

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

DEPT: Chief Executive Office

BOARD AGENDA:6.B.11
AGENDA DATE: March 30, 2021

SUBJECT:

Approval to Amend the Bylaws of the Wood Colony Municipal Advisory Council Making an Exception to the Meeting Requirements During a State of Emergency

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2021-0117

On motion of Supervisor Withrow , Seconded by Supervisor Grewal
and approved by the following vote,
Ayes: Supervisors: B. Condit, Withrow, Grewal, C. Condit and Chairman Chiesa
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: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. MAC-09-05

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:6.B.11
AGENDA DATE: March 30, 2021

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Amend the Bylaws of the Wood Colony Municipal Advisory Council Making an Exception to the Meeting Requirements During a State of Emergency

STAFF RECOMMENDATION:

1. Amend the Wood Colony Municipal Advisory Council bylaws to make an exception on the requirement to hold at least four meetings a calendar year when there is a declared state of emergency.

DISCUSSION:

On February 28, 2017, the Stanislaus County Board of Supervisors approved the formation of the Wood Colony Municipal Council (MAC) in Supervisorial District 3. At that time, the Board also approved the required boundaries and bylaws. The Wood Colony 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 Wood Colony; and, represent this community to any governmental agency or other organization on matters concerning the community."

The bylaw amendment will make an exception to the requirement of holding at least four meetings a calendar year (a minimum of one every quarter) when there is a declared state of emergency and safety is a concern.

Wood Colony MAC bylaws detail the amendment process. In summary, bylaw amendments must be first submitted in writing at a monthly meeting with a copy for each member. At the next monthly meeting, the amendment shall be approved by the majority of the Council. Amendments to the bylaws must be approved by the Board of Supervisors. The bylaw amendment was submitted in writing to each of the Council members prior to the March 2021 meeting, with a unanimous approval vote by the Council at its March 10, 2021 regular meeting.

POLICY ISSUE:

Amendments to the Wood Colony Municipal Advisory Council (MAC) bylaws must be forwarded to the Board of Supervisors for approval. In doing so, the Board should determine whether the amendment to the bylaws is consistent with the MAC’s objectives and purposes.

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed bylaw changes. Municipal Advisory Councils are currently allocated \$150 annually within the Chief Executive Office – Operations and Services budget for administrative and meeting expenses.

BOARD OF SUPERVISORS’ PRIORITY:

Approval of the recommended actions supports the Board of Supervisors’ priority *Delivering Efficient Public Services and Infrastructure* through the continued support of Municipal Advisory Councils.

STAFFING IMPACT:

County departments attend the Wood Colony Municipal Advisory Council meetings periodically or as needed. In addition, Supervisor Terry Withrow and the Community Manager attend on a regular basis.

CONTACT PERSON:

Erica May Inacio, Community Manager

Telephone: 209-480-2074

ATTACHMENT(S):

1. Proposed Wood Colony MAC Bylaws
2. Wood Colony MAC Bylaws
3. Wood Colony MAC Map

WOOD COLONY MUNICIPAL ADVISORY COUNCIL BYLAWS

I.

Formation of Organization

This Council will be known as the Wood Colony Municipal Advisory Council, as established by Resolution #2017-91, February 28, 2017, by the Stanislaus County Board of Supervisors pursuant to Government Code Section 31010. The boundaries served by the Council are described in Attachment A and shall be referred to as Wood Colony.

SEE ATTACHMENT A FOR A LEGAL DESCRIPTION OF PROPOSED BOUNDARIES FOR THE WOOD COLONY MUNICIPAL ADVISORY COUNCIL.

II.

Purpose

The Council will advise the Stanislaus County Board of Supervisors on matter of public health, welfare, safety, planning, public works, and other such matters as the Board may Designate which affect the territory and inhabitants of Wood Colony; 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 Wood Colony. 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, 2020 and three (3) members' terms expiring December 2, 2022. Upon expiration of the initial terms, council vacancies shall be filled by a County held election of registered voters in Wood Colony. 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 and Duties

- a. The Council, at its first official meeting of each odd calendar year, shall nominate and elect a chairperson, vice-chairperson, and secretary. These persons shall serve for two (2) years.
- 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 Wood Colony 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 Wood Colony.

V.
Meetings

The Wood Colony Municipal Advisory Council (MAC) shall hold at least four meetings a calendar year (a minimum of one every quarter), unless there is a declared state of emergency and safety is a concern. Meetings are to be held in a public building which is accessible and can accommodate all those residents and/or property owners of Wood Colony 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 Wood Colony 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 Wood Colony 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 Wood Colony. 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 Wood Colony 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 Wood Colony 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. If a Council position should become vacant prior to the expiration of the term, the Board of Supervisors may appoint a person to serve the remainder of the term as set forth in Section 111 of these bylaws. If the Board of Supervisors does not appoint a person to serve, the vacancy shall be filled per the terms set forth in section 111 and the California Election Code 23500 et seq.

X.
Non-Liability of Council Members and Officers

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

XI.
Fiscal Year

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

XII.
Council Records and Reports

The Wood Colony MAC shall keep minutes of all meetings, committees of the Wood Colony Municipal Advisory 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 proceedings thereof.

WOOD COLONY MUNICIPAL ADVISORY COUNCIL BYLAWS

I.

Formation of Organization

This Council will be known as the Wood Colony Municipal Advisory Council, as established by Resolution #2017-91, February 28, 2017, by the Stanislaus County Board of Supervisors pursuant to Government Code Section 31010. The boundaries served by the Council are described in Attachment A and shall be referred to as Wood Colony.

SEE ATTACHMENT A FOR A LEGAL DESCRIPTION OF PROPOSED BOUNDARIES FOR THE WOOD COLONY MUNICIPAL ADVISORY COUNCIL.

II.

Purpose

The Council will advise the Stanislaus County Board of Supervisors on matter of public health, welfare, safety, planning, public works, and other such matters as the Board may Designate which affect the territory and inhabitants of Wood Colony; 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 Wood Colony. 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, 2020 and three (3) members' terms expiring December 2, 2022. Upon expiration of the initial terms, council vacancies shall be filled by a County held election of registered voters in Wood Colony. 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 and Duties

- a. The Council, at its first official meeting of each odd calendar year, shall nominate and elect a chairperson, vice-chairperson, and secretary. These persons shall serve for two (2) years.
- 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 Wood Colony 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 Wood Colony.

V.
Meetings

The Wood Colony Municipal Advisory Council (MAC) shall hold at least four meetings a calendar year (a minimum of one every quarter), unless there is a declared state of emergency and safety is a concern. Meetings are to be held in a public building which is accessible and can accommodate all those residents and/or property owners of Wood Colony 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 Wood Colony 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 Wood Colony 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 Wood Colony. 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 Wood Colony 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 Wood Colony 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. If a Council position should become vacant prior to the expiration of the term, the Board of Supervisors may appoint a person to serve the remainder of the term as set forth in Section 111 of these bylaws. If the Board of Supervisors does not appoint a person to serve, the vacancy shall be filled per the terms set forth in section 111 and the California Election Code 23500 et seq.

X.
Non-Liability of Council Members and Officers

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

XI.
Fiscal Year

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

XII.
Council Records and Reports

The Wood Colony MAC shall keep minutes of all meetings, committees of the Wood Colony Municipal Advisory 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 proceedings thereof.

Wood Colony Municipal Advisory Council Map

