

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No: 21 - ____

Adopt a Resolution to:)
Adopt revised Rules and Regulations of the)
Monterey County Parks Commission, hereafter)
known as the Monterey County Parks)
Commission Bylaws.)

WHEREAS, 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 operations of said Commission;

WHEREAS, on July 29, 1980, the Board of Supervisors adopted Resolution No. 80-430 which reestablished the rules and regulations for the Parks Commission;

WHEREAS, on August 28, 1990, the Board of Supervisors adopted Resolution No. 90-497 amending Section 4 of Resolution 80-430 to set the term of office for Parks Commission members at four years;

WHEREAS, on April 24, 2018, the Board of Supervisors adopted Resolution No. 18-149, which dissolved the Board of Supervisors' Parks Committee and appointed one member of the Board of Supervisors to the Parks Commission;

WHEREAS, the Board of Supervisors wishes to further clarify and modify the rules and regulations for the Parks Commission and adopt these rules as the *Monterey County Parks Commission Bylaws*; and

WHEREAS, the Monterey County Parks Commission Bylaws will become effective immediately upon adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, THAT the Monterey County Board of Supervisors hereby rescinds the rules and regulations established in Resolutions No. 66-185 and No. 80-430 and adopts the rules and regulations for the Monterey County Parks Commission, hereafter known as the *Monterey County Parks Commission Bylaws*, as set forth below:

MONTEREY COUNTY PARKS COMMISSION BYLAWS

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.

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

The current and operative rules and regulations for the Parks Commission, hereinafter known as the *Monterey County Parks Commission Bylaws*, are contained in this Resolution.

SECTION II: MEMBERSHIP.

The Commission shall consist of:

- a) Five (5) members, residents of the County of Monterey, with each Supervisor nominating one (1) member for appointment by the Board of Supervisors.
- b) One (1) member of the Monterey County Board of Supervisors.

SECTION III: TERM OF OFFICE.

The terms of the Commissioners shall be four (4) years, commencing on January 31st of the first year of the appointing Supervisor's term. Commissioners appointed to fill mid-term vacancies shall serve the remainder of that term.

For existing terms that commenced prior to the adoption of these revised Bylaws, such terms shall expire on the previously established date. To create new terms that run concurrent with the Supervisor's term of office, appointments made after the adoption of these Bylaws shall expire on the subsequent January 31st of the first year of the appointing Supervisor's term, regardless of their length of term, after which appointments shall be four (4) years in accordance with this section.

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 (3) consecutive meetings of the Commission without good cause and proper notice, which is deemed a resignation.
- b) A formal letter of resignation is submitted to the Commission Chair 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 AND OFFICER DUTIES.

The Commission shall appoint a Chair and Vice Chair 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.

The Chair will preside at all Commission meetings and have sole signature authority of the Commission. The Commission Chair also designates Commission members to serve on subcommittees. The Vice Chair will assume the duties of the Chair in the absence of the Chair or when the Chair designates the Vice Chair to act in his/her place. In the absence of both the Chair and Vice Chair, the remaining members of the Commission shall appoint one of their members to act temporarily as Chair.

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 and participation in the County Parks Volunteer Program.
- b) Act in an advisory capacity to the Board of Supervisors and to the designated Department Director in 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 of Supervisors general policies related to the purpose of the Commission.
- d) Advise the Board of Supervisors and designated Department Director on the preservation of the cultural and natural resources of the County and how best to promote and foster an awareness of this heritage.
- e) Review annually 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 outlay(s) to both maintain current facilities and to provide for an orderly, planned development of new facilities.
- g) Study and make recommendations on the acquisition and development or preservation of park areas and facilities, such as new or expanded County regional parks, concessions, and other recreation centers or revenue-generating venues.
- h) Interpret the function and operation of park services to public officials and the general public to the end that Parks services receives adequate financial support from public and private sources.
- i) Consider ways to facilitate the operation of a County regional park system in conjunction with other public and private agencies and to collaborate on establishing joint region-wide funding mechanisms.

SECTION VII: 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 Chair 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. Before its last meeting each calendar year, the Commission shall select the times and place to meet for at least four times for the next calendar year. The adopted schedule of meetings for the calendar year shall be provided to the Clerk of the Board by staff.

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

All Commission meetings shall be conducted according to the latest edition of Robert's Rules of Order.

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.

SECTION IX: NOTICE OF MEETINGS.

- a) The Parks Commission is subject to the Brown Act.
- b) At least seventy-two (72) hours prior to each regular meeting and twenty-four (24) hours prior to a special meeting, an agenda for the meeting shall be electronically sent to each Commissioner.
- 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) All subcommittees shall comply with the notice and agenda requirements otherwise applicable to the Commission, except for ad hoc committees which are exempt from the Brown Act.

SECTION X: MINUTES.

Regular and Special Meetings of the Commission may be audio-recorded. Such recordings shall be a public record and made available for inspection for at least thirty calendar days after the subsequent Commission meeting when minutes are approved.

Official minutes indicating attendance and recording the motions entertained and actions taken shall be taken at each meeting of the Commission by staff and shall be maintained and submitted to each Commission member and to each member of the Board of Supervisors through its Clerk, prior to subsequent meetings for review, approval, and necessary corrections.

Revised minutes shall also be duly reviewed and approved at a subsequent meeting and forwarded to each Commission member by its Clerk in the prescribed manner.

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 (15) 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: CONFLICTS 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.

Per County requirements regarding conflicts of interest and to increase government transparency, each Commissioner shall file annually a Form 700 Statement of Economic Interest with the Clerk of the Board of Supervisors.

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 Chair may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and the Chair 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 Chair, the time limit will be three (3) minutes. When further discussion is required, the Chair may allot time on 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 30th of each year. The report shall contain the duties of the Commission, a list of individual Commissioners, and a summary of the Commission's activities and projects for the preceding year.

SECTION XV: COUNTY STAFF SUPPORT.

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

SECTION XVI: COMPENSATION AND EXPENSES.

Members of the Commission shall serve without compensation.

Each Commissioner shall be entitled to reimbursement from and to the extent of the Commission budget 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 COMMISSIONERS 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 on this 8th day of June 2021, by roll call vote:

AYES:

NOES:

ABSENT:

(Government Code 54943)

I, Valerie Ralph, 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 resolution of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ____ for the meeting on June 8, 2021.

Dated: , 2021
File ID: RES 21-
Agenda Item:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____, Deputy