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

MARGIE WILLIAMS AND LEGAL SUFFICIENCY:
Clerk of the Board

JEFFREY G. GREEN
County Counsel
RECOMMENDED ACTION AND JUSTIFICATION:

Waive First Reading and Introduce Ordinance

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Section 2.52.060 of Chapter 2.52 of the Mariposa County Code is outdated, as the Planning Commission now meets in the Government Center for regular meetings.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The Board periodically finds it necessary to amend Ordinances as they become outdated over time.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: $  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ __________
Additional Funding Needed: $ __________

Source:
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: _______  Noes: _______
Absent: _______
( ) Approved
( ) Minute Order Attached  ( ) No Action Necessary

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

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
( ) No Opinion
Comments:

CAO:

Revised Dec. 2002
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO:      JEFF GREEN, County Counsel
FROM:    MARGIE WILLIAMS, Clerk of the Board
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