

Orange County Traffic Committee Bylaws

Bylaws of the Traffic Commission

BYLAWS AND RULES OF PROCEDURE**ORANGE COUNTY TRAFFIC COMMITTEE****ARTICLE I. Name of Organization**

- A. The name of this organization shall be the Orange County Traffic Committee (“Committee”).
- B. The official location and mailing address of the Committee shall be:

Location:

County Administration South, Building 16
 Multipurpose Room 103
 601 N. Ross Street
 Santa Ana, CA 92701

Mailing Address:

Traffic Committee
 c/o OC Infrastructure Programs, Traffic Committee Secretary
 601 N. Ross Street
 P.O. Box 4048, Santa Ana, CA 92702-4048

ARTICLE II. Establishment of Orange County Traffic Committee

The ~~members of the~~ Committee are set by ordinance adopted by the Orange County (“County”) Board of Supervisors (“Board”). Orange County Codified Ordinance (“OCCO”) § 6-4-203, et. seq.;

ARTICLE III. Purpose and Functions

- A. The Committee is authorized to initiate investigations and develop recommendations within the unincorporated area for:
1. Traffic control regulations which must be enacted by the Board of Supervisors
 2. Actions taken by the Director of Public Works in line with the Director’s official duties to provide traffic-control devices, including signs and signals.
 3. Traffic operations and safety programs for recommendation to the Director and Board of Supervisors
 4. Street name changes
 5. Parking restrictions
 6. Roadway improvements of County roads
 7. Application of the California Vehicle Code, section 21107, “Private Roads,” and its subsections as related to public usage of private streets
 8. Speed limits (new and existing)
 9. Crossing guard placement

Article IV: Appointment and Membership

- A. Membership of the Committee shall be set by the Board of Supervisors. The membership may be changed from time to time by the Board of Supervisors by way of resolution without further amendment to: consist of: seven members with one representative from each of the following organizations as set forth in OCCO § 6-4-204. If membership is changed by the Board, these by-laws

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shall be updated in paragraph B below to show the current membership/organizations serving on the Committee.

A.B. One member from the following organizations shall serve as members of the committee::

1. Orange County Transportation Authority
2. California Highway Patrol
3. California Department of Transportation
4. Orange County Sheriff's Department
5. Orange County Public Works Traffic Engineering
6. Orange County Public Works Operations & Maintenance
7. ~~School District Representative as designated by the Board of Supervisors, representing the unincorporated area of Orange County~~Orange County Public Works Development Services

Article V. Officers

- A. Committee officers shall consist of Chairperson and Vice Chairperson. The County Traffic Engineer/manager of OC Public Works Traffic Engineering shall serve as the Chairperson. If the County Traffic Engineer/manager of Public Works Traffic Engineering cannot attend a meeting, he or she may designate another staff person from OC Public Works Traffic Engineering to act as Chair Pro Tempore. The Chair Pro Tempore shall have and exercise all the powers and duties of the Chair during the Chair's absence. The Chairperson shall preside at meetings and perform such other duties as may be prescribed by these Rules of Procedure. In the absence of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties.
1. The Chairperson (and the Committee) shall be guided, but not bound, by Roberts Rules of Order, latest revision, on all questions of procedure and parliamentary law not covered by these rules and regulations.
 2. The Chairperson shall exercise firm control and direction during any Committee meeting or hearing. No member of the Committee or the general public shall address the Committee until recognized by the Chairperson.
 3. The Chairperson shall exercise general supervision over the business papers and property of the Committee and shall execute all resolutions on behalf of the Committee; the same to be attested by the Committee Clerk.
 4. The Chairperson may present to the Committee such matters as the Chairperson deems necessary, and shall not be required to vacate his or her Chairperson for the purpose of actively discussing (as a member of the Committee) an item on the agenda or a subject for review, discussion and/or recommendation by the Committee except as the matter may be deemed a conflict of interest.

