

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-7

Urgent

Routine

AGENDA DATE June 29, 2010

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Amend the Keyes Municipal Advisory Council Bylaws Making Minor Administrative Changes

STAFF RECOMMENDATIONS:

Amend the Keyes Municipal Advisory Council Bylaws making minor administrative changes.

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed administrative changes to the Keyes Municipal Advisory Council bylaws. Consistent with the current Municipal Advisory Councils in Stanislaus County, the Keyes Municipal Advisory Council is allocated \$150 annually within the Chief Executive Office - Operations and Services budget for administrative and meeting expenses.

BOARD ACTION AS FOLLOWS:

No. 2010-414

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. MAC-04-20

Approval to Amend the Keyes Municipal Advisory Council Bylaws Making Minor Administrative Changes

DISCUSSION:

On March 12, 1991, the Stanislaus County Board of Supervisors approved the formation of the Keyes Municipal Advisory Council (MAC) in Supervisorial District 2. At that time, the Board also approved the required boundaries and bylaws.

The Keyes MAC is charged with advising “the Stanislaus County Board of Supervisors on matters of public health, welfare, safety, planning, and public works, and other such matters as the Board may designate which affect the territory and inhabitants of Keyes; and, represent this community to any governmental agency or other organization on matters concerning the community.”

Like all Municipal Advisory Councils, the Keyes MAC provides a consistent forum, through its regular monthly meetings, for the active exchange of information between the community, Stanislaus County, and local partners (i.e., school district, fire district, special district, business sector, non-profit organizations). In addition, through active participation at Municipal Advisory Council meetings, Stanislaus County, through its departments, is better positioned to address issues and concerns specific to the designated area. The Keyes MAC has been instrumental in participating in a variety of community initiatives including, community development projects, infrastructure improvements, beautification efforts, public outreach, government access, and strategic planning.

In March of this year, the Keyes MAC conducted a general review of its approved bylaws to look into incorporating provisions that addressed attendance, vacancies, and other administrative areas. The Chief Executive Office provided examples of what other Municipal Advisory Councils have adopted in their bylaws to address these topics. Copies of the South Modesto and Valley Home MAC bylaws were provided to assist with this review and to be the basis for drafting new language for incorporation into the Keyes MAC bylaws. The purpose of the amendment would be to clarify the expectation regarding attendance and how vacancies can occur so that council members, current and future, would be clear on these points. The Chief Executive Office was asked to assist with drafting the new language and facilitating the formal process for amending the existing bylaws. Per the current bylaws, amendments to the by-laws must be approved by the Board of Supervisors.

The Keyes MAC formally discussed the proposed amendment to the bylaws during the course of several regular meetings. The recommended minor administrative changes (Attachment A) to the bylaws were made available in draft form and presented in detail during the April 2010 meeting. The Keyes MAC discussed the recommended changes and asked that they be brought back for consideration by the Council at the next available meeting. During the June 2010 regular meeting, the Keyes MAC reviewed the draft revised bylaws and recommended forwarding the proposed amendments to the Board of Supervisors for consideration and approval.

Approval to Amend the Keyes Municipal Advisory Council Bylaws Making Minor Administrative Changes

In summary, the proposed substantive changes to the Keyes MAC bylaws include:

- **Amendments** - The proposed changes ensure the Keyes MAC amendment process is accurately detailed in the bylaws. Currently, the bylaws read "Amendments to the by-laws must be approved by the Board of Supervisors." The proposed language outlines the process to reflect the requirement that changes are brought before the MAC and public over the course of at least two meetings. After approval by the MAC, amendments are brought before the Board of Supervisors for approval and adoption.
- **Meetings** - The MAC also recommends an amendment to allow the Council, when desired, to seek the views of those present at a meeting by calling for a vote by those in attendance. This proposed change specifies only residents or property owners within the Keyes MAC boundaries may vote on issues before the Council and any such vote is for advisory purposes only.
- **Vacancies** - The proposed changes provide clarification regarding what actions constitute a vacancy and how that vacancy is filled. Specifically, vacancies are defined as on the death, resignation or removal of any member, and whenever the number of authorized members is increased. The council members may declare vacant the seat of a council member who has three unexcused absences from the regular meeting dates during any twelve month period, or has been declared of unsound mind by a final order of court, or has been convicted of a felony. Any member may resign effective upon giving notice to the Chairperson of the Council or the Stanislaus County Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation. The proposed changes further clarify the requirement that vacancies are filled by appointment by the Board of Supervisors.

During the June regular meeting, the Keyes MAC also sought community input on the proposed amendment and no one spoke in support or opposition to the proposed amendment. At the conclusion of the discussion, the Keyes MAC voted unanimously by those members present to recommend to the Board of Supervisors the proposed amendment to their bylaws. The Keyes MAC requested that the Chief Executive Office bring their recommendation to the Board of Supervisors for consideration and action.

POLICY ISSUE:

The Board of Supervisors should determine whether or not the amendment to the Keyes MAC bylaws would be consistent with its current priorities of striving for effective partnerships and the efficient delivery of public services.

Approval to Amend the Keyes Municipal Advisory Council Bylaws Making Minor Administrative Changes

STAFFING IMPACT:

The amendment of the Keyes MAC bylaws is not expected to create additional staffing needs outside of those that currently exist with the County's support of the existing Council. County Departments are expected to be represented at regular meetings periodically. In some cases, as with the Library and public safety departments, County staff is in attendance on a monthly basis. In other cases, coverage of meetings is done quarterly or upon request. The Chief Executive Office also provides ongoing support and assistance to the Keyes MAC as needed.

CONTACT PERSON:

Kristi Amaral, Chief Executive Office, 209-652-2311

Keyes Municipal Advisory Council By-Laws

I.
FORMATION AND ORGANIZATION

SECTION 1. COUNCIL NAME

This Council shall be known as the Keyes Municipal Advisory Council, as established by Stanislaus County Board of Supervisors resolution #91-399, March 12, 1991, amended on April 28, 1992 and December 8, 1992. The Keyes Municipal Advisory Council will be referred to as “Keyes MAC” in the remainder of the By-Laws.

SECTION 2. BOUNDARIES OF THE KEYES MUNICIPAL ADVISORY COUNCIL

Boundaries shall be identified in Attachment One.

II.
PURPOSE

SECTION 1. OBJECTIVES AND PURPOSES

The Council will advise the Board of Supervisors on matters of public health, welfare, safety, planning, and public works, and other such matters as the Board of Supervisors may designate which affect the territory and inhabitants within Keyes MAC; and, represent this community to any governmental agency or other organization on matters concerning the community.

III.
COUNCIL MEMBERSHIP

SECTION 1. MEMBERSHIP

Members shall be registered voters within the Keyes MAC District boundaries. Council is composed of five members who reside in the Keyes MAC District boundaries.

SECTION 2. TERM OF MEMBERSHIP

The term of each member is four (4) years or until their successors are elected. The terms of members initially elected are staggered with two (2) member’s terms expiring December 31. These elections shall conform to state general election procedure (California Election Code 23500 et seq.).

SECTION 3. VACANCIES

Members may resign effective upon written notice or specified date. Council may declare seat vacant when member has three unexcused absences over a twelve month period. Members must notify chair when they will be absent. The Board of Supervisors will be notified of absences and declared vacancy within seven working days. Vacancies on the Council shall exist: 1) on the death, resignation or removal of any member, and 2) whenever the number of authorized members is increased. The council members may declare vacant the seat of a council member who has three unexcused absences from the regular meeting dates during any twelve month period, or has been declared of unsound mind by a final order of court, or has been convicted of a felony. Any member may resign effective upon

giving notice to the Chairperson of the Council or the Stanislaus County Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation.

SECTION 4. COUNCIL SEAT REPLACEMENT

~~Vacancies shall be filled within 45 days of effective date. If seat remains vacant after the 45 days, the Board of Supervisors shall fill the vacancy.~~ If a council position should become vacant, the Board of Supervisors shall appoint a person to serve the remainder of the term.

IV. OFFICERS AND DUTIES

SECTION 1. ELECTION OF OFFICERS

The Council shall, at its first official meeting each calendar year, nominate and elect a Chair, Vice Chair, and Secretary. These persons shall serve for (1) one year.

SECTION 2. DUTIES OF CHAIR

The duties of the Chair are: to be spokesperson for the Keyes MAC; and, to assume duties of the officers when a vacancy is declared or when the duties are not performed in a timely manner.

SECTION 3. DUTIES OF THE VICE-CHAIR

The duties of the Vice-Chair are: to assume the duties of the Chair when he/she is absent; and, to assume all duties of the Chair if the Chair is unable to fulfill those duties.

