

STANISLAUS COUNTY PUBLIC FACILITIES FEES COMMITTEE BYLAWS

SECTION 1 – FUNCTIONS AND DUTIES

- 1.1 The Stanislaus County Public Facilities Fees (PFF) were first approved in late 1989, becoming operative in March 1990. During that time, agreements were reached with all nine incorporated Cities for the collection of the County PFF within their jurisdictions as well as in the unincorporated portion of the County. This program was designed to ensure that the need for expanded County facilities directly attributable to increased population be paid for by those creating the need. Public Facilities Fees were established to mitigate the impacts of new development as outlined in Section 66000 of the California Government Code. These fees may be used for the purchase, construction, expansion, or acquisition of public facilities and must be consistent with the adopted fee program, which shall be updated periodically as needed. The following sections shall govern all proceedings of the Committee.

SECTION 2 – MEMBERSHIP, OFFICERS, ORGANIZATION, AND ATTENDANCE

- 2.1 Membership. The committee shall be comprised of department heads or their designees from the following departments or divisions of Stanislaus County: Chief Executive Office, Auditor-Controller, Public Works, Planning and Community Development (Building and Planning), and General Services Agency.
- 2.2 Officers.
- (a) Selection. A Chair shall be elected annually from among the Committee's membership at the first meeting of the calendar year.
 - (b) Chair Absent. In the absence of the Chair, any member may call the Committee meeting to order, and a Chair pro-tem shall be elected from the members present and shall assume the responsibilities of the Chair.
 - (c) Chair's Responsibilities. The responsibilities and powers of the Chair shall be as follows:
 - (1) Preside at all meetings of the Committee and rule on all questions of order;
 - (2) Call special meetings of the Committee in accordance with legal requirements and the Rules of Procedure;
 - (3) Sign documents on behalf of the Committee; and
 - (4) Direct appropriate action on items raised that are not listed on the Committee agenda.
 - (d) Secretary. A designated member of the Chief Executive Office staff shall function as the Secretary of the Committee. The Secretary shall:
 - (1) Ensure proper notice of agenda per Ralph M. Brown Act (Government Code Section 54950 et seq.);
 - (2) Notify Committee members of meetings;
 - (3) Send agenda to parties requesting direct notice;
 - (4) Present the reports and recommendations of the committee's staff;

- (5) Enter into the minutes all official actions or decisions of the Committee;
- (6) Keep the official records of the Committee
- (7) Present the findings of the Committee to the Board of Supervisors; and
- (8) Perform such other duties as the Committee may require.

SECTION 3 – MEETINGS

- 3.1 Conduct of Meetings. All Committee meetings shall comply with the provisions of the Ralph M. Brown Act (Government Code Section 54950 et seq.) and the provisions of the California Public Records Act (Government Code Section 7931.000 et seq.).
- 3.2 Regular Meetings. The Committee shall hold meetings monthly as determined by the Chair under advisement of the Committee Secretary. Special meetings may be necessary to address specific Public Facility Fee issues. The Committee agenda shall state the date, time, and the location of the meeting.
- 3.3 No Meeting on Holidays. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day or canceled at the direction of the Chair.
- 3.4 Special Meetings. The Chair may call special meetings as necessary, providing that notice is posted at least seventy-two (72) hours before the meeting.
- 3.5 Cancellation of Meetings. The Chair may cancel any regular or special meetings of the Committee if it is determined there is no significant business to be conducted.

SECTION 4 – AGENDAS, ORDER OF BUSINESS

- 4.1 Agendas. An agenda for each meeting of the Committee shall be prepared by the Secretary or assigned staff.
- 4.2 Agenda – Order of Business. Unless the Chair, under the advisement of the Secretary, determines otherwise, the following sequence shall be used in the preparation of agendas:
 - (a) Roll Call
 - (b) Minutes of Previous Meeting(s)
 - (c) Correspondence – Included in agenda packet and received after packet has been distributed.
 - (d) Action Items
 - (e) Other Matters
 - (f) Committee Member Reports
 - (g) Adjournment

The order of business may be altered at the discretion of the Chair.
- 4.3 Requests for Continuance. If a request is made for a continuance, a motion may be made and voted upon to continue the item to a definite time and date or to continue indefinitely. A motion may also be made and voted on to place the item anywhere under the “Action

Items” heading on the agenda. Any person desiring to be heard on the item may be given an opportunity to make a presentation.

