

# North Tustin Advisory Committee Bylaws

Bylaws of the North Tustin Advisory Committee

BYLAWS OF THE NORTH TUSTIN ADVISORY COMMITTEE

**ARTICLE I. Name of Organization**

- A. The name of this organization shall be North Tustin Advisory Committee , hereinafter referred to as "NTAC"
- B. The official location and mailing address of NTAC shall be:

Attn: OC Development Services/Planning  
OC Public Works  
601 N. Ross Street  
P.O. Box 4048, Santa Ana, CA 92702-4048

**ARTICLE II. Establishment of NTAC**

The members of NTAC are appointed by the Orange County ("County") Board of Supervisors ("Board") pursuant to Board Resolution No. 90-1123.

**ARTICLE III. Purpose and Functions**

- A. The purpose of NTAC is to work with the County to:
  - 1. Advise the Orange County Zoning Administrator, Planning Commission, Board of Supervisors and County agencies on all discretionary actions of the County of Orange in implementation of the North Tustin Specific Plan as well as comment on land development projects in the larger North Tustin unincorporated area as shown in Attachment A.
- B. In accordance with Board Resolution No. 90-1123, the functions of NTAC are as follows:
  - 1. Responsible for considering proposed land development projects within the unincorporated North Tustin area including but not limited to, General Plan amendments, area plans, subdivision maps, site plans, use permits, and variance permits. NTAC shall report any recommendations on such projects to the OC Public Works/OC Development Services. The recommendations of NTAC shall be advisory only and not binding on any County agency.

**ARTICLE IV: Appointment and Membership**

- A. Membership of NTAC is to be composed as follows:
  - 1. There shall be seven (7) members that comprise NTAC.
    - a. All seven (7) members are voting members.
- B. Qualifications for NTAC Membership
  - 1. The following criteria will be used for all membership appointments:

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- 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 members of NTAC shall be:
  - i. registered voters in the County; and,
  - ii. be residents of the Third or Second Supervisorial District (five (5) members from Third District and two (2) members from Second District) and reside within the North Tustin unincorporated area.
  - iii. nominated by the Supervisor from the respective District (Second or Third District) and approved by the Board of Supervisors.

**C. Length of NTAC Membership**

- 1. All regular NTAC 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 NTAC whose term of office is expiring with that of the nominating Supervisor shall have the option of reapplying for membership for appointment.
- 2.
  - a. 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.
  - b. Pursuant to Government Code section 1302, a member whose term has expired shall continue serving as a member until reappointed or replaced.

**ARTICLE V. NTAC Officers**

**A. NTAC officers shall consist of:**

- 1. Chairperson, Vice Chairperson, and Secretary. Officers are elected by the membership of NTAC at each annual organizational meeting by a majority vote and shall serve until the next organizational meeting.
- 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, announce vote results, appoint and may remove committee Chairpersons, represent NTAC at public functions.
  - b. 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.
  - c. The Secretary shall prepare minutes for each meeting, provide draft minutes to the committee prior to the next scheduled meeting, and post an agenda for each meeting at three public locations to be determined by NTAC in accordance with the Ralph M. brown Act. They may also mail an agenda to landowners living in the vicinity of the

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agenized projects with pre-addressed and stamped envelopes provided by the project applicant.

- i. Minutes of the meeting shall be taken by the Secretary, or if absent another member. The Minutes shall record (1) attendance of each member present, (2) all motes made and seconded, and (3) how each member voted. For proposed development projects, the motion shall state whether NTAC recommends approval or denial for any project modifications or conditions. No other information is required to be in the Minutes.

- 3. Terms for officers of NTAC shall be for one year.
- 4. No person, except a member of the Board, may serve as Chair of a BCC for more than three consecutive terms.
- 5. No person, except a member of the Board, may serve simultaneously as Chair for two or more Boards, Commissions, or Committees (BCCs).
- 6. Election of officers shall be held annually during the last NTAC meeting of each calendar year by majority vote, a quorum being present.

**ARTICLE VI. Duties of Members**

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

**ARTICLE VII. Meetings and Actions**

- A. NTAC 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.

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- B. All NTAC 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 NTAC may be called either by the Chairperson or at the request of a majority of NTAC 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.
- D. Quorum Requirements
  - 1. Quorum requirements are as follows:
    - a. General Meetings: Quorum shall be no less than 50%+1 of the membership.
- E. Voting Majority: Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of NTAC, except as otherwise provided by these (Bylaws, Rules of Procedure, Policies and Procedures, as applicable).
  - 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.
- F. Minutes: The Secretary of NTAC shall prepare and publish the minutes for each meeting of NTAC

**ARTICLE VIII. Removal and Resignation of Members**

- A. Removal: The Board may, at any time and without cause, remove any NTAC member from office prior to the expiration of his/her term of office by majority vote of the Board.
- B. Resignation: Resignation of NTAC members shall be effected by a written letter of resignation submitted to the Chairperson of NTAC and to the Board.
- C. Any member who fails to attend three (3) consecutive regular meetings shall automatically vacate their position.

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- D. 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 IX. Compensation and Reimbursement**

- A. Members of NTAC do not receive compensation and do not receive reimbursement.

**ARTICLE X. Authority**

- A. Parliamentary Authority: The Chairperson shall preside and manage NTAC meetings using parliamentary procedure consistent with these bylaws, any special rules of order NTAC may adopt, and any applicable County, state, and federal law.
- B. Jurisdictional Authority: The authority of NTAC shall be limited to the area within the North Tustin Specific Plan and the larger North Tustin unincorporated area as shown in Attachment A.

**ARTICLE XI. Conflict of Interest**

- 1. Members of NTAC 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.
- 2. Members of NTAC shall not vote nor attempt to influence any other NTAC member on a matter under consideration by NTAC:
  - 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 nominees to become members of NTAC shall disclose on forms provided by the County information regarding their private economic interests that may be implicated by their service on NTAC.
- 5. [Where applicable] NTAC members shall complete ethics training as required by County policy and Assembly Bill 1234 (Government Code sections 53234 through 53235.2).
- 6. Neither NTAC 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 NTAC.

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7. No assets or assistance provided by County to NTAC shall be used for sectarian worship, instruction, or proselytization, except as otherwise permitted by law.

**ARTICLE XII. 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 NTAC may propose amendments to these Bylaws.
  2. Proposed amendments shall be submitted in writing and made available to each member of NTAC 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 XIII. 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 XIV. Staffing Support**

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

