

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

Adopted this Resolution on 06/21/2022 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2022/226

IN THE MATTER OF amending the establishing resolution of the El Sobrante Municipal Advisory Council (MAC).

WHEREAS, pursuant to Resolution No. 95/94, the El Sobrante Municipal Advisory Council was created to advise the Board of Supervisors on specified matters relating to the community of El Sobrante; and WHEREAS, pursuant to Resolution No. 2009/385, the establishing resolution of the El Sobrante MAC was amended to be consistent with the Municipal Advisory Council Policies adopted by the Board of Supervisors on December 16, 2008; and WHEREAS, during the Envision Contra Costa 2040 process to update the County General Plan, residents of the North Arlington neighborhood indicated that their neighborhood is similar to and shares common interests with the East Richmond Heights community, and therefore should be included within the territorial area of the East Richmond Heights MAC instead of the El Sobrante MAC; and

WHEREAS, the Municipal Advisory Council Policies adopted by the Board of Supervisors on December 16, 2008, include three criteria for establishing MAC boundaries; and

WHEREAS, the Board of Supervisors finds that excluding the North Arlington neighborhood from the territorial area of the El Sobrante Municipal Advisory Council for the purpose of including it within the territorial area of the East Richmond Heights MAC is consistent with the criteria for establishing MAC boundaries in the Municipal Advisory Council Policies as more fully described in the attached Board order dated June 21, 2022; 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 THAT:

1. Establishment of El Sobrante Municipal Advisory Council

Pursuant to the authority granted by Section 31010 of the California Government Code, the El Sobrante Municipal Advisory Council ("Council") is hereby established. 2. Territorial Area The area for which the Council will serve and discharge the following duties and powers is that area located generally between the cities of Richmond, San Pablo, and Pinole, as more particularly described on the attached map marked as Exhibit A (hereafter referred to as "unincorporated El Sobrante"). 3. Membership The Council shall consist of seven (7) members, who shall be residents of unincorporated El Sobrante and who shall be selected and appointed by the Board of Supervisors, upon nomination by the District One Supervisor. 4. Formation of Subcommittees The Council may establish a single-purpose committee (or subcommittee) when needed. The committee (or subcommittee) shall be composed solely of less than a quorum of the Council and chaired by one of its members. Members of the public who are not Council members may not serve on a committee or subcommittee. 5. Term of Office The Council members shall serve four (4) year terms. The Board of Supervisors shall fill vacancies on the Council by appointment. Council member terms shall be coterminous with the term of office of the District One Supervisor. 6. 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. 7. Council Duties and Powers The Council shall advise the Board on: A. Services which are or may be provided to unincorporated El Sobrante 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 unincorporated El Sobrante in order to more efficiently provide public services such as, but not limited to, water, sewer, fire and parks and recreation. The Council may: A. Represent unincorporated El Sobrante before the Local Agency Formation Commission on proposed boundary changes affecting the community. B. Represent unincorporated El Sobrante 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 unincorporated El Sobrante 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 unincorporated El Sobrante. It is understood that the Board of Supervisors is the final decision-making authority with respect to issues concerning unincorporated El Sobrante 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 unincorporated El Sobrante 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. 8. Quorum and Vote Necessary for Action A quorum shall be a majority of the total number of authorized seats on the Council, not a majority of the total number of filled seats. The Council may only take action by a majority vote of the total number of authorized seats, not by a majority vote of the quorum. (With seven authorized seats, a quorum is four members; four affirmative votes are necessary for action.) 9. Compensation The Council members shall serve without compensation of any kind, and the Board of Supervisors shall not provide funds for the payment of Council meeting stipends or reimbursement of Council members' expenses. 10. Staff and Financial Support

- A. The Board of Supervisors shall provide no ongoing professional or clerical staff support to the Council.
- B. Unless specifically authorized by the Board of Supervisors, the Council shall not receive any funds from the County to pay for any of the Council's operating costs.

11. 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 unincorporated El Sobrante. 12. Council Establishment Not Subject to Public Vote The issue of establishment of the Council shall not be an election item submitted to the voters of unincorporated El Sobrante. 13. 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. 14. This Resolution supersedes and replaces Resolution No. 2009/385.

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.

Contact: Will Nelson (925)655-2898

ATTESTED: June 21, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: