

**BY-LAWS**  
**CENTRAL SECTION, CALIFORNIA CHAPTER**  
**AMERICAN PLANNING ASSOCIATION**

**ARTICLE 1: NAME AND AREA SERVED**

The name of this Section of the American Planning Association shall be CENTRAL SECTION, California Chapter of the American Planning Association. The area served by the Section shall be Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Mono, Stanislaus, Tulare and Tuolumne Counties.

**ARTICLE 2: PURPOSES**

The purpose of the Central Section shall be to carry out the objectives of promoting planning related activities and continuing education functions, as follows:

- A. To provide a forum for communication and exchange of information among those engaged or interested in planning related activities;
- B. To provide membership awareness and involvement in the affairs of the Association;
- C. To increase public awareness of the importance of planning;
- D. To provide continuing education for Section members; and
- E. To encourage a high degree of professionalism in the conduct of its members.

The purpose may be generally coordinated with the California Chapter of the American Planning Association.

**ARTICLE 3: MEMBERSHIP**

**3.1 National APA Membership**

Any national APA member whose address of record is located in the Section area, as provided by the member to the national APA office, shall automatically be a member of the Section. Full Section membership is terminated when a name no longer appears on the national register of members in good standing.

### 3.2 California Chapter-Only Membership

"California Chapter-Only" are individuals interested in furthering the purpose of the Chapter. In accordance with Chapter By-Laws, these members may not hold the Chapter offices of President or Vice President of Professional Development. Chapter Only members will receive all Chapter and Section publications, and all other services rendered by the Central Section or the California Chapter. Chapter-Only members will not be eligible to be a member of AICP, as prescribed by APA and the AICP By-Laws.

### 3.3 Section-Only Membership

"Central Section-Only" members are individuals interested in furthering the purpose of the Section. In accordance with Section By-Laws, these members may not hold the Section offices of Section Director or Assistant Section Director. Section-Only members will receive all Section publications, and all other services rendered by the Central Section. Section-Only members will not be eligible to be a member of AICP, as prescribed by APA and AICP By-Laws.

## ARTICLE 4: OFFICERS AND EXECUTIVE BOARD

### 4.1 Elected Officers

The elected officers of the Section shall be:

Section Director

Assistant Section Director

Director for Administration and Finance —

Director for Professional Development

Director for Public Information *Newsletter*

Director for Legislative Affairs > *programs*

Director for Membership

*Treasurer*

### 4.2 Executive Board

The Elected Officers described in Section 4.1, the Student Representative described in Section 4.4, the Past Section Director described in Section 4.11.I., and the Division Directors as described in Section 4.11.J. shall constitute the Executive Board for the Central Section.

### **4.3 Appointed Officials**

Additional Section officials may be appointed to serve at the discretion of the elected officers in the accomplishment of section duties. These officials may be appointed to fulfill specific committee duties, such as:

- Newsletter Editor
- Awards Committee Representatives
- Nomination Committee Representatives
- Other Committee Representatives, as required

Appointed officials are not eligible to vote on matters taken up by the Executive Board.

### **4.4 Student Representative**

The Student Representative shall be a full-time student enrolled in eight (8) units or more per semester/quarter. The student shall be engaged in planning or related course work. The Executive Board shall request a nomination from the following colleges: Fresno State University, Bakersfield State University and Stanislaus State University. Selection shall be made by appointment of the Section Director with concurrence of the Executive Board.

### **4.5 Term of Office**

The term of office of the Central Section Elected Officers shall be two (2) years, commencing on July 15th. The term of the Section Director, Assistant Section Director, Past Section Director and Director for Administration and Finance shall begin on July 15 of odd-numbered years. The term of Director for Professional Development, Director for Public Information, Director for Legislative Affairs and Director for Membership shall be for two (2) years, beginning July 15 of even-numbered years. The Division Directors shall serve for one (1) year beginning on July 15. The Student Representative shall serve for one (1) year, commencing October 1st.

### **4.6 Nominating Committee**

A Nominating Committee of not less than three (3) Section members shall be appointed by the Assistant Section Director prior to March 1st of each year. The Nominating Committee shall actively solicit nominations and shall review all nomination petitions submitted by candidates running for office to verify authenticity of signatures and compliance with minimum qualifications.