SECTION 4. DUTIES OF THE SECRETARY/TREASURER

The duties of the Secretary/Treasurer are: to read the minutes at request of the Council; to maintain a complete and official copy of all agendas and minutes of the Keyes MAC; to send agenda and minutes of each meeting to the chair and Board of Supervisors; and, to conduct correspondence of the Council.

V. MEETINGS

SECTION 1. REGULAR MEETINGS

The Keyes MAC shall meet once each month in a public building which is accessible and can accommodate all those residents and/or property owners within of the Keyes MAC ~~District~~ boundaries. A regular time and place for each meeting will be established and announced by the Council.

SECTION 2. SPECIAL MEETINGS

The Council may, through public notification, call for those special meetings it deems necessary.

SECTION 3. CANCELLATION OF MEETINGS

Chair may cancel regularly schedule regularly scheduled meetings with prior notice and consent of two other members.

SECTION 4. VIEWS OF THE PUBLIC

If the Council wishes, it may seek the views of those present at a meeting by calling for a vote by those in attendance. Only residents or property owners within the Keyes MAC boundaries may vote on issues before the Council. Any such vote is for advisory purposes only. Members of the District Residents within the Keyes MAC boundaries are allowed to address the MAC per cited Government Code.

SECTION 5. QUORUM

A majority of the Council Membership shall constitute a quorum for the conduct of business. All special and regular meetings of this Council shall comply with California Government Code Sections 454950 et seq. (The Brown Act)

VI. COMMITTEES

SECTION 1. COMMITTEE APPOINTMENTS

The Chair may appoint, as needed, standing committees that exist for a specified period of time, or special committees that are created to consider special issues. The committees may include one member, but not more than two members of the Keyes MAC District.

