



Project Area Committee

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Dear Peter:

I am writing to request your legal opinion regarding two Westside Project Area Committee (WPAC) items:

1. Alternates Pursuant to our bylaws, the WPAC has the ability to designate alternate members, and those members are allowed to participate in the WPAC general meetings. A question has been raised regarding the role of alternates. The last paragraph of Section 2., Membership states, "Alternates shall be entitled to participate as members in the conduct of any regular or special meeting at which less than the full membership is present, provided that the total number of participants shall not exceed the total membership, and alternate participants shall be determined by lot in the event that the total amount of alternates and members at a meeting exceed the total membership."

The bylaws allow for membership of not less than eleven (11) and not more than twenty-one (21). The current WPAC roster has 16 members and seven (7) alternates. Does the above paragraph mean that Alternates can participate as full members, due to the fact that the current WPAC roster is under 21 members? Or is the role of the alternate intended only to satisfy a quorum of members when needed at a WPAC meeting?

2. Proxy Votes The bylaws are silent regarding proxy voting. We have submitted proxy votes for many years with no issue. At the last General Meeting, however, proxies were exercised on a particular item and some members feel they should not have been counted, so we need clarification. Some members believe that proxy votes are not permitted for any entity that is subject to the Brown Act. Since the WPAC is subject to the Brown Act, is proxy voting permitted or not?

As the new Chairman of the Westside PAC, I would like to answer such questions with the assurance the questions deserve. Therefore, I am turning to you in the hopes of receiving clear, decisive answers that I can pass on to the WPAC. I appreciate your attention to this matter and look forward to hearing from you soon.

Best regards,

Tony Rivera
Chair, Westside Project Area Committee

