

**SARA TITLE III LOCAL EMERGENCY PLANNING COMMITTEE
CALIFORNIA REGION I BYLAWS
NOVEMBER 2014**

AUTHORITY

The Local Emergency Planning Committee (LEPC), Region I was established by the State Chemical Emergency Planning and Response Commission (CEPRC) pursuant to the Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, codified in Title 42 of the U.S. Government Code, Section 1101 et seq. Title III is also known as the “Emergency Planning and Community Right-to-know” Act of 1986. (*See Also* Health & Saf. Code, Chapter 6.95). Region I consists of the following five counties: Los Angeles, Orange, San Luis Obispo, Santa Barbara, and Ventura.

Objective

The LEPC provides regional level planning for hazardous materials emergencies and response to public requests for community right-to-know information. Specific LEPC organizational responsibilities mandated by SARA Title III are delineated in the following article.

Article I: LEPC Members

- A. The LEPC may appoint new members by a majority vote of voting members present provided there is a quorum; with participation by an Emergency Services Coordinator from Cal OES (California Office of Emergency Services) pending final approval of the CEPRC (California Emergency Planning and Response Commission) also known as the State Emergency Response Commission (SERC).
- B. The SERC shall have general supervision of all matters pertaining to the LEPC Region I.
- C. No member of the LEPC shall take action or speak for the LEPC unless specifically authorized to do so by the LEPC or its chairperson.
- D. A list of current membership shall be maintained.
- E. Attendance at LEPC meeting and participation in LEPC activities are important member obligations.

Article II: Membership

- A. The LEPC is comprised of members representing the following categories specified by the SERC:

Administering Agency/CUPA	Agriculture	Industry/Utilities
Fire	EMS Services	<i>Volunteer (Ad Hoc 1)</i>
Environmental	Community Groups	<i>Schools (Ad Hoc 2)</i>
Law Enforcement	Emergency Mgmt.	Hospital
Media	Public Health	First Aid
Civil Defense	Transportation/Rail	<i>Planning (Ad Hoc 3)</i>
Elected Official	Transportation	
Community Awareness/Emergency Response (CAER) (Ad Hoc 4)		

- B. "Primary Voting Member" shall be defined as a member who has been voted in and attends the held meetings of the Region I LEPC.
- C. Nominations for membership shall be submitted on an approved form to the Cal OES Coordinator to process for a future vote of the LEPC. (This form can be found on Attachment I of this document.
- D. In addition to the Primary LEPC member, an Alternate may be appointed for that alternate category.

Appointment:

- 1. Any Primary LEPC member may nominate one or more than one Alternate. Any person who meets the requirements for the category may apply to be appointed an Alternate. The normal process for approval by the LEPC with approval from the SERC will apply.
- 2. The Alternate may be nominated to serve in the category vacated by the Primary member.
- 3. When representing a Primary member the Alternate may vote, participate in official committee policy actions, and be used to constitute a quorum of the committee

E. Compensation:

- 1. Officers and members of the LEPC shall serve without salary.
- 2. All LEPC members shall be entitled to travel and per diem expenses pursuant to State Board of Control Rules and guidelines established by Cal OES when funding and budgets make such funding available.
- 3. Alternates may be reimbursed for travel expenses when representing the active voting member; when funding and budgets make such funding available.

Article III: Duties of Officers and Staff

A. The chairperson shall:

- 1. Preside at all meetings of the LEPC.
- 2. Rule on all points of order.
- 3. Appoint the chairperson of each subcommittee when appropriate.
- 4. Be an ex-officio member of all subcommittees.
- 5. Represent the LEPC at official public functions and SERC meetings or designate another representative to do so in his or her behalf.
- 6. Approve of all ministerial LEPC matters.
- 7. Act as signatory on all official documents.

*In the absence of the chairperson, the vice chair person shall preside at meetings.

B. The Staff professional shall:

- 1. Support the LEPC in achieving its mission.
- 2. Respond to direction of chairperson.
- 3. Keep a record of all proceedings, by taking typed minutes of the LEPC meetings.
- 4. Ensure that meetings are properly noticed in a public area such as the LEPC online webpage.
- 5. Perform usual duties of such office.

Article IV: Subcommittees

A. The LEPC has the option of creating and expanding the following subcommittees to facilitate operations and assure thorough coverage of LEPC duties and responsibilities, the LEPC structure shall include Standing Subcommittees. In the absence of Subcommittee members, the duties and responsibilities shall fall to the LEPC Region 1 Chair to ensure completion. Standing Subcommittees are:

1. Planning and Scheduling

Responsibilities - Proposes direction to the LEPC to fulfill obligations mandated by SARA, Title III; recommends timelines associated with the various activities and assures participation with the various activities and assures participation by all members with assistance of LEPC chairperson; and provides recommendations for spending funds allocated to the LEPC as directed by CEPRC.

2. Transportation

Responsibilities – Develops transportation analysis and updates it as necessary; assists administering agencies in the development of Hazard Analysis with transportation data support.

3. Administering Agencies

Responsibilities – Provides a forum for Administering Agencies; assists in the development of Hazards Analysis for the PLAN; and promotes region-wide consistency in the implementation of Administering Agency responsibilities.

4. Community Right to Know

5. CAER

6. CUPA/PA Issues

B. Scope of Responsibilities of Subcommittees

1. Responsibilities of subcommittees include reviewing, evaluating, and making

recommendations on issues relating to hazardous materials emergency planning and community right –to-know as referred to them by the LEPC or on their own initiative.

