

Attachment A

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Monterey County

Parks Commission

Item # 5

Legistar File Number: 19-0834

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

November 07, 2019

Introduced: 10/14/2019

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Receive a report on the current rules and regulations for the Monterey County Parks Commission regarding Election of Officers; and
- b. Provide direction to staff on recommended changes to the Section 9 of the Parks Commission rules and regulations regarding Election of Officers to bring forward for Board of Supervisors consideration.

RECOMMENDATION:

It is recommended the Monterey County Parks Commission:

- a. Receive a report on the current rules and regulations for the Monterey County Parks Commission regarding Election of Officers; and
- b. Provide direction to staff on recommended changes to the Section 9 of the Parks Commission rules and regulations regarding Election of Officers to bring forward for Board of Supervisors consideration.

SUMMARY:

In early 2019, Commissioner Sanchez requested that the Parks Commission (Commission) consider a modification to the annual election process for appointing a Chair and Vice Chair to the Commission. Currently, the *Election of Officers* for the Commission is governed by Section 9 of the rules and regulations, which states that recommended changes require the approval of the Board of Supervisors. On October 3, 2019, at a regular scheduled meeting of the Commission, this item was discussed by the Commissioners in attendance and continued in response to a request by Commissioner Sanchez who could not attend the meeting. Today, the Commission is asked to receive a report on the current rules and regulations set for Election of Officers of the Parks Commission and to provide direction to staff on recommended changes to the Parks Commission rules and regulations regarding Election of Officers to bring forward for Board of Supervisors consideration.

DISCUSSION:

On April 26, 1966, the Board of Supervisors adopted Resolution No. 66-185 to establish a Parks Commission and set the rules and regulations for the operation of said Commission through Resolution No. 66-185 (Attachment A). On July 29, 1980, the Board of Supervisors adopted Resolution No. 80-430 which reestablished the rules and regulations for the Parks Commission (Attachment B). On August 28, 1990, the Board of Supervisors adopted Resolution No. 90-497 amending Section 4 of the Resolution No. 80-430 to set the term of office for Parks Commission members at four years (Attachment C). On April 24, 2018, the Board of Supervisors adopted Resolution No. 18-048 amending Section 2 to add one member of the Board of Supervisors to the Monterey County Parks Commission membership (Attachment D).

Section 9 of the current Resolution No. 18-048 pertains to the election of Officers which states the following:

“The Commission shall elect a Chairman and a Vice Chairman, who shall be elected during the Commission’s first meeting of the year. Officers shall serve for one year and may run for re-election.”

In early 2019, Commissioner Sanchez requested that the Commission consider changing the annual process for selecting Commission Officers. An alternative method suggested was to implement a rotation process similar to the current Board of Supervisors’ annual Chair rotation.

Should the Commission support a rotation process, staff has developed draft language for the Commission’s consideration as follows:

The Parks Commission Chair and Vice Chair shall be appointed based on a rotation cycle following the numerical order of the Supervisorial District represented (as depicted below). Rotation of Chair and Vice Chair will occur during the Parks Commission’s first meeting of each calendar year. The Chair or Vice Chair shall serve for one year. The Board of Supervisors’ Parks Commission member is excluded from the Chair and Vice Chair rotation.

Should the Commission decide to leave the process for Election of Officers unchanged, staff recommends that the Commission consider modifying the existing language as follows:

The Parks Commission shall elect a Chair and a Vice Chair during the first meeting of the Parks Commission each calendar year. Officers shall serve for one year and shall not succeed themselves. A Chair or Vice Chair may serve again as Chair or Vice Chair following a one-year vacation of that position. The Board of Supervisors’ Parks Commission member is excluded from the Chair and Vice Chair rotation.

Modification of the existing language is also subject to the approval of the Board of Supervisors. Should the Commission provide direction to staff to amend Resolution 18-048 to reflect proposed changes to the Election of Officers process or modification of existing language, staff will prepare a report and amended resolution for the Board of Supervisors’ consideration in January 2020.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:


Resource Management Agency (RMA) serves as staff for the Parks Commission. No additional costs are associated with this recommendation and related action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Public meetings provide transparency to government. The Parks Commission provides a public forum and serves in an advisory capacity to the Board of Supervisors regarding County Parks.

