

Attachment B

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

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Resolution No.: 20-_____

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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; continue to incorporate Resolution No. 90-497 and
Resolution No. 18-149 and to further clarify the rules and
regulations of the Monterey County's Parks Commission.....)

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;

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

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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;

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WHEREAS, on June 7, 2018 the Board of Supervisors appointed one member of the
Board of Supervisors to the Parks Commission membership;

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

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

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SECTION ~~I~~. CREATION OF COMMISSION.

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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rescinded.

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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.

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

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SECTION ~~II~~. MEMBERSHIP.

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

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- a) Five ~~(5) members, residents of the County, with each Supervisor nominating one member for appointment by the Board of Supervisors, residents of Monterey County, with one member appointed from each supervisorial district; and~~
- b) One member of the Board of Supervisors.

SECTION 4 becomes SECTION III: TERM OF OFFICE (See changes below).

SECTION ~~IV~~ 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 9 becomes SECTION V OFFICERS (See below)

SECTION ~~4~~ III. TERM OF OFFICE.

Each member of the Commission shall ~~Each member of the Commission shall serve for a term of four years, commencing on April 1st of the year in which the member's nominating Supervisor begins a full term, 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 not more than two terms will commence in a given year.~~

SECTION 7 becomes SECTION VI DUTIES AND RESPONSIBILITIES OF THE COMMISSON.

SECTION ~~SIX~~ IX. NOTICE OF MEETINGS.

- a) ~~At least seventy-two (72) hours prior to each regular meeting, an agenda for the regular meeting shall be electronically sent to each Commissioner, to each representative of the news media and to each person who has submitted a written request to the Commission for notification of meetings. This agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.~~
- b) ~~The agenda shall be posted at least seventy-two hours prior to the regular meeting at a location that is freely accessible to the public.~~
- c) ~~No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that Commissioners may briefly respond to statements or questions posed by persons exercising their public testimony rights or to ask a question for clarification, refer the matter to staff or to other resources for factual information or request staff to report back at a subsequent meeting concerning any matter.~~
- d) ~~Notwithstanding the foregoing, action may be taken on an item of business not appearing on the posted agenda upon following a determination by a four-fifths vote by the Commissioners present.~~

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- e) If less than four-fifths of the Commission is present, action may be taken on an item of business not appearing on the posted agenda if, by a unanimous vote of the Commissioners present, the Commissioners determine there is a need to take immediate action and that the need for action came to the attention of the County subsequent to the agenda being posted.
- f) All subcommittees shall comply with the notice and agenda requirements otherwise applicable to the Commission in these By-laws, except for subcommittees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Commission.

SECTION X. 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 VI. DUTIES AND RESPONSIBILITIES 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;
- b) Act in an advisory capacity to the Board of Supervisors and to the XXXXXXXXXXXXXXX in planning, maintenance, development, and operation of all recreation areas and facilities owned, controlled, or leased by the County of Monterey:

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- c) Formulate and recommend to the Board general policies related to the purpose of the commission;
- d) Advise the Board of Supervisors and the XXXXXXXXXXXXX on the preservation of the historic, cultural and natural resources of the County and how best to promote and foster an awareness of this heritage;
- e) Annually review and make recommendations to the Board of Supervisors regarding the Parks annual budget suggesting ways to increase revenues and minimizing expenditures
- f) Recommend long term capital outlays to both maintain current facilities and to provide for an orderly development of new facilities
- g) Study and make recommendations on the acquisition and development of park areas and facilities, such as new or expanded regional parks, concessions and other recreation centers;
- h) 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; and
- i) Consider ways to facilitate the operation of a regional park system in conjunction with other public and private agencies and to collaborate on establishing joint region- wide funding mechanisms

SECTION 11 becomes SECTION VII NOTICE OF SUBCOMMITTEES.

SECTION XI. QUORUM.

A quorum shall be a majority of the total currently appointed commissioners. Commission action may be taken by a majority of those present.

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If a quorum is not present within fifteen minutes of the scheduled meeting time for any regular or special meeting, then such meeting shall be adjourned for lack of a quorum. A notice indicating such an adjournment shall accompany the agenda for the Commission's next meeting.

SECTION 4 becomes SECTION XII: CONFLICTS OF INTEREST

SECTION IV. OFFICERS.

The Commission shall appoint a Chairman and a Vice-Chairman during the Commission's first meeting of each calendar year. The officers will be appointed on a rotation basis following the numerical order of the Supervisorial Districts.

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The Chair and Vice-Chair will serve for one year. The Supervisor serving on the Commission is excluded from the officer rotation.

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SECTION XV. COUNTY STAFF SUPPORT.

The Board of Supervisors shall provide that the Commission be assisted by the XXXXXXXXXXXXXXX. who may designate a member of his or her staff to be his or her representative to the Commission.

SECTION VII. 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 5 becomes SECTION VIII

SECTION XVI. 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.

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SECTION ~~43~~XIV. 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~~ers~~ ~~members~~ and the duties of Commission~~'s responsibilities~~.

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SECTION ~~44~~XII. CONFLICT OF INTEREST.

No commissioner shall participate in any matter before the Commission in which she or he may have a direct or indirect economic interest which may be affected as a result of action taken by the Commission.

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SECTION XIII: PUBLIC PARTICIPATION.

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Public participation in Commission meetings shall be allowed as follows:

- a.) An opportunity for members of the public to directly address the Commission on any item on the agenda shall be provided before or during the Commission's consideration of the item.
- b.) In addition, the agenda will provide for oral communication, near the beginning of each regular meeting, on items not on the agenda but which are within the subject matter jurisdiction of the Commission.
- c.) The Commission may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and the Commission may establish reasonable limits on the total amount of time allotted for public testimony on a particular item or the total amount of time allotted for community oral communications. Unless otherwise determined by the Commission, the time limit will be three (3) minutes. When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.

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SECTION ~~45~~XVII. AUTHORITY OF COMMISSIONER TO SPEAK ON BEHALF OF THE COMMISSION.

No commissioner will speak on behalf of the Commission unless expressly authorized to do so by a vote of the Commission.

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PASSED AND ADOPTED

AYES:
NOES:
ABSENT:

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I, ~~xxxxxxxxxx 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 _____ for the meeting on _____ 2020.

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