Any Section member (including incumbent Executive Board members) seeking an elected officer position, shall submit to the Nominating Committee a petition which includes the candidate's name and specific position being sought, address of membership, work or daytime telephone number and signature. Candidates may also submit for publication on or prior to May 1st, a candidate's statement not exceeding one (1) page in length, 8-1/2 inches by 11 inches.

The Nominating Committee shall submit all candidates meeting the minimum qualifications for inclusion on the election ballot. For those positions without candidates (if any), the Nominating Committee shall select and submit candidate names.

Elections shall be conducted by Section balloting prior to June 20th of each year with officers taking their elected position by the dates prescribed in Section 4.5.

#### **4.7 Vacancies**

The Section Director, with the concurrence of at least 50 percent of the Executive Board, shall fill vacancies of Section Officers occurring during the year. Officers so appointed shall serve the unexpired terms of their predecessor in office. In the event that the vacancy occurs in the position of Section Director, the Assistant Section Director shall assume the position until the Executive Board meets and confirms the appointment as Section Director with the concurrence of at least 50 percent of the Board. If the Assistant Section Director is not confirmed, the Executive Board shall appoint an elected officer with the concurrence of at least 50 percent of the Board, or call an election.

In the event no one is elected to a particular position of the Executive Board during the annual election, the Section Director, with the concurrence of at least 50 percent of the Board, shall appoint a member in good standing to fill the position within thirty (30) days of the Section Election.

#### **4.8 Non-performance of Officers**

Any elected officer may be removed from office for non-performance upon a motion adopted by two-thirds (2/3) of the Executive Board. A motion will require that:

- A. The grounds for non-performance must be submitted to the Executive Board. These may include: Non-attendance at three (3) or more Board or Committee meetings, failure to execute adopted programs, incurring legal liability for the Section based on dilatory performance of duties, or other criteria that may be added to this subsection.

- B. Due process will consist of at least two (2) consecutive board meetings to conclude a motion. The first of these will be to consider submission of the response by the Officer so charged. The Executive Board will then sustain or deny the motion.

#### **4.9 Eligibility to Vote and/or Hold Office**

Those eligible to vote in elections for Section Officers and/or hold office as a Section Officer shall be all Members of the Section, as defined in Article 3.

#### **4.10 Voting Procedure**

Voting for Section Officers shall be by secret ballot mailed not less than ten (10) days prior to the date specified for the return of the ballot. "Write-in" candidates will be accepted as legitimate candidates running for office as long as they meet minimal qualifications as determined (when disputed) by the Executive Board.

The Nominating Committee shall be responsible for counting and verifying the votes. If a "write in" candidate is elected, the Nominating Committee shall determine if the candidate meets the minimum qualifications for the office. The Nominating Committee shall notify the Executive Board within 30 days as to the results of the election.

#### **4.11 Duties of Section Officers**

##### **A. Section Director**

The duties of the Section Director shall be:

- 1) To preside at Board Meetings;
- 2) To appoint, with consent of the Executive Board, all Section committees;
- 3) To represent the Section at official functions;
- 4) To prepare and submit an annual budget to the Executive Board for review and adoption;
- 5) To serve on the California Chapter Board as the Section representative;
- 6) To carry out the policies and programs established by the Executive Board and be responsible for the management of the affairs of the Section; and
- 7) To perform other such duties as are customary to the office of the Director, consistent with these By-Laws;
- 8) To ensure that the Section Director of Administration and Finance is providing year-to-date financial reports to the Chapter on time each quarter, and that the financial records and reports are kept up to date.

**B. Assistant Section Director**

The duties of the Assistant Section Director shall be:

- 1) To preside at all meetings and represent the Section in the absence of the Section Director;
- 2) To coordinate the Section programs with the Divisions of the Section including:
  - a) Develop and maintain an annual calendar of Section events;
  - b) Work with the Division Directors in developing and maintaining local activities;
- 3) To act as the Section Director for the duration of the extended absence or disability of the Section Director;
- 4) To keep the By-Laws in order, serve as parliamentarian, appoint the Nominating Committee, organize the annual elections and coordinate the annual awards program; and
- 5) To perform such other duties as are assigned by the Section Director with the consent of the Executive Board.

