arises that causes a member to question commitment to the item, it can be removed and placed later on the Regular Agenda.
    - (3) After discussion, the Chairperson asks for a motion on the items remaining on the Consent Agenda and the Council votes, following regular voting protocol.
9. **Discussions for items on the Regular Agenda** - The Chairperson will explain to the Council members and the Public, the process for discussion of any agenda items, for adherence to the Standards and Code of Conduct, and the ramifications thereof. The practice of the Council is to discuss an item on the regular agenda prior to a motion being made.

- a) After an item on the regular agenda is introduced, the applicant will have the opportunity to explain their project, what they need from the Council, and present any relevant documents to the Council. Applicants are requested to provide relevant documents to the Council or Committee before the meeting date so that they can be posted online for both Council and Public review.
- b) Council members will then have the opportunity to ask questions or clarifications from the applicant. All Council members desiring to discuss a matter under consideration will be called upon in turn by the Chairperson to speak. Each Council member wishing to speak will have the opportunity before another Council member speaks a second time. If necessary the Chairperson will call for a second round of questions/comments from the Council.
- c) After this time, public participants who wish to speak on the item will be recognized by the Chairperson. All public participants desiring to discuss a matter under consideration should be given an opportunity to do so prior to any person being able to discuss the item more than once.
- d) Whether in-person or on-line, speakers will be called upon to comment in the order their requests to speak are made. At the beginning of each agenda item, speakers will be asked to raise their hand or to line up for comment on the item. For an on-line meeting, this can be accomplished either by the raised hand function or some other way that is mutually agreed upon.
- e) The Chairperson will limit each speaker to 3 minutes. The Chairperson has the authority to either further limit the time given or to allow more.
- f) Just as the Public is expected to adhere to the Standards and Code of Conduct so as to not interrupt, interfere, or respond to the person speaking, Council members are also instructed not to respond to Public Comment at this time. If it is necessary for a Council member to question a public comment speaker, they may do so through the Chairperson. At their discretion, the Chairperson may hold Council questions until all speakers have been heard.
- g) After Public comment has been closed on an item, the Chairperson may again engage a particular public participant for further clarification, discussion, or to answer any questions.
- h) When the Chairperson has no more questions for the speakers, the Council may deliberate on the agenda item being discussed. The Chairperson will remind the Council members that they may



only make comments after they are called upon. They will address the Chairperson, not a fellow Council member.

- i) Those wishing to speak will raise their hand and wait to be called on by the Chairperson or Co-host, having a second opportunity to speak only after everyone else on the Council has had their chance to comment. If any Council members prove unable to wait their turn, they will be stopped and asked to wait. For these deliberations, the Council members will be addressing the Chairperson with their comments, not individual members.
- j) After the discussion has ended, a motion is made, seconded and a vote is taken.

**10. Business Items on the Agenda:** Business items include but are not limited to policies, procedures, and organizational matters that do not necessarily require public review.

## D. Parliamentary Procedure

The Parliamentary Procedures below are adopted as guidelines for the Council. Their purpose is to assist the Council in acting upon the business before it, to assure a fair opportunity for all members presenting their views, and to provide an accurate recording of the Council's actions.

1. **Main motion** - A main motion introduces an agenda item for a vote. It requires a second. A motion failing to receive a second fails. A motion made and seconded, and stated by the Chairperson will then be voted on unless further discussion is needed. As stated in Section II Meetings C, the practice of the Council is to discuss and hear public comment on an item before a motion is made. Motions can be subject to amendment.
2. **Motion to Amend** - A motion to amend does not change the subject of the motion it proposes to amend, it may change a portion of the motion by adding to, deleting from, or substituting different language and meaning. It may be applied to any main motion except a motion to table, adjourn, reconsider, etc.. When a motion to amend has been made, accepted and stated by the Chairperson, the original motion maker will be asked if the amendment is acceptable. If the original motion maker does not accept the amendment then the original motion has to be voted on. If the original motion maker accepts the amended motion it will be seconded and the vote taken. If the vote on the amended motion fails, the main motion is still before the Council for action.
3. **Motion to table an agenda item** - A motion to table an agenda item can be made whenever the Council agrees by vote that there is not adequate information or if there are extenuating circumstances present that prevent the ability to properly discuss the agenda item at hand. An item will be tabled and a future date proposed when the Council

believes there will be sufficient information available to discuss the agenda item.

