

(DRAFT) BYLAWS
OF THE
CALIFORNIA TRUTH & HEALING COUNCIL

ARTICLE I
GENERAL PROVISIONS

A. Definitions.

For the purposes of these Bylaws:

“Alternate Voting Members” means the four (4) tribal leaders and representatives from the Central, Eastern, Northern and Southern Regions, respectively, duly appointed by the Tribal Advisor to the Governing Council pursuant to Executive Order N-15-19 to vote in the event that a Voting Member of the Governing Council from the same Region is unable to vote for any reason.

“Central Region” means the tribes located within the Central geographical Region of the State, within the exterior geographical boundaries of Riverside, San Bernardino, Orange, Los Angeles, San Luis Obispo, Santa Barbara, and Ventura counties.

“Charter” means the California Truth & Healing Council Charter duly adopted by the Governing Council in December 2020.

“Council” or **“Council Member(s)”** means the Governing Council and any Non-Voting Representatives duly appointed or elected by the Governing Council.

“Eastern Region” means the tribes located within the Eastern geographical Region of the State, within the exterior geographical boundaries of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba counties.

“Governing Council” means the body of tribal leaders and representatives duly appointed by the Tribal Advisor pursuant to Executive Order N-15-19 and the Charter as Voting and Alternate Voting Members of the Council.

“Northern Region” means the tribes located within the Northern geographical Region of the State, within the exterior geographical boundaries of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma counties.

“Office of the Tribal Advisor” means the office headed by the Governor’s Tribal Advisor within the office of the Governor, established pursuant to Section 12012.3 of the Government Code, which will provide administrative support to the Council.

“Southern Region” means the tribes located within the Southern geographical Region of the State, within the exterior geographical boundaries of Imperial and San Diego counties.

“Staff” means the Office of the Tribal Advisor and any other personnel or contractor(s) secured to assist the Council in its work.

“Tribal Advisor” means the Governor’s Tribal Advisor, established pursuant to Section 12012.3 of the Government Code.

“Voting Member” means the twelve (12) tribal leaders and representatives duly appointed by the Tribal Advisor to the Governing Council pursuant to Executive Order N-15-19 and the Charter to direct the work of the Council.

(Reserved.)

B. Powers and Duties of the Governing Council.

- (1) The Governing Council shall have the powers and duties as specified in Executive Order N-15-19 and Chapter III of the Charter and shall direct the work of the Council.
- (2) Governing Council Members shall attend all Regular and Non-Regular meetings of the Council.

C. Powers and Duties of the Council.

- (1) The Council shall have the powers and duties as specified in Executive Order N-15-19 and Chapter III of the Charter.
- (2) Council Members shall attend all Regular meetings of the Council.

D. Tribal Advisor.

- (1) The Tribal Advisor shall have the powers and duties as specified in Executive Order N-15-19 and Chapter VI of the Charter.
- (2) The Tribal Advisor shall perform all duties under the direction of the Council and will coordinate the work of Staff as necessary to facilitate the regular work of the Council.

(3) The Tribal Advisor shall arrange all meetings of the Council in coordination with Staff.

ARTICLE II

APPOINTMENT TO THE COUNCIL

A. Governing Council.

(1) The Tribal Advisor shall appoint the members of the Governing Council in accordance with the provisions of this Article and Chapter II, Articles 3 and 4 of the Charter.

B. Composition of the Governing Council.

(1) The Governing Council shall consist of twelve (12) Voting Members as specified in Chapter II, Articles 3 and 4 of the Charter and four (4) Alternate Voting Members from the Central, Eastern, Northern and Southern Regions, respectively.

(2) All appointed Members of the Governing Council shall be duly elected officials or appointed designees of California Native American tribes on the list maintained by the Native American Heritage Commission.

C. Non-Voting Representatives.

(Reserved.)

E. Removal.

(1) Members of the Governing Council may be removed in accordance with Articles 5 and 6 of the Charter.

