

**MARINWOOD COMMUNITY SERVICES DISTRICT  
PARK AND RECREATION COMMISSION BYLAWS**

*(Adopted by Board of Directors: 05/12/2015)*

**ARTICLE I – NAME**

This Commission shall be designated the Marinwood Community Services District Park and Recreation Commission, referred to hereinafter as the “Commission.”

**ARTICLE II – PURPOSE AND AUTHORITY**

The Commission is an advisory body to the Marinwood Community Services District Board of Directors (“Board”) and exercises particular powers as delegated by the Board. The Commission shall recommend to the Board policies governing the operation and management of the Marinwood Community Center, Marinwood Community Parks, Marinwood Community Pool, open space, and recreation programs (hereinafter collectively referred to as the “Park and Recreation Departments”) in accordance with the needs of the community and the District's policies, rules and regulations. The Board, as the legally constituted body under State law, retains power of final review and decision.

**ARTICLE III – COMMISSIONERS’ RESPONSIBILITIES**

Commissioners shall:

1. Attend Commission meetings.
2. Serve on Commission committees.
3. Review, comment, and make recommendations regarding the annual operating budget for the Park and Recreation Departments.
4. In cooperation with staff, review and recommend to the Board any change(s) in staffing needs of the Park and Recreation Departments.
5. In cooperation with staff, develop and recommend to the Board a long-range plan for Park and Recreation Department facilities and review the plan periodically as necessary.
6. Monitor existing capital projects related to Park and Recreation Department facilities and suggest new capital projects based on community recreation needs.
7. Inspect Park and Recreation Department facilities annually during summer months and develop a list of recommended improvements.

8. In cooperation with staff, review and suggest revisions to the Board regarding rules, regulations, policies and schedules concerning Park and Recreation Department facilities and activities as needed.
9. Review monthly reports from staff concerning the general operations, functions and activities of the Park and Recreation Departments.
10. Promote the preservation and protection of the natural resources under District purview.
11. As requested by staff, help develop and maintain a good working relationship with local school districts, other organizations and private entities engaged in recreation programming in order to maximize the use of school, public, and community facilities for recreation activities.
12. Perform other such duties as may be directed by the Board.

## **ARTICLE IV – STRUCTURE**

### **A. MEMBERSHIP**

The Commission shall consist of five regular members and one alternate member. All members shall be residents of the Marinwood Community Services District. Commissioners serve without remuneration.

### **B. APPOINTMENT TERMS AND PROCESS**

Commissioners are appointed by the Board during its regular December board meeting for two-year terms beginning in January. Three commissioners shall be appointed for terms beginning in the same even year. Two other commissioners plus the alternate shall be appointed for terms beginning in the same odd year. A spreadsheet listing commissioners' appointment terms shall be kept up to date by the District Manager and be available by request. There are no term limits for Commission members.

### **C. VACANCY, RESIGNATIONS AND REMOVAL**

In the first week of October, District staff will post a notice of all upcoming commission vacancies on, at a minimum, District's website as well as utilize District email lists and neighborhood email lists and social media websites to encourage applications from the community. Notices will include general information about the Commission vacancy, including the specific term of the vacancy, as well as instructions on how to express interest in becoming an appointed Commissioner. Current Commission members whose terms are expiring may apply for reappointment following the same procedure.

Any appointed member may resign by giving written notice to the Board which shall be delivered to the District Manager's office or via Email to the District Manager. Commissioners shall be subject to removal by the affirmative vote of three members of the Board. Any such vacancy will trigger a notice of the vacancy within five business days. The current alternate commissioner may at that time apply for the vacated seat. The new appointee will serve the remainder of the vacated term.

Any vacancy in the office of Chairperson or Vice Chairperson or any other elected position that occurs during the unexpired term of office shall be filled at the first regularly scheduled Commission meeting. The Chairperson or Acting Chairperson shall take nominations from the floor to fill such a vacant position. The election of the officer to that position shall then be conducted by a roll call vote.

#### **D. CHAIRPERSON**

One regular Commission member shall be elected in January by the other Commissioners to the role of Chairperson of the Commission for a period of one year. The chairperson must have been appointed to the Commission for a period of no less than one year preceding election to the role of chairperson. The chairperson can serve in this role consecutively if reelected by the members of the Commission. The chairperson can be removed from this position by the majority vote of the Commission.

##### **1. DUTIES OF THE CHAIRPERSON**

- a. Preside over meetings of the Commission, utilizing and maintaining Rosenberg's Rules of Order.
- b. In cooperation with District staff, prepare agendas for Commission meetings.
- c. Attend Board meetings at least for the portion covering Commission matters and other portions the Chair may be asked to attend. Alternatively, designate another member of the Commission to attend should the Chair be unavailable.
- d. Report to the Board the actions and recommendations of the Commission to the extent needed to supplement the Commission's report.
- e. Welcome newly appointed Commissioners. Provide a copy of Commission Bylaws to each new Commissioner.
- f. Assign special duties and responsibilities to the Vice Chairperson.