**C. Director for Administration and Finance**

The duties of the Director for Administration and Finance shall be:

- 1) To assist the Section Director in developing and distributing the Executive Board meeting agendas;
- 2) To be the treasurer for the Central Section, which shall include the following specific requirements:
  - a) Maintain a working knowledge of QUICKEN, profit and loss statements, balance sheets, and reconciliation procedures;
  - b) Provide quarterly financial reports to the Chapter on a schedule and in a form acceptable to the Chapter;
  - c) Provide at each Board meeting a verbal and written financial report as an agenda item and attachment. The attachment shall include a year-to-date profit and loss statement and balance sheet, a summary of which shall be included in the minutes of the minutes.
- 3) To take and distribute Executive Board minutes;
- 4) To assist the Section Director in developing the Section budget and make financial reports on a regular basis; and
- 5) To disburse Section funds.

#### **D. Director for Professional Development**

The duties of the Director for Professional Development shall be:

- 1) To organize a Section professional development program;
- 2) To coordinate counseling of members desiring to take the AICP exam and supervise programs developed to address professional development needs; and
- 3) To develop annual seminars which address professional development of the Section membership.

#### **E. Director for Public Information**

The duties of the Director for Public Information shall be:

- 1) To arrange for the editing, publishing and distribution of the Section newsletter;
- 2) To solicit, for publication in the Section newsletter, paid business card advertisements from businesses and individuals who provide planning related services;
- 3) To work closely with the Assistant Section Director, Director for Professional Development, and Division Directors to publicize Section activities, and to develop and publish a calendar of such activities;
- 4) To maintain contact with the Chapter Vice President of Public Information and assist in coordinating local arrangements and public information for Chapter programs; and
- 5) To provide pertinent information to the news media.

#### **F. Director for Legislative Affairs**

The duties of the Director for Legislative Affairs shall be:

- 1) To assemble information regarding planning related legislation and litigation at the national, state, and local levels and to prepare summaries of such information for publication in the Section newsletter; and
- 2) To coordinate Chapter-initiated local review of proposed state of national legislation.

#### **G. Director for Membership**

The duties of the Director of Membership shall be:

- 1) To promote membership to prospective members; to welcome new members and transfers; to help resolve membership problems; and
- 2) To maintain a current membership roster; to develop and carry out a process of keeping the Section mailing list current, and provide said list to the Director for Public Information and other Section officers as necessary.

**H. Student Representative**

The duties of the Student Representative shall be:

- 1) To advise the Executive Board concerning student affairs;
- 2) To promote efficient communication between planning students and the Section;
- 3) To improve student/professional interaction at Section programs and activities; and
- 4) To maintain liaison with the Chapter Student Representative.

**I. Past Section Director**

The duties of the Past Section Director shall be:

- 1) To effect a smooth transition from the current administration to the incoming administration;
- 2) To assist the incoming Executive Board with orientation and contact with the Chapter Board; and
- 3) To undertake and seek other assignments as the Executive Board and Past Section Director may find mutually agreeable.

**J. Division Directors**

The duties of a Division Director shall be:

- 1) To provide input to the Executive Board related to the special needs of members in specified regions of the Section; and
- 2) To develop an annual regional budget to be submitted to the Director for Administration and Finance for review and approval by the Executive Board.

**ARTICLE 5: MEETINGS**

**5.1 Executive Board Meetings**

- A. The Section Director may call such meetings as deemed desirable to carry out the purposes and objectives of the Section.

- B. A simple majority of the Executive Board officers, as defined in Section 4.2, shall constitute a quorum for the purposes of transacting business at a meeting of the Executive Board. A majority of those present may take action on any given items unless otherwise specified in the By-Laws.

**ARTICLE 6: SECTION FINANCES**

- A. The Section is a non-profit organization.
- B. The Director of Administration and Finance shall be responsible for collecting income to and paying expenses from the Section Treasury.
- C. The Director of Administration and Finance shall designate a person responsible for each event where money is charged, to collect attendance fees and transmit them to the treasurer.

