



CITIZEN ADVISORY COMMITTEE BYLAWS

ARTICLE I Name and Boundaries

- Section 1. The official name of this organization shall be the “Otay Valley Regional Park (OVRP) Citizen Advisory Committee” hereby referred to below as the “OVRP CAC.”
- Section 2. All activities of this committee shall be conducted in its official name.
- Section 3. The boundaries addressed by the OVRP CAC, as designated in the Joint Exercise of Powers Agreement (JEPA) among the County of San Diego, and the Cities of San Diego and Chula Vista (dated July 5, 2006) and as periodically amended, shall be:

“The boundaries of the territory within which the Public Agencies shall exercise their powers under this Agreement shall be the boundaries of the approved Concept Plan maps as adopted by the Public Agencies on May 23, 2001 (see Exhibit “A”) except for the City of San Diego reservoirs as depicted on Exhibit “A”.

A depiction of the Concept Plan boundaries shall not be construed to affect the uses to which any property may legally be devoted and is not intended to constitute an announcement of the Public Agencies’ intent to acquire, by purchase or condemnation, any particular parcel of property located within said boundaries, but rather is intended to facilitate continued planning for potential future park development.”

ARTICLE II Mission Statement, Governing Rules & Procedures

- Section 1. Mission Statement: The Mission of the OVRP CAC is to assist the JEPA partners in the conservation and preservation of resources and the provision of active and passive recreational opportunities for the benefit of the public and future generations. The OVRP CAC shall advise the Policy Committee in accordance with the Joint Exercise of Powers Agreement and provide support to agency staff in various park matters.
- Section 2. The Ralph M. Brown Act (Government Code §54950-54963) shall govern the proceedings, noticing and general activities of the OVRP CAC.
- Section 3. The OVRP CAC may propose amendments to these bylaws by majority vote of the appointed members of the OVRP CAC. Proposed amendments shall be

submitted to the Policy Committee. Bylaw amendments shall require a two-thirds vote of the Policy Committee.

ARTICLE III Operating Rules

Section 1 Membership

The OVRP CAC shall consist of 21 members. Each Policy Committee member shall appoint 7 members from his/her respective jurisdiction subject to the approval by a majority of the full Policy Committee. Members may include but are not limited to representatives of local community planning groups, the biological science community, appropriate environmental, landscape, planning and community organizations, representatives from the business community, and community members at large that have an interest in the OVRP. No organization shall be officially represented by more than one member.

Members shall serve a four year term. There shall be a limit of two (2) consecutive terms served. A member's initial term shall commence upon appointment by the Policy Committee and shall conclude on December 30th of the fourth year of their term, unless they shall otherwise sooner resign, die, become disqualified or incompetent to hold office. Reappointments and vacancies shall be made in the same manner as appointments. If the maximum number of terms is reached for any member, that member may be reappointed following a minimum of a one year hiatus. In order to provide for staggered terms, members shall draw odd and even numbered lots to determine their expiration date, with half the members' terms expiring in December on even numbered years, and the remaining members' terms expiring in January of odd numbered years. Members appointed to fill a vacant position shall complete the term of the vacancy appointment and then are eligible to serve two additional terms.

Section 2 Officers

Elected officers of the OVRP CAC shall be the Chair and the Vice Chair.

The members shall elect a Chair and Vice Chair from among its members present. Any OVRP CAC member may nominate candidates for office from the floor. Officers shall be elected by a majority vote of OVRP CAC members. Ballots shall be secret. A term shall be one (1) calendar year. Terms shall begin on the first day of the calendar year and shall end on December 30 of the same calendar year.

A member may serve as Chair or Vice –Chair as many times as they are elected by a majority of the OVRP CAC, however their term as an officer may not exceed the length of their term on the OVRP CAC.

The Chair shall be the principal officer and shall preside over all meetings of the OVRP CAC. The Vice Chair shall, in the absence of the Chair, carry out the duties and responsibilities of the principal officer.

Any vacancy occurring in the office of the Chair shall be filled by the Vice Chair for the remainder of the term. Vacancies in the office of Vice Chair shall be filled by an election at the next meeting.

Non-Elected Positions -
Parliamentarian

The Parliamentarian shall be a member of the OVRP CAC and shall be appointed by the Chair of the OVRP CAC. The primary duty of the parliamentarian is to advise the presiding officer and the OVRP CAC on questions of parliamentary law and matters of procedure. This position shall not be considered an elected officer and shall not require official election.

Secretary

The position of Secretary shall be responsible for the OVRP CAC's correspondence, attendance records, and minutes and actions [including identification of those OVRP CAC members that constitute a quorum, who may vote on an action item, and who may abstain or recuse and the reasons], and shall assure that OVRP CAC members and members of the public have access to this information. The Secretary position shall be filled by staff of one of the JEPA participating agencies and shall not be considered an elected officer and shall not be a voting member.