4. **Motion to reconsider** - A motion to reconsider a vote or action taken in the past by the Council may be made at any time. The motion requires a second. If the motion passes, the item will be put on the agenda at the next available relevant meeting. If such a motion fails, the matter is not reopened or reconsidered at that time.
5. **Call for Question** - Rather than a motion, a Council member may Call for the Question (a request to cease discussion). The Chairperson addresses the Council advising that the question has been called and asks if there is any objection to ceasing the debate. If there is objection, debate continues. If there is no objection, debate will cease and a vote is then taken.
6. **Motion to Adjourn** - Council meetings shall adjourn by 9:30pm unless a majority vote approves continuation. A motion to adjourn earlier is in order at any time from any Council member. The motion, once seconded, is not debatable and requires a majority for adoption. In the case of adjournment prior to the completion of the agenda, agenda items that are in discussion and those not addressed shall be added to the agenda of the next regular meeting.

## E. Voting

A quorum must be present for votes to take place.

1. **Motions** - A majority of members present is required for passage of motions.
2. **Bylaws** - See procedure set in Article X Amendments of the Bylaws.
3. **Policy and Procedures** - The affirmative vote of a quorum of members of the Council is required to amend the Policy and Procedure Manual. See Bylaws Article X Section 6.
4. **Tie Votes** - In the event that voting on an item being deliberated for the first time results in a tie, then the motion fails.

## III. Committees

### A. Membership

1. All members of LOCAC shall be required to be a member of at least one standing committee.
2. The Chairperson of each committee shall be a LOCAC member. The Chairperson is responsible for upholding the Bylaws and ensuring the Policies and Procedures are being followed at all meetings.
3. LOCAC members may attend any committee's meeting as a public participant.
4. Membership of any committee (special or standing) can consist of any number of members between 3 and 9. Each committee shall consist of

- a minimum of 2 and no more than 5 LOCAC members and as many as 7 Public members.
5. Public Members are appointed to sit on a committee and participate in its deliberations by the LOCAC Committee Chairperson in consultation with the LOCAC Chairperson.
    - a) Public Members will sign Conditions of Service for Appointed Public Members (Exhibit E) and Standards of Code and Conduct (Exhibit C).
    - b) Public members are appointed for 2 years.
    - c) At the end of 2 years the Public member can be appointed up to 3 more times.
    - d) After serving a total of 8 years, a Public member interested in continuing to serve must take a 1 year break. After this break period, they may ask to be reappointed if there is a vacancy to be filled.
    - e) LOCAC has the discretion to extend time of Public members beyond 8 years should there be no one interested in an available position.
  6. Committee decisions and reports are not binding to LOCAC.
  7. If a member has 3 (three) unexcused absences within any twelve month period, the Committee Chairperson shall inform that member, pointing out the possible loss of their Committee seat. If a committee Chairperson decides a full review is warranted, a majority vote of the Committee members, excluding that of the absentee member, is necessary for termination of the absentee member.
  8. Members of committees may be removed for cause at request of the Committee Chairperson or a Committee member and by majority vote of the committee, excluding vote by member in question. Discussion and vote for removal should be done during a closed session. Causes for removal include, but are not limited to:
    - a) Representing themselves as speaking for the committee without prior approval of the committee Chairperson
    - b) Disruption of committee deliberations
    - c) Failure to uphold the Standards and Code of Conduct, Article XI of the LOCAC bylaws and Exhibit C of this Manual
    - d) Failure to uphold the Conditions of Service, Exhibit B or E
    - e) If a Council or Committee member with a conflict of interest continues in discussions attempting to persuade or influence as defined in Bylaws Article IX, Section 5

## B. Meetings

1. Standing committees shall meet at least once prior to each scheduled LOCAC meeting, unless there is no business to discuss and members of the committee have been notified.

2. Committee meetings, locations and times shall be established by the Committee Chairperson in consultation with committee members. Meeting locations will be decided in conjunction with the Treasurer as needed.
3. The Chairperson of the committee shall prepare a written agenda and post it online at least 72 hours prior to the scheduled meeting.
4. Within one week of each meeting:
  - a) The Committee Chairperson or designated committee member shall send to the LOCAC Chairperson and Communications Officer a notice of all action taken, identifying all projects being forwarded to LOCAC for their review.
  - b) Draft minutes shall be sent to the Communications Officer for posting and review.
5. It is required that all members of the committee regularly attend meetings. If they are unable to attend then they should notify the Committee Chairperson.

