

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

DEPT: Chief Executive Office

BOARD AGENDA # *B-2

Urgent

Routine

AGENDA DATE April 5, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Amend the Valley Home Municipal Advisory Council Bylaws Making Minor Administrative Changes and Transitioning to a Quarterly Meeting Schedule

STAFF RECOMMENDATIONS:

Amend the Valley Home Municipal Advisory Council bylaws making minor administrative changes and transitioning to a quarterly meeting schedule.

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed changes to the Valley Home Municipal Advisory Council bylaws. Consistent with the current Municipal Advisory Councils in Stanislaus County, the Valley Home 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. 2011-197

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. MAC-08-02

Approval to Amend the Valley Home Municipal Advisory Council Bylaws Making Minor Administrative Changes and Transitioning to a Quarterly Meeting Schedule

DISCUSSION:

On August 21, 2007, the Stanislaus County Board of Supervisors approved the formation of the Valley Home Municipal Advisory Council (MAC) in Supervisorial District 1. At that time, the Board also approved the required boundaries and bylaws.

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

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

Over the course of several meetings, the Valley Home MAC discussed the benefits of transitioning from monthly meetings to a quarterly schedule. The group has noticed a decline in public attendance at the monthly meetings. Citizens share concerns with members outside of the regularly scheduled meetings on an individual basis. Many representatives from agencies, based on the demand of the community and budget constraints, have transitioned to quarterly reports rather than monthly. In addition, projects which previously were the center of the Council's discussions have been or will soon be completed. It was determined that the needs of the community will continue to be appropriately served with quarterly meetings.

In December 2010, the Valley Home MAC conducted a general review of its approved bylaws to look into modifying the number of meetings required. The purpose of the amendment is to make minor grammatical changes and modify the minimum number of meetings held so that the Valley Home MAC will continue to benefit the community while maintaining a manageable schedule for members and the public. 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 Valley Home MAC formally discussed the proposed amendment to the bylaws during the course of the regularly scheduled January and March meetings. The recommended minor administrative changes to the bylaws were made available in draft form and presented in detail

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during the January 2011 meeting. The Valley Home MAC discussed the recommended changes and asked that they be brought back for consideration by the Council at the next available meeting

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

- **Membership** - The proposed changes ensure the Valley Home MAC appointment process is accurately detailed in the bylaws. Currently, the bylaws read "Upon expiration of the initial terms, council vacancies shall be filled by a County held election of registered voters in Valley Home. If a Council position should become vacant, the Board of Supervisors shall appoint a person to serve the remainder of the term." The proposed language outlines the process to clarify that an appointment is made by the Board of Supervisors only in the event that a council position becomes vacant prior to the expiration of the term.
- **Meetings** - The MAC also recommends an amendment to allow the Council to transition from holding monthly meetings to holding four meetings a calendar year, with a minimum of one each quarter.

During the January and March regular meetings, the Valley Home MAC also sought community input on the proposed amendment and no one spoke in opposition to the proposed amendment. At the conclusion of the discussion, the Valley Home MAC voted by majority to recommend to the Board of Supervisors the proposed amendment to their bylaws. The Valley Home MAC requested that the Chief Executive Office bring their recommendation to the Board of Supervisors for consideration and action.

POLICY ISSUE:

Approval of this agenda item to amend the Valley Home Municipal Advisory Council bylaws making minor administrative changes and transitioning to a quarterly 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 Valley Home 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. The Chief Executive Office and Board of Supervisors Office also provide ongoing support and assistance to the Valley Home MAC as needed.

CONTACT PERSON:

Monica Nino, Chief Executive Office, 525-6333

VALLEY HOME MUNICIPAL ADVISORY COUNCIL

I.
Formation of Organization

This Council will be known as the Valley Home Municipal Advisory Council, as established by resolution #2007-650, August 21, 2007, by the Stanislaus County Board of Supervisors pursuant to Government Code Section 31010. The boundaries served by the Council are described as follows and shall be referred to as Valley Home:

**SEE EXHIBIT A FOR LEGAL DESCRIPTION OF PROPOSED BOUNDARIES
FOR THE VALLEY HOME MUNICIPAL ADVISORY COUNCIL**

II.
Purpose

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 of Valley Home; and, represent this community to any governmental agency or other organization on matters concerning the community.

III.
Membership

The Council is composed of five (5) members. Council members shall be registered voters residing within Valley Home. The term of each member is four (4) years or until their successors are elected. The terms of members initially appointed are staggered with two (2) members' terms expiring December 4, 2009 and three (3) members' terms expiring December 2, 2011. Upon expiration of the initial terms, council vacancies shall be filled by a County held election of registered voters in Valley Home. If a Council position should become vacant prior to the expiration of the term, the Board of Supervisors shall appoint a person to serve the remainder of the term. These elections shall conform to state general election procedures (California Election Code 23500 et seq.).

IV.
Officers & Duties

- a. The Council shall, at its first official meeting each calendar year, nominate and elect a chairperson, vice-chairperson, and secretary. These persons shall serve for one (1) year.
- b. The Duties of the Chairperson are: (1) 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.