However, no action undertaken by any Sub-committee shall be deemed to be official unless and until it has been approved by the LEPC.

2. When any matter coming before the LEPC falls within the purview of more than one

subcommittee and the LEPC chairperson has assigned the matter to more than one sub-committee, the subcommittees may function jointly with respect to the specific matter at hand.

C. Composition of Subcommittees

1. The chairperson of each subcommittee shall be a member (Primary or Alternate) appointed by the LEPC chairperson.

2. Each subcommittee chairperson shall appoint the members of that subcommittee. In order to afford the LEPC maximum input and participation by representatives of the hazardous materials emergency planning community, and the public, membership on the subcommittees shall be open to any qualified individual.

3. Subcommittees shall consist of sufficient members to ensure success of their mission.

D. Activity Requirements for Subcommittees

1. Subcommittees will be responsible for their own activities including the place and frequency of meetings and designation of vice-chairperson.
2. Minutes of subcommittee meetings will be made promptly and distributed to all members of the subcommittee and all LEPC members.
3. Each subcommittee chairperson will annually inform the LEPC of its purposed plans, priorities, and activities, and obtain concurrence. The subcommittee chairperson shall report current subcommittee status at each regular LEPC meeting.

E. Additional Subcommittees

1. Additional subcommittees may, with concurrence of the LEPC, be appointed by the LEPC chairperson. Such appointments do not require amendment to these bylaws but shall be added to the current list of subcommittees.

Article VII: Meetings

- A. All meetings are to be conducted in accordance with California open meeting laws (*See* Gov. Code § 11120, et seq.; Gov. Code § 54950, et seq.)
- B. Regular meetings of the LEPC shall be held every third month (quarterly) and normally start at 10:00 a.m; however, the location and/or time may be adjusted as deemed necessary by the chair. The regular LEPC meeting schedule will be set at the final meeting preceding the new calendar year. It shall be set by the chairperson subject to the approval of the LEPC and posted on the State's LEPC Region I webpage.
- C. A quorum is required for any official business including regular and special meetings. A quorum shall consist of a majority (more than 50%) of the members of the board.
- D. Minutes of LEPC meetings shall be posted on the LEPC Region I website and will be provided to all other entities or individuals who request them.
- E. In accordance with applicable State laws, the following shall govern LEPC meetings:
 1. Agenda Required - A written agenda must be prepared for each regular meeting of the LEPC.
 2. Notice - A written notice of the time, date, location, and agenda for meetings is to be sent at least ten days prior to the meeting, to all who request information.
 3. Agenda Description - Care must be taken to adequately and fully describe on each agenda the nature of each item of business to be "transacted or discussed". A notation should be added to each agenda that any person may call the secretary or some other designated officer to make inquiry concerning the nature of the item described on the agenda. Each agenda must be available in at least one location which is "freely accessible".

4. Posting on LEPC I web page

a. Meeting notices, agendas, and minutes will be posted on the LEPC I web page link at <https://www.caloes.ca.gov/cal-oes-divisions/regional-operations/southern-region/southern-region-lepc>

5. As a general rule, the LEPC shall:

a. At each meeting, an opportunity for the public to directly address the LEPC must be provided.

b. Members of the public are invited to comment on any item on the agenda. The chairperson shall provide an opportunity for public comment either before or during consideration of an item. Reasonable time limits may be imposed both as to the total amount of time allocated for public participation on particular items and/or to each speaker.

6. Attendance via Teleconference – The area covered by the Region I LEPC is substantial. Therefore it is necessary to allow members to attend LEPC Region I meetings via teleconference in order to attract and maintain members, and efficiently conduct the mandates of the LEPC. Staff shall ensure that a properly functioning conference phone designed for such meetings is available. Rules for tele-conferencing are as follows:

a. To be included in the quorum or to vote at the meeting, members or their alternates must call in from a location that is accessible to the general public and is disclosed in meeting announcements and agendas as listed above.

b. Anyone may call in from any undisclosed location including private LAN lines and cell phones. Primary and alternate members may participate in this way but may not vote or be included in the quorum. Many members of the LEPC are emergency responders. There may be occasions when an active voting member may plan to attend a meeting in person but be called away on an emergency response at a time that prevents them from traveling to the meeting. Unless the teleconferencing requirements are satisfied in accordance with applicable California open meeting laws, that member will be ineligible to vote.

c. Special and emergency meetings will be noticed and conducted in accordance with applicable California open meeting laws.

F. Unless otherwise prescribed by these bylaws, all committee and special subcommittee meetings shall be governed by Robert’s Rules of Order, revised.

Article V: Voting

A. Actions by the committee shall require both a motion and a second. Except as otherwise noted all actions shall be deemed approved upon an affirmative vote of a simple majority of a quorum. Unless the voting on a motion is unanimous, the vote shall be recorded.

B. Actions requiring a two-thirds vote as identified in Robert’s Rules of Order Revised shall be deemed approved upon affirmative vote by two-thirds of a quorum, except as otherwise specified in the Bylaws.

Article VI: Requests for Public Records

The LEPC shall respond to requests for records in accordance with the California Public Records Act (Gov. Code § 6250, et seq.)

Article VII: Amendments

These bylaws may be amended by a two-thirds vote at an LEPC meeting. A copy of the proposed amendments must be provided to the members not less than ten (10) days in advance of the date set for consideration of such amendments.