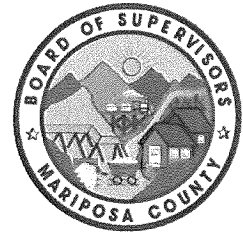


MARIPOSA COUNTY

Planning • 209-966-5151



RESOLUTION - ACTION REQUESTED 2021-661

MEETING: December 7, 2021
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Merced River Trail Community Working Group Bylaw Update

RECOMMENDATION AND JUSTIFICATION:

Resolution Updating the Merced River Trail Community Working Group Bylaws.

The Merced River Trail Community Working Group (CWG) is essential to the current Merced River Trail vision planning effort. The CWG serves as a guide to and promoter of the project's community engagement approach, and their meetings provide an arena for public discussion and contribution to the Vision Plan. Additionally, as the project gets nearer to the document production phase, the CWG and its members will be tasked with aiding in the production of content for the Merced River Trail Master Plan.

When the group was initially established in 2019, the formative resolution contained the group's initial bylaws. These bylaws are being updated to match the draft policy regarding public meetings. They were presented to the CWG at the 11/18/2021 meeting, where they were unanimously endorsed for adoption.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On July 9, 2019, the Board adopted RES-2019-40, which established the Merced River Trail Community Working Group. This resolution contained the first iteration of the group's bylaws.

On September 10, 2019, the Board adopted RES-2019-84, which appointed the first slate of Community Working Group members. Since then, the Board has taken several actions to recognize the service of and appoint new members to the Community Working Group.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action could cause the CWG to be in conflict with state and local public meeting requirements and policies.

ATTACHMENTS:

Merced River Trail by-laws (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Merced River Trail Community Working Group

By-Laws: Revised 11/18/21

1. Purpose and Functions

The purpose and functions of the Merced River Trail Community Working Group (MRTCWG) shall be as follows:

- a. Formulate, design, implement and participate in a public stakeholder engagement program to ensure appropriate participation in the development of the Merced River Trail Master Plan; and
- b. Provide technical expertise in topic areas germane to the Merced River Trail Master Plan, including but not limited to: the trail's regulatory context; trail construction and maintenance; existing trail conditions; right of way acquisition; environmental conservation, including wildlife habitat and water quality issues; public health advocacy and promotion; cultural interpretation and conservation; community design and aesthetics; and trail programming; and
- c. Support the work of staff and consultants in the conduct of fact finding and data gathering necessary to identify and negotiate significant coordinative and logistical hurdles in achieving the trail; recommend projects, programs, and policies needed to efficiently implement the community's vision for the trail; and ultimately realize the recommendations contained in the Merced River Trail Master Plan; and
- d. Provide periodic assessment, evaluation of, and feedback to the Board of Supervisors regarding the success of the Merced River Trail Master Plan.

The MRTCWG is a non-partisan, non-sectarian, non-profit making organization which shall not take part officially in, nor does it lend its influence to, any political causes or issues.

2. Membership

The Merced River Trail Community Working Group shall be established with nine (9) voting members as follows:

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a. Representatives shall be selected from or represent the following groups in Mariposa County:

- Bureau of Land Management
- Yosemite National Park
- US Forest Service
- Merced Irrigation District
- Upper Merced River Watershed Council
- Sierra Foothill Conservancy
- Creative Placemaking Strategy Advisory Committee
- Historic Sites & Records Preservation Commission
- Representatives of other organizations and the general public, including trail advocates and outdoor recreation enthusiasts

b. Two (2) Ex-Officio (non-voting) members from the Board of Supervisors, Planning Commission and/or county staff as appropriate.

Each voting member has one vote and no proxy.

3. Term and Manner of Appointment

Appointments to the Merced River Trail Community Working Group shall be made by the Board of Supervisors based on the recommendation of the Planning Director or designee.

Initial appointment of Committee members shall be as follows:

Four (4) members: three (3) year term

Three (3) members: four (4) year term

Two (2) members: five (5) year term

After the initial appointments, all terms will be for three (3) year periods.

The Board of Supervisors may remove at any time and without cause any member of the Merced River Trail Community Working Group. All terms shall expire upon the last day of February of the appropriate year.

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4. Participation By Member Required, Vacancy

If a member of the MRTCWG is absent without cause from three successive regular meetings of the Advisory Board, the office becomes vacant automatically. The advisory committee shall immediately notify the Board of Supervisors of the vacancy so that advertising and recruitment of a replacement can commence.

The Board of Supervisors shall fill any vacancy in the Merced River Trail Community Working Group membership for the unexpired term.

5. Selection of Officers

At its first meeting, the Merced River Trail Community Working Group shall elect a Chair, Vice - Chair, and Secretary to serve a term of one (1) year or until the successor of each is appointed and qualified.

6. Duties of Officers

The chair shall preside at all meetings of the Merced River Trail Community Working Group and shall perform all of the duties necessary or incidental to the office, including approval of the agenda topics for the meeting. The vice-chair is chair in the absence or inability of the chair to act. The secretary shall maintain notes and prepare minutes for the approval of the Merced River Trail Community Working Group.

7. Meetings and Quorum

The Merced River Trail Community Working Group shall hold its first meeting at the call of the Planning Director or designee. The Merced River Trail Community Working Group shall establish a meeting schedule as appropriate to accomplish its purpose.

All meetings, meeting notices, and meeting actions must be in compliance with the Ralph M. Brown Act and all other laws and policies. Notice of all meetings shall be posted on the County's agenda management system, at the meeting location, and other applicable publicly accessible places, no less than 72 hours

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prior to each regular meeting, or 24 hours prior to each special meeting. Additionally, each notice shall be mailed upon request.

Meetings may only occur when a quorum of committee members is present. A quorum, unless otherwise defined by the establishing authority, is a majority of the members, normally calculated as half the membership plus one. If a quorum is not present within ten minutes of the advertised meeting start time, committee members are to exit the meeting place and disperse to avoid an accidental, unauthorized meeting.

Notice of Merced River Trail Community Working Group meetings shall be posted and published at the following locations:

- a. Mariposa County Website locations: Planning; and
- b. The meeting location.

Meetings that are not noticed correctly under the Ralph M. Brown Act, as noted above, may not occur and must be rescheduled to a future date. The Planning Director or designee may supplement required notification in any manner deemed appropriate for the content of the proposed agenda.

Meetings of the Merced River Trail Community Working Group shall be subject to the provisions of the California Open Meeting Law (Brown Act). All meetings of the advisory committee and any subcommittees shall be open to the public to the extent required by the Brown Act. Meetings are to be held in public places which are in compliance with the Americans with Disabilities Act.

Rosenberg's Rules of Order shall govern the operation of the committee in all cases not covered by these by-laws. The advisory committee may formulate specific procedural rules of governance when required by resolutions, ordinances, or laws.

8. Administration and Support

- a. County staff shall provide support to the Merced River Trail Community Working Group. The Planning Director or designee shall be the lead member of County staff responsible for supporting the Merced River Trail Community

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Working Group. The Planning Director or designee shall be empowered to call upon appropriate departments to provide information required to assist the Merced River Trail Community Working Group in carrying out its designated responsibilities.

- b. The Planning Director or designee shall be responsible for meeting notices, preparation and distribution of meeting support materials, and coordinating the meeting arrangements.
- c. In the event that the Merced River Trail Community Working Group does not appoint a secretary, the Planning Director or designee shall be responsible for audio recording the meetings, archival storage of electronic recordings, and preparation and publication of summary minutes for Merced River Trail Community Working Group approval.