Section 3

Holdover Office.

Notwithstanding the end of any member's initial term or post-initial term as herein provided, a member, excluding the Secretary, shall be permitted to continue to exercise the privileges of his/her former office after the end of his/her term until the office to which he/she was assigned is filled by his or her reappointment or by the appointment of a qualified successor to the office.

Section 4

Absences

It shall be the duty of each member of the OVRP CAC to attend all OVRP CAC and PC/CAC meetings. The OVRP CAC shall vote on excusing a member's absence from a regular meeting including PC/CAC meetings. A majority vote of the OVRP CAC members present shall be required. The vote shall be reflected in the official minutes for the meeting at which the vote was taken. In advance of the meeting, the member shall notify the Chair of the reason for the absence. If advance notice of the absence is not provided to the Chair, the OVRP CAC shall not consider the absence excused. For OVRP CAC meetings, attendance shall be recorded through an official roll call. For PC/CAC meetings, OVRP CAC members shall be required to sign-in to memorialize their attendance. It shall be the responsibility of the member to sign-in at all PC/CAC meetings, as PC/CAC are considered regular meetings of the OVRP CAC. Absences from PC/CAC meetings shall be considered by the OVRP CAC at the next regular meeting. Consideration of an absence from a PC/CAC meeting shall be made in the same manner as consideration of absences from OVRP CAC meetings. A majority vote of the OVRP CAC members present at the next OVRP CAC meeting shall be required to excuse a member's absence from a PC/CAC meeting. A report of member attendance shall be provided to the PC on an annual basis.

Section 5: Vacancies

Notwithstanding the term of office to which a member is assigned, said office shall be deemed vacant upon any of the following events ("event of vacancy"):

- The member's absence from three regular consecutive meetings or one half of the meetings of the OVRP CAC in one year, unless excused by majority vote of such board or commission, expressed in its official minutes.
- The death or disability of said member that renders said member incapable of performing the duties of his/her office.
- The termination of his/her status as member of the OVRP CAC or the classification he was assigned to represent on the OVRP CAC.
- The member's conviction of a felony or crime involving moral turpitude.
- The member has submitted his/her resignation, which resignation has been accepted by the Policy Committee.
- The membership has been terminated by a majority vote of the PC.

Upon the occurrence of an event of vacancy as hereinabove listed, the PC shall so declare the office to be vacant, and shall expeditiously take such steps as are necessary to fill said vacancy

Section 6 Meetings

Regular meetings of the OVRP CAC shall be held every other month, or as necessary to conduct OVRP CAC business.

Special meetings may be called by the chair or vice-chair or upon petition of seven (7) members of the OVRP CAC, provided written notice is distributed to the entire membership at least 72 hours prior to the meeting date.

All meetings of the OVRP CAC or its committees shall be open to the public and news media except for matters dealing with litigation.

Meetings shall follow *Robert's Rules of Order Newly Revised, and as periodically amended.*

Section 7 Voting

A quorum, defined as a majority (1/2 plus 1) of non-vacant seats of the OVRP CAC, must be present in order to conduct business, to make recommendations on projects, and to take action at meetings.

Each OVRP CAC member, except the Chair, shall have one vote. A majority of members present shall determine approval of an item by vote. The OVRP CAC Chair shall participate in discussions but shall not vote except to break a tie.

The Secretary will record the numerical results of all votes and abstentions on each action taken, and such will be noted and distributed in the meeting minutes.

Except for the election of officers, the OVRP CAC shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by email are also prohibited.

Members voting “no” on an action item may state, for the record, the reason for the objection.

Recusals –

Any member of the OVRP CAC with a direct economic interest in any project that comes before the OVRP CAC or its subcommittees must disclose to the OVRP CAC that economic interest, and must recuse from voting and not participate in any manner as a member of the OVRP CAC for that item on the agenda.

Abstentions –

In limited circumstances, OVRP CAC members may abstain from either voting on an action item or from participating and voting on an action item. The member must state, for the record, the reason for the abstention.

Section 8

Agendas

At least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be posted. The agenda shall also provide notice of the date, time and location of the meeting. The agenda shall be posted in a place freely accessible to the general public and shall include information on how a request for accessible accommodation may be made.

Posting for Adjournments and Continuances –

If the OVRP CAC does not convene a regularly scheduled meeting, there shall be a notice of the adjournment, cancellation or continuance of the meeting posted on or near the door of the place where the adjourned meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared.

