



AGENDA ITEM NO.

C-7

COUNTY OF HUMBOLDT

For the meeting of: October 21, 2014

Date: October 6, 2012

To: Board of Supervisors

From: Wendy B. Chaitin, County Counsel
By Carolyn J. Ruth, Assistant County Counsel

Subject: Amendments to the Rules, Regulations and Procedures for Establishment and Operation of the Greater Eureka Area Advisory Committee (GEAMAC) and the McKinleyville Municipal Advisory Committee (MMAC) Clarifying the Scope of Topics Included in the Operational Responsibilities.

RECOMMENDATIONS:

That the Board of Supervisors:

1. Approve the proposed amendments to the Operational Responsibilities set forth in the Rules, Regulations and Procedures for Establishment and Operation of the GEAMAC (Attachment 1) and the MMAC (Attachment 2).
2. Direct staff to finalize the proposed amendments and forward the Amended Rules, Regulations and Procedures for Establishment and Operation of the GEAMAC and the MMAC to the respective Advisory Committees and to the Clerk of the Board of Supervisors.

SOURCE OF FUNDING:

The source of funding for preparation of this staff report is the County General Fund, Office of County Counsel (Budget Unit 1100-121).

Prepared by CAROLYN J. RUTH

CAO Approval Amy Olsen

REVIEW:

Auditor _____ County Counsel CK Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: May 1, 2012; July 15, 2014

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Sundberg Seconded by Supervisor Bass
Ayes Sundberg, Lovelace, Bohn, Fennell, Bass
Nays _____
Abstain _____
Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Oct. 21, 2014

By: Kathy Hayes
Kathy Hayes, Clerk of the Board

DISCUSSION:

Background

On May 1, 2012 the Board of Supervisors established the Greater Eureka Area Municipal Advisory Committee (GEAMAC) and the McKinleyville Municipal Advisory Committee (MMAC). The Board adopted Rules, Regulations and Procedures for Establishment and Operation of these two committees (the Rules).

At a meeting on July 15, 2014 the Board of Supervisors discussed the need to clarify the Scope of Responsibilities set forth in the Rules for both committees and directed staff to bring back amended language to consider.

The need for clarification of the Rules was raised by the Chair of the GEAMAC. During the July 15, 2014 meeting the Chair of the GEAMAC presented testimony that in the preceding year that the GEAMAC has been in operation it has become clear that there is interest in the GEAMAC reviewing topics that are not clearly included in the operational responsibilities listed in the Rules. Examples of these topics included the McKay Community Forest initiative and the County Medical Outdoor Marijuana Ordinance. In addition, the Chair indicated that there was interest in discussing possible annexations issues that might impact the Greater Eureka area.

The Board of Supervisors unanimously agreed that the scope of responsibilities was intended to encompass matters that may have a localized impact within the areas over which the advisory committees have territorial jurisdiction. It was clarified that the Board did not intend that the committees would address county-wide topics that did not affect the area covered by the committee's jurisdiction.

Proposed Amendments

In order to address the issues discussed at the July 15, 2014 meeting and to provide clarification to the scope of responsibilities section of the Rules that govern the operational duties of the GEAMAC and the MMAC it is proposed that Section 2 of the Rules be amended to read as follows (GEAMAC is used as an example – identical language is proposed for the MMAC):

The Greater Eureka Area Municipal Advisory Committee (GEAMAC) is tasked with gathering input from the community and providing advice on matters which relate to services which are or may be provided to the Eureka Community Planning Area by the County or other local governmental agencies. The advice to be provided by the GEAMAC includes but is not limited to advice on matters of public health, safety, welfare, public works, public financing and proposed annexations that may affect the local area. The GEAMAC is not intended to address countywide matters unless those matters have a localized impact within the area mapped in Figure 1 and described as the territorial jurisdiction of the GEAMAC.

Attachment 1 and 2 contain redline and strikethrough versions of the proposed changes for both the GEAMAC and MMAC Rules.

Two additional minor changes are being recommended. One change is to the section in the Rules titled "Provide Written Advisory Recommendations." The words "local community issue"

are added to the first sentence to provide further clarification that the advisory recommendations are not limited to "projects."