**ARTICLE 7: DIVISIONS**

**7.1 Purpose and function of the Divisions**

Divisions shall serve to provide members with a tangible local expression of APA purposes and objectives and a vehicle for maximum membership involvement in the affairs of the Association. The Divisions are organized to facilitate the accomplishment of the purpose of the Central Section as set forth in these By-Laws in all matters of interest and concern in the areas served by the Division.

**7.2 Division Service Area**

Within the Section, a Division must serve the membership of at least one (1) county. The Director for Membership shall provide a current mailing list of members residing in the Division.

**7.3 Formation of a Division**

**A. Submission of Petition**

Petitions requesting formation of a Division shall be submitted to the Executive Board of the Central Section signed by at least fifteen (15) members of the proposed Division. The petition shall set forth the following information:

- 1) Area to be included;
- 2) Nomination of a Division Director.

The Executive Board may accept or reject the petition. Should the Executive Board vote to reject the petition, the Board shall identify the reasons for such rejection.

**B. Formation by the Executive Board**

The Executive Board may establish a Division with concurrence of at least 50 percent of the Board. Such action shall include a mission statement for the proposed Division, including geographical area; a preliminary schedule of events and proposed budget; and designation of a Division Director.

**7.4 Division Officers**

**A. Division Director**

Each Division shall elect or appoint a Director from the Division who shall be a member of the Executive Board. The term of office for the Division Director shall be one (1) year commencing on July 15.

**B. Other Division Officers**

Each Division may elect or appoint additional officers to support Division activities. These officers may include, but are not limited to, Assistant Division Director, Division Program Coordinator and Division Treasurer.

**ARTICLE 8: ADOPTION AND AMENDMENT OF BY-LAWS**

**8.1 Adoption**

Adoption of these By-Laws shall be by a two-thirds (2/3) affirmative vote of the Executive Board.

**8.2 Amendment**

Upon authorization of the Executive Board, or upon petition of ten percent of the members of the Section, a proposed amendment to these By-Laws shall be placed on the agenda for a vote by the Executive Board. Adoption of the amendment shall require the affirmative vote of two-thirds (2/3) of the full Executive Board. Unless otherwise specified, the amendment shall become effective as of the affirmative vote.

The Executive Board may also, by a vote of the majority of the Board members, submit any proposed amendment to a vote of the Section membership as a written ballot. Not less than twenty (20) days shall be allowed from the date of mailing the ballot to the date specified for its return. Adoption of the amendment requires a majority of the affirmative written vote of those voting for the amendment.

## **ARTICLE 9: PROCEDURE FOR ESTABLISHING SECTION POLICY**

### **9.1 Section Policies Affecting Internal Affairs**

The Section Director, with the concurrence of the Executive Board, may from time to time, establish policies as necessary for the management of Section internal affairs, consistent with the provisions of these By-Laws.

### **9.2 Section Policies Affecting External Affairs (Public Statements)**

#### **A. Public Statements - Authorization**

No member or officer, elected or appointed, shall represent the Section in making public statements of policy or position, written or oral, without the prior authorization of the Executive Board.

#### **B. Public Statements - Procedure for Determining Policy Position.**

Public statements of Section policy and/or position should:

- 1) Not be made for or against any candidate for public office. Candidates for professional office of a Chapter or National APA level are excluded.
- 2) Be made only if the policy or position:
  - a) Receives a majority affirmative vote of voting Section members. Section members shall vote by mailed ballot, or at a Section meeting if the policy or position statement is placed in the newsletter or mailed to the members with an announcement of the date, time and place of the Section meeting where the vote will take place. The vote may not occur unless at least ten (10) days notice is given.
  - b) If time constraints prevent a vote of the membership, the full Executive Board, by a two-thirds (2/3) affirmative vote, may publicly support a policy or position statement at a regular or special meeting of the Executive Board.

### 9.3 Exclusions

This subsection shall not exclude the Section from participating in other organizations or events wherein public statements of policy or position are made on behalf of or in the name of said other organization or event.

**ADOPTED BY THE CENTRAL SECTION, CALIFORNIA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION ON APRIL 20, 1988. *First Revision: July 28, 1989; Second Revision: July 15, 1994; Third Revision: March 20, 1997.***