

BYLAWS

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Article 1 FUNCTIONS

- A. Exchange planning information among members.
- B. Identify and study problems affecting members and make recommendations on an advisory basis.
- C. Carry out the responsibilities of an airport land use commission pursuant to Section 21670.1 of the Public Resources Code.
- D. Allocate Transportation Development Act funds created by Article 11 (commencing with Section 29530) of Chapter 2 of Division 3 of Title 3 of the Government Code consistently with the purposes of said Article and Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the Public Utilities Code.
- E. Function as a metropolitan planning organization conducting a transportation planning process in conformance with all applicable United States Department of Transportation requirements.
- F. Prepare and update as necessary a regional transportation plan as described in Gov't. Code Sections 65080 and a Regional Transportation Improvement Program pursuant to Gov't. Code Sections 65080.5 and 65082.
- G. Serve as the Areawide Clearinghouse for the local transportation planning area per Executive Order 12372.
- H. Serve as the Local Transportation Authority for Santa Barbara County pursuant to California Public Utilities Code Section 180000 et seq.

Article II DEFINITIONS

- A. SBCAG. The Santa Barbara County Association of Governments.
- B. Official Representative. One of the voting members of SBCAG as provided in paragraph 1 of the Joint Powers Agreement for Santa Barbara County Association of Governments.

- C. Alternate. The mayor or a member of the legislative body who has been designated by the mayor, with the consent of the legislative body of each member city.
- D. Ex-officio member. An officially recognized member of SBCAG who does not have the right to vote.

Article III
MEMBERSHIP AND REPRESENTATION

A. Membership

- 1) The official representatives of the County of Santa Barbara, and of all cities incorporated in the County of Santa Barbara in the future which execute the Joint Powers Agreement, shall constitute the membership of SBCAG. In addition, the members of the State Legislature representing Santa Barbara County, or their officially designated representatives, shall be ex-officio members. The Caltrans District Director of Transportation shall also serve as an ex-officio nonvoting member of the SBCAG governing board in its capacity as the metropolitan planning organization and the regional transportation planning agency.
- 2) Changes in the names of official representatives and alternates shall be communicated to the Executive Director by the appointing city, or the County of Santa Barbara.
- 3) In the event a member is removed or resigns from office, he/she shall cease to be a member of SBCAG on the same date as the effective date of his/her vacating that office. In the event a city member resigns from SBCAG, it shall be incumbent upon the mayor of that city to appoint a replacement subject to the consent of the legislative body of that city. In the event a County member leaves his/her County post, his/her successor shall automatically assume membership on SBCAG upon taking over his/her County post.

Article IV
SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS PROCEDURES

- A. A quorum shall consist of a simple majority of the total number of official representatives, at least one of who shall be a representative of the County. Only official representatives, or their alternates at a meeting, shall be counted as part of the quorum.

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- B. Any official representative or alternate serving in place of an official representative may, when recognized by the Chair, make a motion, which motion, if seconded, may be addressed and/or voted upon, provided a quorum is present. SBCAG shall consider the remarks and recommendations of any technical staff or committees which SBCAG may have appointed. SBCAG may accept public testimony on any issue before it.
 - C. A motion shall be carried by a simple majority vote of the quorum present, unless otherwise provided herein.
 - D. In exercising the powers of an airport land use commission the failure of SBCAG to affirmatively find the proposed action of a local agency before it inconsistent with the adopted Airport Land Use Plan within sixty (60) days from its date of referral shall be deemed a finding of consistency.
 - E. Regular meetings shall be the third Thursday of each month. The Chair may alter the date of a regular meeting with ten (10) days' written notice to the SBCAG membership and any person who has filed a written request for such notice. Special membership and any person who has filed a written request for such notice. Special meetings may be held at the call of the Chair. All meetings of SBCAG shall be conducted in accordance with the requirements of the Ralph M. Brown Act, as amended (Gov't. Code Section 54950 et seq.)
 - F. The Chair shall have the right to appoint subcommittees as may be appropriate. Subcommittees may receive and report upon public testimony, and make recommendations for action by SBCAG.

Article V
OFFICERS' ELECTIONS & VACANCIES

- A. Officers of SBCAG shall be the Chair and Vice-Chair. They shall be elected by a majority vote of a quorum present at the regular December meeting each year. Each shall serve for one calendar year commencing on January First. Any officer may be re-elected for an additional one year term but may not serve more than two consecutive terms. If the person elected as the Chair is a city representative then the Vice-Chair shall be elected from among the County representatives and vice versa. The selection of the Chair and Vice-Chair shall alternate between the city and county representatives.
- B. The Vice-Chair shall serve as Chair, pro tempore, in the absence of the Chair. A vacancy shall immediately occur in the office of the Chair, or Vice-Chair, upon the resignation or death of the person holding such office, or upon his/her ceasing to be an official representative of a member city or the County of Santa Barbara. Upon a vacancy occurring in the office of the Chair or Vice-Chair, the Chair or Vice-Chair, as the case may be, shall be appointed from among the members to serve for the balance of the unexpired term.

- C. The Chair shall be the presiding officer of SBCAG and all business shall be brought before the Chair.

Article VI
SBCAG STAFF

- A. SBCAG shall appoint an Executive Director who shall serve at its pleasure.
- 1) The Executive Director shall be responsible, subject to SBCAG direction, for the administration of the affairs of SBCAG.
 - 2) The Executive Director shall keep charge of all correspondence and shall be responsible for the records of SBCAG meetings.
 - 3) The Executive Director shall perform any other duties as SBCAG deems necessary.
 - 4) The County Counsel's office shall be responsible for all legal matters pertaining to SBCAG.

Article VII
INDEMNIFICATION FOR TORT LIABILITY

- A. In contemplation of the provisions of Section 895.2 of the Gov't. Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined in Section 895 of said code, the parties hereto as between themselves, pursuant to the authorization contained in Sections 895.4 and 895.6 of said code, will each assume the full liability imposed upon it, or any of its officers, agents or employees by law for injury caused by a negligent or wrongful act or omission occurring in the performance of this agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of said code. To achieve the above stated purpose, each party indemnifies and holds harmless the other party for any loss, cost or expense that may be imposed upon such other party solely by virtue of said Section 895.2. The rules set forth in Civic Code Section 2778 are hereby made a part of these By Laws.

Article VIII
AMENDMENTS

- A. Amendments to these By Laws may be proposed by an official representative, or SBCAG staff. Amendment proposals shall be submitted to each member of SBCAG and its Executive Director at least fifteen (15) days before its next regular meeting.
- B. A two-third's majority of the total number of official representatives shall be required to adopt an amendment to these By Laws.

Article IX
EFFECTIVE DATE

- A. These By Laws shall go into effect upon the date of their adoption by SBCAG.