

# CONTRA COSTA COUNTY MAYORS' CONFERENCE

## STATEMENT OF PURPOSE AND BY-LAWS

Amended: 7/03/86  
6/06/91  
2/02/94  
11/02/95  
3/01/01

### ARTICLE I – NAME

SECTION I. This organization is an unincorporated association and shall be known as the “Contra Cost County Mayors’ Conference”, hereinafter referred to as the “Conference”.

### ARTICLE II – PURPOSE

SECTION I. The Conference is formed to:

- a. Act as the “City Selection Committee” for the purpose of making appointments to various statutory bodies or advisory groups, in conformance with the requirements of applicable California legislation.
- b. Promote cooperation and good working relationships between governments of all the cities, the county government, and the governing bodies of autonomous special districts.
- c. Promote intercity cooperation in all activities to make the county a better place to live and work.
- d. Promote “home rule” . . . resist State and Federal preemption of city responsibilities by providing leadership equal to the tasks.
- e. Support the League of California Cities in its efforts to secure legislation beneficial to cities.
- f. Seek means to improve needed municipal services by education, interchange of information and joint power agreements.

SECTION II. The vote or opinion expressed by any member Mayor shall not be deemed to be representative of the majority opinion of the member’s City Council unless such Mayor otherwise advises the Conference.

SECTION III. The Conference, as a body, shall not support or endorse any candidate for public office.

### **ARTICLE III – MEMBERSHIP**

SECTION I. The members of the Conference shall consist of each of the incorporated cities in Contra Costa County.

SECTION II. The recognized voting delegates to the Conference and any business session thereof shall consist only of:

1. The Mayor of each member city, or in the absence of the Mayor, the Vice Mayor or other member of the Council selected by the Mayor.
2. The Conference Chair or the Conference Vice Chair.

SECTION III. The City Manager may attend all meetings of the Conference to provide administrative assistance and support to the delegates.

SECTION IV. The Conference Chair may invite such other persons as advisable or necessary to supplement and or clarify the intent, aims and purpose of the Conference. Such guests may include but not be limited to legislative representatives of statutory bodies.

SECTION V. Other city officials from member cities may attend, provided, however, that the additional expense relating to such attendance is paid either by the individual or his or her city.

SECTION VI. All sessions of the Conference and any business session thereof shall be open to the public and be subject to the provisions of the Ralph M. Brown Act (Government Code 54950 et seq.)

### **ARTICLE IV – ORGANIZATION**

SECTION I. The Chair shall be elected from among the Mayors of the member cities and the immediate past Vice Chair. The Vice Chair shall be elected from among the members of the legislative bodies of the member cities. In the event that the Chair or Vice Chair are not members of the legislative bodies of their respective cities at any time during their term of office as Chair or Vice Chair, the Office of Chair or Vice Chair, as the case may be shall be declared vacant and the procedure set forth in SECTION IV of ARTICLE IV will be followed.

SECTION II. Nominations for Chair or Vice Chair shall be made prior to the regular monthly meeting of the Conference in January of each year. Any Mayor or current Vice Chair deciding to place his or her name in nomination for Chair may do so by submitting a written request to the Executive Director not later than 15 days prior to the January meeting. Any Council Member deciding to place his or her name in nomination for Vice Chair may do so by submitting a written request. Similarly, any Mayor desiring to nominate another Mayor or current Vice Chair to serve as Chair or Vice Chair shall submit nomination in writing to the Executive Director not later than 15 days before the January meeting. The Executive Director will mail copies of such nominating letters to all Mayors in the cities of Contra Costa County not later than 10 days before the January meeting. If any prior nominations in writing are obtained, as described above, then no further nominations shall take place at the January meeting.

SECTION III. An election for Chair and Vice Chair shall be held at the regular monthly meeting of the Conference in January of each year. Voting shall be by roll call vote.

