

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.3
(ID # 22298)

MEETING DATE:
Tuesday, June 27, 2023

FROM : SUPERVISOR KAREN SPIEGEL:

SUBJECT: SUPERVISOR SPIEGEL: Amendment of text to Board Policy A-51 related to Municipal Advisory Councils (MAC's) and Community Councils (CC's) to expand the eligibility requirements of members from "residents" to "residents, landowners, or business owners" within the territory of the CC/MAC. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. That the Board of Supervisors recommend and approve the attached amendment to Board Policy A-51 to expand the eligibility requirements of members from "residents" to "residents, landowners, or business owners" within the territory of the CC/MAC.

ACTION: Policy


Supervisor Karen Spiegel, Supervisor 2nd District 6/3/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: June 27, 2023
xc: BOS- Dist. 2, COBAB

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary

Board Policy A-51 allows for the creation of Community Councils and Municipal Advisory Councils (CC/MACs), in accordance with Government Code section 31010, within unincorporated territory for the purpose of advising the Board on matters including, but not limited to, public health, safety, welfare, public works, and planning. The Board Policy also sets the formation and operation requirements for all CC/MACs.

Board Policy A-51 was last revised on May 23, 2023 (Agenda Item 3.4) to allow each District Supervisor the ability to have more than five (5) CC/MAC members, if desired, and to require CC/MACs to schedule meetings at least quarterly, but not penalize the CC/MAC if they are unable to meet.

Additionally, on that same date, the Board voted (5-0) to direct staff to return with further revisions to Board Policy A-51 in order to allow landowners and business owners in the territory of the CC/MAC to serve alongside residents on a CC/MAC. For example, the Good Hope/Meadowbrook MAC and Temescal Valley MAC both allow appointed members to be “at least eighteen (18) years of age and residents, landowners, or business owners” within the territory of the respective MACs. Government Code section 31010 allows the Board to establish a CC/MAC by resolution and set the qualifications for each CC/MAC. This revision to Board Policy A-51 will set the course for CC/MAC resolutions and allow for better representation based on the needs and interests of the CC/MAC communities.

Proposed Revision to paragraph 4.a.:

Any person who is a registered voter and is a resident, landowner, or business owner within the territory of the CC or MAC is eligible to be nominated, appointed, and to serve as a representative on said council.

Impact on Citizens and Businesses

There will be no impact on citizens or businesses with this policy amendment.

SUPPLEMENTAL:

Additional Fiscal Information

There are no fiscal impacts related to this action.

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Contract History and Price Reasonableness

None

ATTACHMENT. AMENDMENT TO A-51 R2

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POLICY:

Formation/Operation of Municipal Advisory Councils (MAC) and Community Councils (CC)

It is the policy of the Board of Supervisors (hereinafter, Board) that pursuant to Government Code Section 31010 which allows for the creation of an advisory council within unincorporated territory for the purpose of advising the Board on matters including, but not limited to, public health, safety, welfare, public works and planning, that said councils shall be formed and operated substantially as set forth herein. Upon adoption of this policy by the Board all previous resolutions regarding the formation, election and/or appointment to MACs or CCs are rescinded.

1. Number of Councils to be Established

The elected supervisors of each district shall call for, and recommend appointment of members, for the numbers of separate advisory councils within that district that he or she deems necessary to meet the purposes for which such councils are formed.

2. Territory

The territory of each proposed CC or MAC shall be determined and precisely defined by a legal description and map of the boundaries, which form the representative area. The proposed boundaries, map and legal description shall become binding upon approval by a majority of the Board and shall remain unchanged unless/until formally modified by the Board.

3. Existing/Future Community Councils (CCs) and Municipal Advisory Councils (MACs)

a. The MACs and CCs that exist at the time of adoption of this Policy shall continue to exist and operate as originally formed. The representatives thereto - whether elected or appointed - shall complete the current applicable term as initially established. Upon expiration of the current term of any member, the vacancy, which occurs shall be filled by appointment made by the Supervisor of the District and approved by a majority of The Board.

b. Members of any CC or MAC formed after adoption of this policy are to be appointed by the supervisor of the district and approved by a majority of the Board.

4. Eligibility for Council Memberships and Number of Members to be Appointed

a. Any person who is a registered voter and is a resident, landowner, or business owner within the territory of the CC or MAC is eligible to be nominated, appointed, and to serve as a representative on said council.

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- a. **Officers.** The CC/MAC shall choose from among its members a presiding officer, an assistant presiding officer and a secretary. This shall be done at the first meeting after the creation and appointment of the CC/MAC. Selection of such officers shall be conducted at the first meeting following appointment or reappointment of members each and every year thereafter.

- b. **Bylaws.** No bylaws shall be required to be adopted by the CC/MAC. Said council shall make and keep a current standing order providing for the time and place of holding regular meetings. Any bylaws, which the CC/MAC may adopt shall not duplicate or conflict with these rules or any statute, ordinance or resolution providing for or establishing the CC/MAC or governing its conduct.

- c. **Meetings.** The CC/MAC shall determine the frequency of its regular meetings, which shall be scheduled at least quarterly. Any CC/MAC which is unable to meet at least quarterly shall not be in violation of this board policy. The CC/MAC shall by standing order, fix the time and place of its meetings, which shall be held within the County of Riverside and, normally, within the boundaries of the CC/MAC. The call, giving of notice and conduct of meetings shall be in accordance with the Ralph M. Brown Act (Government Code Section 54950, et seq.).

- d. **Quorum.** A quorum shall consist of a majority of the members of the CC/MAC, not counting vacant positions. Any action of the CC/MAC shall require affirmative votes of not less than a quorum, except less than a quorum may adjourn a meeting sine die or to a specified time and place.

- e. **Duties** The CC/MAC shall advise and recommend proposed action to the Board regarding such matters which relate to the area upon which such advice or recommendation is specifically requested by the Board. The CC/MAC shall not represent the community to any state, county, city, special district, or school district, agency or commission, or any other organization on any matter unless specifically authorized by the Board to do so.

- f. **Reports** The CC/MAC may file a special report whenever the CC/MAC deems it appropriate, and shall file a report when requested to do so by the Board.

- g. **Indebtedness** The CC/MAC shall not be empowered to enter into any contract or otherwise incur any indebtedness in the name or on behalf of either itself, the Board, the County of Riverside or any officer, agent or employee thereof.

- h. **Duration** Should it be determined that the CC/MAC is no longer functioning

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consistent with Government Code Section 31010, the authority and procedures set forth in this policy or any subsequently adopted rules, resolutions, ordinances or laws, then a public hearing may be conducted by the Board to determine whether the CC/MAC should be dissolved. The Board, in its sole discretion, may dissolve the CC/MAC by resolution.

11. Existing MAC/CC Policies

In instances where existing by-laws or policies of MACs or CCs may be inconsistent with Board Policy A-51, Board Policy A-51 is deemed to take precedence.

Reference:

Minute Order 3.5 of 11/12/1996
Minute Order 3.3 of 8/12/1997
Minute Order 3.7 of 11/07/2006