- c. The duties of the Vice-Chairperson are to assume the duties of the Chairperson when he/she is absent.
- d. The duties of the Secretary 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 Valley Home 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, and (8) to maintain a current and up to date list of all residents and property owners of Valley Home.

V. Meetings

The Valley Home Municipal Advisory Council (MAC) shall hold at least four meetings a calendar year (a minimum of one every quarter) to be held in a public building which is accessible and can accommodate all those residents and/or property owners of Valley Home 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. The Chair may cancel regular scheduled meetings with prior notice and consent of two (2) other members of the Valley Home MAC. 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 of Valley Home may vote on issues before the Council. Participants of any meeting may be challenged and the Secretary asked to verify their status as a resident or property owner within Valley Home. The public vote in a meeting shall carry by a majority of those present. 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 54950 et seq. (The Brown Act)

VI. Committees

The Chairperson may appoint, as needed, standing committees (those committees that exist for a specified period of time) or special committees (those 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.

VII.

Method of Amending the By-Laws

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

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 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 written 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.

Vacancies on the Council may be filled by the County Board of Supervisors.

X.

Non-Liability of Council Members and Officers

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

XI.

Fiscal Year

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

EXHIBIT A

VALLEY HOME MUNICIPAL ADVISORY COUNCIL

BOUNDARY DESCRIPTION

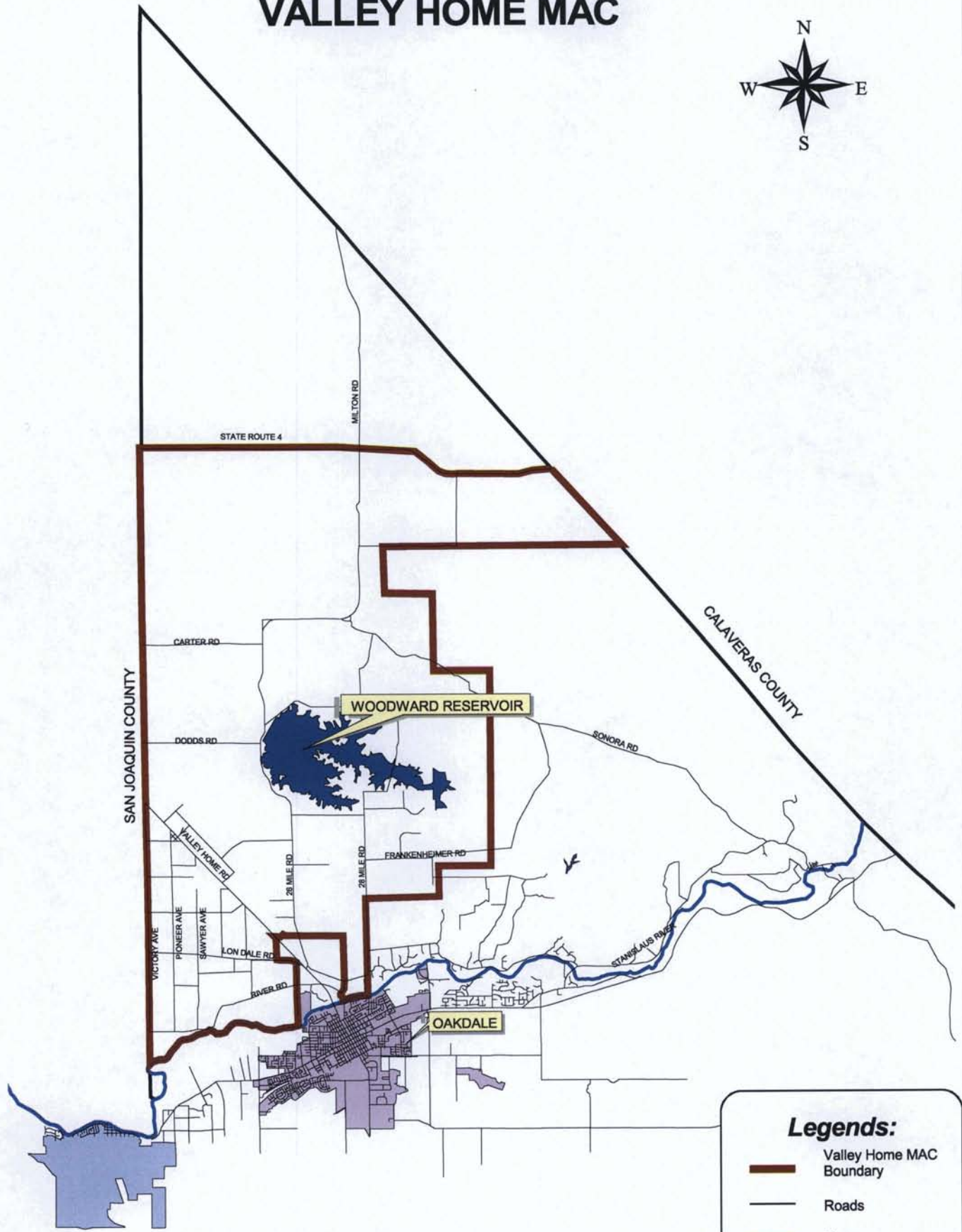
All that portion of Stanislaus County lying within Township 1 North, Range 10 East, Township 1 North, Range 11 East, Township 1 South, Range 11 East, Township 1 South, Range 10 East and Township 2 south, Range 10 East of Mount Diablo Base and Meridian, together with protracted sections in Rancheria del Rio Estanislao and Thompson's Rancho described as follows:

