

**BY-LAWS OF  
THE ATWATER REDEVELOPMENT ADVISORY COMMITTEE  
Updated January 2007**

**ARTICLE I - THE COMMITTEE**

**Section 1: Name of Committee**

The name of the committee shall be the "Atwater Redevelopment Advisory Committee," herein referred to as the "Advisory Committee."

**Section 2: Purpose**

The Advisory Committee shall provide for private citizen advice to the Executive Director or designee (Director) and Redevelopment Agency Board of Directors on matters relating to the development and conduct of the Atwater Redevelopment Project in the City of Atwater. In order to accomplish the purpose, the Advisory Committee shall:

- A. Consult with and advise the Director and Redevelopment Agency Board of Directors on policy matters which affect owners, residents, and businesses in the Project area and which deal with the planning and provision of residential facilities or replacement housing for those residents to be displaced by Project activities (amended 7-12-99).
- B. Gather information and serve as a communication link between the Director, Redevelopment Agency Board of Directors, and Project area owners, residents and business-persons; keep owners, residents, and business-persons informed of the various elements included or to be included in the Redevelopment Plan for the Project area; and relay the owners', residents', and/or business-person's problems, concerns, and suggestions to the Director and Redevelopment Agency Board of Directors (amended 7-12-99).
- C. Participate in the Project process by reviewing and evaluating Project activities and making advisory recommendations as necessary and appropriate to the Director and Redevelopment Agency Board of Directors. (amended 1-22-2007)

**Section 3: Membership**

- A. Selection: The Advisory Committee shall consist of five (5) members, appointed by the Redevelopment Agency Board of Directors. (amended 1-22-2007).
- B. Qualification: The Advisory Committee shall be composed of at least three (3) members selected from the following groups from within the Project Area:

- (1) Business Persons (Owners of the Business and Physical Property)
- (2) Business Persons (Owner of the Business but Tenants of the Property)
- (3) Residential Property Owner (May be owners single family or multi-family units and does not have to live within the units or the Project Area)
- (4) Residential Tenants (Renter or Lessee)  
(amended 1-22-2007)

The Redevelopment Agency Board of Directors may also select up to two (2) "at large members." Said members shall reside within the incorporated city limits of the City of Atwater, they may be property owners or tenants. The "at large members" shall be chosen in recognition of their commitment to professional or public service in the community, economic development activities, involvement with community beautification - enhancement, or other community volunteering activities (amended 10-23-2000).

If a member is selected to the Redevelopment Advisory Committee based upon any criteria other than the two (2) "at large members" and he/she ceases to qualify on one of these basis (e.g., by removal of residence or business, sale of property or business, or termination of business, his/her membership shall be deemed vacated. In the event an "at large member" ceases to reside within the incorporated City Limits of the City of Atwater his/her membership shall be deemed vacated. Membership on the Advisory Committee shall terminate in the event that the member shall have been absent from the number of meetings specified in these by-laws. Any vacancy shall be filled by appointment by the Redevelopment Agency Board of Directors (amended 10-23-2000).

- C. Project Area Boundaries: The Project area boundaries are those which have been adopted as the official boundaries of the Redevelopment Agency's redevelopment project.
- C. Membership Term: Members are to be appointed by the City Council acting as the Redevelopment Agency Board of Directors. The initial membership shall consist of three members for two-year terms and two members for one (1) year term, to be decided by lot. After expiration of initial membership, all Advisory Committee members shall serve for a term of two (2) years. Term shall expire December 31 of the year of expiration (amended 7-12-99).

**ARTICLE II - OFFICERS**

**Section 1: Officers**

- A. The officers of the Advisory Committee shall be the Chairperson and the Vice-Chairperson. The secretary of the Advisory Committee shall be appointed by the Advisory Committee.
- B. The Chairperson and Vice-Chairperson of the Advisory Committee shall be elected by the Advisory Committee members at its first meeting in January of each year (amended 10-29-90).

**Section 2: Chairperson**

- A. The Chairperson shall preside at all meetings of the Committee and sign all documents necessary to carry out the business of the Committee. At each meeting the Chairperson shall submit such recommendations and information as he/she may consider proper concerning the business, affairs and policies of the Committee. (amended 1-22-2007)

**Section 3: Vice Chairperson**

In the absence or disability of the Chairperson, the Vice-Chairperson shall perform all of the duties of the Chairperson, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice-Chairperson shall have such other powers and perform such other duties as from time to time be granted or fixed by the members or the by-laws.

**Section 4: Secretary**

The Secretary shall keep the records of the Advisory Committee, shall act as secretary of the meetings of the Members and record all votes, and shall keep a record of the proceedings of the Members in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his or her office. The Director shall appoint a secretary for the Committee. (amended 1-22-2007)

**Section 5: Additional Duties**

The officers of the Committee shall perform such other duties and functions as may from time to time be required by the Members or the by-laws or rules and regulations of the Committee.

**ARTICLE III - MEETINGS**

**Section 1: Regular Meetings**

The Advisory Committee shall meet regularly on the third Thursday of each month, at the hour of 4:00 PM, in the City Council Chambers City Hall, 750 Bellevue Road, or such location as may be designated by the Executive Director. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be held on the next business day thereafter ensuing that is not a legal holiday. Notice of all regular meetings shall be dispensed with, except as may be determined by the members of the Advisory Committee (amended 4-9-2001).