## C. Standing Council Committees and their purpose

### 1. Land Use Committee

- a) Review all relevant project referrals and land use issues sent by the County or by request of the public.
- b) Make recommendations to the Council for acceptance, no comment, or full council review, along with reasons for each decision.
- c) Send recommendation to the Council to place on either the Consent or the Regular Agenda.
- d) As applicable, track projects and report back to the Council on the status of ones for which LOCAC has provided recommendations to the SLO County Planning department
- e) Serve as a resource to the Council regarding major ordinance and policy changes.

### 2. Trees and Landscape

- a) Assist in the greening and beautification of Los Osos/Baywood Park in order to install appropriate trees and landscaping throughout the community
- b) Provide community education and coordination of volunteers and community activities related to the preservation and protection of existing street trees, and new plantings.
- c) Formulate recommendations on issues affecting local tree and landscape decisions.

### 3. Transportation and Circulation

- a) Promote and increase safe multi modal travel in Los Osos, working with county groups.

- b) Lobby the County to upgrade roads in Los Osos/Baywood Park based on priorities established by the community. Upgrades may include traffic calming, stop signs, crosswalks, bike and walking paths, and other safety measures.

#### **4. Community Outreach**

- a) Expand the public's awareness of the existence of LOCAC
- b) Provide the community information about projects and issues that appear on the LOCAC meeting agendas or are relevant to the community.
- c) Goal to increase awareness, engagement and public participation with LOCAC while also gaining a better understanding of the public's opinions on issues that require LOCAC consideration.

#### **5. Special Committees**

- a) Elections
- b) Bylaws and Policies and Procedures
- c) Others as needed

## **IV. Elections**

### **A. Community Election Committee**

1. To oversee the election, LOCAC shall appoint a LOCAC Council member to chair a committee of council members and independent volunteers, if any are interested, to be known as the Community Election Committee (CEC). See Bylaws Article V, Section 2. No one whose name appears on the LOCAC official ballot may serve on the committee.
2. The purpose of CEC is to conduct the LOCAC election in a fair, impartial and orderly manner. The CEC shall:
  - a) Conduct the election according to LOCAC's election procedures outlined herein.
  - b) Be responsible for selecting suitable polling place or places
  - c) Provide LOCAC with a list of necessary materials required and the estimated costs to run the election
  - d) Set the hours for the election. The polls shall be open for a minimum of 8 hours. At least 2 poll workers shall be present during each shift. At least one of the two shall be a LOCAC member.
  - e) The CEC Chairperson shall be responsible for assuring the ballots provided are the official ballots. There will be one ballot for each district, meaning 4 different ballots. Voters will only receive a ballot for their district.

- f) The CEC will oversee the candidate application process and vet each candidate for eligibility, oversee absentee voting and all election processes.
  - g) Provide to LOCAC a detailed report of the election results as well as an analysis of the procedures used to conduct the election. This information should be included in the minutes of the LOCAC meeting post election.
3. LOCAC shall appoint the CEC chair and set the date for election at the January meeting of the election year.

### Example of Election Timeline with a May Election

January LOCAC meeting of election year	Set date for election in May. Name Chair from the LOCAC council. Appoint members of LOCAC and those from the community interested to be part of CEC. Announce timeline and process for applications to the public.
First-second week of February	CEC meets; Applications are made available; Application due date is set.
Second week of March	Applications are due.
Third week of March	CEC meets to vet candidates and ensure they meet eligibility standards. CEC may ask applicants to attend the meeting to provide proof of identity and residence. Candidate list is sent to LOCAC.
Fourth week of March	Call for a closed session if necessary to discuss candidates with Council.
March LOCAC meeting	Candidates are announced.
Month of April	Candidates have time to get word out in their communities--Campaigning Information posted on the website regarding candidates.
Second week of April	Absentee ballots available following policies and procedures outlined below in Section IV E and F.
First week of May	Election takes place.
LOCAC May meeting	Winners are confirmed and seated on the Council.

4. If unforeseen circumstances arise and the election may not take place on a scheduled date then by majority vote of the Council, the election may be postponed. Unforeseen circumstances include but are not limited to natural disasters, pandemics, or other items beyond control of the Council. If an election is interrupted, applicants will be notified to resubmit their applications at the appropriate time.

### B. Candidates

1. Applications will be made available via website, and available at committee meetings and general LOCAC meetings at least one month before candidates are announced.