The second change is to one word in the first sentence of the fourth paragraph under Section 2 "Responsibilities of the GEAMAC (and MMAC)." The word "would" in the first sentence is changed to "will" for grammatical consistency.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT:

Planning and Building Department

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may modify the proposed amendments to the Rules, Regulations and Procedures for the Establishment and Operation of the GEAMAC and the MMAC contained in Attachment 1 and Attachment 2.

The Board may choose to take no action at this time or provide further direction to staff.

ATTACHMENTS:

1. Attachment 1: Redline and Strikethrough Version of the Rules Regulations and Procedures for Establishment and Operation of the Greater Eureka Area Municipal Advisory Committee (GEAMAC).
2. Attachment 2: Redline and Strikethrough Version of the Rules Regulations and Procedures for Establishment and Operation of the McKinleyville Municipal Advisory Committee (MMAC).
3. Attachment 3: Adopted Map of GEAMAC Territorial Jurisdiction
4. Attachment 4: Adopted Map of MMAC Territorial Jurisdiction

Attachment 1:

Redline and Strikethrough Version of the Rules Regulations and
Procedures for Establishment and Operation of the Greater Eureka
Area Municipal Advisory Committee (GEAMAC).

(October 21, 2014 Proposed Revision)

EXHIBIT A

Rules, Regulations and Procedures for Establishment and Operation of the Greater Eureka Area Municipal Advisory Committee (GEAMAC) (Revised October 21, 2014)

1) Territorial Jurisdiction

All lands within the boundaries of the Eureka Community Planning Area shown in Figure 1 of the 1995 Eureka Community Plan, and the areas shown as "Proposed addition to the GEAMAC area (Myrtle town)" and "Proposed Addition to the GEAMAC area (Fields Landing)" in the attached map (Figure 1).

2) Responsibilities of the GEAMAC

Consistent with allowances in state law and Section 1343 of the 1995 Eureka Community Plan, the Board of Supervisors may appoint a Municipal Advisory Committee to advise the Planning Commission and Board of Supervisors on local Eureka area community issues.

The Greater Eureka Area Municipal Advisory Committee (GEAMAC) is tasked with gathering input from the community and providing advice ~~commenting~~ on matters ~~of concern~~ which relate to ~~County~~ services which are or may be provided to the Eureka Community Planning Area ~~area by the County or other local governmental agencies. The advice to be provided by the GEAMAC includes~~ including but is not limited to advice on matters of public health, safety, welfare, public works, public works, health, safety, welfare and public financing and proposed annexations that may affect the local area covered by the GEAMAC. The GEAMAC is not intended to address countywide ~~matters~~ topics unless those matters have a localized impact within the area mapped in Figure 1 and described as the territorial jurisdiction of the GEAMAC.

A secondary responsibility of the GEAMAC is to review, comment and provide advisory recommendations to the Planning Commission and the Board of Supervisors on proposed zoning amendments, and General Plan petitions and amendments located within the Eureka Community Plan Planning Area related to conformance with the Eureka Community Plan. The GEAMAC will also discuss and provide input on long-range planning issues.

The GEAMAC ~~will~~ could not review, comment or provide advisory recommendations on subdivisions, conditional use permits, special permits, coastal development permits or variances unless they are part of a larger project which also includes a General plan Amendment or Zone Reclassification. The GEAMAC will make recommendations on proposed zoning, General Plan petitions and amendments. Although they are not a decision-making body, their input is very important. The GEAMAC will not have authority to make, set, provide interpretation of or enforce county ordinances, policies or laws.

Input received from the community is not limited to comments received at a GEAMAC meeting. Community input to the GEAMAC can be received via letter, or email. Community members may also provide direct input to the Planning Commission and Board of Supervisors by attending meetings held by those bodies. The GEAMAC should encourage and inform the public when there are other opportunities to provide input. Agencies referring items to the GEAMAC are encouraged to adopt standards for making referrals to ensure continuity and consistency of items being forwarded.

The GEAMAC meetings will also provide an opportunity for County, and non-county agency staff to provide the Greater Eureka Area community with information or updates

Requests to County Departments

The GEAMAC may request County staff attend GEAMAC meetings and provide information regarding community issues. Requests of County staff will be made through the Clerk of the Board by phone at (707) 476-2396 or by email at khayes@co.humboldt.ca.us.

