

# Bylaws of the Green Party of Alameda County

**Adopted** Wednesday, September 15, 1993 at 1644 Telegraph Avenue, Oakland, California. Incorporates amendment from September 8th 2001.

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**This version** has been laid out by Lee Amosslee March 8, 2002, from the GPAC website and has not been edited for typos or misprints.

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## 1.0 Name

This organization is the Green Party of Alameda County (GPAC).

The GPAC is a geographic division of the Green Party of California (GPOC).

## 2.0 Purpose

The purpose of these bylaws is to provide for the operation of the Alameda County Green Party in a manner consistent with our common beliefs and values as Greens.

These include ten key values: Ecological Wisdom, Grassroots Democracy, Nonviolence, Social Justice, Decentralization, Community-based Economics, Feminism, Post-patriarchal Values, Respect for Diversity, Personal and Global Responsibility, Future Focus

### **3.0 Definitions**

#### **3.1 Membership**

Membership in the GPAC is coincident with current registration as a member of the Green Party and residence in Alameda County as defined by county and state laws applicable to residency and voter registration.

Residents of Alameda County ineligible to vote may become members of the GPAC by registering with the Administration Committee of the GPAC.

For purposes of determining the number of GPAC members as referred to herein, the number of Green Party registered voters in Alameda County as of the last end-of quarter shall be used.

#### **3.2 County Council**

The County Council (Council) is a representative body of the GPAC membership. Its members (Councilors) are nominated, elected and serve in accordance with applicable county and state laws, the bylaws of the GPOC and these bylaws.

In the context of County Council meetings the term Councilor refers to proxies as well as elected and appointed Councilors

#### **3.3 Locals and Associations**

Locals are community or municipality-based clubs composed of GPAC members for the purpose of addressing local issues and providing for greater participation in GPAC activities.

Associations, also known as caucuses or circles, are groups of GPAC members united by a particular interest or concern, i.e., gender, ethnicity, age, religion, sexual orientation or political issue. Locals and associations may be certified or uncertified.

To be certified, locals and associations must meet the requirements given herein and be confirmed by the County Council.

#### **3.4 Proposals**

Proposals are items brought before the County Council, for the purposes of modifying the practices or policies of the GPAC.

#### **3.5 Resolutions**

Proposals that have been accepted by the County Council--shall be known as Resolutions. Resolutions are subordinate to these bylaws. Any portion of any resolution which conflicts with the meaning and/or intent of these bylaws shall be null and void.

#### **3.6 Plan of Operation**

A set of general guidelines for GPAC political and administrative activity for a given time period.

#### **3.7 Publish**

A means by which information is transmitted to the membership. Publishing shall include, but need not be limited to: placing notices in all GPAC and Regional Green Party newsletters; inclusion on any calendar, bulletin board or telephone information line maintained by the GPAC; distribution to all certified locals and associations; and sending notices to any member with a current printing and postage subscription.

### **3.8 Make Available**

Shall include, but need not be limited to: having available for inspection by appointment; and distributing copies to all certified locals and certified associations.

### **3.9 Serve at the Pleasure of**

Any individual serving at the pleasure of a body may be removed at any time by that body in accordance with the rules of that body unless those rules are contradictory to these bylaws.

### **3.10 Printing and Postage Subscription**

A subscription fee paid by a member who wishes to receive all published information for the time period of the subscription.

The County Council shall determine the printing and postage.

### **3.11 Extra-municipal**

All elections except those entirely contained within a city having an active certified local.

## **4.0 Rights of Membership**

All members of the Alameda County Green Party are vested with the following rights.

### **4.1 Participation**

No member may be excluded from full participation in party activities or attendance at open meetings of any party body unless that member has been formally suspended.

Full participation includes attendance, comment, the presentation of proposals and decision making.

Meetings of party associations based on cultural, ethnic, gender, sexual orientation or geographic area may exclude individuals not within the purview of the association. The right of participation shall not be hindered by accessibility. All GPAC meetings shall be held within the confines of Alameda County.

All reasonable efforts must be made to provide accessibility to members with mobility constraints. If meeting places are not amenable to the use of public transportation, shuttle service may be provided to and from the nearest public transportation station to the meeting place.

A GPAC member who by agitation or abusive behavior disrupts a GPAC meeting may be expelled. All members present, except for the subject member, may participate in the vote if consensus cannot be achieved.

