

Sub 4

HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT

ORDINANCE NO. 6

AN ORDINANCE ESTABLISHING
PROCEDURES FOR THE CONDUCT
OF MEETINGS, ELECTION OF
OFFICERS AND THE PASSAGE OR
APPROVAL OF ORDINANCES AND
RESOLUTIONS FOR THE HUMBOLDT
BAY HARBOR, RECREATION AND CONSERVATION
DISTRICT

THE BOARD OF HARBOR COMMISSIONERS OF THE HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT, DOES HEREBY ORDAIN AS FOLLOWS:

ARTICLE I
THE DISTRICT

SECTION 1. NAME OF DISTRICT. The name of the District shall be
the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

SECTION 2. SEAL OF DISTRICT. The Seal of the District shall be
in the form of two concentric circles with the words HUMBOLDT BAY HARBOR,
RECREATION, AND CONSERVATION DISTRICT in the form as affixed on the last
page of these By-Laws.

SECTION 3. OFFICE OF DISTRICT. The Office of the District shall
be at 1122 Fifth Street, Eureka, CA 95501, until otherwise provided
by Resolution.

ARTICLE II
OFFICERS

SECTION 1. OFFICERS. The Officers of the Board of Commissioners
shall be a Chairman, a Vice-Chairman and a Secretary.

SECTION 2. CHAIRMAN. The Chairman shall preside at all meetings
of the Board of Commissioners of the District. Except as otherwise
authorized by Resolution of the Board of Commissioners, the Chairman
shall sign all contracts, and other instruments for and on behalf of
the District. No contract or deed or lease or similar document shall
be signed without the approval of the Attorney for the District as to
form and legality.

SECTION 3. VICE-CHAIRMAN. The Vice-Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman the Vice-Chairman shall perform such duties as are imposed on the Chairman until such time as the Board of Commissioners shall elect a new Chairman.

SECTION 4. SECRETARY. The Secretary of the Board of Commissioners shall keep the records of the District, shall act as Secretary of the meetings of the Board of Commissioners of the District and record all votes, and shall keep a record of the proceedings of the Board of Commissioners of the District in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office. The Secretary shall keep in safe custody the Seal of the District and shall have power to affix such Seal to all Resolutions and ordinances adopted by the District and to all contracts and instruments authorized to be executed for and on behalf of the District.

SECTION 5. ADDITIONAL DUTIES. The Officers of the Board of Commissioners of the District shall perform such other duties and functions as may from time to time be required by the Board of Commissioners of the District or the By-Laws or rules and regulations of the District or by the applicable Statutory Law of California.

SECTION 6. ELECTION OF OFFICERS. The Chairman, Vice-Chairman and Secretary shall be elected at the annual meeting of the Board of Commissioners of the District from among the members of said Board of Commissioners, and shall hold office for one year or until their successors are elected and qualified. All Officers shall serve during the pleasure of the Board of Commissioners of the District.

SECTION 7. VACANCIES. Should the offices of Chairman or Vice-Chairman or Secretary become vacant, the Board of Commissioners of the District shall elect a successor from the members of the Board of Commissioners at the next regular meeting, and such election shall be for the unexpired term of said office or until a successor is otherwise elected by the Board of Commissioners of the District to replace such Officer.

SECTION 8. ADDITIONAL PERSONNEL. The Board of Commissioners of the District may from time to time employ a Chief Executive Officer, an auditor, an Attorney, a clerk, a treasurer, a Chief Engineer, a Planner, and other personnel as it deems necessary to the exercise of its powers, duties and functions as prescribed by the laws of the State of California applicable thereto. The selection and compensation of all such personnel shall be determined by the Board of Commissioners of the District subject to applicable laws of the State of California and federal laws, rules and regulations applicable thereto.

ARTICLE III
MEETINGS

SECTION 1. ANNUAL MEETING. The annual meeting of the Board of Commissioners of the District shall be held on the Fourth (4th) Thursday of January of each year at 7:30 o'clock P.M. at the Office of the District.

SECTION 2. REGULAR MEETING. Regular meetings shall be held without notice on the 2nd and 4th Thursday of each month at 7:30 o'clock P.M. at the Office of the District, until otherwise provided by Ordinance or Resolution of the Board of Commissioners of the District. In the event a regular meeting day shall be a legal holiday, said meeting shall be held on the next succeeding Thursday.

