

ORANGE COUNTY TRAFFIC COMMITTEE

COMMITTEE REPORT OF: September 21, 2023 **ITEM B**

SUPERVISORIAL DISTRICT: All

SUBJECT: Amend Traffic Committee Bylaws for membership

LOCATION: Countywide

INITIATED BY: Wei Zhu, Secretary
Orange County Traffic Committee

REQUEST: Approve plan to request Board of Supervisors to amend Orange County Ordinance 6-4-204 so that future changes to Committee Membership may be achieved by way of Resolution.

BACKGROUND INFORMATION

The Orange County Traffic Committee (Committee) was established by the Board of Supervisors (Board) via Minute Order on September 17, 1940. The original membership consisted of representatives from the Auto Club of Southern California (AAA), California Highway Patrol (CHP), California Division of Highways (now Caltrans), and the Orange County Road Department (now OC Public Works Traffic).

Committee membership has changed over the years including the addition of School District representing the unincorporated area of Orange County and OC Public Works Operations and Maintenance in 1978 via Resolution 78-1330, the addition of OC Sheriff via Resolution 85-1170 in 1985, and the replacement of AAA by Orange County Transportation Authority (OCTA) via Resolution 18-036 in 2018.

Upon further review, the Committee membership was codified in 1989 when the Board established Orange County Ordinance 6-4-204 (Ordinance). The Ordinance states that the "Committee shall consist of one (1) representative from each of the following organizations as indicated in the original 1940 Minute order as modified in 1978 and 1985: (1) Automobile Club of Southern California; (2) California Highway Patrol; (3) California Department of Transportation; (4) County of Orange EMA Traffic Engineering; (5) County of EMA Public Works/Operations; (6) School District representative designated by the Board of Supervisors and representing the unincorporated are of Orange County; (7) Orange County Sheriff's Department." Since it was codified by the Ordinance, the only way to change the membership is to modify the Ordinance. Technically, Resolution 18-036 could not change the membership of the Committee since the

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resolution could not overrule the Ordinance. Currently, the Ordinance still states that there should be a member from the Automobile Club of Southern California.

Since the School District is no longer able to participate in the Committee due to demands of their staff time and resources, it is appropriate to replace them as a Committee member. However, since the School District is listed as a member per the Ordinance, removing them as a member of the Committee requires the Ordinance to be amended.

OCPW's plan is to request the Board to amend the Ordinance to the following:

"The Traffic Committee membership shall be set by the Board of Supervisors via resolution. The Board of Supervisors may change the required membership from time to time by way of resolution."

This language allows for changes to the membership of the Committee without further Ordinance amendment. Government Code 25123 states that ordinances shall become effective thirty (30) days from the date of final passage. Once the 30 days has passed, we would request the Board to approve the attached Resolution establishing the current members of the Committee. The attached Resolution would also request the By-Laws to be amended as attached.

TRAFFIC COMMITTEE DISCUSSION

Received and Filed

RECOMMENDATION

Approve plan requesting Board of Supervisors:

- 1) to amend Ordinance 6-4-204,
- 2) then approve new Resolution to establish current Committee Membership, and
- 3) amend By-laws confirming Committee Membership

BOARD ACTION NECESSARY TO ENACT THIS RECOMMENDATION

1. Approve this report
2. Amend Orange County Ordinance 6-4-204. This requires two readings (on separate days) and then would go in effect thirty (30) days after final passage
3. Approve new Resolution establishing current Committee Membership
4. Approve amendment to Committee By-Laws updating Committee Membership