### **4.2 Information**

All members have the right to know of decisions reached by any and all party bodies without delay unless these decision were made at a closed meeting. They also have the right to know how all the Councilors voted on specific County Council proposals.

The time and place of all open County Council meetings shall be published. An exception to this requirement is made for extraordinary circumstances.

### **4.3 Representation**

Any member may present valid statements or proposals at party meetings by proxy. To be a valid statement or proposal, the document must be legible, less than three pages in length, contain the name and address of the originator and trust be addressed to the County Council.

Any Councilor presented with a valid statement or proposal from a member in their district, or local or association, respectively, must submit it to the addressed body. County Councilors--must make their name and telephone number where they can be contacted available to the membership in their district.

## **5.0 Procedures**

### **5.1 Quorums and Decision-Making Processes**

#### **5.1.1 Quorums**

Quorums for meetings of the GPAC shall be no less than those specified below.

##### **County Council Meetings**

Councilors: three quarters of total (50% of districts with Councilors in good standing must be represented)

**Committees Members:** two thirds of total (one of the coordinators must be present) .

No decisions may be made at meetings not fulfilling these quorum requirements; however, meetings may take place and recommendations may be made.

#### **5.1.2 Decision-Making Processes**

The process known as Modified Consensus shall be used at all County Council and committee meetings.

A description of the Modified Consensus process is contained in Appendix B of this document.

## **5.2 County Council**

### **5.2.1 Council Meetings**

The Council shall meet at regular intervals in an open meeting at a time and place determined by the Council which meets the requirements given in Section 4.1.

If any member present has unresolved concerns regarding any proposal before the Council, a vote shall be taken. Only Councilors may cast votes at Council meetings.

All votes shall be by show of hands except when voting in elections or to suspend members.

### **5.2.2 Responsibilities of the Council**

The Council shall be responsible for the performance of administrative, managerial, financial, political and executive functions required by the GPAC. These shall include, but not be limited to:

- Development of a Plan of Operations–The County Council shall develop an Annual Plan of Operations for the GPAC.
- Proposing a budget–The Council shall develop a budget compatible with the Plan of Operations in terms of the allocation of resources and period covered.
- Raising funds–The Council shall develop and implement fund raising strategies. The Council may not levy dues or make financial contribution to the GPAC a precondition for membership or participation.
- Disbursing funds–The County Council shall be responsible for the disbursement of funds as necessary for GPAC operations.
- Selecting delegates to state meetings of the CPOC
- Making endorsements in extra-municipal elections–The Council may recommend endorsement in extra-municipal elections. Locals shall be informed of meetings where endorsements for campaigns and candidates in their area will be recommended at least two weeks in advance and may provide advice to the Council.
- Reporting to the Fair Political Practices Commission (FPPC)
- Communicating with the government and media
- Maintaining records of all GPAC financial activity

- Legally binding contracts and lawsuits--The Council may enter into binding contracts and lawsuits on behalf of the GPAC.
- Establishing and monitoring committees
- Nominating and removing officers
- Employing paid staff - -The County Council may, within budgetary constraints, employ and terminate paid employees.
- Opening and Closing Elections -- The County Council may open and or close extra-municipal partisan elections in accordance with Green Party of California By-Laws.
- Conducting extra-municipal partisan campaigns – The County Council may conduct extra-municipal partisan elections within the guidelines of the Plan of Operations.
- Certifying locals and associations
- Arbitrating disputes between locals – The County Council may serve to arbitrate disputes between locals and/or associations of the GPAC provided both parties agree to be bound by the Council's decision.
- Suspending members

### **5.2.3 Removal and Replacement of County Councilors**

Removal -- Councilors may resign from office by sending written notice to the Secretary and/or Council. When a Councilor changes residency to a location outside of Alameda County, changes party affiliation, does not attend two Council meetings in a period of one year without sending proxy, or dies, the Council may remove them from office by resolution and shall notify the Secretary of the vacancy.

When a vacancy occurs on the Council the Secretary shall publish it in the district(s) where vacancies exist.

Replacement - -The Council may fill any vacancy by nominating a GPAC member from the district where the vacancy has occurred and confirming the nominee at a County Council meeting.

### **5.2.4 Proxies to the Council**

Councilors may send proxies in their place to GPAC Council meetings. Proxies must be GPAC members from the same district as the Councilor.

To designate a proxy a Councilor must either provide written authorization to the Secretary or verbal notification to two non-proxy Councilors attending the meeting.

### **5.2.5 Closed Meetings**

The Council may meet in closed session for legal matters, i.e., lawsuits or the termination of paid employees.

The minutes of closed meetings shall be made available as soon as it is legally advisable to do so.

### **5.2.6 Suspension of Membership**

GPAC members who act in an irresponsible manner may be suspended by the Council for a period of up to 90 days.

No member may be suspended until a hearing has been held at an open Council meeting where the member(s) charged with irresponsible behavior are allowed at least (15) fifteen minutes to refute the charges and respond to questions from all present as well as ask questions.

Irresponsible behavior may be defined as, but is not limited to, verbal or physical assault on another member, theft, fraud and/or repeated disruption of GPAC meetings. Suspended members may not attend GPAC meetings and may not make proposals by proxy.

Suspension shall not interfere with any member's voting rights in government sponsored elections, or with any other government-granted legal rights.

### **5.2.7 Unspecified Duties**

All duties not specified herein will be the responsibility of the County Council.

### **5.2.8 Method of electing County Council Members (Councilors):**

A number of Councilors equal to the greater of eleven (11) or the integer nearest the resulting quotient obtained by dividing 100 times the number of Green Party registered voters in the county by the number of Green Party registered voters in the state shall be elected from a single multimember district conforming to the county boundaries. They shall be elected using the Single Transferable Vote (STV) form of proportional representation as defined in the Bylaws of the Green Party of California part 4-1.4 as amended November 2000. [4-1.4 Method of electing members: ...using Choice Voting, the Single Transferable Vote (STV) form of proportional representation, using the Droop threshold (one divided by one plus the number of seats) and fractional transfers as described in the International IDEA Handbook of Electoral System Design (Institute for Democracy and Electoral Assistance(IDEA). First published 1997. Second edition. Stockholm, Sweden. pp.83-84)... ] If for any reason (i.e. technical or legal) this is not possible to elect them in that manner, they shall all be elected "at large", from a single multimember district conforming to the county boundaries, by the method possible and most closely resembling that method as defined by the County Council.

[This section was added by an amendment that was passed on Sept. 8th 2001 by a duly constituted amendment meeting.]

## **5.3 Locals and Associations**

### **5.3.1 Certification**

Locals and associations desiring certification should present a written proposal to any Councilor. The proposal shall include a statement of purpose, any membership requirements, a decision-making process, and an endorsement process for specifically listed local elections.

Within six (6) weeks of receipt the Council must determine whether or not to certify. If the Council decides not to certify it must send written notice to the local or association as to why certification was not granted.

The Council may grant variances for the requirements for certification. The Council may also decertify locals and associations.

### **5.3.2 Membership**

There must be at least eight GPAC members who claim membership in the local or association and at least three quarters of the organization's membership must be GPAC members.

### **5.3.3 Points of Contact**

Certified locals and associations shall have a phone number where outgoing and incoming messages may be left and a mailing address.

### **5.3.4 Existing Locals and Associations**

The following existing locals and associations shall be considered certified. The County Council reserves the right to decertify these locals and associations.

- Alameda Greens (City of)
- Berkeley Greens
- Fremont Greens

- Hayward Greens
- Oakland Greens
- San Leandro Greens
- The GPAC Women's Caucus

#### **5.4 Committees**

The Council shall establish committees to perform specific duties as warranted.

Committees may have no fewer than three members. The resolution authorizing the formation of a committee must include a statement of purpose and a term of authorization not more than twelve (12) months in duration, which may be renewed.

The Council shall select at least one coordinator for each committee. These individuals shall serve at the pleasure of the Council.

All committees must present a report of their activity at each Council meeting.

Committees existing as of October 1, 1993 may remain in operation for 60 (sixty) days, but must be disbanded unless re-authorized by the Council within that time.

#### **5.5 Standing Committees**

The Council shall within 60 (sixty) days of acceptance of these procedures establish the Administrative and Finance committees:

Administrative Committee shall be responsible for the secretarial and managerial requirements of the GPAC which include office maintenance, purchasing of supplies, mailings, publications, telephone services, voting records, archives, etc.

