

BEACH EROSION AUTHORITY FOR CONTROL OPERATIONS AND NOURISHMENT
BY LAWS

ARTICLE I

NAME, PURPOSE AND GOAL, AND POLICY

Section 1

Name: The name of this organization shall be the Beach Erosion Authority for Control Operations and Nourishment (hereinafter referred to as BEACON).

Section 2

PURPOSE AND GOAL: The various political jurisdictions within the South Coast Littoral Sand Cell (hereinafter referred to as the littoral sand cell) have a strong common interest in the preservation and restoration of our beaches and protection of coastal structures. The maintenance of wide, sandy beaches helps to protect against costly property damage, and further benefits the entire region economically by promoting recreation and tourism. Furthermore, because sand moves throughout the entire littoral sand cell which extends between the Santa Ynez River and Point Mugu, the beach restoration activities undertaken in one area may affect the character of the shoreline in adjoining jurisdictions.

Therefore, the goal of BEACON is to foster greater cooperation toward the maintenance and enhancement of the beaches in the littoral sand cell.

Section 3

POLICY: It is the policy of BEACON to:

- a. Encourage communication regularly with each other on beach protection and restoration matters in order to ensure maximum cooperation;
- b. Promote the restoration of the beaches within the littoral sand cell which are an important economic and recreational resource to the region;
- c. Support maximum replenishment of beach sand through projects such as onshore and offshore sand mining, continuous sand by passing around littoral sand traps, dredging or other methods to obtain sand for beaches; and
- d. Coordinate all beach restoration and shoreline protection projects to maximize benefits to the region, and avoid detrimental effects on adjoining beach areas.
- e. In addition to the incorporated cities mentioned in this agreement, any other coastal city which may hereafter be

incorporated within the boundaries of the Counties of Santa Barbara or Ventura and which may desire to participate in the activities of this organization may do so by executing this agreement and shall thereafter be bound by all of the terms and provisions of this agreement as of the date of execution.

ARTICLE II
OBJECTIVES AND AUTHORITY

Section 1

OBJECTIVES: The primary objectives for which BEACON is created are:

- a. Identify solutions to coastal erosion problems addressed in the needs assessment document and subsequently determined.
- b. Coordinate the use of local, state, federal and private resources.
- c. Facilitate design, financing, construction and maintenance of beach restoration and shoreline protection projects.
- d. Support the collection of analytical data needed to facilitate design projects and to monitor their performance.
- e. Coordinate local government involvement and keep elected officials and citizens informed.
- f. Support the preparation of contingency plans to be ready in emergencies to direct public and private efforts to combat erosion and to take steps necessary to coordinate the protection of public and private property.
- g. Spearhead local government lobbying efforts at the state and federal levels.

Section 2

AUTHORITY: BEACON is authorized to:

- a. Review all member agencies proposals for beach restoration and shoreline erosion control projects for consistency with the regional goals, policies and programs.
- b. Comment on such proposals to member agencies and appropriate State and Federal agencies.
- c. Propose and participate in joint or cell wide projects for beach restoration and shoreline control projects.

- d. Act as agent for regional project applications for beach restoration and shoreline control projects.
- e. Coordinate funding for beach restoration and erosion control projects from private and public sources at the local, State and Federal levels.

Section 3

LIMITATION OF AUTHORITY:

Neither the Beach Erosion Authority for Control Operations and Nourishment nor a majority of the members thereof shall have the authority to impose any plan, duty, obligation or other responsibility upon any Member Agency thereof without the consent of such Agency; further, no Agency shall be required to do anything it does not specifically agree to do. Any recommendations, plans or programs promulgated by BEACON shall be advisory only.

ARTICLE III
MEMBERSHIP AND ORGANIZATION

Section 1

VOTING MEMBERSHIP: Shall be as provided in the Joint Powers Agreement.

Section 2

EX-OFFICIO MEMBERSHIP: Ex-officio members shall be as determined by the Board of Directors and shall participate in BEACON, but will not have voting rights and shall be appointed by the board.

