



SALTON COMMUNITY SERVICES DISTRICT ARCHITECTURAL COMMITTEE BYLAWS

1. OFFICER OF THE ARCHITECTUARL COMMITTEE

- 1.1 The officer of the Architectural Committee is the Chairman.
- 1.2 The Chairman of the Architectural Committee shall serve as chairperson at all Architectural Committee meetings. The Chairman shall have the same rights as the other members of the Committee in voting, introducing architectural plans, recommendations for changes to CC&R's to the Board of Directors and ordinances, and any discussion.
- 1.3 In the absence of the Chairman, the Committee Secretary shall serve as chairperson over all meetings of the Architectural Committee. If the Chairman and Committee Secretary are both absent, the remaining members shall select one amongst themselves to act as chairperson for the meeting.
- 1.4 The Chairman and all members of the Architectural Committee shall be selected and voted in by the Board of Directors.

2. MEETINGS

- 2.1 Regular meetings of the Architectural Committee shall commence at 9:30 a.m. on the second Thursday of each calendar month in the District Office located at 1209 Van Buren Ave. Suite 1, Salton City unless otherwise directed by the Board of Directors.
- 2.2 Members of the Architectural Committee shall attend all regular and special meetings of the committee unless there is good cause for their absence.
- 2.3 No Committee action may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act.
- 2.4 Pursuant to the Brown Act:

- a. Committee Members may briefly respond to statements or questions from the public; and
 - b. Committee Members may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information,
 - c. The Chairman or a Committee majority in open session may take actions to direct secretary to place a matter on a future agenda.
- 2.5 The Chairman shall conduct all meetings in a manner consistent with the policies of the SCSD. All comments shall be directed to the Chairman. The Chairman shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Committee and shall announce the Committee's decision on all subjects. The Chairman shall vote on all motions except in the case of a conflict of interest. On roll call votes, the maker of the motion shall be called first, the Committee member seconding the motion shall be called second, and the remainder are polled with the Chairman voting last, unless the Chairman made the motion or seconded the motion.
- 2.6 A majority of the Committee shall constitute a quorum for the transaction of business. A majority of the committee is sufficient to do business, however motions must be passed unanimously if only three attend. When there is no quorum for a regular meeting, the Chairman, or any Committee member shall adjourn such meeting, or, if no Committee member is present, the Committee Secretary shall adjourn the meeting.
- 2.7 A roll call vote shall be taken upon votes on ordinances and architectural plans, and shall be entered in the minutes of the Committee showing those Committee members voting aye, voting no, and those abstaining or absent. Unless a Committee member states that they are not voting because of a conflict of interest and steps down from the dais prior to the discussion of the items, his or her silence shall be recorded as an affirmative vote and vote of abstention shall be recorded as an abstention.
- 2.8 Any person attending a public meeting of the Architectural Committee may record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.9 All video tape recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated from behind the public speaker's podium once the meeting begins. The Chairman retains the discretion to alter these guidelines, including the authority to require that all video tape recorders, still and/or motion picture cameras be located in the back of the room.

3. AGENDAS

- 3.1 The Committee Secretary, in cooperation with the Chairman and/or General Manager shall prepare an agenda for each regular and special meeting of the Architectural Committee. Any Member may call the Committee Secretary and request an item to be placed on the regular meeting agenda no later than 3:30 p.m. two weeks prior to the meeting date. The General Manager shall establish a SCSD Policy to guide staff in preparation of meeting agendas.
- 3.2 A block of not to exceed 30 minutes time shall be set aside to receive general public comments. Comments on agenda items should be held until the appropriate item is called. Unless otherwise directed by the Chairman, members of the public shall state their name and their general place of residence prior to giving their comment. Public comment shall be directed to the Chairman of the Committee and limited to three (3) minutes unless extended or shortened at the Chairman's discretion.
- 3.3 Those items on the Architectural Committee Agenda, which are considered to be of a routine and non-controversial nature, are placed under "Consent Calendar Items". These items shall be approved, adopted, and accepted, etc. by one motion of the Committee Members. For example, approval of Minutes, approval of Recommendations, accepting developer improvements, Architectural Packet Approvals.
 - a. Committee members may request that any item listed under "Consent Calendar" be removed from the "Consent Calendar", and the Committee will then take action separately on that item. A member of the public will be given an opportunity to comment on the "Consent Calendar", however, only a member of the Committee for discussion, will typically be heard after other "Consent Calendar" items are approved unless the Chairman orders an earlier or later time.
 - b. A Committee member may ask questions on any item on the Consent Calendar. When a Committee member has a minor question for clarification concerning a consent item, which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with the rest of the "Consent Calendar". Committee members are encouraged to seek clarifications prior to the meeting if possible.
 - c. When a Committee member wishes to pull an item simply to register a dissenting vote, the Committee member shall inform the presiding officer that they wish to register a dissenting vote without discussion. These items will be handled along with the rest of the Consent Calendar, and the Committee Secretary will register a "NO" vote in the minutes.

