



MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2013-222

MEETING: June 4, 2013

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Amend the by Laws to Increase the Voting Members of the Wawona Town Planning Advisory Committee

RECOMMENDATION AND JUSTIFICATION:

Approve Amending Article III Section 1 of the Wawona Town Planning Advisory Committee by Laws to Increase the Size of the Committee from 9 Voting Members to 15 Voting Members. This action is based on the recommendation of the Wawona Town Planning Advisory Committee (WTPCA), made at their meeting on Saturday, May 18th, 2013. The recommendation was made in order to address potential Brown Act violations which have been identified when the Wawona Property Owner's Association (WAPOA) conducts their Board meetings.

The increase of the voting members will enable more Community involvement in the Planning Advisory process, but may make it difficult to find enough willing volunteers to serve due to the size of the community. Additionally many property owners are not permanent residents in the community. The increase in voting members will mean that Planning will need to advertise according to the Maddy Act to fill six (6) new positions. With this recommendation, a maximum of 7 WTPAC members may serve on the WAPOA Board of Directors.

(It should be noted that WAPOA is not under the jurisdiction of Mariposa County.)

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Not increasing the membership for this Committee may result in potential Brown Act violations should the current number of WTPAC members continue to meet at WAPOA Board Meetings.

FINANCIAL IMPACT:

None

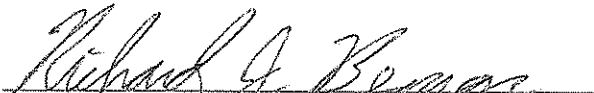
ATTACHMENTS:

Resolution 2006-591 WTPAC By Laws(PDF)

130308 Brown Act Issues Letter (PDF)
130410 Follow up on Brown Act issues letter (PDF)
130518 WTPAC Draft Minutes (DOC)
WPAC By Laws change requested 9 members to 15 members (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator/Office

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Janet Bibby, District III Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Stetson, Jones, Bibby, Cann, Carrier

Wawona Town Planning Advisory Committee

By-laws

Article I

Name of Organization

Section 1: The name of this organization shall be the Wawona Town Planning Advisory Committee, as authorized by Section 2.50.100 of the Mariposa County Code.

Article II

Purposes of the Committee

The Wawona Town Planning Advisory Committee has the following purposes:

Section 1: To develop and maintain community involvement for furthering sound planning in the Wawona Town Planning Area, as defined by the Board of Supervisors, through the development, review, and amendment of the Wawona Town Planning Area Specific Plan.

Section 2: To foster a comprehensive program of community preservation and enhancement aimed at providing the maximum of public input and consensus on planning issues in the Wawona area.

Section 3: To represent community views in matters historically identified with sound development including, but not restricted to, land uses, public services, circulation, public improvements and other aspects of orderly town growth.

Section 4: To serve as a resource group; to provide guidance and assistance; to identify community issues and concerns; and to discuss possible solutions to the many planning and policy issues facing the community and the Board of Supervisors.

Section 5: To provide a community perspective in planning cooperatively with the National Park Service for plans, projects, and programs within the Wawona Area.

Section 6: To hold meetings, and make recommendations to the Mariposa County Planning Commission and the Mariposa County Board of Supervisors; also to report to the Planning Commission on matters that are within their purview; and to report to the Board of Supervisors on matters, issues, projects and programs in the Wawona Town Planning Area.

Article III Members

Section 1: Membership on the Committee shall consist of 15 voting members appointed by the Board of Supervisors. The members of the Committee will be comprised of one or more of the following: 1) property owners; or 2) business owners; or 3) employees of businesses; or 4) residents all within the defined boundaries of the Wawona Town Planning Area.

Section 2: Ex-officio non-voting members appointed by the Board of Supervisors are: the Board of Supervisors member from the Supervisorial District which includes Wawona; the Planning Commissioner from the Supervisorial District which includes Wawona; and a National Parks Service Representative (as designated by the Yosemite National Park Superintendent).

Section 3: Committee members shall be appointed to two-year terms and may be reappointed by the Board of Supervisors without term limitations. All terms shall expire upon the last day of February of the appropriate year. Committee members' terms shall be governed by Mariposa County Code, Section 2.50.100.E.

Section 4: If a member fails to attend 3 consecutive meetings without a valid excuse for those absences, then the Chairperson shall refer the matter to the County Supervisor member from the Supervisorial District which includes Wawona, with a recommendation as to whether the member should remain on the Committee.

Article IV Officers

Section 1: Officers of the Committee shall consist of the Chairperson, the Vice-Chairperson, and the Secretary to serve one year terms or until the successor of each is appointed and qualified.