2. In an election year for a seat on the LOCAC Council, applications may be turned in once the election date has been set and applications are made available. Applications may be turned in by:
  - a) Email to LOCAC general email
  - b) Mail to the PO Box monitored by CEC Chairperson
  - c) Handed to the Chairperson at a Committee meeting or general LOCAC meeting
3. Applicants will receive notification of receipt of their application by email.
4. Each proposed candidate for elections shall be required to sign the Conditions of Service Agreement, Exhibit B which outlines the Conflict of Interest and Eligibility requirements for service, sign the Standards and Code of Conduct Agreement Exhibit C, and submit a one page description of why they want to be on LOCAC.
5. The election committee must verify the residence, age, and geographic voting area of each candidate, as indicated in Exhibit A. Applicants may be asked to provide proof of identity and residency at a CEC or Council meeting.
6. Once eligibility is confirmed by the CEC and applicants have turned in all required paperwork, the CEC will inform the Council of approved applicants to be listed as candidates for the ballot. If there needs to be discussion, a closed session will be called.
7. Candidates will be announced at the LOCAC meeting at least one month before the election date. Candidates shall be informed that their Candidate Statement will be put on LOCAC web page, distributed to the public and possibly the press. The Candidate Statement shall be limited to one page.
8. There shall be a campaign fund limitation of three hundred dollars (300.00) spent by each candidate and/or committee acting on their behalf. "In kind" contributions of materials and professional services are to be considered as part of this total. All candidates must sign a statement agreeing to adhere to this limitation. See Exhibit B. Any candidate found to exceed this amount will be disqualified.
9. All candidates are required to have an email address. It is suggested that if elected, they have a LOCAC only email address that they are willing to make available to their constituents.

## C. Voting Requirements

1. In order to cast a vote in a LOCAC election, a voter must:
  - a) Reside in Los Osos/Baywood Park
  - b) Be at least 18 years of age, and
  - c) Reside in the geographic area for which they are casting a ballot.
2. Each voter:



- a) Shall be responsible for verifying their residence address and age prior to voting. The CEC shall determine the method of verifying residency, which may include drivers license, utility bill, or other identification that indicates the person's actual residence.
- b) Must vote in person or if necessary by absentee ballot (see E1 below) to have their vote counted. No proxies are permitted.
- c) Must place their name and address on the election registration form prior to receiving a ballot.

## D. Ballots and Ballot Box

- 1. To be counted a ballot:
  - a) Shall be the original ballot provided by the CEC to the voter. No duplicate or hand made ballots will be counted.
  - b) Shall be properly marked per the voting instructions on the ballot
  - c) May not contain a write-in candidate
  - d) If it is an absentee ballot, it must be returned in the required official envelope marked to conform with the security protocols in Policies and Procedures IV Elections, Section F2.
- 2. During the distribution and receipt of absentee ballots, the ballot box shall be kept in one location and shall be locked and kept in a separate location from the key. The key for the ballot box shall be located with one member of the CEC and the ballot box shall be located with a different member of the CEC. The ballot box shall only be unlocked when the election polls close on LOCAC's election day, with at least 2 people present.

## E. Absentee Ballot Voting Procedures

- 1. Absentee ballots may be used, only if necessary, as part of LOCAC's Election. Such cases include someone who will not be in town or who has a physical limitation that prevents them from being able to appear on election day to cast a ballot.
- 2. If Absentee Ballots are chosen to be used, at least three weeks prior to election day the CEC shall announce how the ballots may be obtained.
- 3. Absentee Ballots will be available 15 minutes before the start of each LOCAC regular meeting and all LOCAC committee meetings leading up to the election. A CEC member will be present, along with the Ballot box. Voters will be encouraged to fill out their ballots and submit them at that time.
- 4. No campaigning shall be allowed within 300 feet of where absentee ballots are being distributed.