SECTION IV. Officers shall take office at the meeting immediately following the January meeting during which the election takes place and shall serve until disqualified or until their respective successors qualify. The Chair or the Vice Chair shall not be disqualified by virtue of no longer serving as Mayor as long as the Chair and the Vice Chair remain a member of the City Council.

CHAIR: To preside at all meetings, maintain order, decide questions of parliamentary procedure, appoint committees authorized by the membership and designate the chair thereof, call special meetings when requested in writing by three or more members, appoint an Executive Committee, and such other duties as are usually incident to such office and as elsewhere herein provided.

VICE CHAIR: To perform the duties of the Chair because of absence or inability to serve or because the office becomes vacant pursuant to Section I of this Article IV. If the office of Chair becomes vacant before the expiration of the term of office, the Vice Chair shall become Acting Chair until the next meeting of the Conference at which time a new Chair shall be elected. If the office of Vice Chair becomes vacant, a new Vice Chair shall be selected by the Conference.

SECTION V. The City Attorney of the Chair city shall be available for advice pertaining to Conference procedural matters.

## **ARTICLE V – MEETINGS**

SECTION I. The Conference shall hold either a regular or general meeting each month. Regular meetings shall be on the first Thursday of each month. The Conference may hold general meetings with a broader list of invited participants

for the purpose of discussing or studying matters of common interest and concern. Special meetings shall be called upon request in writing to the Chair by three or more member Mayors. The date, time, place and agenda of such meeting shall be determined by the Chair.

SECTION II. General meetings and regular meetings shall not be scheduled within any one calendar month unless specifically approved by the Conference. Regular meetings shall be rotated among the cities and shall commence at 6:30 p.m., prior to the serving of dinner and alcoholic beverages. Annually, a dinner price limit for the calendar year will be set by the Conference. A rotating schedule of meetings will be presented for approval each eighteen months.

SECTION III. Representatives of a majority of the number of cities within Contra Costa County shall constitute a quorum of the Conference for the transaction of all business. When a quorum is not present, the meeting shall be postponed or adjourned to a subsequent time and place as determined by the Chair.

SECTION IV. The agenda for each Conference meeting shall be closed and be mailed to each Mayor and the Conference Chair no later than 10 days prior to each meeting date. Items not appearing on the agenda will not be taken up at a meeting without the prior approval expressed by vote of two-thirds of the Mayors or their duly designated alternates present that there is a need to take immediate action on the item and the need for action came to the attention of the Conference subsequent to the posting of the agenda. If less than two-thirds of the delegates are present, a unanimous vote shall be required in order to add an item to the agenda.

SECTION V. Except as provided therein, or by a motion to suspend the By-laws, carried by a two-thirds vote of the Conference membership, the most recent edition of Roberts' Rules of Order shall constitute parliamentary authority for the Conference.

## **ARTICLE VI – DUES**

In order to provide for the necessary expenses for the Conference, each member city will be assessed annual dues in the amount to be adopted by resolution of the Conference.

## **ARTICLE VII – EXECUTIVE DIRECTOR**

The Executive Director shall be recommended by a committee of three appointed by the Chair. The Chair shall appoint a committee from among the delegates to the Conference. A majority vote of the Conference shall be required to appoint

and terminate the services of the Executive Director. The duties of the Executive Director shall include, but not be limited to:

1. Arranging for suitable meeting places.
2. Preparing and distributing the agenda, minutes and other material pertinent to the business of the Conference.
3. Maintaining liaison with other groups, organizations, or agencies whose interests and actions are of interest to the Conference.
4. Presenting an annual budget for consideration by the Conference at its November meeting.

## **ARTICLE VIII – CONFERENCE COMMITTEES**

SECTION I. The Conference shall appoint an Executive Committee and special committees as described in this Article.

SECTION II. The committees shall be permitted the flexibility to act on behalf of the Conference provided that decisions are made within the policy guidelines established by the Conference and provided that specific committee actions are ratified by the Conference at their next regular meeting when deemed appropriate or necessary by the Chair.