Meeting Frequency

Regular and special GEAMAC meetings shall be held in conformance with the Brown Act and take place in a convenient venue for Greater Eureka Area residents. For proposed zoning and general plan petitions and amendments, time is of the essence, and meetings shall be held to ensure review is completed within two (2) months of receiving the project referral from the Planning Division.

Provide Written Advisory Recommendations

After the GEAMAC has reviewed a local community issue or proposed project, listened to presenters and gathered community input, a written advisory recommendation for support, modifications or denial; with or without suggested changes, shall be submitted to the Planning Commission, Board of Supervisors, or other agency for consideration as appropriate.

After the GEAMAC is presented with an issue, the GEAMAC may choose to not formally consider, deliberate and vote on the issue or the GEAMAC may choose to take a neutral position. Failure of the GEAMAC to comment prior to a public hearing on a proposed project shall not be cause for the hearing to be postponed. Copies of all correspondence from the GEAMAC shall be provided to the Clerk of the Board.

Promote and Encourage Public Comment

The public has a right to be present at all GEAMAC meetings, to hear all of the dialogue related to any item on the GEAMAC agenda (with the exception of personnel matters and litigation), and to comment on any item which is discussed. The GEAMAC shall encourage public comment and maintain an impartial viewpoint regarding any topic until information or comment has been presented.

Conformance with the Brown Act

The California State Legislature passed the Ralph M. Brown Act to assure that legislative bodies, like the GEAMAC, conduct their business and make their recommendations in open public meetings.

The GEAMAC is created by formal action of a legislative body; is covered by the requirements of the Brown Act; and shall conduct its affairs consistent with all Brown Act requirements.

Ex Parte Communications

Ex Parte communications are contacts (e.g. emails, meetings, conversations) made by one party with a decision-maker outside the presence of other interested parties. When these contacts occur about a matter that is quasi-judicial in nature, i.e. subdivision maps, conditional

use permits, variances, or Coastal Development Permits, the applicant's right to an impartial decision-maker may be unfairly impacted. The GEAMAC is neither a decision-making body nor is it designed to make recommendations on quasi-judicial matters. However, to the extent that quasi-judicial projects are included in general plan or zoning amendment matters presented for recommendation, members should avoid ex parte communication on these items, and ensure that discussion takes place only during the public meeting.

Governance

The GEAMAC shall adopt rules, regulations and procedures as are reasonable and appropriate for its activity to deliberate and provide recommendations to appropriate agencies, County Departments and the Board of Supervisors. These rules may only be implemented upon specific approval by the Board of Supervisors. In the absence of other approved governing procedures, Robert's Rules of Order shall be used to govern the GEAMAC.

The GEAMAC shall annually at the beginning of the calendar year select its own Chair, Vice Chair and Secretary.

The Chair of the GEAMAC plays an important role in conducting meetings that are orderly, positive and productive. The Chair is responsible for the following:

- Draft an agenda
- Ensuring meeting materials are emailed to the County Clerk of the Board for distribution to the GEAMAC members and other interested parties for review.
- Leading the GEAMAC meeting in an orderly, efficient and productive manner.
- Drafting language for and signing recommendation and comment letters approved by the GEAMAC.
- Ensuring posting all meeting agendas in a conspicuous place at the meeting location at least 72 hours in advance of the meeting.
- Providing copies of all correspondence from the GEAMAC to the Clerk of the Board

If the GEAMAC is unable to reach a quorum at a regular or special meeting, that meeting is cancelled.

Records

The GEAMAC is responsible for creating and posting agendas for its meetings, taking minutes of its meetings, and recording of all its decisions. The GEAMAC shall file all agendas, minutes and records of its decisions with the Clerk of the Board of Supervisors in a timely manner. The GEAMAC shall maintain current contact information for all GEAMAC members, and provide updated information to the Clerk of the Board in a timely manner. The Clerk of the Board will forward the GEAMAC recommendations to the appropriate County agencies to which they are directed and will maintain a file that will contain all GEAMAC agendas, minutes of meetings and records of all GEAMAC decisions. The GEAMAC is a local public agency and as such its records are subject to disclosure pursuant to the California Public Records Act.