## F. Absentee Ballot and Voter Verification

1. There will be 4 different ballots, one per voting district.
2. Each absentee ballot will come with an “official CEC envelope”. Each envelope will:
  - a) Be numbered with the number that corresponds to the voter’s name on the Voting Log
  - b) Indicate voting district
  - c) Be signed by the CEC member issuing the absentee ballot
  - d) Identify the deadline date for return
3. Before receiving an absentee ballot, each voter will be required to show proof of age and proof of residency. The CEC member must confirm that the voter resides in the district they are voting in.
4. After eligibility is verified, the voters name will be entered into the Voters Log. For each absentee ballot issued, the Voter Log will contain:
  - a) The official envelope ID number
  - b) Voter name, address and district number
  - c) Box to check if ballot is returned at the time or will be returned by deadline
  - d) Name of issuing CEC member
  - e) Voter’s signature
5. After the Voter Log entry is complete and the official envelope has been marked, the voter is handed their ballot/envelope.
6. It is preferred that the voter fills out the ballot, seals it into the official envelope and puts it into the voting box.
7. If the voter must take the ballot with them, it can be returned at a time and place mutually agreed upon. Mail in ballots may be allowed at the committee’s discretion. If being mailed in, the official envelope must be placed inside a mailing envelope with the return address and name of the voter whose ballot it contains. Mailing envelope will be sent to the LOCAC Post Box. Absentee ballots may also be dropped off at the designated polling place on election day.
8. In order to be counted, each absentee ballot/envelope must be:
  - a) Submitted by the designated deadline
  - b) Returned in its sealed official envelope signed by the issuing CEC member,
  - c) Numbered according to the log.
9. Each Absentee ballot received by mail or returned to a designated LOCAC location shall be deposited into the LOCAC ballot box unopened prior to the closing of the polls.

## G. Election Day Voting Procedures

1. CEC may utilize the services of an outside organization to tally the votes.
2. On Election day:

- a) CEC shall set up the polling place with necessary materials.  
The CEC shall declare the opening and closing of the poll.
  - b) No campaigning will be allowed 300' of the polling property.
  - c) At least two members of the CEC will be present at each polling place during voting hours and one must be a LOCAC member.
  - d) Prior to providing a voter with a ballot, a CEC polling official shall verify that the voter meets the requirements stated in the Policies and Procedures Manual, Section IVC. They must:
    - (1) Show proof of age over 18,
    - (2) Show proof of residency
    - (3) Be confirmed by the issuing CEC member to live in the district for which they intend to cast their vote
  - e) Once eligibility has been confirmed, the voters information will be entered into the voter log. This information includes:
    - (1) Voter name, address
    - (2) District number
    - (3) Name of the witnessing polling official
  - f) Voter will then be given the appropriate ballot for their district
  - g) After voting, the voter will deposit the completed ballot in the ballot box.
  - h) No voter shall accompany another voter past the verification table, with the exception of those who may have a physical disability.
3. The ballot box shall only be unlocked for counting, recounting, or otherwise verifying voting results when the election polls close on LOCAC's election day.

## H. Ballot Counting

After the poll closes, all the ballots (absentee and regular) shall be counted by at least 4 members of the CEC and other qualified volunteers having no conflict of interest in the election results, in a closed area of the polling place. At least one person has to be LOCAC member, and a non LOCAC member.

1. Disqualification - if a write in candidate has been entered or if more than the designated number of candidates has been marked, a ballot may be disqualified. A majority of the counting committee present must agree in order to disqualify a ballot. Disqualified ballots shall be marked as such and held separately.
2. The returned absentee ballot envelopes shall be checked against the vote log listing to confirm their validity based on the number in the entry and on the CEC member signed envelope. If an absentee ballot is not registered on the voter log, that ballot may be disqualified as determined by consensus of the CEC.
3. All ballots are sorted by district and each district counted separately. There shall be one ballot reader and one checker. There shall be two

tabulators for each reading. If the tabulators' totals differ, then the ballots must be recounted.

4. Questionable ballots shall be set aside by the reader and shall be ruled upon by consensus of the committee immediately after the count.
5. A candidate and a candidate representative may observe the ballot counting but neither may speak. If any observer wishes to challenge the LOCAC election results, the challenge must be submitted in writing to the LOCAC Chairperson prior to the next regular LOCAC meeting in order to be considered.
6. Tabulation shall be saved as part of the election documentation.