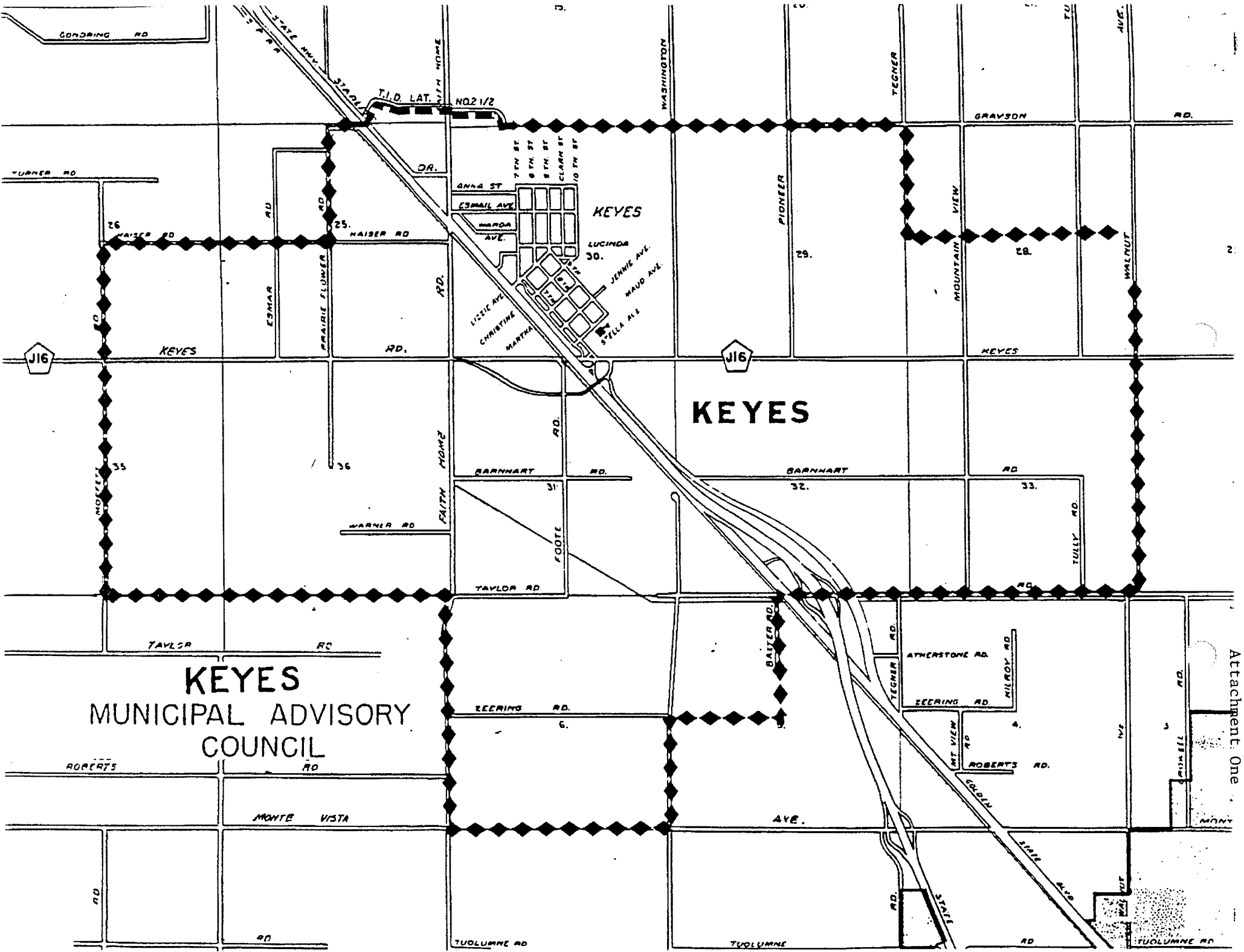
VII. AMENDMENTS

SECTION 1. AMENDMENTS

The Keyes MAC may amend its By-Laws in the following manner: (1) the amendment must be submitted in writing at the monthly meeting proceeding the one at which it is to be voted upon, with a copy for each Council member; (2) at the next monthly meeting, the amendment shall be approved by the majority of the Council. Amendments to the By-Laws must be approved by the Board of Supervisors.

VIII PARLIAMENTARY AUTHORITY

The Keyes MAC adopts the rules contained in the Robert's Rules of Order to govern it in all situations not governed by the By-Laws or any special rules of order of the Council.



KEYES
MUNICIPAL ADVISORY
COUNCIL

Attachment One

KEYES UNION SCHOOL DISTRICT (72)

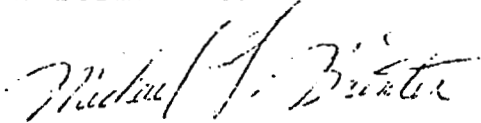
P.O. Box 548
Seventh and Keyes Roads
Keyes, Ca. 95328
(209) 537-1504
(209) 634-1970 (Turlock)

Beginning at the North 1/4 section corner of Section 25, T. 4 S. - R. 9 E., M.D.B. & M., in Prairie Flower Road, thence

1. East 2.50 miles along section lines in Grayson Road to the Northeast corner of Section 29, T. 4 S. - R. 10 E., M.D.B. & M., in Tegner Road;
2. South 0.50 mile in Tegner Road to the East 1/4 section corner of said Section 29 in Tegner Road;
3. East 1.00 mile along 1/4 section line in Section 28, said township and range to the East 1/4 section corner of said Section 28 in Walnut Avenue;
4. South 1.50 miles along section lines in Walnut Avenue to the Southeast corner of Section 33, said township and range, in Taylor Road;
5. West approximately 1.6 miles along section lines in Taylor Road;
6. South 0.50 mile to the East-West 1/4 section line in Section 5, T. 5 S. - R. 10 E., M.D.B. & M.;
7. West approximately 0.50 mile to the East 1/4 section corner of Section 6, said township and range in Washington Avenue;
8. South 0.50 mile in Washington Avenue to the Southeast corner of said Section 6 in Monte Vista Avenue;
9. West 1.00 mile to the Southwest corner of said Section 6 in Faith Home Road;
10. North 1.00 mile in Faith Home Road to the Northwest corner of said Section 6 in Taylor Road;
11. West 1.50 miles along section lines in Taylor Road to the South 1/4 section corner of Section 35, T. 4 S. - R. 9 E., M.D.B. & M., in Moffett Road;
12. North 1.50 miles along 1/4 section lines in Moffett Road to the interior 1/4 section corner of Section 26, said township and range, in Kaiser Road;
13. East 1.00 mile along 1/4 section lines in Kaiser Road to the interior 1/4 section corner of Section 25, said township and range, in Prairie Road;
14. North 0.50 mile along 1/4 section line in Prairie Flower Road to the point of beginning.

ENGINEER'S CERTIFICATE:

I, Michael F. Brinton, hereby certify that these descriptions and maps of Stanislaus County School Districts, dated September 1982, were prepared by me or under my direction and are true and correct to the best of my belief, knowledge and information.



Dated: 9-10-82

Michael F. Brinton RCE