

C.101

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 08/04/2009 by the following vote:

AYES: Gioia, Uilkema, Piepho,
Glover & Bonilla
NOES: None
ABSENT: None
ABSTAIN: None



Resolution No. 2009/387

In the matter of amending the establishing resolution of the North Richmond Municipal Advisory Council

WHEREAS, pursuant to Resolution No. 92/306, the North Richmond Municipal Advisory Council was created to advise the Board of Supervisors on specified matters relating to the community of North Richmond; and

WHEREAS, the Board of Supervisors in Resolution 2006/395 did amend the method of selection of members of the Municipal Advisory Councils (MACs) to determine that members shall be selected and appointed by the Board of Supervisors; and

WHEREAS, the Board of Supervisors on June 27, 2006 directed the County Administrator to prepare new resolutions for each MAC, amending the MAC membership selection and powers of authority to reflect changes approved in Resolution 2006/395; and

WHEREAS, the Board of Supervisors on December 16, 2008 directed the County Administrator to amend the establishing resolutions for each MAC to be consistent with the Board-adopted MAC policies and boundaries; and

WHEREAS, for ease of administration, it is preferable to have a single resolution governing the establishment and operation of the MAC;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS, in its capacity as governing Board of the County of Contra Costa, that:

1. Establishment of the North Richmond Municipal Advisory Council

Contact: L. DeLaney, 5-1097

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 4, 2009

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Katherine Snelawi

cc: Supervisor Gioia, District I, Mary Ann Mason, County Counsel, Jane Pennington, Clerk of the Board

Pursuant to the authority granted by Section 31010 of the California Government Code, the North Richmond Municipal Advisory Council ("Council") is established.

2. Territorial Area The area for which the Council will serve and discharge the following duties and powers is that area contained within the boundaries indicated on the attached map marked as Exhibit A, dated February 2, 2009 (hereafter referred to as "North Richmond community").

3. Membership The Council shall consist of seven (7) members, who shall be selected and appointed by the Board of Supervisors, upon nomination by the District I Supervisor. These seven (7) seats include five (5) positions for residents of unincorporated North Richmond, one (1) business person whose facilities are operating in or adjacent to the North Richmond community, and one (1) resident of the City of Richmond portion of North Richmond or an unincorporated North Richmond resident.

4. Term of Office The one (1) business seat shall be a two (2) year term. The one (1) City of Richmond resident or an incorporated North Richmond resident seat shall be a two (2) year term. For all other seats, Council members shall serve four (4) year terms. The Board of Supervisors shall fill vacancies on the Council by appointment. Effective January 2009, Council member terms for the members with four (4) year terms shall be coterminous with the term of office of the District Supervisor nominating the member.

5. Removal from Office

Each appointed member of the Council serves at the pleasure of the Board of Supervisors and may be removed, at will, by a majority vote of the Board of Supervisors.

6. Council Duties and Powers The Council shall advise the Board on:

- a. Services which are or may be provided to the North Richmond community by the County or other local governmental agencies. Such services include, but are not limited to public health, safety, welfare, public works and planning.
- b. The feasibility of organizing the existing special districts serving the North Richmond community in order to more efficiently provide public services such as, but not limited to, water, sewer, fire, parks and recreation, and infrastructure improvements.

The Council may:

- a. Represent the North Richmond community before the Local Agency Formation Commission on proposed boundary changes affecting the community.
- b. Represent the North Richmond community before the County Planning Commission(s) and the Zoning Administrator on land use and other planning matters affecting the community. In this regard, the Council shall cooperate with other planning advisory bodies in the North Richmond County area in order to avoid duplication and delay in the planning process.
- c. Provide input and reports to the Board, County staff or any County hearing body on issues of concern to the North Richmond community.

It is understood that the Board of Supervisors is the final decision making authority with respect to issues concerning the North Richmond community and that the Council shall serve solely in an advisory capacity. Except as specified above, the Council and its individual members acting on behalf of the Council may not represent the North Richmond community to any state, other county, city, special district or school district, agency or commission, or any other organization on any matter concerning the community. In addition, the Council may not, as a body, take positions on candidates for any public office.

7. Quorum and Vote Necessary for Action

A quorum shall be a majority of the total number of authorized positions on the Council, not a majority of the total number of filled positions. The Council may only take action by a majority vote of the total number of authorized positions, not by a majority vote of the quorum. (With 7 authorized positions, a quorum is 4 members; 4 affirmative votes are necessary for action.)

8. Compensation

The Council members shall serve without compensation of any kind, and the Board shall not provide funds for the payment of Council meeting stipends or reimbursement of Council members' expenses.

9. Staff and Financial Support

Until such a time that the Board of Supervisors determines there is sufficient budgetary capacity, the Board shall provide no ongoing professional or clerical staff support to the Council or provide funds to pay for any of the Council's operating costs. However, County staff will provide the Council with information and reports on matters of interest to the Council.

10. Council Funds

Any funds transferred to or received by the County for the Council shall be accepted pursuant to Resolution No. 2005/628 and only used for the benefit of the Council and its area.

11. Council Establishment Not Subject to Vote

The issue of establishment of the Council shall not be an election item submitted to the voters of the North Richmond community.

12. Council Operation and Procedural Rules

Within the parameters of this Resolution, the Council may organize itself and operate as it determines but shall hold regular meetings at least monthly at an established time and place. The Council meetings shall be conducted in accordance with the provisions of the "Brown Act" (Government Code sections 54950 ff.) including the pre-meeting posting of meeting calendar notices, and the "Better Government Ordinance" (County Ordinance Code, Division 25). In addition, the Council shall fully comply with the Board of Supervisors' policy concerning conflict of interest and open meetings (Resolution No. 2002/376), the Board's policy governing appointments to boards, committees, and commissions (Resolution No. 2002/377), the Board's policies for Municipal Advisory Councils (approved December 16, 2008), and the Political Reform Act (Government Code sections 81000 ff.) as applicable.

13. This Resolution supersedes and replaces Resolution No. 2006/795.

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