## I. Election Results

1. Upon completion of the count, the CEC Chairperson will send the results to the LOCAC Chairperson, and then to the Communication Officer for posting. Results are tentative until confirmed by the LOCAC Chairperson and announced at the designated LOCAC meeting.
2. The CEC Chairperson shall store all ballots in sealed envelopes by geographic voting areas. Voter log shall be stored via google docs online. Sealing of the envelopes shall be verified by the signatures of at least two CEC members across the back of the envelope flap. The stored materials shall be presented to LOCAC Chairperson at the regular meeting in May. No one shall have access to these materials until that time. Copies need to be saved until all potential challenges are resolved.
3. Challenges to the election results, including requests for recount, shall be heard at the May meeting or under extraordinary circumstances would be heard at the next regular LOCAC meeting following the announcement of the election results. New members for any district in which there is a challenge may not be seated until the challenge is resolved. The Council must determine how to resolve any challenges. Any recounts or handling of ballots must be conducted by members of the CEC.
4. As the last order of business at the May meeting, LOCAC Business item (See Article IV Section 7 of the Bylaws):
  - a) Elected Council members will be confirmed by the Chairperson and seated
  - b) In the event of a tie, the newly seated council will, by majority vote, elect the representative from any geographic voting districts in which there was a tie vote.
  - c) The outgoing Chairperson will chair the meeting until a new Chairperson is elected.
  - d) The new Chairperson then will assume their duties and complete the election of officers.

5. Ballots and Voter Registration Sheets shall be held by the CEC Chairperson for three months following the election date or until any challenges have been resolved.

## V. Amendments

- A. The Bylaws may be amended by majority vote of the Council following protocol in Bylaws Article X Amendments.
- B. The Policies and Procedure Manual may be amended following protocol in Bylaws Article X.

### ***Example Timeline Bylaw Amendments for vote at December 10th meeting***

November 10th	Release Bylaws for review and notify public
November 29th (gives a minimum 2 weeks to review)	Written Comments Due
December 4th (gives a minimum 5 days to review before vote)	Send final draft to Council for Review, decide if closed session is needed for further discussion
December 10th	Vote, unless postponed due to major changes

## VI. History of Changes to Policies and Procedures

The Policies and Procedure of the Los Osos Community Advisory Council have been amended by a majority vote of the Council as follows:

- A. 12/15/05 Ayes 7, Nays ) For the acceptance of Section IV on Elections, minus absentee ballots, district map and conditions of service.
- B. 9/28/06 Ayes 10, Nays 0 for additions to Section IV Elections and attachments for map, absentee ballots, Condition of Service, Lowered campaign fund limitation per candidate from \$500 to \$300.
- C. 2/28/08 Ayes 10, Nays 0 for Inclusion of Exhibit F: undated contact list for LOCAC members and Exhibit G: update contact list for County and LOCAC contacts to be used for monthly agenda outreach.
- D. 10/22/09 Ayes 8, Nays 0 for Changes to Section IV Election. B1) Change ending date for candidate applications and statements to 2 weeks prior to the April LOCAC meeting. B4) Requires a candidate statement and indicates all places where it will be posted. Include wording that allowable documents for verifying residence will be listed in this manual. Correct the description for the boundaries of District 3 to match the map of LOCAC sphere of influence.
- E. 12/10/2020

# Exhibit A- Map of Voting Districts



## Description of LOCAC Voting Districts:

**District 1:** All homes on Paso Robles and north of Paso Robles Ave. (or an extension of Paso) and west of the URL and Osos Creek. Recognizing that Paso Robles does not go through westward beyond 11th St, all house numbers less than 1500 on 3<sup>rd</sup> through 9<sup>th</sup> St. would be in District 1.

**District 2:** All homes south of Paso Robles Ave. (or an extension of Paso, for all house numbers on 3<sup>rd</sup> through 9<sup>th</sup> St that are greater than or equal to 1500) to Los Osos Valley Road, including houses on the north side of LOVR, to the East to South Bay Boulevard, including houses on the west side of South Bay, and to the west to a line that includes all the houses on Bush Dr. and Ferrell Ave.- then eastward at the end of Ferrell Ave. to the corner of San Luis Ave and 5<sup>th</sup> St. , then at a compass course of 333 degrees, true, to the edge of Morro Bay.

**District 3:** A U shaped area that includes everything east of South Bay Blvd., including houses on the east side of South Bay, to the URL and everything south of LOVR to the URL, everything west of South Bay Blvd. to Broderson Ave., an extension of Broderson north to Morro Bay at the Audubon Sweet Springs Nature Preserve, including all houses on both sides of Broderson, and the area outside of the URL to the east, as defined by County Planning as the area of influence for LOCAC, as of the map in effect in January 2006.

**District 4:** Everything West of Broderson (and its northward extension) to the URL on the west and south and bounded on the north by the bay.

# Exhibit B- Conditions of Service- Council Member

I, \_\_\_\_\_, intend to run for election to the Los Osos Community Advisory Council. By my signature, I state that I am of at least eighteen years of age and that my legal address is 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 LOCAC rules concerning election procedures.

