

**ENCINITAS COMMUNITY EMERGENCY RESPONSE TEAM (CERT)  
TELEPHONE BOARD MEETING**

**June 22, 2008**

*OK JJ 7-21-08*

**SUBJECT:** BYLAWS - ARTICLE VI. REMOVAL OF CERT MEMBER

**PARTICIPANTS:** Doug Jones, President  
JJ Surbeck, Vice President  
Nancy Telford, Secretary/Treasurer

**SUMMARY:**

Discussions with Joe Bunn and Capt. Mike Muir necessitated the addition of an Article in the Encinitas CERT Bylaws specifically addressing the circumstances and process related to the Removal of CERT Member(s).

Doug Jones, JJ Surbeck and Nancy Telford compiled this Article and voted to add the Article to the current Bylaws. The new Article is Article VI. Removal of CERT Member and reads as follows:

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**ARTICLE VI. REMOVAL OF CERT MEMBER**

**Section 1. Removal.** A CERT Academy graduate member of Encinitas CERT can be removed from the member rolls for the following reasons:

- (a) Violation of the CERT code of conduct (attached)
- (b) The misappropriation and/or misuse of Encinitas CERT funds, goods, equipment, in-kind donations, or of any asset of Encinitas CERT Inc. or their affiliates.
- (c) The misuse, unauthorized use or misrepresentation of Encinitas CERT's name, namesake or image(s), including photographs and drawings.
- (d) Any of the reasons listed as cause for removal of a CERT Board member from the CERT Board of directors in Article II of the Encinitas CERT Inc. bylaws.
- (e) Breach of any California or federal law pertaining to the individual protection and civil rights of any other CERT member, Encinitas Fire Department or their agents, assignees, donors or recipients in the course of everyday routine or any emergency.
- (f) Violation of the chain of command in an emergency or disaster situation as dictated by the Encinitas Fire Department.
- (g) Intentional disruption of Encinitas CERT meetings, Board meetings, CERT gatherings, training presentations or any other activity related to Encinitas CERT activities and programs.

**Section 2. Procedure:** Should a complaint be filed verbally or in writing to the Encinitas CERT Board:

- (a) Said Board may elect to advise the member verbally or in writing to stop the action or behavior deemed to be in violation and harmful to CERT.
- (b) If the Board deems the degree of damage or violation to be serious enough to warrant such a step, the Board shall submit a request to the City of Encinitas Fire Department for removal of the CERT member(s) who

committed the violation from CERT membership and CERT activities. The Board may request removal of CERT membership and privileges on a permanent or temporary basis.

- (c) Should the CERT member in question be advised by the Encinitas Fire Department that their CERT membership and privileges have been revoked, the Encinitas CERT Board shall remove that member from all CERT lists and privileges.

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It was necessary to have two Motions approved to add this Article to the Bylaws. Passage of Motion Two was contingent upon Passage of Motion One.

**MOTIONS MADE:**

**Motion One:** The items currently drafted as SECTION VI. REMOVAL OF CERT MEMBER be included in the Encinitas CERT Bylaws.

Motion Made by Doug Jones  
Motion Seconded by Nancy Telford

**Motion Two:** The current Bylaws including new SECTION VI. REMOVAL OF CERT MEMBER be approved by the Board on the condition that they be reviewed by a nonprofit experienced attorney no later than August 15, 2008. At which time, if the Bylaws are not reviewed, they will not become null and void but will go back as a priority for review and re-adoption by the Board.

Motion Made by Doug Jones  
Motion Seconded by Nancy Telford

Minutes Submitted by: Nancy Telford, Secretary