

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-7

Urgent

Routine

AGENDA DATE May 21, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Amend the Hickman Municipal Advisory Council Bylaws Making Minor Administrative Changes and Transitioning to a Bi-Monthly Meeting Schedule

STAFF RECOMMENDATIONS:

Amend the Hickman Municipal Advisory Council bylaws making minor administrative changes and transitioning to a bi-monthly meeting schedule.

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed changes to the Hickman Municipal Advisory Council bylaws. Consistent with the current Municipal Advisory Councils in Stanislaus County, the Hickman 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. 2013-250

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

Ayes: Supervisors: O'Brien, Withrow, Monteith and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: De Martini

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


ELIZABETH A. KING, Assistant Clerk

File No. MAC-06-09

Approval to Amend the Hickman Municipal Advisory Council Bylaws Making Minor Administrative Changes and Transitioning to a Bi-Monthly Meeting Schedule

DISCUSSION:

On May 17, 1994, the Stanislaus County Board of Supervisors approved the formation of the Hickman Municipal Advisory Council (MAC) in Supervisorial District 2. At that time, the Board also approved the required boundaries and bylaws. On February 15, 2000, the Board of Supervisors approved an amendment to the Hickman Municipal Advisory Council bylaws which allowed members to serve three terms of office. In a subsequent action on February 29, 2000, the Board made changes to the legal boundaries and description of the Hickman Municipal Advisory Council.

The Hickman 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 Hickman; and, represent this community to any governmental agency or other organization on matters concerning the community.”

Like all Municipal Advisory Councils, the Hickman 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). The Hickman MAC has been instrumental in participating in a variety of community initiatives including, community development projects, strategic planning, beautification efforts, public outreach, and government access.

Over the course of the last year, the Hickman MAC discussed the benefits of transitioning from monthly meetings to a bi-monthly or quarterly schedule. The Council has noticed a decline in public attendance at the monthly meetings. Citizens essentially share concerns with members outside of the regularly scheduled meetings on an individual basis or through the local school district. In addition, many representatives from agencies, based on the demand of the community and budget constraints, have transitioned to periodic reports rather than monthly. The Hickman MAC concluded that moving away from monthly schedule would better suit their needs and those of the community they represent.

On February 7, 2013, the Hickman MAC conducted a thorough review of its current approved bylaws. At that meeting, the Council decided to move forward with a change to their meeting schedule that would allow them to meet during the even months of the calendar year thereby meeting a minimum six times a year. Following the procedures contained in their bylaws, the proposed change was discussed at the meeting and to be brought back formally during a subsequent meeting for action. 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 bylaws must be approved by the Board of Supervisors.

Approval to Amend the Hickman Municipal Advisory Council Bylaws Making Minor Administrative Changes and Transitioning to a Bi-Monthly Meeting Schedule

On May 2, 2013, the Hickman MAC voted by majority to recommend to the Board of Supervisors proposed amendments to their bylaws including some minor administrative changes and the provision regarding the regular meeting schedule. The Hickman MAC requested that the Chief Executive Office bring their recommendation to the Board of Supervisors for consideration and action. In summary, the proposed amendments are in the following key areas:

- Formation - The formation of the organization is amended to cite the original formation resolution and date and reference subsequent changes to their bylaws.
- Boundaries - For clarity, the date that the boundaries were originally approved is included in addition to the date they were subsequently amended.
- Meetings - The meeting schedule for regular meetings is changed from once each month to at least six meetings a calendar year (a minimum of two every quarter). This will provide the MAC with the flexibility to establish a regular schedule and they currently intend to meet during even months every other month. The Hickman MAC has historically met the first Thursday of each month and plans to continue holding its regular meetings per the new schedule on this day once approved.
- Vacancies - Clarifies that vacancies on the Council shall be filled by the County Board of Supervisors.
- Other - Includes minor technical administrative changes such as formatting, grammar and removing references to Treasurer position.

POLICY ISSUE:

Approval of this agenda item to amend the Hickman Municipal Advisory Council bylaws to transition to a bi-monthly meeting schedule is consistent with the Board's priorities of Effective Partnerships and the Efficient Delivery of Public Services.

STAFFING IMPACT:

The amendment of the Hickman 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 or by request. The Chief Executive Office and Board of Supervisor's Office also provide ongoing support and assistance to the Hickman MAC as needed.

