

# Attachment C

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

**Resolution No: 20\_\_\_\_**

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

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

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

**SECTION I. CREATION OF COMMISSION.**

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. The rules and regulations established in Resolution No. 66-185 are hereby rescinded.

On July 29, 1980, the Board of Supervisors adopted Resolution No. 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 The rules and regulations established in Resolution No. 80-430 are hereby rescinded.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 II. MEMBERSHIP.**

The Commission shall consist of:

- a.) Five (5) members, residents of the County, with each Supervisor nominating one member for appointment by the Board of Supervisors.
- b.) One member of the Board of Supervisors.

### SECTION III: TERM OF OFFICE.

Each member of the Commission shall serve for a term of four years, commencing on April 1<sup>st</sup> of the year in which the member's nominating Supervisor begins a full term.

### SECTION IV. 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 chairperson and/or appointing Supervisor; or
- c.) A Commission member no longer resides in Monterey County, or otherwise does not meet the qualifications for appointment.

### SECTION V: OFFICERS.

The Commission shall appoint a Chairman and Vice Chairman during the Commission's first meeting of each calendar year. The officers will be appointed on a rotating basis following the numerical order of the Supervisorial districts. The Supervisor serving on the Commission is excluded from the officer rotation.

### 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 recreational parks facilities;
- b.) Act in an advisory capacity to the Board of Supervisors and to the xxxxxxxxxxxxxxxx in planning, maintenance, development and operation of all recreation areas and facilities owned, controlled or leased by Monterey County;
- c.) Formulate and recommend to the Board of Supervisors general policies related to the purpose of the Commission;
- d.) Advise the Board of Supervisors and the xxxxxxxxxxxxxxxx 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 minimize 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 Parks services receives 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 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 VIII: MEETINGS.

All Commission business shall be conducted at public meetings at a regularly established time and place as selected by a majority of the Commissioners.

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

Any subcommittee meetings comprised of less than a quorum of the members of the Commission and which are not standing subcommittees of the Commission, shall meet at a time and place convenient for the subcommittee members and may be open to the public. Proceedings of any subcommittee meetings shall be presented to the Commission in written form at the Commission's regular meeting.

All Commission meetings shall be conducted according to Roberts Rules of Order.

## SECTION 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.
- 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) At least seventy-two (72) hours prior to each special meeting, an agenda for the special 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 and shall be posted at least seventy-two hours prior to the regular meeting at a location that is freely accessible to the public. No business other than that listed on the agenda shall be considered at a special meeting.
- g) 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 the motions entertained and 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 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. 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 XII: CONFLICT OF INTEREST.

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

## SECTION XIII: PUBLIC PARTICIPATION.

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.

#### SECTION XIV: ANNUAL REPORT.

The Commission shall submit a concise annual report to the Clerk of the Board of Supervisors by July 30<sup>th</sup> 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 Commissioners and the duties of the Commission.

#### SECTION XV: COUNTY STAFF SUPPORT.

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

#### SECTION XVI: EXPENSES.

Each Commissioner 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 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.

#### **PASSED AND ADOPTED**

AYES:

NOS:

ABSENT:

I, xxxxxxxxxxxxxx, Acting Clerk of the Board of Supervisors of the County of Monterey, State of California, 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 Minutes Book\_\_\_\_\_ for the meeting on \_\_\_\_\_, 20\_\_\_\_.

Dated:

xxxxxxxxxxxxxxxxxxxxxx, Acting Clerk of the Board  
of File Number RES\_\_\_\_\_ Supervisors County of  
Monterey, State of California.

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