



# CITY OF LODI

# COUNCIL COMMUNICATION

AGENDA TITLE: Proposed Amended Bylaws for Gang Alternative Project (GAP)

MEETING DATE: February 1, 1995

PREPARED BY: City Attorney

RECOMMENDED ACTION: Council consideration and direction on proposed amendment to Gang Alternative Project bylaws.

BACKGROUND INFORMATION: Approximately two years ago, the City Council created the Gang Alternative Project (GAP) and adopted bylaws for operation of the group. The Gang Alternative Project (GAP) Board of Directors has prepared the amendment of certain provisions of the bylaws to expand the scope of the group's functions and to reduce the size of the Board of Directors.

In March of 1994 a proposed amendment to these bylaws was not approved due to liability concerns. These liability concerns emanated from provisions which would have allowed GAP to provide transportation services to program participants.

The current draft of the proposed amended bylaws does not provide for transportation of program participants by GAP.

The other significant changes are as follows:

- Article III §2 would downsize the Board of Directors from 20 to 11 members. This has already occurred through attrition, and there are presently only 11 directors sitting on the board.
- Article IV would be modified by the deletion of §6, making the past chairperson an advisory officer of the group.

These changes are mostly procedural in nature and present no significant increase in the City's exposure to liability.

FUNDING: Not applicable.

Respectfully submitted,

Bob McNatt  
City Attorney

BM:pn

CCGAP.BYL/TXTA.01V

APPROVED: \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



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**BYLAWS OF  
LODI COMMUNITY GANG ALTERNATIVE PROJECT**

**ARTICLE 1**

**NAME**

**SECTION 1. NAME**

THE NAME OF THE ORGANIZATION IS THE LODI COMMUNITY GANG ALTERNATIVE PROJECT. THE LODI GANG ALTERNATIVE PROJECT SHALL OPERATE UNDER THE AUSPICES OF THE LODI CITY COUNCIL.

**ARTICLE 11**

**PURPOSE AND LIMITATIONS**

**SECTION 1. GENERAL PURPOSE**

THE GANG ALTERNATIVE PROJECT IS ORGANIZED FOR THE PURPOSE OF PROVIDING A FORUM TO FOCUS THE COMMUNITY'S EFFORT AT EDUCATION, PREVENTION AND INTERVENTION OF GANGS AND GANG-RELATED ACTIVITIES WITHIN THE CITY OF LODI AND NORTHERN SAN JOAQUIN COUNTY.

**SECTION 2. SPECIFIC PURPOSE**

THE SPECIFIC PURPOSE OF THE ORGANIZATION IS OUTLINED AS FOLLOWS:

A) TO PROVIDED A FORUM FOR PUBLIC INPUT ON THE COMMUNITY GANG PROBLEM AND ITS POSSIBLE SOLUTIONS.

B) TO FACILITATE PUBLIC EDUCATION ON THE IDENTIFICATION, EXISTENCE, CAUSES AND REMEDIES FOR GANGS IN THE COMMUNITY.

C) PROVIDING EDUCATION PROGRAMS/OPPORTUNITIES FOR 'AT RISK' YOUTH, GANG MEMBERS AND THEIR PARENTS.

D) PROVIDING ALTERNATIVE PROGRAMS, OUTREACH PROGRAMS AND LIAISON GROUPS BETWEEN THE COMMUNITY, LAW ENFORCEMENT PERSONNEL, SCHOOL DISTRICT, GOVERNMENT AGENCIES AND CITIZENS AT LARGE.

- E) TO PROVIDE FUNDING, RESOURCES AND REFERRALS TO AT RISK YOUTH.
- F) TO NETWORK WITH AND BE A MODEL FOR OTHER GROUPS AND AGENCIES INVOLVED IN SIMILAR PURSUITS.
- G) TO PROVIDE SCHOLASTIC ASSISTANCE FOR BOOKS, TUITION AND SUPPLIES.

## **ARTICLE 111**

### **MEMBERSHIP**

#### **SECTION 1. GENERAL MEMBERSHIP**

GENERAL MEMBERSHIP IN THIS, THE GANG ALTERNATIVE PROJECT SHALL BE OPEN TO ALL INDIVIDUALS, FAMILIES, ORGANIZATIONS OR CLUBS IN SYMPATHY WITH ITS PURPOSES.

#### **SECTION 2. BOARD OF DIRECTORS**

THE LODI COMMUNITY GANG ALTERNATIVE PROJECT SHALL BE GOVERNED BY AN: ELEVEN (11) MEMBER BOARD.

