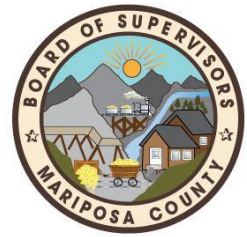


MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2021-682

MEETING: December 21, 2021
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Approve the Code Compliance Advisory Committee By-Laws

RECOMMENDATION AND JUSTIFICATION:

Approve the Code Compliance Advisory Committee (CCAC) By-Laws.

In accordance with Section 2.50.100.G of the Mariposa County Code, the Planning Director is responsible for the preparation of draft by-laws for the review and approval of the Planning Advisory Committees with final approval of the by-laws by the Board of Supervisors.

At their December 1, 2021 meeting the Code Compliance Advisory Committee recommended that the Board of Supervisors approve the attached by-laws.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None related to the CCAC's By-Laws. However, the Board of Supervisors has approved by-laws for various planning advisory committees in the past. These previously adopted by-laws served as a template for preparation of the draft CCAC's by-laws.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board of Supervisions could make modifications to the draft by-laws or if the Board does not approve the by-laws they would be referred back to the CCAC for further review.

ATTACHMENTS:

211201 CCAC Approved Draft By-Laws (PDF)
211220 CCAC Draft By-Laws - Amended (DOCX)

RESULT: ADOPTED AS AMENDED BY CONSENT VOTE [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Miles Menetrey, District V Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Mariposa County Code Compliance Advisory Committee

By-Laws

Article I Name of Organization

Section 1: The name of this organization shall be the Code Compliance Advisory Committee (hereinafter referred to as “the CCAC” or “CCAC”), as authorized by Mariposa County Resolution No. 2021-331.

Article II Purposes and Tasks of the CCAC

Section 1: The CCAC has the following purposes and tasks:

- a. Develop recommendations to the Board of Supervisors for an effective code compliance process and program.
- b. Develop recommendations for innovative public policy and programs that address residents’ needs while also mitigating alleged violations.
- c. Support the work of staff in the conduct of fact finding and data gathering necessary to the CCAC to develop informed recommendations.
- d. Provide periodic assessment and evaluation of, and feedback to the Board of Supervisors regarding the success of an amended code compliance process and programs.

The CCAC is advisory to the Board of Supervisors and, as such, shall not take part officially in, nor does it lend its influence to, any political causes or issues.

Section 2: The CCAC has the following responsibilities:

- a. Review and understand local government structure (including but not limited to the roles and the authority of, and the relationships between the public, a citizens’ advisory committee, County staff, the Planning Commission, and the Board of Supervisors).
- b. Review and understand existing Mariposa County Code provisions, including provisions for the Mariposa Planning Agency and code compliance, as well as adopted County policies related to code compliance.
- c. Review, understand and comply with the state’s Ralph M. Brown Act (Brown Act) requirements.
- d. Review and understand state law requirements for code compliance activities at a local level.
- e. Review and understand due process requirements.

- f. Review and understand current county code compliance cases, including the status of current cases, why certain cases aren't being resolved, typical compliance issues, etc.
- g. Review and learn about what other similar or neighboring jurisdictions do for code compliance.
- h. Determine if there are other ways to make the current processes and programs more effective, which, in addition to code amendments could include innovative ways to assist residents using resources such as, but not limited to volunteer efforts, community organizations, grants or other funding sources.

Article III Members

Section 1: The Code Compliance Advisory Committee (CCAC) shall be established with nine (9) voting members. Membership requirements or considerations include the following:

- a. Members shall reside in Mariposa County.
- b. Members shall take an interest in issues associated with code compliance procedures, code compliance processing and public education.
- c. Members may have special knowledge, expertise, or skills related to code compliance matters, including governmental procedures, county codes, development and construction permitting requirements, code compliance procedures and options, and/or legal matters. Such special knowledge, skills, or expertise is not mandatory to be appointed to the CCAC.

Each voting member has one vote and no proxy.

Section 2: The CCAC may call upon representatives of other organizations or departments, and the general public as resources on certain topics related to the purpose, tasks and responsibilities of the CCAC.

Section 3: Appointments to the CCAC shall be made by the Board of Supervisors. Initial appointment of CCAC members shall be as follows:

- Four (4) members: one (1) year terms
- Three (3) members: two (2) year terms
- Two (2) members: three (3) year terms

If the initial appointments are made mid-term, the appointments shall minimally be for the terms listed above [e.g. the "one (1) year terms" may actually be one (1) year and five (5) months terms or one (1) year and two (2) month terms].