SECTION III. The Executive Committee shall be the Budget and Finance Committee and shall consist of the current Chair of the Conference, the past two Chairs, and may include additional appointments by the Chair of the Conference.

SECTION IV. The Executive Committee shall have the responsibility of reviewing and recommending the Conference budget annually and shall review and pass upon additional expenditures which are not otherwise provided for in the budget.

SECTION V. The Executive Committee shall undertake an annual review of the Executive Director in October of each year.

SECTION VI. Special committees may be authorized by the membership from time to time for specific purposes and periods of time. When so authorized and appointed, such committees shall perform such functions as are specifically assigned to them by the membership and report their findings or actions to the membership in writing. Progress reports may be made verbally and noted in the minutes.

## **ARTICLE IX – CITY SELECTION COMMITTEE**

SECTION I. Selection of representatives and appointees by the Conference sitting as the “City Selection Committee” under the provisions of Government Code, Section 50270, et. seq., shall be governed by that statute, any amendment thereto, any further statute controlling the functions of a “City Selection Committee”, and the rules and regulations set forth in the next section of this Article.

SECTION II. The following Rules and Regulations, adopted as required by Government Code, Section 50270, et. Seq., shall govern the selection of representatives and appointees as therein required.

1. Officers and Members:
  - A. The Chair and Vice Chair of the Conference, by law, shall serve as the Chair and Vice Chair, respectively, of the City Selection Committee and shall hold office concurrently with their Conference terms.
  - B. The County Clerk of the County Clerk’s deputy shall act as the permanent Secretary and Recording Office.
  - C. The members of the City Selection Committee shall consist of the Mayor of each city and shall serve without additional compensation.
  
2. Meetings:
  - A. The Chair may call a special meeting of the Committee at any time.
  - B. The Chair shall call a special meeting of the Committee upon the written request of 50% of the members of the City Selection Committee. Such special meetings shall be called and held within sixty days after receipt of the written request.
  - C. When a position on a board, commission or agency which is filled by the Committee falls vacant, the Chair shall call a meeting to fill that vacancy within sixty days after such vacancy occurs.
  
3. Notice of Meetings:
  - A. On the printed agenda of the Conference meeting prior to the meeting at which an appointment is to be made, there shall be printed an announcement of the meeting of the City Selection Committee, the position to be filled and the date for filing a statement of willingness to serve.
  - B. The Conference Executive Director shall notify County Clerk of a pending Committee meeting. The Clerk, in turn, shall follow the requirements of Section 50277 and 50278 of the Government Code.

C. All regular and special meetings of the Committee shall be open to the public

4. Procedure for Voting:

City Selection Committee procedure and voting shall be the same as established by Article X and Article XI for all Conference appointments.

## **ARTICLE X – CONFERENCE PROCEDURE AND VOTING**

SECTION I. The business of the Conference shall be taken up for consideration and disposition in the following order:

Call to order and roll call  
Approval of the Minutes  
Old Business  
New Business  
Adjournment

SECTION II. A majority vote of those present shall be required for the passage of all matters unless otherwise provided for in these Bylaws. Absentee voting shall be not be permitted. A vote to abstain shall be construed as a vote to abide by the will of the majority. Therefore, provided that a quorum is present, a motion will pass if a majority of those voting approve it. Abstentions will not be counted as either a vote for, or against, the motion. As provided for in Article V, Section III, except in the case of a financial conflict of interest, a delegate who abstains will be counted as present for determining whether a quorum exists.

## **ARTICLE XI – NOMINATIONS AND APPOINTMENTS**

SECTION I. NOMINATIONS:

1. Any qualified individual seeking appointment to a particular statutory body, advisory group, board or committee, shall file, with the Executive Director, a statement that such individual is willing to serve in the position under consideration.
2. Said written statement must be filed not later than fifteen days prior to the Conference meeting at which the election is scheduled to be held.