- ☐ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Shawne Ellerbee, RMA Deputy Director of Administrative Services 

Reviewed by: Jim Rodems, RMA Chief of Parks 

Approved by: Carl P. Holm, AICP, RMA Director 

Attachments:

Attachment A-Rotation Process

Attachment B-Resolution No. 66-185

Attachment C-Resolution No. 80-430

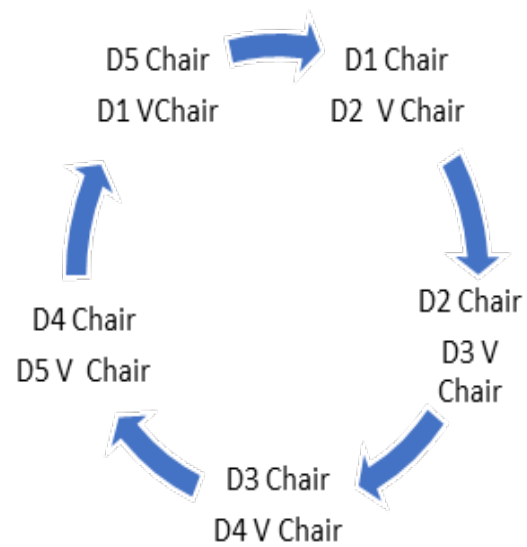
Attachment D-Resolution No. 90-497

Attachment E-Resolution No. 18-048

Attachment A

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Rotation Process



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Attachment B

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BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 66-185

Establishing and Creating the)
Monterey County Parks Commission)

BE IT RESOLVED THAT:

1. ESTABLISHMENT OF A COMMISSION

There is hereby created and established a commission consisting of five (5) members, to be known as the Monterey County Parks Commission.

2. APPOINTMENT OF MEMBERS

The members of said Commission shall be representative of the five supervisorial districts with each Supervisor nominating one member for appointment by the Board of Supervisors.

3. COMPENSATION

The members of said Commission shall serve without compensation. Members may be reimbursed for their actual expenses, including travel, lodging and meal expenses incurred while on official business of the Commission, which expense shall have prior approval by the Board of Supervisors.

4. TERMS

The terms of the members first appointed shall be determined by lot at the first meeting of the Commission with one member serving two years; two members serving three years; and two members serving four years. Terms of office thereafter shall be for four years. All vacancies shall be filled for the unexpired terms of the member whose office is vacant in the same manner as such member received the original appointment.

5. ORGANIZATION OF COMMISSION

Immediately after appointment and qualification, or until their successors qualify, the Commission shall organize by electing

a chairman, vice-chairman and secretary who shall serve for one (1) year.

6. MEETINGS

Regular meetings shall be held at least once a month at a regular date and time to be fixed by the members, and special meetings may be held upon the call of the chairman or any three (3) members of the Commission.

Written notice of special meetings shall be given to each member of the Commission at least 24 hours prior to any meeting. Said notice may be delivered personally or by United States mail.

7. QUORUM

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time.

8. LAPSE OF MEMBERSHIP

After a member of the Commission fails to attend three (3) consecutive meetings, unless excused by the vote of said Commission, his membership shall automatically terminate, and his successor shall be appointed in the same manner as his predecessor. A member of the Commission may be removed from office by a majority vote of the Board of Supervisors.

9. POWERS AND DUTIES

The Commission shall have the following powers and duties:

(a) Act in an advisory capacity to the Board of Supervisors in promoting, aiding, encouraging and conducting a public parks program, including the development of recreation and park facilities.

(b) Act in an advisory capacity to the Board of Supervisors and to the Director of Parks in the planning, maintenance, development and operation of all recreation areas and facilities owned, controlled, or leased by the County of Monterey.

(c) Formulate, and recommend to the Board, general policies related to the purposes of the Commission; and adopt by-laws, rules, and regulations, subject to the approval of the Board, as the Commission may require to facilitate the operation of a regional parks system.

(d) At the request of the Board of Supervisors, cause a budget to be prepared by the Director of Parks and submitted to the Board annually providing for the costs of maintenance and operation of the facilities and programs for the ensuing year. The budget shall contain estimates and recommendations for such long term capital outlay projects as may be necessary to provide for an orderly development of county-wide areas and facilities.

(e) Study and make recommendations on the acquisition and development of park areas and facilities, such as regional parks, beaches, reservoirs, concessions and other centers of recreation.

(f) Interpret the function and operation of park services to public officials and to the general public to the end that the services receive adequate financial support from public and private sources.

(g) The foregoing powers and duties shall not encompass any park or recreation activity carried on by the Monterey County Flood Control and Water Conservation District or any other special district, or any County Service Area for which the Board has appointed an advisory committee or commission.