MEMBERS OF THE BOARD OF DIRECTORS SHALL SERVE UNTIL THEY:

- A) RESIGN
- B) ARE REMOVED BY THEIR AGENCY
- C) ARE REMOVED BY MAJORITY VOTE OF THE BOARD OF DIRECTORS.
- D) ARE REMOVED BY MAJORITY VOTE OF THE CITY COUNCIL.

## **ARTICLE 1V**

### **EXECUTIVE OFFICERS**

#### **SECTION 1. EXECUTIVE OFFICERS**

THE OFFICERS OF THE EXECUTIVE BOARD SHALL CONSIST OF THE CHAIRPERSON, VICE CHAIRPERSON, TREASURER, AND SECRETARY.

**SECTION 2. CHAIRPERSON**

THE CHAIRPERSON SHALL PRESIDE OVER ALL MEETINGS OF THE BOARD OF DIRECTORS AND PERFORM ANY OTHER INCIDENTAL SERVICES AS IDENTIFIED BY THE BOARD.

THE CHAIRPERSON SHALL ACT AS PRIMARY SPOKESPERSON IN ALL OFFICIAL COMMUNICATIONS.

THE CHAIRPERSON SHALL APPOINT A REPRESENTATIVE OF THE EXECUTIVE BOARD AS A REPRESENTATIVE TO THE SAN JOAQUIN PREVENTION PARTNERSHIP ORGANIZATION.

**SECTION 3. VICE CHAIRPERSON**

THE VICE CHAIRPERSON SHALL PERFORM THE DUTIES OF THE CHAIRPERSON AND EXERCISE THE RESPONSIBILITIES OF THE CHAIR IN THE ABSENCE OF THE CHAIRPERSON.

**SECTION 4. SECRETARY**

THE SECRETARY SHALL HAVE CUSTODY OF AND MAINTAIN ALL OF THE ORGANIZATION RECORDS: SHALL RECORD THE MINUTES OF ALL MEETINGS AND SHALL SEND NOTICES OUT OF ALL MEETINGS AND PERFORM OTHER DUTIES AS ESTABLISHED BY THE BOARD.

**SECTION 5. TREASURER**

THE TREASURER SHALL MAINTAIN RECORDS OF ALL REVENUES PRODUCED AND EXPENDED BY THE GANG ALTERNATIVE PROJECT AND PROVIDE A TREASURER'S REPORT AT ALL REGULAR MEETINGS.

**ARTICLE V.**

**OFFICE PROCEDURES.**

**SECTION 1. TERMS OF EXECUTIVE OFFICERS**

THE TERM SHALL BE FOR ONE YEAR, AND NO PERSON SHALL SERVE MORE THAN TWO CONSECUTIVE ONE YEAR TERMS IN THE SAME OFFICE.

**SECTION 2 ANNUAL ELECTION**

AN ANNUAL ELECTION WILL BE HELD IN JANUARY AT A REGULAR BOARD OF DIRECTORS MEETING.

ELECTED OFFICERS WILL ASSUME THEIR OFFICES AT THE BEGINNING OF THE FEBRUARY BOARD OF DIRECTORS MEETING.

**SECTION 3. CITY COUNCIL**

EXECUTIVE OFFICERS OF THE LODI COMMUNITY GANG ALTERNATIVE PROJECT SHALL REPRESENT THIS ORGANIZATION IN AN ADVISORY CAPACITY TO THE LODI CITY COUNCIL.

**SECTION 4. REVENUES.**

ALL LODI COMMUNITY GANG ALTERNATIVE PROJECT REVENUES SHALL BE ADMINSTRATED THROUGH A TRUST FUND ACCOUNT ESTABLISHED BY THE CITY OF LODI. ALL REVENUES RAISED BY OR DONATED TO THE GANG ALTERNATIVE PROJECT WILL BE DEPOSITED EITHER INTO THE TRUST FUND ACCOUNT, THROUGH THE CITY FINANCE DEPARTMENT OR A SEPARATE BANK ACCOUNT WITH QUARTERLY REPORTS MADE TO CITY FINANCE DEPARTMENT. THE EXPENDITURE OF FUNDS WILL BE AUTHORIZED BY A MAJORITY VOTE OF THE GANG ALTERNATIVE PROJECT'S FOUR EXECUTIVE OFFICERS, SUBJECT TO OVERVIEW OF THE LODI CITY COUNCIL.

**SECTION 5. AUDITING**

THE TRUST FUND ACCOUNT SHALL BE AUDITED AS A PART OF THE CITY OF LODI'S REGULAR ANNUAL AUDIT.