SECTION 3. SPECIAL MEETINGS. The Chairman of the District may, when he deems it expedient, and shall, upon the written request of any two of the members of the Board of Commissioners of the District, call a Special Meeting of the Board of Commissioners for the purpose of transacting any business designated in the call. The call for a Special Meeting shall be mailed or delivered personally to each member of the Board of Commissioners of the District at least twenty-four (24) hours prior to the date and time of such Special Meeting and a notice thereof shall be posted at the District Office in such a manner as to be accessible to the general public and a copy thereof shall be delivered to The Times-Standard, a newspaper of general circulation, circulated in the County of Humboldt and to such other news media requesting any such notice at least 24 hours prior to such Special Meeting. In addition, such further notice shall be given as required by the applicable laws of the State of California. At such Special Meeting no business shall be considered other than as designated in the call.

SECTION 4. OPEN MEETINGS. All of the meetings of the Board of Commissioners shall be open to the public, whether regular or special (except as otherwise authorized under the laws of the State of California), and shall otherwise be held pursuant to the applicable laws of the State of California.

SECTION 5. QUORUM. The powers of the District shall be vested in the Board of Commissioners thereof in office from time to time. Three members of the Board of Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until taken by the Board of Commissioners present except in those cases where four-fifths or unanimous action of the Board of Commissioners is required by law and as otherwise provided for herein. Ordinances shall be passed by an affirmative vote of three (3) members of the Commission. Resolutions shall be passed by an affirmative vote of a majority of the Commissioners present. Motions other than a Resolution or Ordinance shall be passed by an affirmative vote of the majority of the Commissioners present and voting thereon.

SECTION 6. ORDER OF BUSINESS. At the regular meetings of the Board of Commissioners of the District the following shall be the order of business.

1. Roll Call.
2. Approval of the minutes of the previous meeting.
3. Bills and communications.
4. Report of the Chairman.
5. Reports of Committees.
6. Unfinished business.
7. New business.
8. Adjournment.

All Resolutions shall be in writing and shall be kept in a journal of the proceedings of the Board of Commissioners of the District. All Ordinances shall be adopted and published as required by law.

SECTION 7. ROLL CALL VOTE ON RESOLUTIONS AND ORDINANCES. The voting on all Resolutions and Ordinances coming before the Board of Commissioners of the District shall be by roll call, and the ayes and noes shall be entered upon the minutes of such meeting, except on the election of officers of the Board of Commissioners which may be by ballot.

ARTICLE IV
AMENDMENTS

SECTION 1. AMENDMENTS TO BY-LAWS. The By-Laws of the Board of Commissioners of the District shall be amended only with the approval of at least three members of the Board of Commissioners of the District at a regular or special meeting.

ARTICLE V
PASSAGE OF ORDINANCES

SECTION 8. PASSAGE OF ORDINANCES.

(a) Ordinances, resolutions, and other matters or subjects requiring introduction shall be introduced and sponsored by a member of the Commission, except that the Chief Executive Officer or District Counsel may present ordinances, resolutions, and other matters or subjects to the Commission and any Commissioner may assume sponsorship thereof by moving that such ordinances, resolutions, or other matters or subjects be adopted.

(b) Ordinances shall not be passed within five (5) days of the introduction nor at other than a regular meeting.

(c) All ordinances shall be read before introduction and passage. Passage shall never be made on the same day nor within five (5) days of introduction. Except when further reading waived by regular motion adopted by the unanimous vote of the Commissioners present after the reading of the title, ordinances shall be read in full.

(d) Within fifteen (15) days after the passage of an ordinance, the Chief Executive Officer shall cause each ordinance to be published at least once in some daily newspaper of general circulation printed and published in the District pursuant to the provisions of Section 21, Appendix 2, of the Harbors and Navigations Code of State of California.

THIS ORDINANCE PASSED AND ADOPTED THIS 8th DAY OF APRIL, 1976, BY THE BOARD OF HARBOR COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BY THE FOLLOWING POLLED VOTE:

AYES: Commissioner Startare
Commissioner Gast
Commissioner Christensen
Commissioner Ridenhour

NAYES: None

ABSENT: Commissioner Davenport



William J. Startare, President

ATTEST:



Richard L. Ridenhour, Secretary