



City of Ontario Recreation & Parks Commission Bylaws

Adopted on October 24, 2022

ARTICLE I – NAME

Section 1. Name. This organization shall be called “City of Ontario Recreation & Parks Commission.” Hereinafter referred to as the “Commission.”

ARTICLE II – PURPOSE

Section 1. Purpose. The duties and responsibilities of the Recreation & Parks Commission shall be as follows:

- A. To act in an advisory capacity to the Council and City Manager in all matters concerning recreation and parks in order to coordinate all public agencies and civic organizations to provide sound recreation and parks planning and programming;
- B. To coordinate with the Recreation & Community Services Director in formulating policies on recreation services for approval by the Council and to recommend:
 - a. To the Council and pertinent school district governing bodies the best joint use of recreation facilities; and
 - b. To the Council the advisability of acquiring and/or utilizing various parcels of land for recreation and parks purposes;
- C. To advise the Recreation & Community Services Director on problems of administration and development of recreation areas, facilities, programs, and recreation services;
- D. To recommend the adoption of standards on organization, personnel, areas and facilities, and program and financial support of recreation and park activities;
- E. To make periodic inventories of recreation services that exist or may be needed and interpret the needs of the public to the Council and the Recreation & Community Services Director;
- F. To advise the Recreation & Community Services Director in the preparation of the annual budget request and on the long-range recreation and parks capital improvement program;

- G. To consider all requests for permanent facilities to be erected on park areas; and
- H. To interpret the policies and functions of the Recreation & Community Services Department to the public.

ARTICLE III – MEMBERSHIP

Section 1. Appointment of Members. The Commission shall consist of seven regular members, one non-voting student member and one non-voting student alternate, to be appointed as outlined in the Ontario Municipal Code 2-2.101 (d) (3):

“The seven regular members shall include two school representatives, one from the high school level and one from the elementary school level and these two shall be at-large members who are nominated by the Council Nominations Committee and approved by the City Council following each City Council election. Each of the five City Council members shall submit to the Mayor the name of one person proposed for appointment to the Commission, who has filed a formal application with the City Clerk. Members shall be residents of the City but shall not otherwise be employees of the City while serving on the Commission.”

Section 2. Term of Members. Commissioners shall serve for a term of four (4) years, at the pleasure of and concurrent with the terms of the nominating Council Member. Commissioners may serve multiple terms, with no term limits.

Section 3. Removal of Commissioners. Commissioners may be removed at any time upon a majority vote of the City Council.”

Section 4. Vacancies During Term of Office. In the case of a vacancy on the Commission, the City Council Member who made the original nomination shall have the right to nominate a person to fill the vacancy; if a vacancy occurs by an at-large member, then the Nominations Committee will make recommendations for approval by the City Council, as with the original appointment.

Section 5. Powers. Subject to limitations of the Articles of Incorporation, these Bylaws and any other applicable law, the activities and affairs of the commission shall be conducted, and all corporate powers shall be exercised, by or under the direction of the Commission. The Commission may delegate the management of

the activities of the Commission to any person or persons, a management company, or committees, however composed, provided that the activities and affairs of the commission shall be managed and all corporate powers shall be exercised under the ultimate direction of the Commission.

Section 6. Attendance. Commissioners are expected to diligently attend and participate in all Commission Meetings. As far in advance of the Commission meeting as practical, a Commissioner requesting an excused absence shall submit said request to the Secretary. "Excused absence" means absence due to illness, unexpected business, emergencies, important personal business, official City business, or any reasonable excuse that the Commissioners approve. In addition, the Commission may recognize and excuse absences relating to physical injury or incapacitation, or family need. Commissioners with three (3) unexcused absences within a 12-month period will be removed. Any resulting vacancy may be filled pursuant to Article III, Section 4 herein.

ARTICLE IV – OFFICERS

Section 1. Officers. The officers shall be a Chairperson and a Vice-Chairperson, elected from among the members at the January meeting of the Commission.

Section 2. Term of Office. Officers shall hold offices for one (1) year and may be elected for a maximum of two (2) consecutive years within a three-year period.

Section 3. Chairperson. The Chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Commission, serve as an ex-officio member of all committees and shall generally perform all duties associated with the office of Chairperson.