After the initial appointments, all terms will be for two (2) year periods.

All terms shall expire upon the last day of February of the appropriate year.

The Board of Supervisors may remove at any time and without cause any member of the CCAC.

Section 4: CCAC members shall provide advance notice to the Chair if they are unable to attend a meeting. The Chair shall determine if the absence is excused or un-excused.

If any member of the CCAC is absent (unexcused) for two (2) consecutively scheduled meetings, then that member may be removed from the CCAC by the Board of Supervisors, and the Board of Supervisors shall fill the vacancy for the unexpired term.

Article IV Officers

Section 1: At its first meeting, the CCAC 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. Members will assume office immediately at that time.

Following the initial appointment of officers, elections shall occur at the first meeting of each calendar year.

Section 2: The Chair shall preside at all meetings of the CCAC and shall perform all duties necessary or incidental to the office, which may include approval of the agenda topics for all such meetings.

Section 3: The Chair (or designee) shall represent the CCAC at other public meetings and community events. The Chair shall only provide such representation based upon action taken by the CCAC at a regularly scheduled meeting of the CCAC in which a quorum was present.

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

Section 5: The Secretary shall prepare draft minutes of the meetings. 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.

Section 6: The CCAC 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 designee) shall be responsible for posting and distributing the agenda and agenda packets. The Planning Director (or the Planning Director's designee) is responsible for recording the meeting and the archival storage of the audio.

Article V Ad-Hoc Study Committees

Section 1: At its discretion, and by a majority vote, the CCAC may appoint members of the CCAC to study specific items as determined by the CCAC. The membership of any ad-hoc study CCAC may not comprise a quorum of the CCAC.

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

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

Article VI Meetings

Section 1: All meetings of the CCAC and CCAC’s subcommittees are open to the public. Members of the public may bring matters to the attention of the CCAC, express opinions and request action. No action will be taken on items not on the agenda. Meetings and noticing of meetings of the CCAC shall be subject to the provisions of the California Open Meeting Law (Brown Act) and shall be conducted in accordance with Rosenberg’s Rules of Order. Meetings that are not noticed correctly may not occur and must be rescheduled to a future date.

Section 2: Meetings shall be held at the call of the Chair or at the request of the majority of the CCAC members. At its first meeting, the CCAC shall establish a meeting schedule deemed necessary by the CCAC to accomplish its purpose. The approved meeting schedule shall be posted for informational purposes on the CCAC’s webpage within Mariposa Planning’s web page, as well as on the Mariposa Planning Facebook page. The approved meeting schedule may be modified after approval, with majority vote of the CCAC. The modified meeting schedule shall be posted in the same manner as required for the originally approved meeting schedule.

If regular monthly meetings are not needed, meetings may be scheduled on an as-needed basis. Scheduling of “as-needed” meetings shall be coordinated by the Planning Director (or designee) and the Chair.

Section 3: Notice of CCAC meetings shall be posted and published by County staff not less than seven (7) days prior to the date of the meeting at the following locations:

- a. Mariposa Planning Website page,
- b. Mariposa Planning Facebook page,
- c. The Mariposa County Government Center,
- d. Publication in the *Mariposa Gazette*,
- e. Other posted locations as determined by the CCAC, and
- f. The meeting location.

The Planning Director or designee may supplement (increase) required notification 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 Chair (or designee), if in-person meetings are conducted.

Section 5: A quorum for a duly held meeting and for action on any item shall consist of a majority of the voting CCAC 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.

Section 6: Meetings of the CCAC are to be held in public places which are in compliance with the Americans with Disabilities Act.

At the discretion of the Chair, or upon request of a CCAC member, public input on matters being considered by the CCAC 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 CCAC before making a decision.

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

Section 8: An item on the agenda may, unless otherwise provided by ordinance, be continued to the next scheduled or to a subsequent meeting of the CCAC, the date, time, and location to be specified. A regular meeting will be adjourned when all of the agenda items have been discussed or continued to another meeting.

Article VII Correspondence

Section 1: Correspondence received by any CCAC member regarding matters being considered by the CCAC may be forwarded to Planning staff and distributed to all CCAC members.

Section 2: Upon receipt of any correspondence directed to the activities or responsibilities of the CCAC, the correspondence shall be placed on the agenda of the next regularly scheduled meeting, time permitting, for discussion by the CCAC.

Section 3: The Chair (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 CCAC 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 only be reviewed at a regular meeting of the CCAC.

Section 2: These by-laws and any amendments approved by the CCAC shall be submitted to the Board of Supervisors for review and final approval.