Section 3

OFFICERS:

- a. Election of officers shall be held each calendar year, or upon resignation of an officer.
- b. There shall be a Chair, and Vice Chair.
- c. All officers shall be elected for a term of one year and shall serve until their successors are elected. They shall begin their term of office immediately following election.

- d. Officers shall be nominated from the floor of the Board of Directors and elected by a majority vote of a quorum present at the first meeting of a calendar year.

ARTICLE IV
STANDING COMMITTEES, AND AD HOC COMMITTEES

Section 1

STANDING AND AD HOC COMMITTEES:

- a. The Chair shall have the authority to appoint committees or subcommittees, with confirmation of the appointments made by the Board of Directors.
- b. Standing committees may be appointed to carry out general and continuing functions and may be abolished only upon specific action of the Board of the Directors.
- c. Ad hoc committees may be appointed as the need arises to carry out specific tasks. Upon completion of its assignment, each ad hoc committee shall be disbanded.
- d. Standing or ad hoc committee voting members must be designated representatives. Each member shall be entitled to one vote. Ex-officio members may serve on standing or ad hoc committees but may not vote.
- e. Standing or ad hoc committee members may elect officers by a majority vote.

ARTICLE V
MEETINGS

Section 1

QUORUM:

- a. A quorum for a meeting of the Board of Directors shall be a majority of voting members.
- b. A quorum shall be required for the conduct of any business of a committee. No business shall be conducted by a committee without a quorum. All decisions by a committee shall be by simple majority of the quorum. A quorum shall be two-thirds of the committee members.
- c. Voting shall be as provided in the Joint Powers Agreement.

Section 2

PARLIAMENTARY PROCEDURE: Parliamentary procedure at all meetings shall be governed by Roberts Rules of Order except as otherwise modified by the Joint Powers Agreement or these By Laws.

Section 3

MEETING NOTICE: Meetings shall be noticed as provided for in the Ralph M. Brown Act, commencing with Section 54950 of the California Government Code. Regular meetings shall be held not less than twice per year. Special meetings may be called for by the chair/vice chair or a majority of the Board of Directors.

Section 4

PROXIES: No proxies will be permitted.

ARTICLE VI
INFORMATION, PUBLIC DISCLOSURE, AND EVALUATION

Section 1

INFORMATION AND EVALUATION:

- a. BEACON shall disseminate information concerning its work program and activities. The required information system should be so organized and categorized that it would continue to allow full and efficient use of information by the public and private sectors.
- b. Adequate provision for citizen participation shall be provided as required by law and as directed by the Board of Directors.
- c. The Board of Directors shall appoint a standing committee of its members to perform an annual evaluation of BEACON'S goals, structure, and performance, directed toward continually improving the planning, coordination, and implementation process.

Section 2

RALPH M. BROWN ACT: Notwithstanding any of the provisions of these By Laws to the contrary, all meetings and actions of the Board of Directors shall be subject to the Ralph M. Brown Act, commencing at Section 54950 of the Government Code of the State of California.

ARTICLE VII
STAFFING AND FUNDING

Section 1

STAFFING: The Board of Directors shall have the authority to hire an executive director, consultants, or other staff as it deems necessary to carry out the objectives of the organization.

Section 2

FUNDING: The Board of Directors shall have authority to raise funds as it deems necessary to carry out the objectives of the organization through voting member assessments, public or private grants and entitlements and legislative appropriations. Notwithstanding any of the provisions of these By Laws to the contrary, voting member assessments may be made only upon the unanimous consent of the voting members of the organization.

ARTICLE VIII
HOLD HARMLESS

Section 1

HOLD HARMLESS: BEACON shall defend, indemnify and otherwise hold harmless its directors, staff, committees, and agents from any liability, including legal representation, because of any act or omission incurred during the course and scope of performance of his or her duties except acts of gross neglect.

ARTICLE IX
AMENDMENTS

Section 1

- a. Amendments to these By Laws may be proposed by a designated representative or staff. Amendment proposals shall be submitted to each member of the organization and its staff at least fifteen (15) days before its next regular meeting.
- b. A two-thirds majority of the Board of Directors shall be required to adopt an amendment to these By Laws.