

## **BYLAWS OF THE SUBDIVISION COMMITTEE**

### **ARTICLE I.     Name of Organization**

- A. The name of this organization shall be Subdivision Committee, hereinafter referred to as "Subdivision Committee."
  
- B. The official location and mailing address of the Subdivision Committee shall be:  
County Administration South Building  
601 N. Ross Street, Santa Ana, CA 92701  
Multipurpose Room 103 and 105

### **ARTICLE II.     Establishment of the Subdivision Committee**

The members of the Subdivision Committee are appointed by the Orange County ("County") Board of Supervisors ("Board") pursuant to County Ordinances No. 3984 (June 24, 1997), No. 04-006 (March 23, 2004), and No. 15-021 (December 15, 2015), codified as Orange County Codified Ordinances, Section 7-9-205.

### **ARTICLE III.    Purpose and Functions**

- A. The purpose of the Subdivision Committee is to work with the County to:
  - 1. Provide regulations and control of the design and improvement of subdivisions in the unincorporated territory of the County of Orange in accordance with the Subdivision Map Act;
  - 2. To Implement the County of Orange General Plan;
  - 3. To provide regulations and controls, within the law, over the use of land in the unincorporated territory of the County of Orange for the health, safety and welfare of present and future residents of the County of Orange; and
  - 4. To provide procedures for lot line adjustments and waivers in the unincorporated territory of the County of Orange.
  
- B. In accordance with County Ordinances No. 3984 (June 24, 1997), No. 04-006 (March 23, 2004), and No. 15-021 (December 15, 2015), codified as Orange County Codified Ordinances, Sections 7-9-200, *et seq.*, the functions of the Subdivision Committee are as follows:
  - 1. To review and approve, conditionally approve, or disapprove tentative tract maps and tentative parcel maps;
  - 2. To review and make recommendations to the Board of Supervisors on petitions for reversions to acreage; and
  - 3. To perform such other duties as may be specified by the Director of OC Public Works or the Board of Supervisors.

### **ARTICLE IV:    Appointment and Membership**

- A. Membership of the Subdivision Committee is to be composed as follows:

## Bylaws Template

1. There shall be Seven (7) members that comprise the Subdivision Committee.
  - a. Up to six members shall be appointed by the Director of OC Public Works.
  - b. One member may be appointed by the Fire Chief of the Orange County Fire Authority.
  - c. All members of the Subdivision Committee shall be voting members.
  - d. The Director of OC Public Works shall designate an authorized representative for each Subdivision Committee member with the right to vote on behalf of that Subdivision Committee member in their absence.

### B. Qualifications for Subdivision Committee Membership

1. The following criteria will be used for all membership appointments:
  - a. All members of the Subdivision Committee shall be current employees of Orange County Public Works and/or the Orange County Fire Authority.

## ARTICLE V. Subdivision Committee Officers

### A. The Subdivision Committee's officers shall consist of:

1. A chairperson and vice chairperson designated by the Director of OC Public Works, and a secretary designated by the Director of OC Public Works.
2. Duties of each position:
  - a. The Chairperson shall preside at meetings, call special meetings, decide points of order, announce all business, entertain motions, put motions to vote, and announce vote results.
  - b. The Vice Chairperson shall perform the duties of the Chairperson in his or her absence. If the Chair becomes vacant, the Director of OC Public Works shall designate a new Chairperson.
  - c. The Secretary shall prepare minutes for each meeting, provide draft minutes to the Subdivision Committee prior to the next scheduled meeting, and post an agenda for each meeting at three public locations as determined by the Subdivision Committee, in accordance with the Ralph M. Brown Act.
3. Terms for officers of the Subdivision Committee shall be for one year.
4. No person, except a member of the Board, may serve as Chair of the Subdivision Committee for more than three consecutive terms.

## Bylaws Template

5. No person, except a member of the Board, may serve simultaneously as Chair for two or more Boards, Commissions, or Committees ("BCCs").
6. Appointment of officers shall be performed annually by the Director of OC Public Works.

### **ARTICLE VI. Duties of Members**

- A. Members shall attend meetings of the Subdivision Committee.
- B. Members shall notify the Chairperson of the Subdivision Committee of any expected absence for a meeting by 5:00 p.m. of the day before a regularly scheduled Subdivision Committee meeting, indicating good and sufficient reasons for the absence.
- C. In the performance of its responsibilities, the Subdivision Committee 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 Subdivision Committee shall comply with the County Equal Employment Opportunity and Anti-Harassment Policy and Procedures.
- E. Members of the Subdivision Committee shall comply with County Code of Ethics.
- F. Members of the Subdivision Committee shall operate strictly within designated purposes of the Subdivision Committee, as set forth in Article III.

### **ARTICLE VII. Meetings and Actions**

- A. The Subdivision Committee 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.
- B. All Subdivision Committee 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.
- C. Special meetings of the Subdivision Committee may be called either by the Chairperson or at the request of a majority of Subdivision Committee members. Notice of special meetings shall:
  1. 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.

## Bylaws Template

### D. Quorum Requirements

#### 1. Quorum requirements are as follows:

- a. General Meetings: Quorum shall be no less than four of the seven members of the Subdivision Committee, or their identified alternate as designated by the Director of OC Public Works.

### E. Voting Majority: Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the Subdivision Committee.

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 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.

### F. Minutes: The Secretary of the Subdivision Committee shall prepare and publish the minutes for each meeting of the Subdivision Committee.

## **ARTICLE IX. Compensation and Reimbursement**

- A. Members of the Subdivision Committee do not receive compensation and do not receive reimbursement.

## **ARTICLE XI. Authority**

- A. Parliamentary Authority: The Chairperson shall preside and manage Subdivision Committee meetings using parliamentary procedure consistent with these bylaws, any special rules of order the Subdivision Committee may adopt, and any applicable County, state, and federal law.
- B. Jurisdictional Authority: The authority of the Subdivision Committee shall be limited to the areas located within the unincorporated portions of the County of Orange.

## **ARTICLE XII. Conflict of Interest**

1. Members of the Subdivision Committee 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.
2. Members of the Subdivision Committee shall not vote nor attempt to influence any other Subdivision Committee member on a matter under consideration by the Subdivision Committee:

## **Bylaws Template**

- a. Regarding the provision of services by such member (or by an entity that such member represents; or
  - b. That would provide direct financial benefit to such member or the immediate family of such member; or
  - c. Engage in any other activity constituting a conflict of interest under County, state, or federal law.
3. 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.
  4. In order to avoid a conflict of interest or the appearance of such conflict, all appointees to the Subdivision Committee shall disclose on forms provided by the County information regarding their private economic interests that may be implicated by their service on the Subdivision Committee.
  5. Neither the Subdivision Committee 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 the Subdivision Committee.
  6. No assets or assistance provided by County to the Subdivision Committee 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 Subdivision Committee may propose amendments to these Bylaws.
  2. Proposed amendments shall be submitted in writing and made available to each member of the Subdivision Committee 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.

## Bylaws Template

### **ARTICLE XV. Staffing Support**

Staff support from Orange County Public Works/OC Development Services shall be provided to support the Subdivision Committee in conjunction with the work of the Subdivision Committee.