- g. Form special committees as needed and appoint members to serve on the committee.
- h. Call special meetings in compliance with the Ralph M. Brown Act.
- i. Act as official spokesperson for the Commission.

**E. VICE CHAIRPERSON**

One Commission member shall be elected in January by the other Commissioners to become the Vice Chairperson of the Commission for a period of one year. The position does not imply succession into the position of Chairperson. The Vice Chairperson can serve consecutively in this position if reelected by the members of the Commission.

**1. DUTIES OF VICE-CHAIRPERSON**

- a. Perform the duties of the Chairperson in the absence of the Chairperson.
- b. Serve in such capacities as may be assigned by the Chairperson.

**F. LIAISON DIRECTOR**

A Liaison Director is a member of the Board appointed by the Chair of the Board at the January meeting of the Board for a period of one year. There are no term limits for the Liaison.

**1. DUTIES OF THE LIAISON DIRECTOR**

- a. The Liaison Director attends Commission meetings and may participate in the discussion as appropriate.
- b. The Liaison Director's principal function is to advise the Commission of official Board policy when appropriate and to inform the Board of the Commission's viewpoints and recommendations when the Chairperson is not available.
- c. The Liaison Director shall be available for advice and consultation with the Commission Chairperson.

**ARTICLE V – MEETINGS**

**A. TIME AND PLACE**

The Commission shall hold regular meetings the fourth Tuesday of every odd numbered month (January, March, May, July, September, November) at 7:00 PM in the small classroom at the Marinwood Community Center, unless otherwise necessary. Public notice of all meetings shall be given in accordance with the provisions of The Ralph M. Brown Act. The meetings shall be open to the public.

## **B. SPECIAL MEETINGS**

Special meetings may be called by the Chairperson, by three members of the Commission, or by the Board. Public notice of all meetings shall be given in accordance with the provisions of the Ralph M. Brown Act. The meetings shall be open to the public.

## **C. COMMITTEE MEETINGS**

The time, date and location of any committee or subcommittee meeting shall be determined by the chairperson of such committee or subcommittee.

## **D. ATTENDANCE**

Commission members are required to attend all regular and special meetings. Members shall notify District staff of any expected absence by 5:00 p.m. the day prior to the meeting. Three absences in a row, without good cause, will trigger the Chairperson's inquiry into the nature of the absence, and may trigger Commission's request to the Board to remove absent Commissioner from their duties. Absences due to extenuating circumstances are exempt. Absence with notification from a special meeting does not count towards attendance requirements. "Good cause" is defined as illness, death of family member, childbirth, or business necessity; or any family or personal event which conflicts with Commission business and is reported to the staff as indicated above (the exception is any emergency, which can be reported later.)

In addition to attending the regular monthly Commission meetings, Commissioners are encouraged to attend meetings of the Board.

## **E. AGENDA**

Unless otherwise determined by the Chairperson, the agenda of the regular meeting shall be in compliance with the Ralph M. Brown Act and shall include, but is not limited to, the following:

1. Confirmation of a Quorum
2. Call to Order
3. Review of the Agenda
4. Public Comment on Non-Agenda Items
5. Approval of the draft minutes from the prior Commission meeting

6. Review of the draft minutes from the last meeting of the Board
7. Park and Recreation Department Staff Report
8. Requests for Future Agenda Items
9. Adjournment

#### **F. QUORUM, VOTING AND ACTION**

The Commission acts as a body, not as individuals. A quorum consisting of a majority (3) of Commissioners is required to take any action. Action of the Commission as a whole is taken by formal vote. A simple majority will decide if action passes or fails. Each member has one vote. No member shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted on. The alternate member shall vote only in the absence of a regular member or if a regular member has recused themselves due to a conflict of interest.

#### **G. PARLIAMENTARY AUTHORITY**

All proceedings of the Commission shall be conducted according to the rules contained in the most recent edition of Rosenberg's Rules of Order when these do not conflict with these bylaws.

### **ARTICLE VI – PUBLIC DECORUM**

During any public comment before the full Commission, remarks shall be addressed to the Commission, not to individual Commissioners or staff and not to the audience.

#### **A. PROHIBITED ACTIONS**

The following actions are prohibited during public meetings:

1. Obscene, vulgar or abusive language
2. Shouting or yelling
3. Use of electronic devices, unless they are in silent mode

#### **B. DISORDERLY CONDUCT**

The presiding officer shall order removed from the meeting room any person who commits the following acts in respect to a Commission meeting:

1. Disorderly, contemptuous or insolent behavior toward the Commission or staff or any member thereof, tending to interrupt the due and orderly course of said meeting;

2. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
3. Disobedience of any lawful order of the presiding officer, which shall include an order to be seated or to refrain from addressing the Commission;
4. Any other interference with the due and orderly course of said meeting.