CONTACT PERSON:

Raul Mendez, Senior Management Consultant, 525-6333

**BY-LAWS
HICKMAN MUNICIPAL ADVISORY COUNCIL
(HICKMAN MAC)**

**I.
OFFICESFORMATION OF ORGANIZATION**

The principle office of the Council for the transaction of its business is located in Stanislaus County, California. This Council will be known as the Hickman Municipal Advisory Council, as established by Resolution #1994-507, May 17, 1994, by the Stanislaus Council Board of Supervisors pursuant to Government Code 31010. These By-Laws have been amended by the Board of Supervisors on February 15, 2000 and May 21, 2013.

**II.
PURPOSE**

SECTION 1. OBJECTIVES AND PURPOSES

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

SECTION 2. BOUNDARIES OF THE HICKMAN MUNICIPAL ADVISORY COUNCIL

The boundaries of the Hickman MAC, approved originally by the Board on May 17, 1994 and amended on February 29, 2000, shall be as found in Attachment One to these By-Laws.

**III.
MEMBERSHIP**

Council members shall be registered voters residing within the Hickman MAC. The Council is composed of five (5) members who shall be elected by the registered voters residing within the Hickman MAC. The terms of each member is four (4) years or until their successors are elected. The terms of members initially elected are staggered with three (3) members' terms expiring December 31, 1995. No person shall be elected for more than three (3) consecutive terms. These elections shall conform to state State general election procedures (California Election Code 23500 et seq.).

**IV.
OFFICERS & DUTIES**

SECTION 1. ELECTION OF OFFICERS

The Council shall, at its first official meeting each calendar year, nominate and elect a Chairperson, Vice-chairperson, and Secretary/Treasurer. These persons shall serve for one year.

SECTION 2. DUTIES OF THE CHAIRPERSON

The duties of the Chairperson are: 1) to prepare the agenda for each meeting; 2) to call the members of each meeting to order; 3) to enumerate the business of the meeting and the order in which it is to be acted upon; 4) to recognize members who are entitled to the floor; 5) to state and put to a vote all questions which are properly moved; 6) to maintain order throughout the meeting, and 7) to sign all necessary documents, letters, etc., that state the official business of the Council.

SECTION 3. DUTIES OF THE VICE-CHAIRPERSON

The duties of the Vice-Chairperson are to assume the duties of the Chairperson when the Chairperson is absent.

SECTION 4. DUTIES OF THE SECRETARY/TREASURER

The duties of the Secretary/Treasurer are: 1) to record minutes of all meetings of the Council and read publicly the minutes of the previous meeting, and all special meetings; 2) to maintain a register of those who attend each meeting of the Council; 3) to notify officers and/or committees of their appointment; 4) to maintain the official copy of the By-Laws; 5) to send out written notices of meetings to all those living or who own property within the Hickman MAC who have requested such notice pursuant to the California Government Code, Section 54954.1; 6) to conduct the correspondence of the Council; 7) to have at each meeting a list of committees and their members as well as the By-Laws of the Council and copies of the minutes of all previous meetings; 8) to sign with the Chairperson all Secretary/Treasurer's reports; 9) to maintain a current and up to date list of all residents and property owners within the Hickman MAC.

**V.
MEETINGS**

The Hickman MAC shall ~~meet once each month~~ hold at least six meetings a calendar year (a minimum of two every quarter) in a public building which is accessible and can accommodate all those residents and/or property owners of the Hickman MAC who may wish to attend the meeting. A regular convenient time and place for each meeting will be established and announced by the Council. The Council may, through public

notification, call for those special meetings it deems necessary. 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 the Hickman MAC may vote on issues before the Council. Participants of any meeting may be challenged and the Secretary/Treasurer asked to verify their status as a resident or property owner within the Hickman MAC. The public vote in a meeting shall carry by a majority of those present. A majority of the council members shall constitute a quorum for the conduct of business. All special and regular meetings of this Council shall comply with California Government code Sections 54950 et seq. (The Brown Act).

VI. COMMITTEES

The Chairperson may appoint, as needed, standing committees that exist for a specified period of time or special committees that are created to consider special issues. A committee may consist of one (1) member, but not more than two (2) members of the Council. All standing committees shall comply with the Brown Act provisions, as applicable.

