

RESOLUTION NO. 2018-1

**A RESOLUTION OF THE VENTURA COUNTY
CULTURAL HERITAGE BOARD TO REPEAL
THE VENTURA COUNTY CULTURAL BOARD RULES
AND REGULATIONS AND ADOPT THE BYLAWS OF
VENTURA COUNTY CULTURAL HERITAGE BOARD**

WHEREAS, the Ventura County Cultural Heritage Ordinance No. 4225 section 1364-8 authorizes the Ventura County Cultural Heritage Board (Board) to adopt bylaws to carry out the purpose and intent of this Article, and

WHEREAS, on June 22, 1987, the Board established the Ventura County Cultural Board Rules and Regulations as their bylaws, and

WHEREAS, the Board finds that the Ventura County Cultural Board Rules and Regulations are outdated and need clarification, and

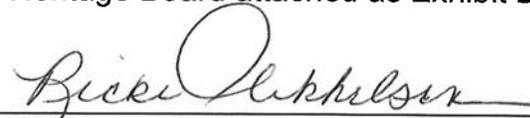
WHEREAS, the Board finds that repealing the current Ventura County Cultural Board Rules and Regulations and adopting the proposed Bylaws of the Ventura County Cultural Heritage Board would update and clarify their meeting and attendance protocols and procedures, and

WHEREAS, the Board finds that the proposed Bylaws of the Ventura County Cultural Heritage Board attached as Exhibit B of this Resolution is in conformance with the Ventura County Cultural Heritage Ordinance 4225, and

NOW, THEREFORE BE IT RESOLVED, the Board hereby repeals the Ventura County Cultural Board Rules and Regulations (Exhibit A) and adopts the proposed Bylaws of the Ventura County Cultural Heritage Board attached as Exhibit B of this Resolution No. 2018-1.

Date: April 23, 2018

By: _____



Ricki Mikkelsen, Chair

Ventura County Cultural Heritage Board

Approved on April 23, 2018



BYLAWS OF THE VENTURA COUNTY CULTURAL HERITAGE BOARD

1. **AUTHORITY.** These Bylaws are adopted under the provisions of Article 5, Chapter 3, Division 1 of the Ventura County Ordinance Code (section 1364-8) relating to the Cultural Heritage Board ("Board"), first adopted by the Board of Supervisors on February 13, 1968 and amended thereafter.
2. **PURPOSE.** The Board shall advise the Board of Supervisors, County agencies and departments, and the appropriate City Councils on all archaeological, architectural, historical and related matters significant to the heritage and development of the County of Ventura and for the people of the County of Ventura.
3. **MEMBERSHIP.** The Board, pursuant to Ventura County Ordinance Code section 1363, is composed of seven members. These members shall include five supervisorial appointees, and two appointees selected by the supervisorial appointees referred to as "Members-At-Large". Their terms of office shall be as provided for in Section 1363-3 of the Ventura County Ordinance Code.
4. **ELECTION OF OFFICERS.**
 - A. Elected officers of the Board shall be the Chair and Vice-Chair. The term of office of the Chair and Vice-Chair shall be for one calendar year, or until their successors are elected. Election of such officers shall take place at the first meeting of the Board in April of each year, or as soon thereafter as possible. Newly elected officers shall be installed and assume their duties immediately. No Board member may serve more than two (2) consecutive terms as Chair and Vice-Chair. The Ventura County Planning Director of the Resource Management Agency, or his or her designee, shall serve as Secretary and Recording Secretary to the Board and its elected officers.
 - B. The Chair and Secretary shall submit to the Cultural Heritage Board, the State Office of Historic Preservation and the Board of Supervisors an annual report of the activities of the Cultural Heritage Board as a Certified Local Government.
5. **COMMITTEES.** The Board may establish ad hoc committees consisting of three or fewer members which shall meet as directed by the Board or as necessary to review assigned matters and make a recommendation to the Board. Committees shall be made up of less than a quorum of the Board. Any action recommended by a committee shall be considered by the Board at a later public meeting.

