

ARTICLE 2. - ORANGE COUNTY PARKS COMMISSION

Sec. 2-2-15. - Commission created; membership.

- (a) There is hereby created an Orange County Parks Commission consisting of seven (7) members. Five (5) members shall be appointed by the Board of Supervisors. Each Supervisor shall nominate one (1) member of the Commission who shall reside in the County of Orange. Two (2) members shall be appointed by the "City Selection Committee" as established pursuant to California Government Code Sections 50270 through 50279.2. One (1) such member shall be a resident of the Cities of Seal Beach, Huntington Beach, Newport Beach, Laguna Beach, Dana Point or San Clemente, and one (1) such member shall be a resident of one (1) of the other cities in the County of Orange. The term of office of each member appointed by the Board of Supervisors shall coincide with the term of office of the nominating Supervisor. The term of office of the members appointed by the City Selection Committee shall be for successive four-year periods. A member may be removed during his/her term of office by a majority vote of the respective appointing authority.
- (b) A member of the Board may nominate a person from outside of the District that the member represents, but may only nominate such a person with the concurrence, in writing, of the Board member who represents the District in which the proposed nominee resides.

(Ord. No. 99-21, § 1, 8-31-99; Ord. No. 10-013, § 1, 9-28-10; Ord. No. 15-016, § 1, 10-6-15)

Sec. 2-2-16. - Compensation and expenses.

Each member of the Commission shall receive compensation of seventy-five dollars (\$75.00) for each Commission meeting attended and for attendance at each meeting of a standing or ad hoc committee when appointed by the commission as the commission's representative, not to exceed a total of two (2) meetings in any calendar month. The Commissioner shall be entitled to traveling expenses to and from his/her usual place of residence to the place of meeting of the Commission, and for other Commission business under the procedure for and at the mileage rate allowed County-employee units covered under the Personnel and Salary Resolution.

(Ord. No. 99-21, § 1, 8-31-99; Ord. No. 10-012, § 4, 9-28-10)

Sec. 2-2-17. - Organization.

The Commission shall elect one of its members as chairman and another as vice-chairman, each of who shall serve at the pleasure of the Commission. The Director or designee shall act as Executive Officer of the Commission, preparing its agendas, keeping the minutes of its meetings and attending to its necessary correspondence and shall be the custodian of its records.

(Ord. No. 99-21, § 1, 8-31-99)

Sec. 2-2-18. - Meetings.

The Commission may meet monthly or more often at such times and place as it may determine.

(Ord. No. 99-21, § 1, 8-31-99)

Sec. 2-2-19. - Powers and duties.

Except as otherwise provided, the Orange County Parks Commission shall be advisory to the Board of Supervisors and to the Director of Orange County Parks, and shall have the power and duty:

- (1) To recommend to the Board of Supervisors plans and policies for the acquisition, development, maintenance and operation of the harbors, beaches, parks and recreational areas of the County;
- (2) On request of the Board of Supervisors, to advise the Board and make recommendations on any matter pertaining to harbors, beaches, parks, and recreational areas and any other matters referred by the Board concerning open space, trails, community and neighborhood parks and recreational activities;
- (3) On request of the Director, to advise him/her on any question of administrative policy and regarding any matter to be decided by the Director under this division;
- (4) On appeal from an administrative decision by the Director, to act as a board of administrative review where so provided in this division;
- (5) To make such investigations as it may deem necessary in the exercise of the powers in this section enumerated;

- (6) To perform the duties and functions of the Fish and Game Commission assigned by either statute or this Code and shall consider methods for the propagation and protection of fish and game in the State of California and County of Orange.

(Ord. No. 99-21, § 1, 8-31-99; Ord. No. 10-012, § 4, 9-28-10)

Secs. 2-2-20—2-2-29. - Reserved.

Orange County Parks Commission Bylaws

Article I. Name of Organization

- A. The name of this organization shall be the Orange County Parks Commission, hereinafter referred to as "Commission".
- B. The official location and mailing address of the Commission shall be:

Irvine Ranch Historic Park
13042 Old Myford Road
Irvine, California 92602

Article II. Establishment of Commission

The members of the Commission are appointed by the Orange County ("County") Board of Supervisors ("Board") and the Clerk of the Board's City Selection Committee as administered through the Orange County Division of the League of California Cities pursuant to Orange County Codified Ordinance ("OCCO") section 2-2-15.