**SECTION 6. TERM OF EXISTENCE**

THE LODI COMMUNITY GANG ALTERNATIVE PROJECT SHALL CONTINUE PERMANENTLY OR UNTIL DISSOLVED BY A VOTE OF THE BOARD OF DIRECTORS, OR A VOTE OF THE CITY COUNCIL.

IN CASE OF DISSOLUTION, ALL MONEY AND PROPERTY OF THE LODI COMMUNITY GANG ALTERNATIVE PROJECT SHALL REMAIN OR BECOME THE PROPERTY OF THE CITY OF LODI, TO BE USED FOR PROJECTS/AND OR PURPOSES CONSISTENT WITH THE GANG ALTERNATIVE PROJECT GOALS, PROGRAMS OR ACTIVITIES.

**SECTION 7. ATTENDANCE**

DIRECTORS WHO MISS THREE OR MORE CONSECUTIVE MEETINGS SHALL BE REMOVED BY THE BOARD OF DIRECTORS.

**SECTION 8. REMOVAL**

WHEN IN THE INTEREST OF THE BOARD, A DIRECTOR MAY BE REMOVED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, WITH OR WITH OUT CAUSE.

**SECTION 9. QUORUM AND VOTING**

A MAJORITY (6) OF THE BOARD OF DIRECTORS SHALL CONSTITUTE A QUORUM AT ANY MEETING. IF A QUORUM IS PRESENT, THE AFFIRMATIVE VOTE OF THE MAJORITY OF THE DIRECTORS PRESENT SHALL BE THE ACT OF THE DIRECTORS. EACH DIRECTOR SHALL BE ENTITLED TO ONE VOTE, AND MUST VOTE IN PERSON AND NOT BY PROXY.

**SECTION 10. MONTHLY MEETING**

THE BOARD SHALL MEET ONCE A MONTH ON THE SECOND MONDAY OF EACH MONTH. AN EMERGENCY MEETING MAY BE CALLED WHEN REQUESTED AT LEAST 24 HOURS IN ADVANCE IN WRITING BY A MAJORITY OF DIRECTORS OR WHEN CALLED BY THE CHAIRPERSON. ALL MEETINGS SHALL BE SUBJECT TO THE PROVISIONS OF THE RALPH M. BROWN ACT ( GOV. CODE SECTION 54950 ET SEQ.)

**SECTION 11. PLACE OF MEETING**

A MEETING OF THE DIRECTORS SHALL BE HELD AT A PLACE DESIGNATED BY THE DIRECTORS, AND OPEN TO THE PUBLIC.

**SECTION 12. NOTICE OF MEETING**

A WRITTEN NOTICE OF MEETINGS SHALL IDENTIFY THE TIME AND PLACE, AND THE CONTENT OF SAID MEETING SHALL BE PROVIDED TO THE DIRECTORS NO LATER THAN SEVEN (7) DAYS BEFORE THE ESTABLISHED MEETING DATE.

A WRITTEN NOTICE FOR EMERGENCY MEETINGS SHALL BE RECEIVED NO LATER THAN 24 HOURS BEFORE THE CALLED MEETING.

TYPES OF MEETINGS: REGULAR BOARD MEETING  
GENERAL MEMBERSHIP MEETING  
EMERGENCY CALLED MEETING

AT LEAST ONE GENERAL MEMBERSHIP MEETING SHALL BE HELD IN MARCH EACH YEAR. WRITTEN NOTICE TO THE MEMBERSHIP AND AN INVITATION TO THE GENERAL PUBLIC WILL BE PUBLISHED IN THE NEWSPAPER.

**SECTION 13 COMMUNICATION**

ALL EXTERNAL COMMUNICATIONS TO THE MEDIA SHALL OCCUR THROUGH THE CHAIRPERSON OR, IN THE ABSENCE OF THE CHAIRPERSON, THROUGH THE VICE CHAIRPERSON.

**SECTION 14 AMENDMENTS**

THESE BYLAWS MAY BE AMENDED OR REVISED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS AT A MEETING WHICH HAS BEEN PREVIOUSLY ANNOUNCED FOR THAT PURPOSE, SUBJECT TO RATIFICATION BY THE CITY COUNCIL.

**SECTION 15. PARLIAMENTARY PROCEDURE**

ALL MEETINGS SHALL BE CONDUCTED ACCORDING TO ROBERTS RULES OF ORDER, LATEST REVISION.

ADOPTED BY MAJORITY VOTE OF THE BOARD OF DIRECTORS:

DATE: JANUARY 11, 1993

REVISED: FEBRUARY 14, 1994