ARTICLE VI. Duties of Members

- A. Members shall attend meetings of the Committee and of any other committees to which they are appointed.
- B. Members shall notify the Chairperson and the assigned Clerk from OC Infrastructure Programs of any expected absence for a meeting no later than three (3) business days in advance of a regularly scheduled Committee meeting, indicating good and sufficient reasons for the absence.
- C. In the performance of its responsibilities, the Committee 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,

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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 the Committee shall comply with the County Equal Employment Opportunity and Anti-Harassment Policy and Procedures.
- E. Members of the Committee shall comply with County Code of Ethics.
- F. Members of the Committee shall operate strictly within designated purposes of the Committee.

ARTICLE VII. Meetings and Actions

- A. Meetings shall be held at 9:00 am in the County Administration South, Building 16, Multipurpose Room 103, 601 N. Ross Street, Santa Ana, CA 92701, or in such other location as properly noticed prior to the meeting.
- B. Any scheduled meetings may be canceled upon order of the Chair, or a majority vote of the OC Traffic Committee members.
- C. The date and time of meetings are subject to change by a majority vote of the OC Traffic Committee members.
- D. OC Traffic Committee meetings shall be open to the public and every meeting shall allow time for public comment on any issue that is within the subject matter jurisdiction of the OC Traffic Committee.
- E. All Committee 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.
- F. Special meetings of the Committee may be called either by the Chairperson or at the request of a majority of the Committee members. Notice of special meetings shall:
 - 1. be delivered to members personally, by mail or electronically, and must be received no later than three (3) business days 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.
- G. Agendas: The Chairperson of the Committee shall cause an agenda to be prepared for each meeting, that may include:
 - 1. Items referred by the Board of Supervisors.
 - 2. Items previously set for consideration by the Committee.
 - 3. Items requested by any member of the Committee.
 - 4. Appeals to the Committee as authorized by another ordinance or regulation.
 - 5. Reports from the Orange County Public Works Department.
 - 6. Listing of Committee items.
 - 7. Actions by the Board of Supervisors on Committee recommendations and appeals made from the Committee's previous decisions.

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The Chairperson may vary the order in which items on the agenda are taken up, provided that items for a time certain shall not be taken up prior to the time for which they are set.

- H. Quorum Requirements and Voting
 1. Quorum shall be no less than 50%+1 of the membership, or 4 members.
 2. Voting Majority: Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the Committee, except as otherwise provided by these Bylaws.
 3. 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, for an action to be passed, a majority of the quorum casting votes must vote in the affirmative.
 4. All motions shall require a second. When a motion is before the Committee, no other motion shall be entertained except an amendment to the original motion or a substitute motion, both of which shall have precedence over the original motion.
 5. A motion may be withdrawn only by the maker with the consent of the person who offered the second.

- I. Minutes: The Clerk of the Committee shall prepare and publish the minutes for each meeting of the Committee.

- J. The Record: All exhibits placed before the Committee as part of the testimony shall be prominently displayed and identified. Staff reports are part of the record. It shall be the duty of the Chairperson or designee to certify the action taken by the Committee on the face of such exhibits. Meetings of the Traffic Committee shall be recorded on audio tape or by other such means and these recordings shall be available for a period of two (2) years for replay and copying in accordance with general county policies and procedures.

- K. Staff reports: Staff reports, when they are prepared for a committee meeting, shall be made available prior to the scheduled meetings. When such staff reports exist, they shall be made available to the public online at the Orange County Traffic Committee’s website (<https://ocip.ocpublicworks.com/service-areas/oc-infrastructure-programs/traffic-engineering/oc-traffic-committee>).

- L. Rules of Evidence and Hearing Conduct
 1. Rules of evidence: All relevant evidence shall be considered by the Committee during its proceedings. This evidence may take the form of written reports, oral testimony, pictures, physical exhibits, and any Committee member's own firsthand knowledge of the site involved. Committee Counsel may advise the Committee on the incorporation of physical or pictorial evidence into the record.
 2. Conduct of hearings: Rebuttal testimony may be heard at the discretion of the Chairperson following advice of the Committee. The Chairperson may also place reasonable time limits on testimony, rule irrelevant or redundant testimony out of order, and make such other rulings as may be necessary for the orderly conduct of the Committee’s business. Rulings of the Chairperson on procedural and parliamentary matters are subject to overrule by a motion to that effect, with a second and majority vote of Committee members present.