Compensation

All members of the GEAMAC shall serve without compensation.

Conflict Of Interest

If a GEAMAC member's professional or community interests involve issues before the GEAMAC, there may be a conflict of interest. To allow the GEAMAC to remain as objective as possible in the comments and recommendations it provides, a GEAMAC member must refrain from participating in GEAMAC discussions or decisions in which they have a financial or other interest that would cause them to be biased, to not be impartial, or to have an appearance of bias.

If a GEAMAC member believes there may be a conflict of interest or the appearance of a conflict of interest, the GEAMAC member shall publicly identify in detail the economic interest that creates the conflict, step down from the dais and must then leave the room. If a GEAMAC member has a personal economic interest in a matter on the agenda and wishes to speak on that matter as a private citizen, the GEAMAC member must follow the rules set forth in the Fair Political Practices Act.

The GEAMAC will be added to the County's Conflict of Interest Code. All GEAMAC members will be required to comply with the Fair Political Practices Act, which is standard County policy and includes the filing of the Form 700 Statement of Economic Interest.

3) Responsibilities of the County

Requests To and From County Departments

The GEAMAC may request that a County Department provide information to the GEAMAC on a matter within the subject matter jurisdiction of the Committee. County Departments likewise may request time on the GEAMAC's agenda to discuss items and issues of concern related to the Greater Eureka area.

The Planning Division shall determine if an application for a proposed zoning or general plan petition or amendment is within the GEAMAC area. If so, the application will be referred to the GEAMAC for consideration at the next available meeting.

Planning Division staff shall attend GEAMAC meetings when proposed zoning and general plan petitions and amendments are considered to present the item and provide interpretation of the county zoning ordinance, the county General Plan and the Eureka Community Plan.

Current Projects Listings

The Planning Division shall prepare and distributes the "Current Projects Listing" to the GEAMAC once a month. This document will include a list all the discretionary permit applications, proposed zoning and general plan petitions and amendments currently under review. (This listing will also be available to the public on the County's web site at www.co.humboldt.ca.us/planning.)

Email Distribution List

The Clerk of the Board shall create and maintain an email distribution list for GEAMAC members and interested parties. This list shall be used to distribute meeting agendas, minutes, reports, and other information to GEAMAC members.

Staffing and Funding

The County will provide the GEAMAC some staff resources for purposes of posting, copying, and distribution of agendas, and dedicated funding to cover materials and supplies. Budgetary commitments of County staff and resources to the GEAMAC are at the discretion of the Board of Supervisors. Review of the County costs associated with GEAMAC operations shall be submitted to the Board of Supervisors by the GEAMAC and considered annually as part of the County budget review. County staff shall be directed to seek available grant funding to support the committee's efforts.

4) Composition and Terms of Office of the GEAMAC Members

The GEAMAC shall be composed of seven (7) voting members. There is no limit on the number of terms a voting member may serve. The terms shall be staggered such that no more than four voting member's terms expire at the same time.

Initially, the 1st District Supervisor shall appoint three (3) voting members to 2-year terms. After their initial terms have expired, the 1st District Supervisor shall thereafter appoint three (3) members serving 4-year terms.

Initially, the full Board of Supervisors, by majority vote, shall appoint two (2) voting members to 4-year terms. After their initial terms have expired, the full Board of Supervisors, by majority vote, shall thereafter appoint two (2) members serving 4-year terms.

Initially, one (1) voting member shall be a Humboldt Community Services District (HCSD) Board member, or their designee, appointed by majority vote of the full HCSD Board to a 4-year term. After that member's initial term has expired, the full HCSD Board, by majority vote, shall thereafter appoint a member serving a 4-year term.

Initially, one (1) voting member shall be a Eureka City Council Member, or their designee, appointed by majority vote of the full Eureka City Council to a 4-year term. After that member's initial term has expired, the full Eureka City Council, by majority vote, shall thereafter appoint a member serving a 4-year term.

5) Qualifications for Membership

All GEAMAC voting members shall be residents, property owners, or business owners within the GEAMAC geographical area.