- 4.4 Action Items. The Chair shall announce, open, and preside over each action item conducted by the Committee. Staff from the requesting departments shall present a report on each action item. The Committee may ask technical questions of staff or advisory staff.
- 4.5 Verbal Comments. Upon the completion of the report, the Chair shall invite attendees to address the Committee with questions or comments. The Chair shall recognize speakers and determine the order in which they address the Committee.
- 4.6 Public Comment. The Committee values and encourages public attendance and participation at its meetings. Public participation shall be orderly and fair to all and shall not disrupt the business of the Committee. For that reason, the Committee establishes the following rules:
 - 4.6.1 The Chair may limit total public comment to 15 minutes and allocate time to all who wish to speak within that time limit. For example, if there are 15 individuals who wish to speak, each speaker would be limited to one minute.
 - 4.6.2 Each speaker’s public comment is limited to five minutes per agenda item, unless otherwise advised by the Chair. The five-minute limit includes all comments by an individual, including any comment offered in a representative capacity for others (whether in attendance or not).
 - 4.6.3 Speakers may not yield time to other speakers or attempt to speak a second time, in a representative capacity or otherwise, on a single item.
 - 4.6.4 Comments will be directed to the Committee, not to the audience or staff.
 - 4.6.5 Disruptive behavior must be avoided, including applause or display of signs or other non-verbal measure that are handled in such a way as to disrupt the meeting.
 - 4.6.6 Everyone has the right to be heard without fear of being subjected to any form of intimidation.
 - 4.6.7 These rules are taken seriously. Disruptive or unruly behavior may result in a speaker’s removal from the meeting.
- 4.7 Written Public Comment. The Committee’s policy is to encourage the early submission of all written material to allow sufficient time to comprehend the material. In order to be included in the Committee Member’s agenda packet, written material should be presented to the Secretary in the Chief Executive Office not later than seven (7) days prior to the scheduled Committee meeting. Written material received after the agenda has been mailed to the Committee may be presented to them at the scheduled meeting by the Secretary.
- 4.8 Documentary Evidence. Any documents, writings, pictures, exhibits, video tapes or other forms of tangible expression once submitted to the Committee shall become the property of the Committee and part of the public record.
- 4.9 Discussion and Decision by the Committee. After the public comments have been received, the members of the Committee shall discuss the evidence presented and consider the action item under consideration. The proposal may be continued to a future meeting if the Committee determines that additional information is required, or additional time is necessary to consider oral and written testimony.

4.10 Voting Requirements.

- (a) A quorum shall consist of 50% of the members appointed +1. In the absence of a quorum, the members present shall constitute a committee of the Committee and shall make a report of their action at the next succeeding meeting at which a quorum is present. The actions of the committee shall become effective when ratified by the members of the Committee at such succeeding meeting.
- (b) A majority vote is required for the Committee to take action unless otherwise required by state law.
- (c) In the case of a tie vote or where less than a majority vote is cast on a motion, the motion fails, and a new motion is in order. If an alternative action is not possible, the item shall be considered denied.
- (d) Committee Members shall not vote on a motion unless they have been present during the entire hearing on the issue.
- (e) When a member of the Committee abstains from voting on any matter before it because of a potential conflict of interest, said abstention shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered.
- (f) In the event that a member cannot be present at a meeting, that member may assign their voting privilege to a proxy representative.

4.11 Disqualification from Voting. Committee Members shall disqualify themselves from voting in accordance with the Stanislaus County Conflict of Interest Code and all applicable laws and regulations. When Committee Members disqualify themselves, they shall state prior to the consideration of such matter by the Committee that they are disqualifying themselves due to a possible conflict of interest and shall then step down from the dais.

4.12 Records of Meetings. The Secretary or their designee shall prepare the minutes of the Committee meetings.