Beginning at the intersection of the Stanislaus-Calaveras County Line, and the south right-of-way of State Highway 4, said point bears Southeasterly along said County line 12.8 miles from the most northerly point of Stanislaus County, Thence




1. Southeasterly 2.1 miles along said Stanislaus-Calaveras County Line to the South line of Section 22 of Township 1 North, Range 11 East, Mount Diablo Base and Meridian, thence;
2. Westerly Approximately 4.8 miles along section lines to the Northwest corner of Section 25, Township 1 North, Range 10 East, thence;
3. South 1.0 mile along west line of said Section 25 to the Southeast Corner thereof, thence;
4. East 1.0 mile along the South line of said section 25 to the Southeast Corner thereof, thence;
5. South 1.5 miles to the West ¼ Corner of Section 6 of Township 1 South, Range 11 East, as section lines would be projected into Ranchria del Rio Estanislao, thence;
6. East 1.0 mile along the projected quarter section line to the East ¼ Corner of said Section 6, thence;
7. South 4.0 miles along the projected section lines to the East ¼ Corner of Section 30 of said Township and Range, thence;
8. West 1.0 mile along the projected quarter line to the West ¼ Corner of said Section 30, thence;
9. South 0.5 mile along the projected section line to the Southeast corner of Section 25, Township 1 South, Range 10 East, thence;
10. West 1.5 miles along the projected section lines to the South ¼ Corner of Section 26, said Township and Range, in 28 Mile Road, and on the Grant Line between Ranchria del Rio Estanislao and Thompson's Rancho, thence;
11. South 2.2 miles along the projected quarter line to the north bank of the Stanislaus River, thence;
12. Southwesterly along said north bank of the Stanislaus River 0.5 miles to the East line of the Sphere of Influence Modification to the City of Oakdale as accepted on October 24, 1994, thence;

13. North along the meanderings of the East line of said Sphere of Influence 1.33 miles to a point that bears South, 409.95 feet from the Northeast Corner of Section 3, of said Township 2 South, Range 10, thence;
14. West along the north line of said Sphere of Influence 0.9 miles to the easterly right-of-way of 26 Mile Road, thence;
15. Northwesterly, 425 feet along said easterly right-of-way of 26 Mile Road to the North line of said Section 3, thence
16. West, 480 feet along the north line of said Section 3 to the Section Corner common to Sections 3,4, 33 and 34 of Townships 1 and 2, Range 10 East, thence;
17. West, 950 feet to the Northeast corner of Parcel 'C' of Volume 40 of Parcel Maps, Page 41, S.C.R., thence;
18. Along the following 3 courses of said Parcel Map:
 1. N. 57°□□□', 03" W., 312.32 feet
 2. N. 47°□□□', 45" W., 400.00 feet
 3. N. 85°□□□', 16" W., 518.92 feet
 To a point on the easterly right-of-way of Valley Home Road, thence;
19. Northwesterly 150 feet to the more northerly Northeast Corner of Parcel 2 of Volume 41 of Parcel Maps, Page 51 S.C.R., said point being on the westerly right-of-way said Valley Home Road, thence;
20. Southeasterly, 264.28 feet along said right-of-way to the more easterly Northeast Corner of said Parcel 2, thence;
21. South, 0.47 miles along the East line of said Parcel 2 and the east line of Lot 5 of Volume 3 of Maps, Page 45 S.C.R. and it's southerly prolongation to the North right-of-way of Frontage Road, thence;
22. East, 0.42 miles along said North right-of-way to it'd intersection with the westerly right-of-way of Cottle Road, thence;
23. South 0.45 miles along said west right-of-way of Cottle Road to the northerly right-of-way of River Road, thence;
24. Southeasterly, 64 feet to the northwest corner of the parcel of land granted to the United States of America said point being on the southerly right-of-way of River Road, thence;
25. Leaving said right-of-way, South, 1148 feet along the westerly line of said U.S.A. property to the northwesterly corner of the Liberini Annexation to the City of Oakdale, said point also being the terminus of the Sphere of Influence, thence;
26. South, 0.65 miles along the west line of said Liberini Annexation to the north bank of the Stanislaus River, thence;
27. Leaving said Liberini Annexation westerly 3.25 miles along the meanderings of the north bank of the Stanislaus River to the County Line common to Stanislaus and San Joaquin Counties, thence;
28. North along said County line also being the Wet line of Townships 2 South, Range 10 East, Township 1 South, Range 10 East, Township 1 North, Range 10 East, a distance of 12.5 miles to the South right-of way of said State Highway 4, thence;
29. Easterly along the said south right-of-way of State Highway 4, a distance of 8.67 miles to the Point of Beginning.

VALLEY HOME MAC



Legends:

-  Valley Home MAC Boundary
-  Roads
-  River