I agree not to spend more than \$300 on the election, including monies spent both by me and on my behalf, and including any “in kind” goods or services.

I agree, if elected to LOCAC, that I will to the best of my ability comply both in spirit and letter with the Bylaws of LOCAC.

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

I agree to leave my personal preferences out of Council discussions and will support actions of the Council even when I do not personally support the action taken.

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

I agree to serve on any committee or work group to which I am assigned, as required by LOCAC bylaws.

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

I agree to disclose and disqualify myself from Council voting on any issue in which my family members or I have a legal, financial, **personal** or other conflict of interest as defined in Article IX of the LOCAC Bylaws. Furthermore, I agree not to attempt to persuade or influence as I participate in those discussions. (Article IX Section 5)

I agree to abide by the Standards and Code of Conduct set forth by LOCAC.

I agree to adhere to and uphold LOCAC Bylaws.

Signed: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Confirmed by:  
Community Election Committee Member: \_\_\_\_\_ Date: \_\_\_\_\_

# Exhibit C- Standards and Code of Conduct

These Standards and Code of Conduct, Bylaws Article XI are applicable to all LOCAC related meetings and activities. These standards apply to everyone present—LOCAC Council Members, LOCAC and Public Committee members, agency representatives and public participants. **LOCAC member below refers to both Council members and appointed Public committee members.**

Section 1: LOCAC is a place where all community members, regardless of race, gender, religion, socio economic status, ability and/or citizen status, may participate in safe community dialogue, and/or voice an opinion without fear of intimidation, slanderous behavior and/or bullying.

LOCAC represents the people of Los Osos and holds high standards for positive civic engagement, encouraging respectful, courteous, and thoughtful discussion of ideas and opinions, while setting clear boundaries for unacceptable behavior.

Section 2: Everyone, the Public and the Council included, will be held accountable to the same high standards of civil dialogue, engaging with integrity, collegiality and mutual respect. Not adhering to any of the standards in this Code of Conduct is cause for LOCAC members to be removed from the Council/Committee or likewise is cause for a member of the public to be asked to leave a meeting.

We are establishing a Code of Conduct where discussions are defined by respect, confidentiality when required, civil dialogue, cooperation and community building assuming positive intent and sincere listening.

Behavior unacceptable or non-compliant to this code, are grounds for removal, including but not limited to slander, name calling, disruptive and interruptive comments, bullying, derogatory, sexism, racist comments and/or hate speech as well as eye rolling, audible heavy sighs and whispered comments.

Section 3: LOCAC members will make attendance at all meetings of the Council or Committee a high priority and will be prepared to discuss the issues and business on the agenda. Each member is asked to notify the Chairperson if they intend to be absent. LOCAC members will leave their personal preferences out of Council discussions and will support actions of the Council even when they do not personally support the action taken. It is the LOCAC member's obligation to ensure that decisions made reflect independent thinking free of peer influence, while taking into account community input. Putting the interests of the Community above personal interests is the goal.

Section 4: LOCAC members will adhere to Bylaws and Policies and Procedures. It is the Chairperson's responsibility to uphold the Bylaws and ensure Policies and Procedures are being followed at all meetings. A LOCAC member may also request review of any person that is not adhering to set guidelines laid out in this document. A LOCAC member who is



found not to have adhered to the Standards and Code of Conduct during their tenure as a Council member will be given a warning. If a second warning is needed, the LOCAC member may be removed from their position by a majority vote of their respective body, excluding the vote of the member in question. This discussion may be initiated by anyone on the Council or Committee and it would be expected to be scheduled for a closed session.

Section 5: As well, a public participant that does not adhere to this code during a Council or Committee meeting will be given a warning. If a second warning is needed, the participant will be asked to leave the meeting. The Chair, their own decision or at the suggestion of a Council/Committee member and majority vote of the Council/Committee, has the right to remove any person not adhering to the Standards and Code of Conduct or to shut a meeting down if conduct gets out of hand. Agenda items not finished or addressed will be moved to the next regularly scheduled meeting.

*I agree to abide by these Standards and Code of Conduct as established in the LOCAC Bylaws and act to uphold their intent.*

*Signed*

by \_\_\_\_\_ Date \_\_\_\_\_

# Exhibit D- Co-Host/Online Instructions and Meeting Process

The object of this Exhibit is to outline the procedures that need to be followed to set up a Council/Committee meeting that will be held online with the Public through a Zoom account.