Section 4. Vice-Chairperson. The Vice-Chairperson shall, in the event of the absence or disability of the Chairperson, or of a vacancy in that office, assume and perform the duties and functions of the Chairperson, until the Chairperson can resume the position or a successor is elected.

Section 5. Secretary. A staff member of the Recreation & Community Services Department shall be the Commission Secretary. The Secretary shall call the roll and shall perform such other duties as are designated by the Chairperson.

Section 6. Subordinate Officers. The Commission may appoint, and may authorize the Chairperson to appoint, any other officers that the business of the Commission may require, each of whom shall have the title, hold office for the period, have the authority, and perform the duties specified in the bylaws or determined from time to time by the Commission.

Section 7. Meeting Absence. If any officer is absent from regular or special meetings for three consecutive meetings without prior notification to the Recreation & Community Services Director and approval of the Chairperson, the Chairperson shall notify the Mayor of a vacancy and request that a replacement be appointed.

Section 8. Residency Change. Any officer changing residence from City of Ontario limits shall immediately submit his or her resignation.

Section 9. Removal and Resignation. Any officer may be removed, with or without cause or prior notice, by a majority vote of the Commission at any time. Any such removal shall be without prejudice to the rights, if any, of the Commission under contract of employment to which the officer is a party. Any officer may resign at any time by giving written notice to the Commission. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the Commission under any contract to which the officer is a party.

Section 10. Vacancies During Term of Office. In the event of a vacancy that occurs due to resignation, removal, or any other reason, the Chairperson shall so notify the Mayor and request that a replacement be appointed.

ARTICLE V – COMMITTEES

Section 1. Membership Appointment. Sub-committees shall be comprised of no more than three (3) Recreation & Parks Commissioners and there is no minimum number necessary. Sub-committee membership shall be reviewed and appointed on an as needed basis by the Commission Chairperson.

Section 2. Standing. The Commission Chairperson shall appoint committees of one or more members each for such specific purposes as the business of the Commission may require from time to time. The committee shall be considered to

be discharged upon the completion of the purpose for which it was appointed and after the final report is made to the Commission.

Section 3. Special. The Commission may also create one or more special committees which may have non-Commission members. Any special committee which has non-Commission members shall serve as an advisory committee only and shall submit all of its findings and recommendations to the Commission for further action. Such special committees shall exercise such powers and carry out such functions as may be prescribed by these bylaws or as may be designated by the Commission from time to time.

Section 4. Advisory. Advisory committees may be appointed from time to time by the Commission and may consist of both Commission and non-Commission members or non-Commission members only. The Commission shall authorize and define the powers and duties of all such committees. Advisory committees have no legal authority to act for the Recreation & Community Services Department but shall report their findings and recommendations to the Commission.

Section 5. Expenditures. Except as may otherwise be authorized by these bylaws or the Commission, any expenditures of Recreation & Community Services funds by a committee shall require the prior approval of the Commission. No committee, standing, special or advisory, shall, regardless of Commission resolution:

- a. Take any final action on any matter that requires the approval of the majority of the Commission;
- b. Fill vacancies on the Commission or on any committee;
- c. Fix compensation of any person serving on the Commission or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Create any other committees of the Commission or appoint the members of committees of the Commission; or
- f. Approve any contract or transaction to which the Recreation & Community Services Department is a party and in which one of its Commission members has a material financial interest.

Section 6. Reporting. All committees shall make a progress report on their activities to the Commission at each of its regular meetings.

ARTICLE VI – MEETINGS

Section 1. Place, Date and Time of Regular Meeting. The regular monthly meeting of the Commission shall be held on the fourth Monday of each month at 6:00 p.m. in the City Council Chambers [unless otherwise stipulated by Recreation & Parks Commission]. As directed by the Commission, on an as-needed basis, the Commission may review the commission bylaws. Any meetings, regular or special, may be held by telephone or video conference, or both, so long as all members participating in the meeting can hear one another, and all such members shall be deemed to be present in person at the meeting. The Commission shall cause a proper record of its proceedings to be kept. Said meetings shall be held in accordance with all applicable state laws with respect to open meetings and public notice requirements.

Section 2. Adjourned Meetings. Any regular meeting may be adjourned or re-adjourned to a date and hour certain which shall be specified in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes. If the hour to which a meeting is adjourned is not stated in the order of adjournment, such meeting shall be held at the hour of regular meetings.

