

MARIPOSA COUNTY ORDINANCE NO. 987

**AN ORDINANCE AMENDING SECTION 2.52.060 OF CHAPTER 2.52
OF THE MARIPOSA COUNTY CODE**

WHEREAS, the Board of Supervisors desire to amend Section 2.52.060 of Chapter 2.52 of the Mariposa County Code, and

WHEREAS, the regularly scheduled meetings of the Planning Commission are no longer held in the Mariposa County Courthouse, and

WHEREAS, the Mariposa County Government Center is now the meeting place of the Planning Commission.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 2.52.060 of Chapter 2.52 of the Mariposa County Code is hereby amended to read as follows:

2.52.060 Meetings-Place.

The regular meeting place of the commission shall be at the Government Center located at 5100 Bullion Street, Mariposa, California, or at such other location approved in advance by the Board of Supervisors.

SECTION II: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 20th day of May 2003 by the following vote:

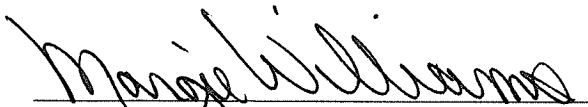
AYES:	STETSON, BALMAIN, BIBBY, PARKER, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE



BOB PICKARD, Chairman
Mariposa County Board of Supervisors

ATTEST:

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G GREEN
County Counsel

DEPARTMENT: County Counsel

BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

5/13 Waive First Reading and Introduce Ordinance 5/20 Waive Second Reading and Adopt Ordinance amending Section 2.52.060 of Chapter 2.52 of the County Code.

Section 2.52.060 of Chapter 2.52 of the Mariposa County Code is outdated, as the Planning Commission now meets in the Government Center for regular meetings.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board periodically finds it necessary to amend Ordinances as they become outdated over time.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		1st reading of Ordinance
Source:		2nd reading of Ordinance
Internal Transfer		
Unanticipated Revenue	4/5's vote	
Transfer Between Funds	4/5's vote	
Contingency	4/5's vote	
() General () Other		

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 982
Vote - Ayes: 5 Noes: _____
Absent: _____
Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

CAO: LH



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BOB PICKARD, CHAIR
GARRY R. PARKER, VICE-CHAIR
LEE STETSON
DOUG BALMAIN
JANET BIBBY

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: ADOPTION OF AN ORDINANCE AMENDING SECTION 2.52.060
OF CHAPTER 2.52 OF THE COUNTY CODE
Ordinance No. 987

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on May 20, 2003

ACTION AND VOTE:

Jeff Green, County Counsel;

A) Waive Second Reading and Adopt an Ordinance Amending County Code Section 2.52.060 of Chapter 2.52 to Change the Location of the Planning Commission's Regularly Scheduled Meeting from the County Courthouse to the Mariposa County Government Center

BOARD ACTION: Following discussion, (M)Parker, (S)Stetson, Ord. 987 was adopted.

Input from the public was provided by the following:

- Mike Bird stated he feels the first reading of the Ordinance was done at an illegal meeting; therefore, it is illegal to adopt the Ordinance at this time and he feels it is a Brown Act violation. He also stated that he feels that because the Board has been advised of this, the act could be a misdemeanor with criminal intent.

- Dick Kunstman stated it appears to him that every reading of ordinances, the first and second, are waived by the Board. He stated he does not feel that the people know whether the Board members have read the ordinances. He stated he feels the waiving of the readings is a disservice to the public.

Discussion was held.

- Mike Bird stated he had not heard County Counsel speak on this issue, and he does not feel that ignorance of the law is valid. Supervisor Parker asked Mr. Bird what his purpose is in these matters. Mr. Bird stated he was trying to get the County back on a legal footing.

Further discussion was held. Jeff Green read Government Code Section 54955 into the record again. He also read this section on May 13th.

- Mike Bird stated his interpretation differs from County Counsel's relative to the adjournment process.

Vote on the motion - Ayes: Unanimous.

cc: Eric Toll, Planning Director
File