4. PREPARATION OF MINUTE AND MAINTENANCE OF TAPES

- 4.1 The minutes of the Committee shall be kept by the Committee Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted in paragraphs with proper subheadings;
- 4.2 The Committee Secretary shall be required to make a record only of such business as was actually passed upon by a vote of the Committee and except as provided in Section 4.3 below, shall not be required to record any remarks Committee members or any other person;
- 4.3 Any Member may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item(s) is discussed.
- 4.4 Written materials delivered to the Committee at the meeting that were not contained in the Committee Agenda Packet for review by the Committee prior to the meeting shall not be included in the meeting minutes.
- 4.5 The Committee Secretary shall attempt to record the names and general place of residence of persons addressing the Committee, the title of the subject matter to which their remarks relate, and whether they spoke in support or opposition of such matter;
- 4.6 Whenever the Committee acts in a quasi-judicial proceeding such as in assessment matters, the Committee Secretary shall compile a summary of the testimony of the witnesses.
- 4.7 Any electronic media of a SCSD meeting made for whatever purpose, by direction of the SCSD, shall be subject to inspection pursuant to the California Public Records Act. SCSD tape and film records may be erased thirty (30) days after the taping or the recording.

5. MEMBER OF THE ARCHITECTURAL COMMITTEE

Members shall prepare themselves to discuss agenda items at the meeting of the Architectural Committee. Information may be requested from staff or exchanged between Members before meetings.

- 5.1 Information that is exchanged before meetings shall be distributed through the Committee Secretary, and all Members will receive all information being distributed.
- 5.2 Members shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Committee meetings.
- 5.3 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 Architectural Committee takes action, Members should not create barriers to the implementation of said action.

- 5.4 At the Chairman and/or General Manager's discretion, the District Counsel shall act as parliamentarian.

6. AUTHORITY OF ARCHITECTURAL COMMITTEE MEMBERS

- 6.1 This the unit of authority within the SCSD. Apart from their normal function as part of this unit, Members have no individual authority. As individuals, Members may not commit the SCSD to any policy, act or expenditure.
- 6.2 Members do not represent any fractional segment of the community, but are, rather, a part of the body, which represents and acts for the community as a whole.
- 6.3 The primary responsibility of the Architectural Committee is the approval/denial of architectural plans and amendment recommendations to the Board of Directors.

7. MEMBER GUIDELINES

- 7.1 Committee members, by making a request to the General Manager, shall have access to information relative to the Architectural Committee, including but not limited to statistical information, information regarding certain properties within the District etc. If the General Manager cannot provide the requested information in a timely manner, a reason of information deficiency, or major interruption of work schedules, workloads, and priorities, then the General Manager shall inform the individual Committee member why the information is not or cannot be made available.
- 7.2 In handling complaints from residents, property owners within the SCSD, or other members of the public, Committee Members are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and the SCSD's response, if any.
- 7.3 Members, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, and programming, should confer directly with the General Manager.
- 7.4 When approached by SCSD personnel concerning specific SCSD policy, Members should direct inquiries to the General Manager. The chain of command should always be followed.
- 7.5 Members and General Manager should develop a working relationship so that current issues, concerns and SCSD projects can be discussed comfortably and openly.
- 7.6 When responding to constituent requests and concerns, Members should respond to individuals in a positive manner and route their questions and/or concerns to the General Manager, or in their absence, to the Committee Secretary.

8. MEMBER COMPENSATION

8.1 Architectural Committee Members are not compensated for their time. Committee Members have agreed to volunteer their time.

9. CORRESPONDENCE DISTRIBUTION POLICY

Time permitting, pertinent and necessary documents shall be accumulated and delivered to the Architectural Committee with agenda packets. The General Manager shall establish policy and procedures for receiving, processing and distribution of SCSD correspondence.

10. CONFLICTS AND RELATED POLICY

State laws are in place, which attempt to eliminate any action by a Committee member or the SCSD that may reflect a conflict of interest. The purpose of such laws and regulations is to insure that all actions are taken in the public interest. Law, which regulate conflicts, are very complicated. The following provides a brief policy summary of various conflict related laws.

10.1 Conflict of Interest

Each Member is encouraged to review the SCSD Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: (1) reasonably foreseeable that the decision will have a (2) material financial effect on the (3) official or a member of his or her family or on an economic interest of the official, and (4) the effect is distinguishable from the effect on the public generally. Additionally, the FPPC regulations relating to interests in real property have recently been changed. If the real property in which the Member has an interest is located within 500 feet of the boundaries of the property affected by decision, that interest is now deemed to be directly involved in the decision.

10.2 Interest in Contracts, Government Codes Section 1090

The prohibitions of Government Code Section 1090 provide that the Architectural Committee Member may not contract with any business in which another Committee member has financial interest.

10.3 Incompatible Office

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent

actions, to the detriment to the other public interest, their discharge by one person is incompatible with that interest.

11. RESTRICTIONS ON RULE

The rules contained herein are guidelines and shall govern the Committee in all cases to which they are applicable, and in which they are not inconsistent with State and Federal laws.



SALTON COMMUNITY SERVICES DISTRICT ARCHITECTURAL COMMITTEE BYLAWS

By signing below, I attest that I have received a copy of the Salton Community Services District Bylaws. I affirm that as a Member of the Salton Community Services Architectural Committee, I will abide by these Bylaws.

_____ Mike Friese, Chairperson	_____ Date
_____ John Connelly	_____ Date
_____ Debbie Bird	_____ Date
_____ Carlene Ness	_____ Date
_____ Eva Angel	_____ Date