Section 2: At the first scheduled meeting of each year, the Committee shall elect officers. Members will assume office immediately.

Section 3: At the Committee's first meeting, and its first meeting of each subsequent year, the Committee will determine the appointment of a Secretary to prepare minutes of the meetings. The Committee may request that the Planning Director, or his designee, serve as Secretary, provided that he has staff and resources available for the purpose of preparing brief minutes. The Planning Director, or his designee, is responsible for recording the meeting and the archival storage of the meeting tapes.

Article V Ad-Hoc Study Committees

Section 1: At its discretion, and by a majority vote, the Committee may appoint members of the Committee to study specific items as determined by the Committee. The number of members appointed to the Ad-Hoc Committee shall be less than a quorum of the Wawona Town Planning Area Committee.

Section 2: These Ad-Hoc Study Committees may make recommendations and submit them to the Committee for review and possible action.

Section 3: Ad-Hoc Study Committees may include participants who are not Committee members, but whose participation is deemed valuable to the subject being studied.

Article VI Meetings

Section 1: All meetings of the Committee are open to the public. Members of the public may bring matters to the attention of the Committee, express opinions and request action. No action will be taken on items not on the agenda. Meetings of the Committee shall be subject to the provisions of the California Open Meeting Law (Brown Act), and be conducted in accordance with Robert's Rules of Order.

Section 2: Regular meeting shall be held at the call of the Chairperson or at the request of the majority of the Committee members. The Committee shall consider an annual schedule of meetings for the coming year at its final meeting of the calendar year.

Section 3: Notice of the Committee meetings shall be posted and published not less than fourteen days prior to the date of the meeting at the following locations:

- The Mariposa County Government Center
- One or more centralized posting location(s) within the area served by the Committee
- The meeting location

Publication shall occur in a newspaper of general circulation, on the Mariposa County Planning web site, and the Planning Director may supplement required notifications in any manner deemed appropriate for the content of the proposed agenda.

Section 4: A quorum shall consist of a majority of the voting Committee members.

Section 5: The Chairperson may call a special (not regularly scheduled) meeting after proper notification of Committee members and with proper advance posting and published notice.

Section 6: At the discretion of the Chairperson, or upon request of a Committee member to the Chairperson, public input on matters being considered by the Committee may be limited in order to allow for input from all members of the public present who would like to speak, or for adequate deliberation by the Committee before making a decision.

Section 7: Every act or decision performed or made by a majority of the members present at a duly held meeting, at which a quorum is present, shall be regarded as an act of the entire Committee.

Section 8: An item on the agenda may, unless otherwise provided by ordinance, be continued to the next scheduled or to a subsequent regular or special meeting of the Committee.

Section 9: A regular or special (not regularly scheduled) meeting will be adjourned when all of the agenda items have been discussed.

Article VII Duties of Officers

Section 1: The Chairperson shall preside at all meetings of the Committee and shall perform all duties necessary or incidental to his office, including approval of the agenda topics for the meeting. The Vice-Chairperson is chair in the absence or inability of the Chairperson to act.

Section 2: The Secretary shall endeavor to prepare the brief minutes in a timely fashion in order that they may be distributed in advance with the following meeting's agenda.

Article VIII Authorities

Section 1: The Chairperson (or designee) shall represent the Committee at other public meetings and community events. The chairperson shall only provide such representation based upon action taken by the Committee at a regularly scheduled or special (not regularly scheduled) meeting of the Committee in which a quorum was present.

Section 2: All correspondence, received by any Committee member, regarding matters being considered by the Committee, shall be referred to the Chairperson.

Section 3: Upon receipt of any correspondence directed to the activities or responsibilities of the Committee, the Chairperson shall place the correspondence on the agenda of the next regularly scheduled meeting, time permitting, for discussion by the Committee.

Section 4: The Chairperson (or designee) shall reply to any correspondence, or refer the correspondence to the Mariposa County Planning Commission or Board of Supervisors, based upon action taken by the Committee at a meeting in which a quorum is present.

Article IX Amendments

Section 1: These By-laws and amendments to these By-laws may be approved only at a regular meeting of the Committee by the 2/3 (two-thirds) majority approval of the appointed voting members of the Committee, providing that the proposed amendment has been previously presented to the Committee for consideration.

Section 2: By-laws and amendments approved by the Committee will be submitted to the Board of Supervisors for review and final approval.

Section 3: The entire Committee shall review these By-laws annually, at the Committee's first scheduled meeting of the year.