ARTICLE III

MEETING PROCEDURES

A. Regular Meetings.

(1) The Council shall meet a minimum of four (4) times per year in accordance with Chapter IV, Article 10 of the Charter.

- (2) Regular meeting dates and times shall be approved during the meeting immediately preceding each regularly scheduled meeting.

C. Non-Regular Meetings.

- (1) A Non-Regular meeting may be called by: (i) the Tribal Advisor at any time or (ii) the Governing Council at any time upon the request of three (3) or more members of the Governing Council.
- (2) Notice of the time, place and purpose of any meeting(s) scheduled outside of Regular Meetings shall comply with all laws applicable to the business of the Council.

D. Quorum for Transaction of Business.

- (1) All Voting Members of the Governing Council are authorized to vote on actions taken by the Council.
- (2) Alternate Voting Members shall not be authorized to vote on actions taken by the Council unless a Voting Member of the Governing Council from the same Region is unable to vote for any reason. For the duration that a Voting Member of the Governing Council is unable to vote for any reason, the Alternate Voting Member from the same Region shall be authorized to vote; provided, however, that no Alternate Voting Member shall be authorized to vote on behalf of a Voting Member from a different geographical Region.
- (2) Eight (8) Governing Council members who are authorized to vote are required to establish a quorum for the transaction of business of the Council in accordance with Chapter IV, Article 9 of the Charter.
- (3) The Governing Council may take action by a majority vote of a quorum in accordance with Chapter IV, Article 9 of the Charter.
- (4) In the absence of a quorum, the business of the meeting shall be tabled until the next regular meeting of the Council and the Governing Council Members present, or the Tribal Advisor, may adjourn pursuant to Article III, Section E(1) of these Bylaws, below, or proceed with a public listening session with no action taken by the Governing Council Members present.

E. Adjournment or Cancellation When Quorum Cannot Be Established.

- (1) The Tribal Advisor may adjourn a meeting when a quorum cannot be established, unless a majority of the Governing Council Members present agree

to proceed with a public listening session pursuant to Article III, Section D(4) of these Bylaws, above.

- (2) The Tribal Advisor may, in advance of a meeting, cancel or reschedule such meeting when Governing Council Member attendance responses indicate that a quorum will not be established.
 - (i) When cancelling or rescheduling a meeting under this Section, the Tribal Advisor shall provide the Council and public with written notice a minimum of three (3) calendar days in advance of the meeting.
- (3) The agenda items from any meeting adjourned or cancelled due to lack of quorum shall carry over to the next scheduled regular meeting of the Council.

F. Minutes of Council Meetings.

- (1) The Tribal Advisor, in coordination with Staff, shall prepare minutes of each Council meeting.
- (2) The Council's approval of meeting minutes shall establish conclusively that such minutes accurately reflect actions taken by the Council at that meeting.
- (3) The contents of the minutes shall contain all actions taken by the Council.
- (4) The Tribal Advisor shall make draft minutes available to the Council and the public a minimum of ten (10) calendar days in advance of the meeting at which the vote to approve will take place.

G. Agenda for Council Meetings.

- (1) The Tribal Advisor, in coordination with Staff, shall prepare an agenda for each meeting in consultation with the Governing Council.
 - (i) The Tribal Advisor shall consult with the Governing Council on the content of the agenda no later than fourteen (14) calendar days in advance of each meeting.
- (2) Issues not on the agenda that are raised during a meeting may carry over to the next agenda for discussion and/or official action upon the recommendation of the Governing Council.

F. Business of the Council.

- (1) Business of the Council shall be conducted in accordance with the principles and spirit of Robert's Rules of Order, subject to the governing documents of this Council and any applicable laws, regulations, policies or procedures.

ARTICLE IV

AMENDMENT OF BYLAWS

A. Procedure for Amendment.

- (1) The Governing Council may amend these Bylaws upon a majority vote of Members who are authorized to vote.
- (2) The Tribal Advisor shall make proposed amendments available to the Governing Council a minimum of ten (10) calendar days in advance of the meeting at which the vote to amend will take place.

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