10. ASSISTANCE FROM COUNTY OFFICERS.

The Commission shall have the power to call upon the Monterey County Director of Parks and other county officers and departments for advice and assistance in the performance of the duties of the Commission.

11. MINUTES.

Minutes shall be taken and preserved of all meetings of the Commission.

12. RECOMMENDATIONS

All recommendations of the Commission shall be adopted only upon the concurrence of at least three (3) members of the Commission and shall be in writing, attested to by the chairman or the secretary of the Commission.

On motion of Supervisor Anderson, seconded by Supervisor Hudson, the foregoing resolution is adopted this 26th day of April, 1966, by the following vote:

AYES: Supervisors Church, Atteridge, Anderson, Hudson.

NOES: None.

ABSENT: None.

Attachment C

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***Before the Board of Supervisors in and for the
County of Monterey, State of California***

RESOLUTION NO. 80-430

Creating the Monterey)
County Parks Commission)

SECTION 1. CREATION OF COMMISSION

Be it resolved that:

There is hereby created the Monterey County Parks Commission.

SECTION 2. MEMBERSHIP

The Commission shall be appointed by the Monterey County Board of Supervisors and shall consist of five (5) residents of Monterey County as follows: one (1) member appointed from each supervisorial district.

SECTION 3. VACANCIES

Any vacancy shall be filled in the same manner as the original appointment.

A vacancy shall exist, and shall be reported to the Clerk of the Board of Supervisors, when: a) a member fails to attend three consecutive meetings of the Commission without good cause; b) a formal letter of resignation is submitted to the Commission's chairperson and/or appointing Supervisor; c) a Commission member no longer resides in Monterey County, or otherwise does not meet the qualifications for the appointment.

SECTION 4. TERM OF OFFICE

Each member of the Commission shall hold office for a term of three (3) years from and after April 26 of the year in which she or he is appointed, with staggered terms so that a majority of three will be appointed one year, and two the following year.

SECTION 5. MEETINGS

The Commission shall hold regular meetings, open and public, within Monterey County, at a regularly established time and place, as selected by a majority of the Commission's members.

Special public meetings may be held at such times and places as the Commission's Chairman and the Board of Supervisors shall direct.

SECTION 6. MINUTES

Official minutes, indicating attendance and recording actions taken at each meeting of the Commission, shall be maintained and submitted to each member of the Commission and to each member of the Board of Supervisors, through its Clerk, prior to subsequent meetings.

SECTION 7. DUTIES OF THE COMMISSION

The Commission shall:

a) Act in an advisory capacity to the Board of Supervisors in promoting, aiding, encouraging, and conducting a public parks program, including the development of recreation and park facilities.

b) Act in an advisory capacity to the Board of Supervisors and to the Director of Parks in planning, maintenance, development, and operation of all recreation areas and facilities owned, controlled, or leased by the County of Monterey.

SECTION 8. QUORUM

A quorum shall be a majority of the total current appointed membership of the Commission. Commission action may be taken by a majority of those present and voting, and by no less than a majority of a quorum.

SECTION 9. OFFICERS

The Commission shall elect a Chairman and a Vice Chairman, who shall be elected during the Commission's first meeting of the year. Officers shall serve for one year and may run for re-election.

SECTION 10. COUNTY STAFF SUPPORT

The Board of Supervisors shall provide that the Commission be assisted by the Monterey County Parks Department. The Director of that department may designate a member of his or her staff to be his or her representative to the Commission.

SECTION 11. NOTICE OF SUBCOMMITTEES

A subcommittee shall mean any subsidiary study group appointed by the Commission to give assistance for longer than six months. Subcommittee members need not be Commission members, except that the Commission Chairman shall designate a Commission member to serve on said subcommittee.

SECTION 12. EXPENSES

Each member of the Commission shall be entitled to reimbursement from and to the extent of the budget for the Commission for reasonable and necessary expense for traveling to and from Commission meetings, and reasonable and necessary expense incurred in the conduct of official County business. Standard rates allowed County personnel shall be paid for reimbursement.

SECTION 13. ANNUAL REPORT

The Commission shall submit a concise annual report to the Clerk of the Board of Supervisors by July 30 of each year. The report shall contain a summary of the Commission's activities and projects for the preceding year, and shall contain a list of individual Commission members and the Commission's responsibilities.

PASSED AND ADOPTED this 29th day of July, 1980,
by the following vote, to-wit:

AYES: Supervisors Blohm, Shipnuck, Petrovic, Moore and Farr.

