



## TAMALPAIS COMMUNITY SERVICES DISTRICT

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### ORDINANCE NO. 99

#### AN ORDINANCE ESTABLISHING THE POWERS AND DUTIES OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT PARKS AND RECREATION COMMISSION

#### RECITALS

WHEREAS, on March 8, 2006 the Tamalpais Community Services District Board of Directors ("Board") adopted Ordinance No. 77 establishing a Parks and Recreation Advisory Commission ("Commission") to serve as an advisory commission to the Board of Directors in matters relating to parks and recreation; and

WHEREAS, at its October 12, 2022 meeting, the Board discussed revisions to the powers and duties of the Park and Recreation Advisory Commission including renaming the Commission to the Parks and Recreation Commission; and

WHEREAS, the Board wishes to rescind and replace Ordinance No. 77 to reflect the Board's desired revisions; and

WHEREAS, Ordinance No. 77 replaced all previous policies approved by the Board in 1987 and 1995 relating to the Commission.

NOW THEREFORE THE BOARD HEREBY ORDAINS THAT ORDINANCE NO. 77 is hereby rescinded and replaced in its entirety by this Ordinance.

IT IS FURTHER ORDAINED BY THE BOARD, AS FOLLOWS:

Recitals. The recitals above are each incorporated by reference and adopted as findings of the Board of Directors.

#### 1. MEMBERSHIP

The Parks and Recreation Commission (PARC or Commission) shall consist of five (5) voting members and one optional non-voting youth member (under 18) appointed by the Board of Directors (Board). All Commission members shall serve at the will of the Board of Directors and may be removed at any time, pursuant to the provisions of this Ordinance. The Board of Directors shall use its best efforts to ensure that the membership of the Commission reflects the diversity of the Tamalpais community.

#### 2. TERM OF OFFICE

Appointments to the Commission shall be made by the Board of Directors. Commission members

shall apply to be a member of the Commission in an open and public process. Application forms shall be made available at the District's office and on the District's website. All members shall be appointed by the Board of Directors at a Board meeting for terms of three years, except for the initial appointment of the five members. Terms of the members shall be staggered so that no more than three terms shall expire in any one-year. For the initial appointments, two (2) of the five (5) members will serve two (2)-year terms in order to stagger the terms. The maximum continuous period of service for any member of the Commission shall be three consecutive three-year terms. A one-year absence after serving the maximum continuous period of service is required before being reconsidered for appointment or until the occurrence of a vacancy, as set forth in this Ordinance. All appointees to the Commission shall hold their offices until their successors are appointed.

3. REMOVAL FROM OFFICE

Members may be removed at any time at the discretion of the Board of Directors, with or without out cause, at a special or regular Board of Directors meeting.

4. QUALIFICATIONS

Minimum qualifications for the members of the Commission are as follows: members of the Commission shall be at least 18 years of age; shall be registered to vote; and shall reside within the District. Only the youth member is not required to meet the membership qualification requirements of this Ordinance.

5. VACANCIES

Vacancies shall occur upon resignation, removal by the Board of Directors, failure to maintain qualification requirements, or as otherwise provided by state or local law. Commission members who miss three (3) consecutive regular meetings with unexcused absences may be deemed to have resigned their seat on the Commission. Vacancies which occur within the Commission shall be filled for the unexpired portions of the vacated terms by appointment of the Board of Directors.

6. DUTIES AND REPOSIBILITIES OF THE PARKS AND RECREATION COMMISSION

The Parks and Recreation Commission shall review, make recommendations to and/or advise the District on policies relating to the creation, operations, use policies, maintenance, improvements, management, and/or user fees for all parks, playgrounds, Community Center, Cabin, trails, and open space parcels as well as community recreation programs and event activities. The Commission shall prepare annual work plans for review and approval by the Board, unless such a requirement is waived by the Board. The Board of Directors may, by resolution, limit or establish additional duties and responsibilities for the Commission.

7. PARC OFFICERS

The Commission shall elect a Chairperson and Vice Chairperson to serve a one-year term or until their successor(s) is/are elected. The Chairperson shall preside over the PARC meetings and performs the duties necessary or customary for the office. In the absence of the Chairperson or his/her ability to act, the Vice-Chairperson will preside in the place of the Chairperson.

8. MEETINGS AND RULES OF PROCEDURE

The Commission shall set dates for regular meetings for the calendar year by resolution subject to approval by the Board of Directors. The Commission may establish bylaws and/or rules of procedure by resolution subject to approval by the Board of Directors.

9. COMPENSATION

Members of the Park and Recreation Commission shall serve without compensation for their services, but may receive reimbursement for actual and necessary travel or other expenses incurred on official duty when such expenditures have received prior authorization by the General Manager or Board of Directors.

10. ENVIRONMENTAL DECLARATION.

The Board finds that this ordinance is not a project under Section 15061(b)(3) California Environmental Quality Act ("CEQA") because of the general rule that CEQA applies only to projects with the potential for causing a significant adverse effect upon the environment.

11. SEVERABILITY.

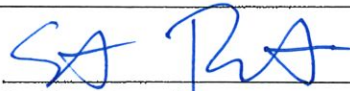
If any section, subsection, sentences, clause phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

12. EFFECTIVE DATE AND PUBLICATION.

Upon adoption, this Ordinance or a summary shall be published once in a newspaper of general circulation published in the District within 15 days from and after its adoption, and the Ordinance shall be in full force and effect thirty days from and after its final passage and adoption.

The foregoing ordinance was duly noticed and introduced at a regular meeting of the Tamalpais Community Service District Board of Directors held in said District on the 9th day of the November 2022, and thereafter adopted at a regular meeting of the Board, held in said District on the 14 day of DECEMBER 2022 by the following vote:

AYES, and in favor thereof, Directors: MATT McMAHON, Jim JACOBS, JEFF BROWN, STEVE LEWIS,  
NOES, Directors: \_\_\_\_\_ STEFFEN BARTSCHAT  
ABSENT, Directors: \_\_\_\_\_



Steffen Bartschat  
President, Board of Directors  
Tamalpais Community Services District

ATTEST:

  
Board Secretary