

Midpines Planning Advisory Committee

By-laws

Article I Name of Organization

Section 1: The name of this organization shall be the Midpines Planning Advisory Committee (hereinafter referred to as “the Committee”), as authorized by Section 2.50.100 of the Mariposa County Code and Resolution No. 2010-159.

Article II Purposes of the Committee

Section 1: The Committee has the following purposes: (a) to prepare and recommend a Community Plan to the Mariposa County Planning Commission, (b) to prepare and recommend applicable implementation regulations – such as zoning and design review – for the Plan to be adopted by the Board of Supervisors, and (c) to make recommendations to the Planning Commission and other bodies on planning-related projects and other matters as directed by the Board of Supervisors.

Section 2: The mission of the Committee is to represent the views and interests of its planning area in a credible, conscientious, and fair manner.

Article III Members

Section 1: Membership on the Committee shall consist of nine (9) voting members appointed by the Board of Supervisors. The members of the Committee shall be comprised of members who shall be from one of the following groups.

- a) Property owners within the planning advisory committee geographic boundaries, or
- b) Owners of businesses located within the planning advisory committee geographic boundaries, or
- c) Employees of businesses located within the planning advisory committee geographic boundaries, or
- d) Electors registered to vote within the planning advisory committee geographic boundaries, or
- e) Residents of the area within the planning advisory committee geographic boundaries.

Section 2: Ex-officio non-voting members appointed by the Board of Supervisors may include but are not limited to: the Board of Supervisors member from the Supervisorial District which includes Midpines; the Planning Commissioner and the Parks and Recreation Commissioner from the Supervisorial District which includes Midpines; and a representative from any of the following: United States Forest Service, California Department of Forestry and Fire Protection (CalFire), Mariposa County Fire Department, Mariposa County Public Works Department, and Mariposa County Planning Department. Attendance of an ex-officio member may be requested in advance of any meeting of the committee.

Section 3: Committee members shall be appointed to staggered 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: Committee members shall provide advance notice to the Chairperson if they are unable to attend a meeting. The Chairperson shall determine if the absence is excused or un-excused. If a member fails to attend two consecutive meetings without a valid excuse for those absences, the Chairperson shall refer the matter to the County Supervisor whose district includes Midpines 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: The Chairperson shall preside at all meetings of the Committee and shall perform all duties necessary or incidental to the office, including approval of the agenda topics for all such meetings. The Chairperson may assign to another Committee member the preparation of a summary of that year's accomplishments.

Section 3: 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 meeting of the Committee in which a quorum was present.

Section 4: The Vice-Chairperson is Chair in the absence or inability of the Chairperson to act. The Secretary is Chairperson in the absence or inability of both the Chairperson and Vice-Chairperson to act.

Section 5: The Secretary shall maintain meeting notes and shall prepare and distribute minutes of the meetings and the following meeting's agenda. The Secretary shall provide

draft meeting minutes to the Planning Department within one week after the meeting. The Secretary shall provide final (approved) meeting minutes to the Planning Department within one week of approval. The Secretary shall distribute the agenda and all relevant background materials to the members and the Planning Department no less than one week prior to the meeting. The Committee may request that the Planning Director (or the Planning Director's designee) serve as Secretary, provided that the Planning Director has staff and resources available for the purpose of preparing brief minutes. The Planning Director (or the Planning Director's designee) is responsible for recording the meeting and the archival storage of the meeting tapes.

Section 6: At the first scheduled meeting of each year, the Committee shall elect officers. Members will assume office immediately at that time.

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 membership of any ad-hoc study committee may not comprise a quorum of the Committee.

Section 2: 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 shall be conducted in accordance with Robert's Rules of Order.

Section 2: Regular monthly meetings 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 Committee meetings shall be posted and published not less than fourteen days prior to the date of the meeting at the following locations:

- a) The Planning Agency internet site

- b) The Mariposa County Government Center
- c) A centralized posting location within the area served by the committee
- d) The meeting location
- e) Publication shall occur in a newspaper of general circulation

The Planning Director may supplement required notifications in any manner deemed appropriate for the content of the proposed agenda.

Section 4: An agenda shall be posted at the meeting location at least 72 hours prior to any regular meeting by the Chairperson (or designee).

Section 5: A quorum for a duly held meeting shall consist of a majority of the voting Committee members.

Section 6: A special meeting may be called at any time by the chairperson, or by a majority of the members of the legislative body, by delivering written notice to each member of the committee and to each local newspaper of general circulation and radio or television station requesting notice in writing. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at the meeting. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the secretary of the committee a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

Section 7: At the discretion of the Chairperson, or upon request of a Committee member, public input on matters being considered by the Committee may be time-limited in order to allow for participation from all members of the public present who would like to speak, or for adequate deliberation by the Committee before making a decision.

Section 8: 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 9: Decisions involving a substantive amendment to the adopted community plan shall require the two-thirds majority approval of the appointed voting members of the entire Committee.

Section 10: An item on the agenda may, unless otherwise provided by ordinance, be continued to the next scheduled or to a subsequent regular or special (not regularly scheduled) meeting of the Committee, the date, time, and location to be specified. A regular or special (not regularly scheduled) meeting will be adjourned when all of the agenda items have been discussed.

Article VII Correspondence

Section 1: All correspondence received by any Committee member regarding matters being considered by the Committee shall be forwarded to the Chairperson.

Section 2: 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 3: 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 VIII Amendments

Section 1: These by-laws and any amendments to these by-laws may be approved only at a regular meeting of the Committee by the two-thirds majority approval of the appointed voting members of the Committee, provided that the proposed amendments have been previously presented at a meeting of the Committee for consideration.

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