Section 3. Order of Meetings. Business for regular meetings shall include, but not be limited to, the following terms.

- a. Call to order
- b. Pledge of Allegiance
- c. Roll call
- d. Public Comments
- e. Consent Calendar
- f. Department Report
- g. Old Business
- h. New Business
- i. Commissioner/Liaison Comments
- j. Next Recreation & Parks Commission Meeting
- k. Adjournment

Section 4. Special Meetings. Special meetings of the Commission for any purpose or purposes shall be called at any time by the Chairperson, or, if s/he is absent or unable or refuses to act, by the Vice-Chairperson of the Commission, or by two members of the Commission, for the transaction of business as stated in the call

for the meeting, to be held at designated times and places after twenty-four (24) hours written notice given to the members and to the general public.

Section 5. Quorum. A majority of the regular members shall constitute a quorum.

Section 6. Absences. An unexcused absence from three (3) consecutive regular meetings [two (2) for the non-voting student members] without the formal consent of the Commission shall be deemed to constitute the resignation of such member and the position declared vacant.

Section 7. Required vote. Every act or decision done or made by a majority of the Commission present at a meeting duly held at which a quorum is present is the act of the Commission. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Commission members, if any action taken is approved by at least a majority of the required quorum of such meeting.

Section 8. Notices. Notice of all regular and special meetings will be posted three days in advance of the date of the Commission meeting. A notice need not include the purpose of agenda for the meeting. [The notice may be delivered in writing and mailed at least four (4) days before the meeting. The notice may also be delivered personally, by telephone or electronically at least forty-eight (48) hours before the meeting.]

Section 9. Compliance with the Brown Act. All Commission meetings shall be open to the public and subject to the Ralph M. Brown Act (also referred to as the "Brown Act") found at California Government Code Section 54950 et seq. The Commission may, however, hold closed sessions from which the public is excluded from the Commissioners' consideration of matters, as permitted by the Brown Act.

Section 10. Public Comments. Public participation at regular, adjourned and special meetings shall be limited to the "Public Comment" section of the Agenda and to the time the Commission discusses specific action items listed on the Agenda. The Public Comment portion of the Commission meeting is limited to 15 minutes total, with each speaker allowed a maximum of 3 minutes. Additional speakers are allowed 3 minutes each at the end of the meeting. Prior to consideration of old or new business agenda items, speakers will be allowed a maximum of 3 minutes each to comment on that specific item. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

Section 11. Minutes. Minutes of the meetings of the Commission shall be filed with the City Clerk, City Manager and Recreation & Community Services Director.

Section 12. Compensation. Commissioners shall receive \$50.00 per month for attendance at each publicly noticed meeting of the Commission, including publicly noticed workshops and briefings.

ARTICLE VII – PARLIAMENTARY AUTHORITY

The current edition of Rosenberg's Rules of Order shall be the authority on all questions of parliamentary law unless in conflict with these bylaws or with the laws of the State of California.

ARTICLE VIII – INDEMNIFICATION

To the fullest extent permitted by law, the Commission shall indemnify each of its agents against expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any proceedings arising by reason of the fact any such person is or was an agent of the Commission. For purposes of this Section, an "agent" of the Commission includes, without limitation, any person who is or was a member, officer, or employee of the Commission.

ARTICLE VIII – AMENDMENT OF BYLAWS

These bylaws may be amended at any regular meeting by affirmative vote of a majority of all members of the Commission, provided that the amendment has been submitted in writing at least thirty (30) days prior to the date of any such meeting, or at the previous regular meeting. Inconsequential changes to the bylaws that do not require advanced vetting by legal counsel and/or City staff, such as scheduling dates, times, and locations of meetings, may be introduced and adopted at the same meeting, provided that revisions to the bylaws was included on the agenda for that meeting.

[SIGNATURES ON FOLLOWING PAGE]

These bylaws are hereby adopted and shall become effective October 24, 2022.

Ontario Recreation & Parks Commission,
Ontario, California



Virginia Riley, Chairperson, Recreation & Parks Commission



Marty Binney, Vice-Chairperson, Recreation & Parks Commission



Nicholas S. Gonzalez, Recreation & Community Services Director