

BY-LAWS  
of  
KENSINGTON MUNICIPAL ADVISORY COUNCIL

ARTICLE 1

Name of the Council

The name of the council shall be the Kensington Municipal Advisory Council (hereinafter referred to as ‘KMAC’).

ARTICLE 2

Duties and Powers

Section 1. KMAC shall advise the Board of Supervisors on land use planning matters affecting the Kensington community (hereinafter referred to as ‘the Community’) such as land use designations, General Plan amendments, environmental impact reports, negative declarations and entitlement applications such as development plans filed pursuant to County Code Chapter 84-74 and requests for variances.

Section 2. KMAC shall also represent the Community before the County Planning Commission, the Zoning Administrator, and the County Board of Supervisors on such land use, planning and zoning matters. In addition, KMAC may: advise the Board of Supervisors on local government services as requested by the Board; provide input and reports to the Board, County staff or any County hearing body on issues of concern to the community; and serve as liaison between the Community and the County Supervisor representing Kensington.

Section 3. It is understood that the Board of Supervisors is the final decision making authority with respect to issues concerning the Community and that KMAC shall serve solely in an advisory capacity. Except as specified above, KMAC may not represent the Community to any state, county, city, special district or school district, agency or commission, or any other organization on any matter concerning the community. In addition, KMAC may not, as a body, take positions on candidates for any public office.

## ARTICLE 3

### Membership

Section 1. KMAC shall consist of five (5) members (“authorized positions”) and two (2) alternates (a First Alternate and a Second Alternate), who shall be residents of the Community, shall have resided there for at least one (1) year prior to assuming office, and who shall be selected and appointed by the Board of Supervisors upon nomination of the Supervisor representing Kensington from lists of nominees submitted by the Kensington Improvement Club, Kensington Property Owners’ Association, and KMAC. Each organization shall only nominate residents having the above-listed qualifications.

Section 2. The First Alternate member shall fill in for any regular member who is absent from all or part of a meeting. The Second Alternate member shall fill in when the First Alternate member is not available or when two regular members are absent.

Section 3. Members shall serve four (4) year terms. Their terms shall be coterminous with the term of office of the Supervisor nominating the Members to the KMAC.

## ARTICLE 4

### Officers

Section 1. The officers of KMAC shall be the Chair, Vice-Chair and Secretary.

Section 2. The Chair shall conduct meetings, develop and distribute agendas, interact with the public and represent the KMAC at hearings of the Zoning Administrator and Planning Commission.

Section 3. The Vice-Chair shall act for the Chair in his or her absence.

Section 4. The Secretary shall record, produce and distribute minutes of the meetings.

## ARTICLE 5

### Meetings and Notice

Section 1. Open public meetings shall be conducted in accordance with the provisions of the “Brown Act” (Government Code Secs. 54950 ff.) including the pre-

meeting posting of the agenda, and the Better Government Ordinance, (Ordinance Code Division 25, commencing with the Section 25-2.202).

Section 2. The regular meetings of KMAC shall be held on the last Tuesday of every month from January through November. An additional Regular meeting shall be held on the first Tuesday of January.

Section 3. The regular meetings shall be held at the Kensington Community Center at 7:00 O'clock in the evening.

Section 4. A quorum shall be a majority of the total number of authorized positions on KMAC, not a majority of the total number of filled positions. KMAC may only take action by a majority vote of the total number of authorized positions, not by a majority vote of the quorum.

Section 5. At meetings KMAC shall act upon complete applications for discretionary land use projects such as requests for variances, or development plan reviews for which a hearing is required under either County Code Section 84-74.1006 (a) (1) or Section 84-74.1006 (a) (2). In the event that the number of applications exceeds that which can reasonably be considered during a meeting, some applications may be deferred until the next meeting of KMAC for consideration. Applications will be considered in the order received.

Section 6. Agendas for each meeting shall be posted at a minimum of three (3) public locations: on the kiosk in front of 299 Arlington Avenue, on the bulletin board in front of the Public Safety Building and in the Kensington Public Library. Agendas shall be posted at least ninety-six (96) hours before each regular meeting.

Section 7. All applications for land-use entitlements referred to KMAC for recommendation may, at the discretion of KMAC, be specially noticed to adjacent properties. Such noticing may include all properties potentially impacted by the requested construction but need not extend a distance greater than three-hundred (300) feet from the subject property.

Section 8. KMAC shall hold special meetings as necessary to ensure timely and effective input on land use matters or for other urgent matters. Special meetings may be called by the Chair or by a majority of KMAC members, but a quorum is required for

any meeting to proceed. Agendas shall be posted at least twenty-four (24) hours before each special meeting.

Section 9. A regular meeting may be rescheduled by any two Officers of KMAC if necessary to insure attendance by either the Chair or Vice-Chair.

Section 10. A regular meeting may be cancelled by the Chair or Vice-Chair.

ARTICLE 6

Conflicts with County Policies

Section 1. To the extent there are any inconsistencies between these bylaws and the resolutions creating KMAC or countywide MAC policies, the resolutions and countywide MAC policies will govern.

ARTICLE 7

Adoption of By-Laws

Section 1. By-Laws and by-law amendments shall be recommended by KMAC and be effective upon approval by the Board of Supervisors of Contra Costa County.

RECOMMENDATION TO THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS:

The Board of Supervisors recommends adoption of these By-Laws by the following vote.

Ayes \_\_\_\_\_ Noes \_\_\_\_\_

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date