VII. METHODS OF AMENDING THE -LAWS

The Hickman MAC may amend its By-Laws in the following manner: 1) the amendment must be submitted in writing at the monthly meeting preceding the one at which it is to be voted upon, with a copy provided for each council member; 2) at the next monthly meeting the amendment shall be placed on the agenda for discussion and vote; 3) adoption of the amendment shall be by a majority of the votes cast by the Council, a quorum being present, 4) upon approval by the Stanislaus County Board of Supervisors, the amendment will be considered adopted and the By-Laws amended.

VIII. PARLIAMENTARY AUTHORITY

The Hickman MAC adopts that all meetings shall be governed by ~~ROBERTS' RULE OF ORDER~~ Robert's Rules of Order, as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these By-Laws.

IX. VACANCIES

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 missed three unexcused absences from the regular meeting dates, during any one term, 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 written notice to the chairperson of the Council and the Stanislaus County Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation. ~~Vacancies of the Hickman MAC shall be filled within 60 days by the Hickman MAC from the effective resignation date of the council member. If seat remains vacant after 60 days, vacancies shall be filled by the County Board of Supervisors.~~

Vacancies on the Council shall be filled by the County Board of Supervisors within 90 days per the California Elections Code.

**X.
NON-LIABILITY OF COUNCIL MEMBERS AND OFFICERS**

The members shall not be personally liable for debts, liabilities, or other obligations of the Hickman MAC.

**XI.
FISCAL YEAR**

The fiscal year of the Hickman MAC shall be the same as the Stanislaus County Board of Supervisors.

**XII.
COUNCIL RECORDS AND REPORTS**

The Council shall keep at its principal office in Stanislaus County: 1A) Mminutes of all meetings, committees of the Council indicating the time and place of holding such meetings, whether regular or special, how called, the given notice, and the name of those present and proceeding thereof, and ~~B2) A~~adequate and correct books and records of accounts, including accounts of its properties and business transactions and account of its assets, liabilities, receipts, disbursements, gains and losses.

**XIII.
MEMBERSHIP INSPECTION RIGHTS**

Every council member shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Council.