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- M. Receipt of Written Materials: Any correspondence to the Committee shall be distributed to all members. Such correspondence shall constitute a part of the record of the Committee members' proceedings. To ensure consideration by the Committee, any written material, including letters, briefs, and other documents, in support of or opposing the pending matter, shall be presented to the Committee by filing with the Clerk not less than three (3) business day prior to the time scheduled for the hearing. Such written material should not be read aloud as public testimony. Exceptions to these conditions may be made by the Chairperson.
The Clerk's copy of the written material discussed above can be made available for public inspection prior to the hearing. (Special time periods for submission of materials may be established by the Committee in individual cases where an unusually heavy volume of such material is anticipated, or other exceptional conditions exist.)
- N. Correspondence: Correspondence from the Committee must be authorized by a vote of the Committee and may be signed by either the Chairperson, or County Infrastructure Programs stationery when no Committee stationery exists.
- O. Public Hearing Notice & Procedure: Certain matters are required by law to be considered at public hearings at which any interested person may testify. These matters include but are not limited to the items listed in Article III Section A. In addition, the Committee may set public hearings on any matter of concern under Article VII Section G to the Committee. The notice requirements for public hearings vary depending upon the matter being held.
- P. Any matter may be continued in the absence of a deadline for action established by law. When a legally noticed public hearing is continued, it shall be to a date and time certain.
- Q. The Committee may elect to continue final action on a matter until written findings or exhibits reflecting the Committee's proposed action can be prepared. In such cases, any public hearing on the matter shall be closed, the staff shall be instructed to prepare the proposed findings or exhibits, and the matter shall be continued for the sole purpose of taking final action.
- R. Unless the Chairperson indicates otherwise at the time the matter is continued, no additional testimony shall be heard at the continued meeting.
- S. Study Sessions: When a matter is designated as a "study session" on the agenda, public testimony may be limited to particular persons at the discretion of the Chairperson. Where it is anticipated that someone other than the County staff will brief the Committee, the identity or affiliation of that person shall be indicated on the agenda.

ARTICLE VIII. Compensation and Reimbursement

- A. Committee members do not receive compensation for service on the Committee.

ARTICLE IX. Conflict of Interest

- A. Members of the Committee 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.

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- B. Members of the Committee shall not vote nor attempt to influence any other Committee member on a matter under consideration by the Committee or any of its committees or subcommittees:
 - 1. Regarding the provision of services by such member (or by an entity that such member represents; or
 - 2. That would provide direct financial benefit to such member or the immediate family of such member; or
 - 3. Engage in any other activity constituting a conflict of interest under County, state, or federal law.
- C. 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.
- D. To avoid a conflict of interest or the appearance of such conflict, all nominees to become members of the Committee shall disclose on forms provided by the County information regarding their private economic interests that may be implicated by their service on the Committee.
- E. Committee members shall timely file Statements of Economic Interests (Form 700) and other financial disclosures as required by law.
- F. Neither the Committee 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 Committee.
- G. No assets or assistance provided by County to Committee shall be used for sectarian worship, instruction, or proselytization, except as otherwise permitted by law.

ARTICLE X. 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 the Committee may propose amendments to these Bylaws.
 - 2. Proposed amendments shall be submitted in writing and made available to each member of the Committee 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 Bylaw's amendments for Board approval Any amendments to the Bylaws become effective upon approval by the Board.

ARTICLE XI. Severability

Should any part term, portion or provision of these Bylaws be determined to 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 XII. Staffing Support

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Staff support from OC Infrastructure Programs and County Counsel shall be provided to support the Committee in conjunction with the work of the Committee. Staff of OC Infrastructure Programs sit as Clerk of the Committee.