NOES: None.

ABSENT: None.

I, ERNEST A. MAGGINI, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 43, on July 29, 1980.

Dated: July 29, 1980

ERNEST A. MAGGINI, County Clerk and ex-officio
Clerk of the Board of Supervisors, County of Monterey,
State of California.

By _____
Deputy.

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Attachment D

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File

***Before the Board of Supervisors in and for the
County of Monterey, State of California***

Resolution No. 90-497 ---)
Amendment of Resolution No. 89-430)
Section 4; Setting the Parks)
Commission Term of Office to)
Four Years)

Upon motion of Supervisor Strasser Kauffman, seconded by Supervisor Shipnuck, and carried by those members present, the Board hereby amends Section 4 of Resolution 80-430 to set the term of office for Parks Commission members at four (4) years.

PASSED AND ADOPTED this 28th day of August, 1990 by the following vote, to-wit:

AYES: Supervisors Del Piero, Shipnuck, Perkins, Karas & Strasser Kauffman.

NOES: None.

ABSENT: None.

I, ERNEST K. MORISHITA, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page --- of Minute Book 64, on Aug. 28, 1990
Dated: Aug. 28, 1990

ERNEST K. MORISHITA, Clerk of the Board
of Supervisors, County of Monterey,
State of California.

By *Ernest K. Morishita*

Deputy

Report to Monterey County Board of Supervisors

SUBJECT	BOARD MEETING DATE	AGENDA NUMBER
AMENDMENT OF RESOLUTION 80-430 SECTION 4 SETTING THE PARKS COMMISSION TERM OF OFFICE TO FOUR YEARS	8/28/90	
DEPARTMENT: PARKS		

RECOMMENDATION

It is recommended that the Board of Supervisors:

1. Amend Section 4 of Resolution 80-430 to set the term of office for Parks Commission members at four (4) years.

SUMMARY

Resolution 80-430 as adopted sets the term of office for Parks Commission members at three (3) years. The original resolution establishing the Parks Commission, Resolution number 66-185, had set the term of office at four (4) years. Due to an error when drafting the new resolution, the term of office was changed to three years.

DISCUSSION

The term of office for Parks Commission members as defined in Resolution 80-430 is three years. This was a resolution creating and reestablishing the Parks Commission in compliance with Resolutions 80-12 and 80-16. In the process of retyping the Resolution, the term of office was erroneously stated as three years, instead of four years.

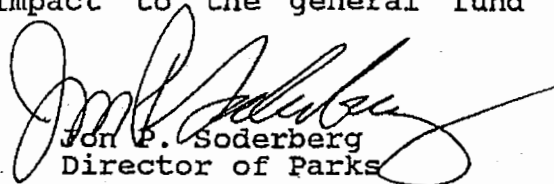
All appointments to the Parks Commission have previously been and are currently made for a period of four years. By amending Section 4 of Resolution 80-430, the Board of Supervisors will validate both the original intent and the current practice for appointments to the Commission.

OTHER AGENCY INVOLVEMENT

County Counsel has reviewed the amendment to the resolution.

FINANCING

There will be no financial impact to the general fund from this action.


Jon P. Soderberg
Director of Parks

JPS:jj

Enclosures: Sample Board Order
Resolution 80-430
Resolution 66-185

Attachment E

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**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 18-149

Resolution of the Monterey County Board of Supervisors to)
 provide and clarify the Monterey County Parks Commission's)
 originating history, rules and regulations; rescind the rules and)
 regulations established in Resolution No. 66-185 and)
 Resolution 80-430; and add one member of the Board of)
 Supervisors to the Monterey County Parks Commission)
 membership.....)

WHEREAS, on April 26, 1966, the Board of Supervisors adopted Resolution 66-185 to establish a Parks Commission and set the rules and regulations for the operation of said Commission;

WHEREAS, on July 29, 1980, the Board of Supervisors adopted Resolution 80-430 which reestablished the rules and regulations for the Parks Commission;

WHEREAS, on August 28, 1990, the Board of Supervisors adopted Resolution 90-497 amending Section 4 of Resolution 80-430 to set the term of office for Parks Commission members at four years;

WHEREAS, the Board of Supervisors wishes to clarify the originating rules and regulations for the Parks Commission; and

WHEREAS, the Board of Supervisors wishes to appoint one member of the Board of Supervisors to the Parks Commission membership.