3. The statement shall be filed with the Conference Executive Director and shall consist of one page listing the qualifications of the individual seeking the position in which the individual is interested, and any other information which would be useful to the Mayors in making a selection.
4. The statement will be distributed by the Executive Director to all Mayors at least ten days prior to the date fixed for selection.
5. Said written declaration shall be deemed to constitute nomination.
6. Except for the Chair and Vice Chair, nominations may be made from the floor by the voting delegate of each city in the event that no written nominations have been received. Such nominations will be accepted only if the nominee is qualified and agrees, orally or in writing, to serve in the position under consideration if elected.

## SECTION II. APPOINTMENTS

1. After Conference ratification or approval, the Executive Director shall notify the Conference appointee, in writing, and the agency to which the appointment is made, if appropriate, of the action of the Conference.
2. With said letter of appointment, the Executive Director shall include an excerpt from these By-laws concerning the guidelines which Conference representatives are expected to follow.
3. Conference representatives to regional agencies are expected to maintain regular attendance at agency meetings as effective representatives of the Conference. Regular attendance is understood to be no less than 70% participation at both agency board meetings and in discharge of committee assignments. Specifically, the Conference will consider three consecutive, unexcused absences as cause for removal of a Conference representative.
4. Conference representatives are expected to prepare for Agency meetings by the necessary study and examination required to serve effectively. Continued lack of preparation results in depriving the Conference of effective representation and will constitute cause for replacement of the representative.
5. The Conference representative will faithfully abide by policy positions taken by the Conference and representatives' voting should be consistent and in conformity with such policy positions.

6. Whenever the representative feels unable to support the policy position of the Conference in votes on agency matters, the representatives shall inform the Conference Chair immediately and submit a formal resignation for acceptance at the will of the Conference at its next meeting.
7. Conference representatives, in the absence of relevant policy positions expressed by the Conference, shall vote their best judgment as representatives of all of the cities of Contra Costa County. Countywide impact, as a rule, should outweigh individual considerations.
8. Conference representatives are expected to openly declare perceived conflicts of interest when voting on matters where a personal or private interest may exist. Conference representatives should abstain from voting on issues where a personal, private, or single-city interest overbalances that of all Contra Costa cities. Where an alternate representative is provided, the Conference representatives, in conflict situations, should notify the alternate in advance and defer to the alternates decision for voting on the issue.
9. Conference representatives shall report periodically to the Conference on matters of importance to the cities in general. To this end, they are expected to notify the Executive Director to arrange for their agenda appearance. Conference representatives, on appointment, will be notified by the Executive Director that the appointment is conditional upon the representatives' adherence to these guidelines. Acceptance of the appointment consists such a commitment to the Conference, with the mutual understanding that the appointee will be removed at the will of the Conference for substantial breach of commitment. The Executive Director shall schedule reports of Conference delegates at least annually and shall notify the Conference appointees of the need to present reports of the activities of the agency or commission to which they have been appointed.
10. All Conference representatives shall be appointed by the term fixed by the agency or commission to which they are appointed or as fixed by law, or the elected appointees shall serve to the expiration of their own elected term of office, whichever expires sooner.
11. At any time, upon written notice to the Executive Director, there may be placed on the Conference agenda the question of removal of a Conference representative. Such notice should be provided to

the Executive Director so as to place notice of this issue on the agenda in the month preceding the date when action should be taken. For those appointments made by the City Selection Committee, action on the question shall be considered at a meeting of that Committee. The Conference member moving such removal shall provide the Executive Director for distribution to the Conference membership, a statement of the reasons for such requested removal. Said removal shall be accomplished on roll call majority vote and only in those cases where other statutory provisions do not permit this Conference action.

## **ARTICLE XII – MISCELLANEOUS**

SECTION I. These By-laws may be amended by a majority vote of the total membership, but only after such an amendment has been proposed at a regular meeting and laid over until the next or later meeting for final action. A proposed amendment may not be finally acted upon unless the whole membership shall have been given notice thereof by mail at least 10 days prior to the date of the meeting at which final action is to be taken.