Article III. Purpose and Functions

- A. The purpose of the Commission is to work with the County to:
 - 1. Act as advisory body to the Board and to the Director of OC Parks.
- B. In accordance with OCCO section 2-2-19, the functions of the Commission are as follows:
 - 1. To recommend to the Board of Supervisors plans and policies for the acquisition, development, maintenance and operation of the harbors, beaches, and regional parks of the county.
 - 2. On request of the Board of Supervisors, to advise the board and make recommendations on any matter pertaining to harbors, beaches, and regional parks, and other matters referred by the Board concerning open space, trails, community and neighborhood parks and recreational activities.
 - 3. On request of the Director, to advise him or her on any question of administrative policy and regarding any matter to be decided by the Director under this division.
 - 4. On appeal from an administrative decision by the Director, to act as a board of administrative review where so provided in this division.

5. To make such investigations as it may deem necessary in the exercise of the powers in this section enumerated.
6. To perform the duties and functions of the Fish and Game Commission assigned by either statute or this Code and shall consider methods for the propagation and protection of fish and game in the State of California and County of Orange.

In addition, Resolution No. 72-741 directs the OC Parks Commission to report to the Board of Supervisors on the necessity, advantages and benefits to be derived by the acquisition, improvement, or maintenance of certain areas, including but not limited to the following:

- a. any park proposed in the Master Plan of Regional Parks;
 - b. local parks in unincorporated county areas;
 - c. county roadside rests;
 - d. county equestrian, bicycle and hiking trails.
- C. The Commission shall report to the Board by having its recommendations on items going to the Board stated on the Agenda Staff Report presented to the Board.

Article IV. Appointment and Membership

- A. Membership of the Commission is to be composed as follows:
1. There shall be seven (7) members that comprise the Commission. Pursuant to OCCO section 2-2-15, members of the Commission shall be selected pursuant to the following criteria:
 - a. Five (5) members are appointed by the Board, where one member is appointed from each of the five (5) supervisorial districts.
 - b. Two (2) members are appointed by the Clerk of the Board's City Selection Committee as administered through the Orange County Division of the League of California Cities, with one member a resident of the cities of Seal Beach, Huntington Beach, Newport Beach, Laguna Beach, Dana Point or San Clemente, and the other member a resident of one of the other cities in the County of Orange.
 - c. All members will be voting members.
- B. Qualifications for Commission Membership

1. Board of Supervisor Appointments: The following criteria will be used for the five (5) members appointed by the Board of Supervisors pursuant to Article IV (A)(1)(a) above:
 - a. Residency and Voting Requirements: Except where the Board finds it is in the best interest of the County to waive voter and residency requirements, all Board appointed members of the Commission shall be:
 - i. Registered voters in the County; and,
 - ii. Reside in the district of the nominating member of the Board of Supervisors, unless Supervisor representing the district where the nominee resides provides written consent for the nomination.
2. City Selection Committee Appointments: All other members shall be appointed pursuant to City Selection Committee procedures and in accordance with these Bylaws.

C. Length of Commission Membership

1. All regular Commission member appointments shall be for a term concurrent with the term of office of the nominating member of the Board of Supervisors. A member of the Commission whose term of office is expiring with that of the nominating Supervisor shall have the option of reapplying for membership for appointment.
2. The term of office of the members appointed by the Clerk of the Board's City Selection Committee as administered through the Orange County Division of the League of California Cities is four (4) years.
3. Appointments made to fill a vacancy left by a member before the expiration of the term of that member shall be for the remaining term of that member.
4. Pursuant to Government Code section 1302, a member whose term has expired shall continue serving as a member until reappointed or replaced.

Article V. Commission Officers

- A. Commission officers shall consist of:
 1. Chair

- a. The Chairperson shall preside at meetings, call special meetings, decide points of order, announce all business, entertain motions, put motions to vote, announce vote results, appoint and may remove committee Chairpersons, represent the Commission at public functions.
- b. To the extent that the bylaws of a Board or Committee of an outside organization allows for a member(s) of the Commission to serve on said Board or Committee, and except as otherwise determined by the Board of Supervisors or the bylaws of said Board or Committee, the Chair shall have the authority to select a member(s) of the Commission, including himself/herself, to serve as the Commission representative for that Board or Committee.

2. Vice-Chair

- a. The Vice Chairperson shall perform the duties of the Chairperson in his or her absence. If the Chair becomes vacant, the Vice Chairperson shall succeed to the Chair for the balance of the term of office.

3. Executive Officer

- a. The Director of OC Parks or designee.
- b. The duties of the Executive Officer include preparing agendas, keeping the minutes of Commission meetings, attending to the Commission's necessary correspondence, and shall be the custodian of the Commission's records.

- B. Terms for officers of the Commission shall be for one year.
- C. No person, except a member of the Board, may serve as Chair of a BCC for more than three consecutive terms.
- D. No person, except a member of the Board, may serve simultaneously as Chair for two or more BCCs.
- E. Election of officers shall be held annually during the last Commission meeting of each calendar year by majority vote, a quorum being present.

Article VI. Duties of Members

- A. Members shall attend meetings of the Commission and of committees to which they are appointed. The Executive Committee shall regularly review member attendance at Commission and committee meetings.

- B. Members shall notify the Chairperson of the Commission of any expected absence for a meeting by 5:00 p.m. of the day before a regularly scheduled Commission meeting, indicating good and sufficient reasons for the absence.
- C. In the performance of its responsibilities, the Commission shall not engage in nor employ any unlawfully discriminatory practices in the provision of services or benefits, assignment of accommodations, treatment, employment of personnel or in any other respect on the basis of sex, race, color, ethnicity, national origin, ancestry, religion, age, marital status, medical condition, sexual orientation, physical or mental disability or any other protected group in accordance with the requirements of all applicable County, state, or federal laws.
- D. Members of the Commission shall comply with the County Equal Employment Opportunity and Anti-Harassment Policy and Procedures.
- E. Members of the Commission shall comply with County Code of Ethics.
- F. Members of the Commission shall operate strictly within designated purposes of the Commission.

Article VII. Committees and Subcommittees

- A. Standing Committees: The BCC may establish standing committees as it sees fit.

Terms of appointment to standing committees shall be for one year.

- B. Ad Hoc Committees: The Chairperson may establish ad hoc committees of less than a quorum of the Commission's membership to accomplish time-limited tasks that support the goals of the Commission.

Terms of appointment for ad hoc committees shall be for the period of time required to fulfill the ad hoc committee's purpose.

- C. Subcommittees: The Commission may establish subcommittees for specific subject matters within the subject matter jurisdiction of the Commission. The Commission shall determine, by majority vote during a regular Commission meeting, the subcommittee's: membership; roles and responsibilities; and the time, place and manner of meetings of the subcommittee. The Commission shall approve the bylaws of the subcommittee(s) by a majority vote during a regular meeting of the Commission.

Article VIII. Meeting and Actions

- A. The Commission meets at 6:00 p.m., on the first Thursday of each month at the Irvine Ranch Historic Park Headquarters Building, 13042 Old Myford

Road, Irvine, CA, unless rescheduled by the Commission. Two to three Saturday field trips per year, to selected recreation facilities, are also held.

- B. The Commission shall, at its first meeting of each year, adopt a schedule of regular meetings and transmit that schedule in writing to members, the Board, and the public at large.
- C. All Commission meetings shall be open, public and noticed in conformance with the provisions of the Ralph M. Brown Act, California Government Code section 54950 et seq., as amended and held at a location within Orange County, California that satisfies the access requirements of the Americans with Disabilities Act.
- D. Special meetings of the Commission may be called either by the Chairperson or at the request of a majority of Commission members. Notice of special meetings shall:
 - 1. Be delivered to members personally, by mail or electronically, and must be received no later than 24 hours in advance of the meeting.
 - 2. State the business to be considered and whether alternative technological means may be used such as telephone or video conferencing, as technological resource availability permits and as permissible by the Ralph M. Brown Act.
- E. Quorum Requirements
 - 1. Quorum requirements are as follows:
 - a. General Meetings: Quorum shall be no less than 50%+1 of the membership.
 - b. Standing Committees: Quorum shall be the members present, but no less than three (3).
- F. Voting Majority: Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the Commission, except as otherwise provided by these Bylaws.
 - 1. Members choosing to abstain from voting on specific actions will not affect majority requirements. Abstentions are considered a “non-vote” – neither a vote in the affirmative nor in the negative. However, in order for an action to be passed, a majority of the quorum casting votes must vote in the affirmative.

For example: If, at a standing committee meeting, six (6) voting members of the committee are present to vote, and on a particular motion, three (3) vote in the affirmative, two (2)

vote in the negative, and one (1) member abstains, the motion passes.

- G. Voting by Proxy: Members of the Board and the County Executive Officer who serve as Commission members may designate a substitute to attend a Commission meeting on their behalf and vote on any action item by the submitting the member's signed proxy to the Commission Chairperson at the start of the meeting.
- H. Minutes: The Clerk of the Commission shall prepare and publish the minutes for each meeting of the Commission.