### **C. CONDUCT ENFORCEMENT**

Any person removed from a meeting shall be excluded from further attendance at the meeting from which removed, unless permission to attend is granted upon motion adopted by a majority vote of the Commission. Such exclusion shall be performed by any law enforcement officers or security officers upon being so directed by the presiding officer. Any law enforcement officers or security officers at the meeting, or whose services are commanded by the presiding officer, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at a public meeting.

### **D. LAW VIOLATIONS**

In addition to performing the removal of any person who, in the opinion of the presiding officer has violated the order and decorum of any meeting, the presiding officer may direct any law enforcement officer or officers to place such person under arrest for violation of Section 403 or Section 415 of the California Penal Code, or any other applicable law, and shall cause such person to be prosecuted. The complaint shall be signed by the presiding officer, the District Manager, or the clerk of the meeting.

## **ARTICLE VII – COMMITTEES**

The Commission shall establish additional committees, subject to Board approval, on either a permanent (standing) or temporary (ad hoc) basis to address specific issues or concerns related to parks and recreation within Marinwood. These committees can consist of other members of the public, but cannot consist of more than two Commissioners. All permanent committees are subject to the provisions of the Ralph M. Brown Act.

## **ARTICLE VIII – PUBLIC COMMUNICATION**

As an advisory body to and appointed by the Board of Directors, direct communications and correspondence between the Commission or individual Commissioners and members of the public shall be restricted to open and public Commission meetings. Correspondence from the public to the Commission or individual Commissioners may be sent to the District Manager or their designated staff. In such instance, a Commissioner may request an item be placed on a future meeting agenda for further discussion and consideration of the Commission.

#### **ARTICLE IX – COMPLIANCE**

Commission members must abide by these Bylaws, the District’s Code of Conduct and Ethics for Commission Members (Attachment A) and all provisions of the Ralph M. Brown Act (Government Code Sections 54950 – 54963, et seq.). The Ralph M. Brown Act is available at:

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=54001-55000&file=54950-54963> .

#### **ARTICLE X – GOVERNING PROVISIONS; SEVERABILITY**

Any and all applicable laws of any governmental authority or agency having jurisdiction over the Commission are hereby incorporated by reference as if fully set forth herein. In the event of a conflict between such applicable law(s) and any provision of these Bylaws, the applicable law(s) shall control and such Bylaws provision(s) shall be considered null and void; provided; however, that any and all provisions of these Bylaws not so affected shall remain in full force and effect.

#### **ARTICLE XI – EFFECTIVE DATE AND AMENDMENTS**

These Bylaws shall be effective upon their adoption at a regularly scheduled meeting of the Board and shall supersede the “Authority and Responsibilities of the Marinwood Park and Recreation Commission” and the “Code of Conduct and Ethics for Commission Members” previously adopted by the Board, which may be in conflict with the provisions contained herein. These Bylaws may be amended or repealed and new bylaws recommended by the majority vote of the Commission at any regular meeting. The amendments are further subject to the approval of the Board. Any member of the Commission may propose amendments to the Bylaws. Written notice of any proposed amendments must be sent to the District Manager and the Commission Chairperson in time to be included in the upcoming meeting agenda.



Amendments:

*Article VI as amended and included 5/8/18*

*Article V (a) as amended 11/13/18*

*Article VIII as amended and included 2/12/19*

*Article V (a) as amended 10/11/22*

## ATTACHMENT A

### **CODE OF CONDUCT AND ETHICS FOR COMMISSION MEMBERS**

1. Commissioners must conduct themselves with courtesy and respect to each other, to staff, to members of the audience in attendance at meetings, and to the community in general.
2. Commissioners shall be prepared to discuss agenda items at meetings and keep their comments to the subject at hand.
3. Commissioners are encouraged to seek clarification on agenda items from staff prior to meetings.
4. Commissioners may collaborate with staff on specific projects or issues, but they shall refrain from involvement in or supervision of the day-to-day operations of the District.
5. Commissioners may not represent the Commission before any other commission, outside agency, the press, or the general public unless authorized by the Commission as the designated spokesperson. This is further subject to the authorization of the Board.
6. Commissioners may not use the appointed title to promote personal or political interests.
7. In public statements, Commissioners must accurately represent the adopted position and opinion of the Board and/or Commission as a whole. While Commissioners may express their individual viewpoint on an issue, they must clearly indicate that the opinion stated is personal and does not represent the official position or opinion of the Board and/or Commission.