NOW, THEREFORE, BE IT RESOLVED, the rules and regulations for the Monterey County Parks Commission are as follows:

SECTION 1. CREATION OF COMMISSION.

On April 26, 1966, the Board of Supervisors adopted Resolution 66-185 to establish a Parks Commission and set the rules and regulations for the operation of said Commission through Resolution No. 66-185. The rules and regulations established in Resolution No. 66-185 are hereby rescinded.

On July 29, 1980, the Board of Supervisors adopted Resolution 80-430 which reestablished the rules and regulations for the Parks Commission. The rules and regulations established in Resolution No. 80-430 are hereby rescinded.

The current and operative rules and regulations for the Parks Commission are contained in this Resolution.

SECTION 2. MEMBERSHIP.

The Commission shall be appointed by the Monterey County Board of Supervisors and shall consist of:

- a) Five residents of Monterey County, with one member appointed from each supervisorial district; and
- b) One member of the Board of Supervisors.

SECTION 3. VACANCIES.

Any vacancy shall be filled in the same manner as the original appointment.

A vacancy shall exist, and shall be reported in the Clerk of the Board of Supervisors, when:

- a) A member fails to attend three consecutive meetings of the Commission without good cause;
- b) A formal letter of resignation is submitted to the Commission's chairperson and/or appointing Supervisor; or
- c) A Commission member no longer resides in Monterey County, or otherwise does not meet the qualifications for the appointment.

SECTION 4. TERM OF OFFICE.

Each member of the Commission shall hold office for a term of four years from and after April 26th of the year in which she or he is appointed, with staggered terms so that two will be appointed one year, and two the following year.

SECTION 5. MEETINGS.

The Commission shall hold regular meetings, open and public within Monterey County, at a regularly established time and place, as selected by a majority of the Commission's members on an annual basis.

Special public meetings may be held at such times and places as the Commission's Chairman and the Board of Supervisors shall direct.

SECTION 6. MINUTES.

Official minutes, indicating attendance and recording actions taken at each meeting of the Commission, shall be maintained and submitted to each member of the Commission and to each member of the Board of Supervisors, through its Clerk, prior to subsequent meetings.

SECTION 7. DUTIES OF THE COMMISSION.

The Commission shall:

- a) Act in an advisory capacity to the Board of Supervisors in promoting, aiding, encouraging, and conducting a public parks program, including the development of recreation and parks facilities; and
- b) Act in an advisory capacity to the Board of Supervisors and to the Director of Parks in planning, maintenance, development, and operation of all recreation areas and facilities owned, controlled, or leased by the County of Monterey.

SECTION 8. QUORUM.

A quorum shall be a majority of the total current appointed membership of the Commission. Commission action may be taken by a majority of those present and voting, and by no less than a majority of a quorum.

SECTION 9. OFFICERS.

The Commission shall elect a Chairman and a Vice Chairman, who shall be elected during the Commission's first meeting of the year. Officers shall serve for one year and may run for re-election.

SECTION 10. COUNTY STAFF SUPPORT.

The Board of Supervisors shall provide that the Commission be assisted by the Monterey County Parks Department. The Director of that department may designate a member of his or her staff to be his or her representative to the Commission.

SECTION 11. NOTICE OF SUBCOMMITTEES.

A subcommittee shall mean any subsidiary study group appointed by the Commission to give assistance for longer than six months. Subcommittee members need not be Commission members, except that the Commission Chairman shall designate a Commission member to serve on said subcommittee.

SECTION 12. EXPENSES.

Each member of the Commission shall be entitled to reimbursement from and to the extent of the budget for the Commission for reasonable and necessary expense for traveling to and from Commission meetings, and reasonable and necessary expense incurred in the conduct of official County business. Standard rates allowed County personnel shall be paid for reimbursement.

SECTION 13. ANNUAL REPORT.

The Commission shall submit a concise annual report to the Clerk of the Board of Supervisors by July 30th of each year. The report shall contain a summary of the Commission's activities and projects for the preceding year, and shall contain a list of individual Commission members and the Commission's responsibilities.

PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Adams and carried this 24th day of April 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams

NOES: None

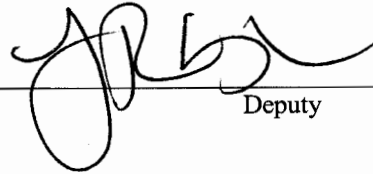
ABSENT: None

I, Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting on April 24, 2018.

Dated: June 7, 2018
File Number: RES 18-048

Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors
County of Monterey, State of California

By



Deputy

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