Finance Committee shall be responsible for filing FREC reports, book-keeping, tax filing, and disbursement of funds as authorized by the Council.

#### **5.6 Officers**

##### **5.6.1 Election of Officers**

The County Council shall elect members of the GPAC to the following positions:

- Treasurer
- Administrator
- Secretary

Officers must be GPAC members in good standing but need not be Councilors.

The term of all officers shall be six months from the date of confirmation or until a new officer is elected and confirmed. All officers serve at the pleasure of the Council.

##### **5.6.2 Treasurer**

The Treasurer shall be primarily responsible for the collection, management and disbursement of GPAC funds, for filing tax returns and for reporting to the Fair Political Practices Commission (FPPC).

The Treasurer will also be the coordinator of the Finance Committee.

##### **5.6.3 Administrator**

The Administrator will be responsible for the managerial and clerical operations required by the party and will be a co-coordinator of the Administration Committee.

The Secretary shall fulfill these duties as required in the event the Administrator cannot or will not.

##### **5.6.4 Secretary**

The Secretary shall be responsible for recording the minutes of County Council meetings, reading the minutes of the last meeting, publishing and making available.

Any of these duties may be passed on to a member of the Administration Committee.

The Secretary shall be a co-coordinator of the Administration Committee.

## **6.0 Regional and State Green Party Bodies**

### **6.1 Relationship with Regional Green Party Body**

The regional body exists solely to provide for communication and coordination between counties in the region and to publish the regional newsletter. It has no power or rights within the confines of Alameda County and the GPAC reserves the right to suspend, curtail or terminate its relationship with the regional body at any time.

The County Council may send (a) representative(s) to regional meetings and provide grants and loans and lend resources to the regional body.

### **6.2 Relationship with the Green Party of California**

The GPOC has no power or rights within the confines of Alameda County.

After 1992 the GPOC may not contact the membership of the GPAC without the written consent of the County Council.

The County Council may, provide grants and loans and lend resources to the GPOC.

The GPAC will abide by all GPOC decisions made at state plenary meetings where the GPAC is adequately represented and which do not conflict with the meaning or intent of these bylaws.

## **7.0 Procedure for the Amendment of These Procedures**

A petition containing the text of the amendment and the names, signatures and addresses of nine GPAC members shall be filed with the secretary.

At the first County Council meeting following the petition filing the County Council shall set a date, time and place for an amendment meeting, to be held not less than fourteen days and not more than thirty-five days after the County Council meeting.

Notice of the amendment meeting shall be published and made available after all members who have given prior notice of interest by registering their names and phone numbers on a designated list shall be contacted and informed of the petition and meeting.

The quorum for an amendment meeting is seventeen members. The attendees will attempt to make a decision regarding the amendment by consensus.

If consensus cannot be achieved a vote of two thirds of those present in favor of the amendment will result in its acceptance.

Once filed the text of the proposed amendment may not be altered or amended before or during the amendment meeting.

## Appendix A

### Modified Consensus

- A. Ask a question or state an issue about which a decision needs to be made.
- B. Clarify the issue and formulate ideas in one or more ways:
  - Open discussion
  - informal brainstorming without taking turns
  - round-robin brainstorming
  - small group discussion then large group synthesis
  - speeches by experts
  - other
- C. Make a proposal (a positive statement of a possible action to be taken).
- D. Ask clarifying questions (questions to remove ambiguities from the proposal, not voice concerns).
- E. List concerns and affirmations about the proposal as stated.
- F. Integrate concerns
- G. Ask for unresolved concerns (group decides if concerns are germane).
- H. Options if germane concerns can not be resolved:
  - Return to an earlier step.
  - Withdraw the proposal.
  - Withdraw the concern.
  - Refer proposal to a committee reflecting all points of view to report to next meeting.
  - Empower a committee to examine issue and make decision.
  - Take a straw poll.
  - Modify proposal to include or represent concerns.
  - Those with unresolved concerns step aside without favoring the proposal.
  - Schedule community-building sessions to deal with emotional issues.
  - Schedule mediation for parties at odds.
  - Try to identify ambiguous values or values in conflict.
  - Go for modified consensus (80% vote).
- I. Consensus is achieved when there are no more unresolved concerns.
- J. In the event of unresolvable concerns, the issue can be called to a vote. A four-fifths majority is required to pass.