Article IX. Compensation and Reimbursement

- A. Compensation: Each member of the Commission shall be eligible to receive a sum of \$75.00 per meeting and field trip (not to exceed two in any month) for attendance at a Commission meeting, subject to a maximum reimbursement as specified by OCCO section 2-2-16. Attendance of less than one-half of a regular meeting shall be considered an absence and not subject to remuneration.
- B. Reimbursement: Commission members may be reimbursed for actual expenses incurred while performing within the scope of their duties to the extent permitted by applicable County policy. All requests for reimbursement shall be submitted in accordance with the policies and procedures adopted by the County on a form approved by the County Auditor-Controller.
 - 1. Members of the Commission shall be entitled to mileage from home to meeting place.

Article X. Removal and Resignation of Members

- A. Removal: The Board may, at any time and without cause, remove any Commission member from office prior to the expiration of his/her term of office by majority vote of the Board. Members appointed by the Orange County Division of the League of California Cities may be removed during the term of office by a majority vote of the appointing authority.
- B. Resignation: Resignation of Commission members shall be effected by a written letter of resignation submitted to the Chairperson of the Commission and to the Board.
- C. The Chairperson shall notify the Clerk of the Board in writing of any vacancies within 10 days of learning the existence of any such vacancy.

Article XI. Authority

- A. Parliamentary Authority: The Chairperson shall preside and manage Commission meetings using parliamentary procedure consistent with these bylaws, any special rules of order the Commission may adopt, and any applicable County, state, and federal law.
- B. When circumstances demand that action be taken before the next scheduled Commission meeting the Commission may authorize and grant its full authority to any standing committee to act on its behalf to make specific, limited, independent recommendations to the County, a quorum of the Commission being present.
 - 1. Such actions taken on behalf of the Commission by a committee will be presented as an information item at the next regular Commission meeting.
 - 2. Such actions will not require further action by the Commission.
- C. Standing and Ad Hoc Committees
 - 1. Standing and ad hoc committees shall have no independent authority and shall be limited to exercising only those specific functions granted to them by the Commission.
 - 2. No standing or ad hoc committee shall have independent authority to commit the Commission to any policy or action without the prior approval of the general membership of the Commission.

Article XII. Conflict of Interest

- A. Members of the Commission and any of its committees or subcommittees shall abstain from voting on any issue in which they may be personally interested to avoid a conflict of interest in accordance with County, state, and federal laws and shall refrain from engaging in any behavior that conflicts with the best interest of the County.
- B. Members of the Commission shall not vote nor attempt to influence any other Commission member on a matter under consideration by the Commission or any of its committees or subcommittees:
 - 1. Regarding the provision of services by such member (or by an entity that such member represents); or
 - 2. That would provide direct financial benefit to such member or the immediate family of such member; or
 - 3. Engage in any other activity constituting a conflict of interest under County, state, or federal law.

- C. If a question arises as to whether a conflict exists that may prevent a member from voting, the Chairperson or designee may consult with designated County staff to assist them in making that determination.
- D. In order to avoid a conflict of interest or the appearance of such conflict, all nominees to become members of the Commission shall disclose on forms provided by the County information regarding their private economic interests that may be implicated by their service on the Commission
- E. Commission members shall timely file Statements of Economic Interests (Form 700) and other financial disclosures as required by law.
- F. Commission members shall complete ethics training as required by County policy and Assembly Bill 1234 (Government Code sections 53234 through 53235.2).
- G. Neither Commission nor any of its members shall promote, directly or indirectly, a political party, political candidate, or political activity using the name, emblem, or any other identifier of Commission.
- H. No assets or assistance provided by County to Commission shall be used for sectarian worship, instruction, or proselytization, except as otherwise permitted by law.

Article XIII. Adoption and Amendment of Bylaws

- A. Adoption: An affirmative vote of at least 50%+1 of those voting, a quorum being present, shall be required to recommend these Bylaws for Board approval. These Bylaws become effective upon approval by the Board.
- B. Amendments:
 - 1. Any member of the Commission may propose amendments to these Bylaws.
 - 2. Proposed amendments shall be submitted in writing and made available to each member of the Commission no less than five days prior to consideration before a vote can be taken.
 - 3. An affirmative vote of at least 50%+1 of those voting, a quorum being present, shall be required to recommend Bylaws amendments for Board approval. Any amendments to the Bylaws become effective upon approval by the Board.

Article XIV. Severability

Should any part term, portion or provision of these Bylaws be determined to be in conflict with any law or otherwise unenforceable or ineffectual, the remaining parts,

terms, portions or provisions shall be deemed severable and their validity shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the provisions that the members intended to enact in the first instance.

Article XV. Staffing Support

Staff support from OC Parks shall be provided to support the Commission in conjunction with the work of the Commission.