**Section 2: Special Meetings**

Special meetings may be held upon call of the Chairperson or of the majority of the membership of the Advisory Committee, for the purpose of transacting any business designated in the call, after notification of all members of the Advisory Committee by written notice personally delivered or by mail at least 72 hours before the time specified in the notice for a special meeting. Additionally, the Chairperson shall be responsible for the posting of said notice publicly outside the City Council Chambers located at City Hall, 750 Bellevue Road in Atwater at least 72 hours prior to the time specified in the notice for the meeting. At such special meetings, no business other than that designated in the call shall be considered.

**Section 3: Adjourned Meetings**

Any meeting of the Advisory Committee may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting providing the adjournment indicates the date, time and place of the adjourned meeting. Advisory Committee members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

**Section 4: All Meetings to be Open and Public**

All meetings of the Advisory Committee shall be open and public. Nothing contained in these by-laws shall be construed to prevent the Advisory Committee from holding executive sessions during a meeting concerning any matter regarding City and/or Agency personnel designated by the City Council to aid the Advisory Committee, any matter pertaining to present, future, or potential litigation.

**Section 5: Quorum**

The powers of the Advisory Committee shall be vested in the members thereof in office from time to time. A majority of the Advisory Committee membership shall constitute a quorum for the purpose of conducting the Advisory Committee business, exercising its powers and for all other purposes, but less than a majority of the Advisory Committee membership may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members of the Advisory Committee shall be required for approval of any question brought before the Advisory Committee.

**Section 6: Rules of Order**

All business and matters before the Advisory Agency shall be transacted in conformance with the Robert's Rules of Order (newly revised).

**Section 7: Attendance**

Any member who, without good cause as determined by the Advisory Committee, shall be absent from three consecutive regular meetings, or three meetings in a six month period, shall be deemed to have vacated his/her membership.

**Section 8: Order of Business**

The following shall be the order of business at regular meetings of the Advisory Committee:

- A. Call to Order
- B. Roll Call
- C. Comments from the Public
- D. Approval of Minutes
- E. Financial Report
- F. Communications
- G. Director's Report
- H. Items Requiring Advisory Committee Action
- I. New Business
- J. Business from the Floor
- K. Adjournment

**Section 9: Minutes**

Minutes of the Advisory Committee shall be in writing. Copies of the minutes of each Advisory

Committee meeting shall be made available to each member of the Advisory Committee, and Executive Director. Approved minutes shall be filed in the official book of minutes of the Advisory Committee.

**ARTICLE IV - SUBCOMMITTEE**

**Section 1: Establishment**

The Advisory Committee shall have the authority to, and may, establish subcommittees as necessary to accomplish the purposes set forth in Section 2 of Article I of these by-laws. (amended 1-22-2007)

**Section 2: Membership**

A. Each subcommittee shall be composed of at least three (3), but not more than seven (7) members selected from the following groups from within the Project area:

- (1) Business persons (Owners)
- (2) Business persons (Tenants)
- (3) Residential Owner-Occupants
- (4) Residential Tenants

(amended 1-22-2007)

B. Each member shall serve for a term of two years, with the initiated membership's term beginning July 1, 1988. Each new member, thereafter, shall serve two years from the date of appointment. Term shall expire December 31 of the year of expiration (amended 10-29-90).

C. Membership on any subcommittee shall terminate in the event that the member shall have three consecutive unexcused absences from regular meetings, or three meetings in a six month period (amended 1-22-2007).

**Section 3: Appointment of Membership**

Members on a subcommittee shall be appointed by the Redevelopment Agency Board of Directors.

**Section 4: Officers and Meetings**

Subcommittee Chairpersons shall be designated by the Chairperson of the Advisory Committee from among the Advisory Committee members. Each subcommittee shall elect a Vice-Chairperson and such other officers as necessary, and shall establish the date, time and place for meetings to conduct the subcommittee's business. The Vice-Chairperson shall perform all duties of the Chairperson in the absence or incapacity of the Chairperson, except performance of the Chairperson's responsibilities on the Advisory Committee.

**Section 5: Subcommittee Reports**

From time to time, the subcommittee shall submit written reports to the Advisory Committee. The reports shall summarize the subcommittee's activities, findings, and/or recommendations on matters for which the subcommittee was established.

**ARTICLE V - AMENDMENTS**

**Section 1: Amendments of By-Laws**

The By-Laws of the Advisory Committee shall be amended upon the affirmative vote of at least three-fifths (3/5) of the membership of the Redevelopment Agency Board of Directors at a regular or special meeting, but no such amendment shall be adopted unless at least seven days written notice thereof has previously been given to all members of the Advisory Committee, and its subcommittees. Notice of amendment shall identify the section or sections of the by-laws proposed to be amended.

**ARTICLE VI - CONFLICT OF INTEREST**

**Section 1: Conflict of Interest: Advisory Statement**

No member of the Advisory Committee or Subcommittees should participate or vote on any matter which involves the purchase, lease or development of property within the project area in which the member has a direct or indirect interest.

For the purposes of this section, the term "direct or indirect interests" shall be defined to include, but not be limited to, any monetary interest in property, or benefit arising from the sale, lease, mortgage, or disposition of property, owned by, in trust for, or subject to inheritance by a member of the Committee, his or her spouse, his or her children, and his or her parents.