

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



Wm. "Hank" Weston
Supervisor, 4th District
Email: hank.weston@co.nevada.ca.us

March 15, 2017

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: March 28, 2017

SUBJECT: Resolution creating and establishing the Penn Valley Area Municipal Advisory Council with an effective date of July 1, 2017 as a pilot program for two years until July 1, 2019.

RECOMMENDATION: Adopt the attached Resolution.

FUNDING: There is an impact of \$2,500 to the General Fund which is budgeted in the Clerk of the Board Service Budget Unit 10101 for FY2017-18.

BACKGROUND:

California Government Code §31010 allows the Board of Supervisors of any county by resolution to establish and provide funds 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 advice on matters of public health, safety, welfare, public works, and planning.

In 2015, a number of town hall meetings were largely attended by community members in the Penn Valley area regarding the rezoning of a number of sites to allow for low income housing to meet the 2014-2019 Housing Element identified unmet need of 699 low and very low income units. Out of that process, it was identified that a municipal advisory council (MAC) may have been useful in gaining public input and to better disseminate information to the public early on in the planning process. At the annual Board Workshop in 2016, the opportunity for a MAC was discussed during open discussion. At that time the Board directed staff to investigate the feasibility of a MAC for Nevada County as a Priority C.

In investigating the feasibility of a MAC in Nevada County, staff designed a research study that incorporated i) reviewing existing literature, ii) researching MACs across the state, iii) designing and administering a survey to ten (10) rural counties and (iv) conducting follow up interviews where needed. Out of the ten (10) rural counties that were surveyed, five counties responded which included El Dorado, Mariposa, Merced, Mono and Placer. In large part, the study concluded that MACs were effective and regarded as a useful tool to gain input and communicate with constituents in unincorporated areas on the issue or issue area that the MAC was formed. Staff also discovered that most counties provide very little funding, if any, to their MACs and that any funding is used directly for administrative purposes of minute taking, developing agendas and in some instances renting venue locations. Subsequently, staff identified the pros and cons of forming a Nevada County MAC. The study's findings were then presented to the Board at its 2017 Annual Workshop. Moreover, staff also developed a sample handbook to provide Board members with an example on what the operating policies and procedures could look like for a MAC.

At the 2017 Annual Workshop, the Board discussed the feasibility of forming a MAC as a pilot project for two years in the Penn Valley area specifically for input on development, land use and other issues as directed by the District IV Supervisor. After some discussion, the Board came to a consensus in support of forming a pilot MAC for two (2) years in District IV to examine the effectiveness and costs associated with establishing a MAC in Nevada County.

To establish a MAC, California Government Code §31010 requires that a resolution be passed by the Board of supervisors that includes the following:

- (a) The name of the municipal advisory council.
- (b) The qualifications, number, and method of selection of its members, whether by election or appointment.
- (c) Its designated powers and duties.
- (d) The unincorporated area or areas for which the municipal advisory council is established.
- (e) Whether the establishment of the council should be submitted to the voters and the method for such submission; provided that if an election is required pursuant to subdivision (b), such election shall be held at the same time as an election held pursuant to this subdivision.
- (f) Such other rules, regulations and procedures as may be necessary in connection with the establishment and operation of the municipal advisory council.

As such, the attached resolution addresses these requirements in nine (9) sections as follows:

Section 1. Municipal Advisory Council Name: The Penn Valley 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 Penn Valley Area Municipal Advisory Council which incorporates the boundaries of the Western Gateway Regional Recreation & Park District and the Penn Valley Fire Protection District to the extent and only within the boundaries of Supervisorial District IV.

Section 3. Council Purpose: The Council shall review and make recommendations to the District IV Supervisor, Planning Commission and Board of Supervisors regarding the following in the area of responsibility:

1. Discretionary project applications.
2. Implementation of the General Plan land use designations.
3. Zoning Ordinance Updates
4. Other issues as directed by the District IV Supervisor and/or Board of Supervisors.

Section 4. Membership: The Council shall be comprised of a minimum of five (5) and maximum of seven (7) members whose composition shall include members of the community that represent a fair cross-section of the community as determined by the District IV Supervisor. All members shall reside in the Penn Valley Area Municipal Advisory Council area of responsibility. Members shall serve without compensation. All members shall be appointed, and may be removed, by the District IV Supervisor and Board of Supervisors.

Section 5. Terms of Office: The term of office of all members shall be two years. 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 governments.

Section 6. Meetings: The Council shall meet at least quarterly or more often as deemed necessary by the Council, District IV 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 IV 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 July 1 in each fiscal year, 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 the Chairperson's absence.

Section 8. Designated Powers and Duties: The Council shall serve at the pleasure of the District IV 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 IV Supervisor, Planning Commission and Board of Supervisors and shall not have any power to approve, deny, delay or other formal action on land use, development or other issues reviewed by the Council but rather shall only provide advisory recommendations as a representative cross-sector of the community of the area of responsibility.

Section 9. Organization and Procedure: The Council may make or alter all rules and regulations governing its organization and procedure that are not inconsistent with this resolution, any ordinance of the County, or law of the State of California which shall be articulated in the organization's written bylaws. The initial bylaws and any changes thereafter shall be subject to the approval of the District IV Supervisor.

The costs for the MAC that have been budgeted for the first year are below.

<u>Cost Item</u>	<u>Total Cost</u>
Administrative Staff Time	\$1,200
Venue Rental/Miscellaneous	\$ 800
Administrative Supplies	\$ 500
Total	\$ 2,500

Respectfully submitted,

Hank Weston
District IV, Board of Supervisor