6. SPECIALISTS AND EXPERTS. The Cultural Heritage Board shall appoint, at any time, specialists and experts in specific fields, such as archaeology, architecture, history, geology, and urban planning. All appointments of advisors are subject to reappointment and review at the April meeting.
7. MEETINGS. The Cultural Heritage Board shall hold regular meetings on the Second and Fourth Mondays of each month.
 - A. Public Meetings. All regular, special, and adjourned public meetings of the Cultural Heritage Board shall be open meetings to which the public shall be admitted in compliance with the Brown Act. Meetings will be held at facilities at the County Government Center, Hall of Administration, 800 S. Victoria Avenue, Ventura, CA 93009 which are accessible to persons with disabilities. Some meetings may require a site visit by the Board to review a project site at a different location that will be open to the public. These site visits will be open meetings.
 - B. Special Meetings. Special Meetings of the Board may be called at any time by the Chair, three Board members, or the Secretary.
 - C. Selection of Acting Chair. In the absence of the Chair and Vice-Chair, the members of a quorum being present shall elect an acting Chair, who shall preside over the meeting.
 - D. Cancellation of Regular Meeting: If there is no business or if there will be no quorum, then the Chair, Vice Chair or Secretary will cancel the meeting and a notice of cancellation shall be posted.
 - E. Quorum and Voting. A quorum shall consist of four (4) members of the Board. No official action shall be taken by the Board, except in the presence of a quorum. The affirmative votes of a majority of those members present and constituting a quorum shall be required to take official action on any matter.
 - F. Powers and Duties of Chair. The Chair shall serve as the presiding officer of the Board, shall rule on questions of procedure, shall preserve order and decorum and shall decide all questions of order. Decisions of the Chair may be overruled by a majority of voting members in attendance.
 - G. Annual Attendance Reports. Regular attendance by Board members at Board meetings is critical to satisfy the Board's requirements for operating as a Certified Local Government. Members are expected to attend meetings regularly. In the event that a member has three consecutive unexcused absences or five excused or unexcused absences in a calendar year, the member's position on the Board will be reviewed by the Chair. Following this review, the Chair shall make a recommendation to

the Secretary regarding continued membership. Attendance Reports shall be submitted to the Board at the first meeting of the Board each year.

H. Unavoidable Absence. A Board member is expected to notify the Chair or Secretary of the member's inability to attend a meeting before the meeting to be considered an excused absence.

8. ORDER OF BUSINESS. The Order of Business for regular meetings shall typically be:

A. Call to Order.

B. Roll Call and Determination of a Quorum.

C. Approval of Agenda and Minutes of Previous Meetings.

D. Public Comments. This time is set aside for citizen's presentations, not to exceed three minutes on matters not appearing on the Agenda.

E. Continued Items.

F. New Business.

G. Reports.

1. Reports of Board Members

2. Reports from Staff Members

H. Next Meeting.

I. Adjournment.

9. PROCEDURE. The Rule of the Chair shall govern procedure at meetings of the Cultural Heritage Board, subject to these provisos:

A. That the Rule of the Chair is subject to override by a majority of voting members in attendance.

B. That when considered desirable, Roberts Rules of Order, shall be considered.

C. Unless the Chair in his or her discretion shall direct otherwise, the normal order for the presentation of evidence on particular items shall be as follows:

a. Chair reads the disclosure statement into record after which Board members shall disclose any conflicts of interest and ex-parte contacts;

b. Presentation(s) by staff;

c. Presentation by the project applicant;

- d. Comment by members of public in the order in which speaker cards are received by the Secretary. At the discretion of the Chair, elected officials, public agency representatives, or others may be allowed to speak at the beginning of the public comment period;
- e. Rebuttal by project applicant;
- f. Closing comments by staff; and
- g. Chair closes the public hearing and opens Cultural Heritage Board deliberation and takes action.

10. RESIGNATIONS:

Resignation, during the term of service of supervisorial appointees, shall be directed to the respective Board of Supervisor. Resignation, during the term of service by a Member-At-Large appointee shall be addressed to the Cultural Heritage Board.

11. ETHICS:

- A. Ex-parte Communications. While it is the County's policy to encourage communications between the public and County officials, the County recognizes that Constitutional due process protections may limit communications with Cultural Heritage Board members outside of a public meeting. Therefore, the County's policy on ex-parte communications prohibits Cultural Heritage Board members from discussing cultural heritage matters with members of the public except during the Board's formal consideration of the matters. These matters should also not be discussed during site inspections or field trips that are not part of an agenda meeting. If any such discussions do take place, members must publicly disclose at the start of the agenda presentation of the item, the substance of any such discussions they have had with anyone other than another member of the Board or staff member. This policy applies to any matter which is pending, or is reasonably expected to come before the Cultural Heritage Board.
- B. Conflict of Interest. Members shall not participate in a decision in which the member has a conflict of interest. For your information, see the California Attorney General's Guide on Conflict of Interest found at the following link:
(<https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/coi.pdf>).and the California Fair Political Practices Commission's website:
(<http://www.fppc.ca.gov/learn/conflicts-of-interest-rules.html>).

12. EFFECTIVE DATE: These revised By Laws are effective upon adoption.

13. AMENDMENTS: These Bylaws may be amended by the majority vote of the Cultural Heritage Board at any regular meeting after due notice of proposed amendment.

REVISED: April 23, 2018

APPROVED: April 23, 2018