During the initial set up of the meeting, the Host should always make sure '*mute participants on entry*' is checked. This way the public attendees will be muted and will not be able to unmute themselves unless specifically asked to do so by the Host or Co-Host.

Before each Council or Committee meeting, the Secretary will supply to both the Host and Co-Host the names of all applicants and county/law enforcement guests who may speak.

In the minutes before each meeting, the Co-Host will join the Host (generally the Council/Committee chair) online. At this time, the Host will designate the co-host as such and will set up several other necessary functions.

1. The first task is for the Host to set the designated person as the Co-Host. Click *participants*, go to the names and hover over the person you want to make co-host, *click more*, *click make co-host*
2. Go to the Chat box on the menu at the bottom of the screen, click *button with 3 dots* at the bottom of the Participant box/or panel and check *chat with host only*. That will send all chats only to the host and/or co-host.
3. In the Participants box, click *more*, Check *mute participants on entry* and uncheck *allow participants to unmute themselves*. Make sure '*allow participants to unmute themselves*' is NOT CHECKED!

As both Public participants and Council Members enter the waiting room, the Host or Co-Host will individually let them into the meeting. All participants will enter muted, so the Host or Co-Host must manually unmute each LOCAC Member. This is done through the Participants box by hovering the cursor over each member's name, and unmuting them.

The Chairperson always has the option to keep Council/Committee members muted on entry. The Chairperson may choose to mute the Council/Committee at any time during the meeting if it is felt this would keep the conversation in line with the processes described in Section II C, Meeting Procedures, of the Policies and Procedures Manual.

At beginning of meeting:

1. Admit everyone into the meeting
2. Chair must click the record button
3. Chair shall make an announcement about this process

**To all Council/Committee members-** you are all unmuted. Please make sure you are in a quiet place because if we need to mute you because of extraneous noises, you will not be able to unmute yourselves. If things are busy, it may be awhile before your request to unmute again is seen by the Co-host. The Chairperson always has the option to mute. When it is the appropriate time and you wish to speak, use the raise your hand feature.

**To all Council/Committee Members-** please do not speak during public comment, you will have time afterwards to say whatever needs to be said or to ask any questions. The Chair will decide if they will welcome questions after each speaker or wait until the end.

**To all Public Participants-** you are muted, the chat feature at the bottom of the screen is not for use at these meetings. When the agenda item is announced that you wish to speak to, please use the *raise your hand* feature.

The co-host will call your name in the order received and send you a prompt to unmute yourself. They will ask you to unmute yourself and give you your time to speak. To mute or unmute on the cell phone is \*6, raise your hand is \*9. Repeat opportunities to speak will only be available after all participants have had a chance to speak.

When you speak, please be courteous. If you have to be reminded more than once, we will mute you.

### **At Public Comment/Questions**

1. Chair will again ask those who wish to speak during public comment to use the *raise your hand* feature whenever Public Comment is announced.
2. After an Item is announced, the Chair will ask the Co-host who is up to speak.
4. The Co-host will say “our first speaker is xxx followed by yyy. xxx, I am sending you an unmute prompt, please unmute yourself. If it is a phone number, Co-host will ask the caller to state their name for the record.
5. When that speaker is done, Co-host will thank them, re-mute them, then announce the next speaker is yyy followed by zzz and repeat the above.

### **Options to Remember**

If warranted, Hosts and Co-Hosts can turn videos off, send people to waiting rooms or remove them altogether from the meeting, and/or mute Council/Committee members.

# Exhibit E- Conditions of Service-Appointed Public Members

I agree that I will to the best of my ability comply both in spirit and letter with the Bylaws of LOCAC.

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

I agree to leave my personal preferences out of Council discussions and will support actions of the Council even when I do not personally support the action taken.

I agree to attend all LOCAC meetings and will be prepared to make informed decisions representing my community.

I agree to serve on any committee or work group to which I am assigned, as required by LOCAC bylaws.

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

I agree to disclose and disqualify myself from Council voting on any issue in which my family members or I have a legal, financial, personal or other conflict of interest as defined in Article IX of the LOCAC Bylaws. Furthermore, I agree not to attempt to persuade or influence as I participate in those discussions. (Article IX Section 5)

I agree to abide by the Standards and Code of Conduct set forth by LOCAC.

I agree to adhere to and uphold LOCAC Bylaws.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**END**