Special Meetings-

As part of the CAC's duties outlined in Section 11, it is recognized that from time to time, it may be necessary for the CAC to meet to hear and comment on a proposed project/activity brought by one of the three JEPAs jurisdictions and/or other governmental agency or public utility before the next regularly scheduled meeting of the PC. In these cases, the CAC may hold a special meeting to provide comments to that entity and provide copies of these comments to the PC in order to provide a timely response and not cause undue delay to that project/activity. An agenda for a special meeting shall be specified as such, and shall be prepared and posted at least 24 hours before a special meeting. At the

special meeting, all other meeting and voting requirements specified in sections 6 and 7 shall be met.

Standard Agenda Items may include (but are not limited to):

Call to order.

Approval of the minutes.

Public Comment and General Announcements Continued Items

Agenda Items (Shall include the intended action [e.g. Information, Discussion, and Action])

Subcommittee reports.

Open Comment (1 minute per member)

Adjournment

Public Comment –

Any interested member of the public may comment on a agenda items during regular or special OVRP CAC meetings. In addition, each agenda for a regular OVRP CAC meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but are within the scope of authority of the OVRP CAC. OVRP CAC members may make general announcements or reports to the OVRP CAC on their own activities under the public comment section of the agenda. Public Comments shall be limited to three (3) minutes per comment however, the OVRP CAC Chair may adjust time limits for public comment to ensure operational efficiencies.

Agenda by Mail requests -

Requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the members of the OVRP CAC, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such request is valid for that entire year, but must be renewed by January 1 of the following year. A cost-recovery fee may be charged for the cost of providing this service.

Meeting Materials –

Any written documentation, prepared or provided by staff, applicants, or OVRP CAC members, that is distributed at the OVRP CAC meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the OVRP CAC meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than agency staff, applicants, or OVRP CAC members, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection within 3 business days. Further, the OVRP CAC may charge for the cost of reproduction of any materials requested by an individual or individuals.

Section 9 Minutes

Summary minutes shall be a generated by the OVRP CAC Secretary.

For each OVRP CAC meeting a copy of approved minutes shall be retained by the OVRP CAC Secretary, and shall be available for public inspection. The minutes of each OVRP CAC meeting shall include the votes taken on each

action item, and should record speakers and public testimony, and whether each project applicant (whose project was subject to OVRP CAC action) appeared before the OVRP CAC. If an applicant did not appear before the OVRP CAC then the meeting minutes must indicate the date when and type of notification (e.g. electronic, telephonic, facsimile) provided to the applicant requesting his or her appearance at the OVRP CAC meeting

The OVRP CAC is not required to audio or videotape meetings but if recordings are made, they are subject to a public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

Section 10 Subcommittees

Subcommittees for the purpose of making recommendations to the full OVRP CAC or executing special assignments may be proposed by any OVRP CAC member.

Standing Subcommittees-

Standing Subcommittees shall have a defined mission and may be permanent. Standing subcommittee member nominations may be made by the Chair or OVRP CAC members. Formation of a standing subcommittee shall require a majority vote of those members present at the meeting on which its formation is proposed. Standing subcommittee member appointments shall require a majority vote of the OVRP CAC members present at the meeting.

Subcommittees may select a chair and vice chair from among its appointed members. All standing subcommittees are subject to the Brown Act.

Ad Hoc Subcommittees-

Ad hoc subcommittees may be established by the Chair upon recommendation by a CAC member for a finite period of time to review focused issue areas and shall be disbanded following their review and recommendation to the OVRP CAC. Ad-hoc committee appointments shall be made by the Chair or a majority vote of the OVRP CAC membership present at the meeting at which is formation is proposed. Ad Hoc subcommittees are not subject to the Brown Act.

Subcommittee Recommendations

All subcommittee recommendations shall be brought forth to the OVRP CAC for formal vote at a regularly scheduled OVRP CAC meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the Policy Committee as a formal recommendation of the OVRP CAC without a majority vote of the members present at the meeting of the OVRP CAC.

Staff Support of Subcommittees

Staff support of subcommittees shall not be required however staff may provide reasonable support to subcommittees, provided that such staff and resources are available.

Section 11 Review of Proposed Development Projects or Activities

The OVRP CAC may review, comment, and/or make recommendations on projects/activities within or adjacent to the OVRP that may impact the OVRP. OVRP CAC recommendations shall be forwarded to the Policy Committee for their consideration. The Final Guidelines for Project Design and Community Input for Proposed Open Space Projects, dated November 2007, and as periodically amended or revised, is incorporated here, by reference.

Adopted by the OVRP CAC - _____

Chair Signature- _____

Adopted by the PC- _____

Policy Committee Member Signatures

County of San Diego- _____

City of San Diego- _____

City of Chula Vista- _____

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