



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO CREATE AND ESTABLISH THE SOUTH COUNTY AREA MUNICIPAL ADVISORY COUNCIL WITH AN EFFECTIVE DATE OF MARCH 1, 2021 THAT SHALL SUNSET AND DISSOLVE UPON THE ADOPTION OF THE UPDATED NEVADA COUNTY HIGGINS AREA PLAN AND RATIFYING THE BYLAWS OF THE SOUTH COUNTY AREA MUNICIPAL ADVISORY COUNCIL

WHEREAS, on November 14, 1995, the County of Nevada adopted a General Plan for the County of Nevada, through Resolution 95-530; and

WHEREAS, Area Plans are supporting land use policy documents that compliment and assist in the further implementation of the goals, policies, and programs of the General Plan; and

WHEREAS, Section 65031b of the Government Code of the State of California identifies the adoption of Area Plans as amendments to the General Plan; and

WHEREAS, on December 5, 2000 the Board of Supervisors adopted Resolution 00-572 amending the Nevada County General Plan to adopt the Higgins Area Plan to operate as Specific Design Guidelines for the Higgins Corner-Lake of the Pines Village Center pursuant to General Plan Policy 18.2; and

WHEREAS, the Board of Supervisors has determined that an amendment to the Plan to update the Higgins Area Plan is needed; and

WHEREAS, General Plan Goal 1.2 outlines, "Recognize and allow for a range of land uses that preserve the qualities of each Community Region, Rural Region and Rural Place"; and

WHEREAS, General Plan Goal 1.4 outlines, "Within Community Regions, provide for an adequate supply and broad range of residential, employment-generating, and cultural, public and quasi- public uses located for convenience, efficiency, and affordability while protecting, maintaining, and enhancing communities and neighborhoods"; and

WHEREAS, General Plan Goal 2.1 outlines, "Provide for a strong economic base while protecting and maintaining communities and neighborhoods"; and

WHEREAS, the unincorporated community areas of Lake of the Pines, along State Route 49, and areas in Supervisorial District II are historic communities within Nevada County possessing unique character and tradition that shall be protected and have a vested interest in the Higgins Area Plan; and

WHEREAS, California Government Code section 31010 outlines that the Board of Supervisors of any county may by resolution establish and provide for the operation of a municipal advisory council, for any unincorporated area in the county to advise the board on such matters which relate to that area as may be designated by the board concerning services which are or may be provided to the area by the county or other local governmental agencies, including but not limited to public health, safety, welfare, public works, and planning.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada hereby creates and establishes the South County Area Municipal Advisory Council with an effective date of March 1, 2021 that shall sunset and dissolve upon the adoption of the updated Higgins Area Plan to advise the County regarding the development, passage, and implementation of the Higgins Area Plan as follows:

Section 1. Municipal Advisory Council Name:

The South County Area Municipal Advisory Council

Section 2. Area of Responsibility:

The Council shall review and make recommendations regarding the community of interest area designated as the South County Area Municipal Advisory Council which incorporates the boundaries of Supervisorial District II.

Section 3. Council Purpose:

The Council shall a) review and make recommendations to the District II Supervisor, Planning Commission and Board of Supervisors regarding the development, passage and implementation of the Higgins Area Plan; and b) serve as a conduit to promote community involvement, and garner community input throughout the Higgins Area Plan planning process.

Section 4. Membership:

The Council shall be comprised of a minimum of five (5) and maximum of nine (9) members, with up to two (2) alternate members, whose composition shall include members of the community that represent a fair cross-section of the community as determined by the District II Supervisor. All members shall reside in the South County Area Municipal Advisory Council area of responsibility. Members shall serve without compensation. All members shall be appointed, and may be removed, by the District II Supervisor and Board of Supervisors.

Section 5. Terms of Office:

The term of office of all members shall be for the duration of the South County Area Municipal Advisory Council until its sunsets and dissolves upon the adoption of the updated Higgins Area Plan. The Council and all members shall not represent the County on any issue to the public, public or private institution, agency or organization, and state and/or federal government.

Section 6. Meetings:

The Council shall meet at least quarterly or more often as deemed necessary by the Council, District II Supervisor or Board of Supervisors. The Council may establish a time and place for regular meetings. Special meetings of the Council may be called by the Chairperson with approval of the District II Supervisor. Regular and special meetings shall be noticed as required by law. Agendas of regular and special meetings shall be posted as required by law.

Section 7. Officers of the Council:

At the first meeting of the Council, held after March 1, 2021, the Council shall select one of its members as Chairperson and one of its members as Vice-Chairperson, who shall hold office for one year and until the election of their successors. The Chairperson shall be responsible for chairing meetings, calling special meetings, and conferring with District IV Supervisor and staff on meeting agendas. The Vice Chairperson shall assume the duties and responsibilities of the Chairperson in the Chairperson's absence.

Section 8. Designated Powers and Duties:

The Council shall serve at the pleasure of the District II Supervisor and Board of Supervisors and shall not represent the County on any issue to the public, public or private institution, agency or organization, state and/or federal government. The Council shall be an advisory body only to the District II Supervisor, Planning Commission and Board of Supervisors for its stated purpose and shall not have any power to approve, deny, delay or other formal action but rather shall only provide advisory recommendations as a representative cross-sector of the community of the area of responsibility.

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the Bylaws of the South County Area Municipal Advisory Council, as attached hereto as Exhibit A, are hereby ratified.