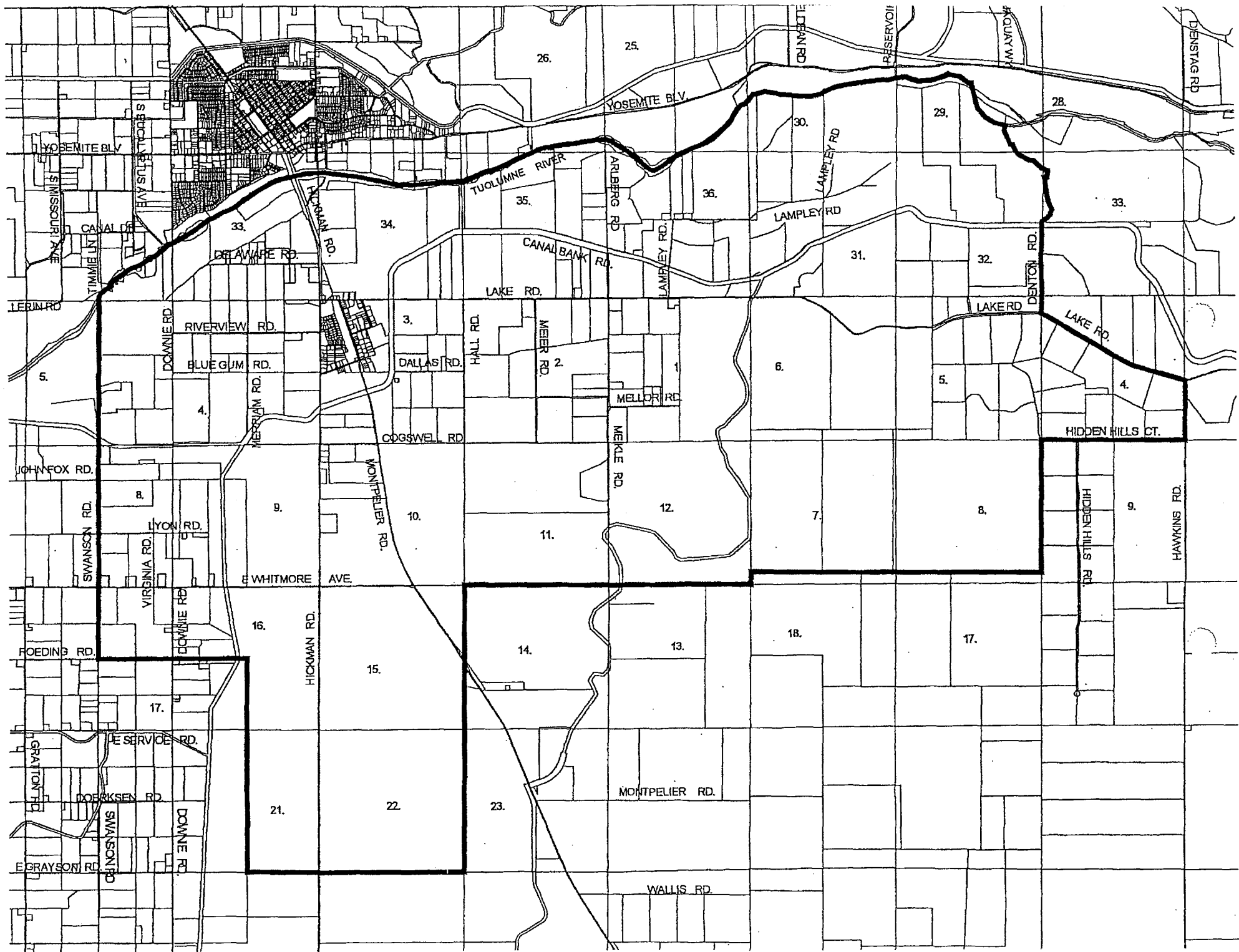
ATTACHMENT ONE

HICKMAN MUNICIPAL ADVISORY COUNCIL BOUNDARIES

Beginning at the intersection of the center line of the Tuolumne River and the North-South $\frac{1}{4}$ section line of Section 5, Township 4 South, Range 11 East, Mount Diablo Meridian., Thence;

1. Meander the center line of the Tuolumne River upstream approximately 6.75 miles to the east line of Parcel "3" as shown on the map filed in Volume 46 of Parcel Maps, Page 46, Stanislaus County records, lying in Sections 29,32,33, Township 3 South, Range 12 East, Mount Diablo Meridian;
2. Thence Southerly along said the east line of Parcel "3" approximately 0.88 mile to the southeast corner of Parcel "3" and the east line of Section 32, Township 3 South, Range 12 East, Mount Diablo Meridian;
3. Thence South approximately 0.58-mile along section lines to the center line of Lake Road;
4. Thence Southeasterly 1.12 miles along the centerline of Lake Road to the west line of Hawkins Road and east line of Section 4, Township 4 South, Range 12 East;
5. Thence South 0.42 mile along section lines to the southeast corner of Section 4, said Township and range;
6. Thence West 1.00 mile along the south line of Section 4 to northeast corner of Section 8, said Township and Range;
7. Thence South 0.93 mile along the east line of section 8 to southeast corner of Parcel "F" as shown on the map filed in Volume 12 Record of Survey, Page 28, Stanislaus County records;
8. Thence West 2.00 miles along south lines of said Parcel "F", Parcel "E", Parcel "D", and Parcel "C" to southwest corner of Parcel "C" and the west line of Section 7, said Township and Range;
9. Thence South 350.00 feet to southwest corner of said Section 7, Township 4 South, Range 12 East;
10. Thence West 2.00 miles along section lines to the Northeast corner of Section 15, Township 4 South, Range 11 East;
11. Thence South 2.00 miles along section lines and in Hall Road to the Southeast corner of Section 22, said Township and Range;
12. Thence West 1.50 miles along the section lines to the South $\frac{1}{4}$ section corner of Section 21, said Township and Range;

13. Thence North 1.50 miles along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ corner of Section 16, said Township and Range;
14. Thence West 1.00 mile along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ section corner of Section 17, said Township and Range, in Swanson road;
15. Thence North approximately 2.50 miles along $\frac{1}{4}$ section lines, in Swanson Road, to the point of beginning.



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