6) Removal from Office

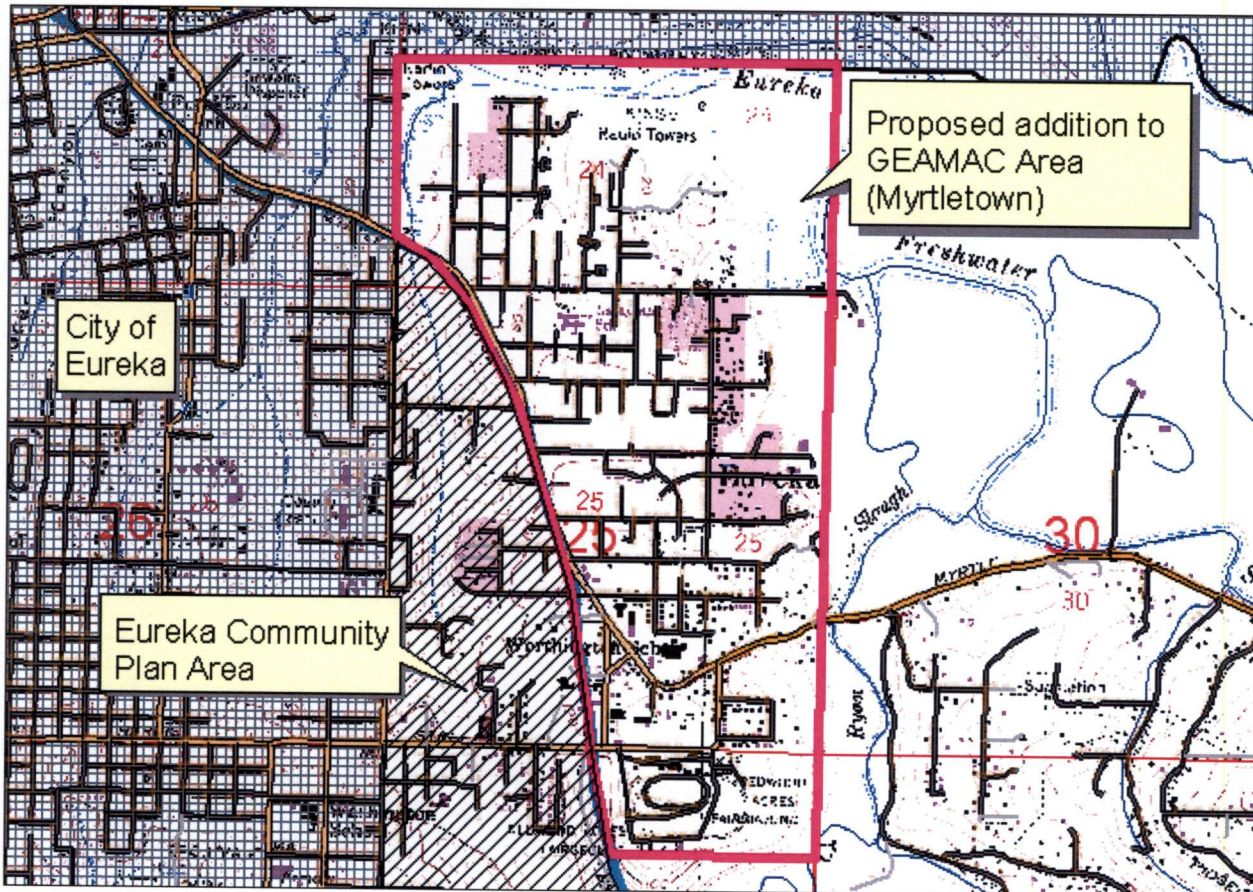
The voting GEAMAC members appointed by the 1st District Supervisor shall serve at the will of that sitting Supervisor, and may be removed by that Supervisor at any time. The voting GEAMAC member appointed by the HCSD Board shall serve at the will of that Board, and may be removed by a majority vote of the full HCSD Board at any time. The voting GEAMAC member appointed by the Eureka City Council shall serve at the will of that Council, and may be removed by a majority vote of the full Eureka City Council at any time. In addition, all GEAMAC members serve at the pleasure of the Board of Supervisors and may be removed from the GEAMAC by a majority vote of the Board of Supervisors at any time.

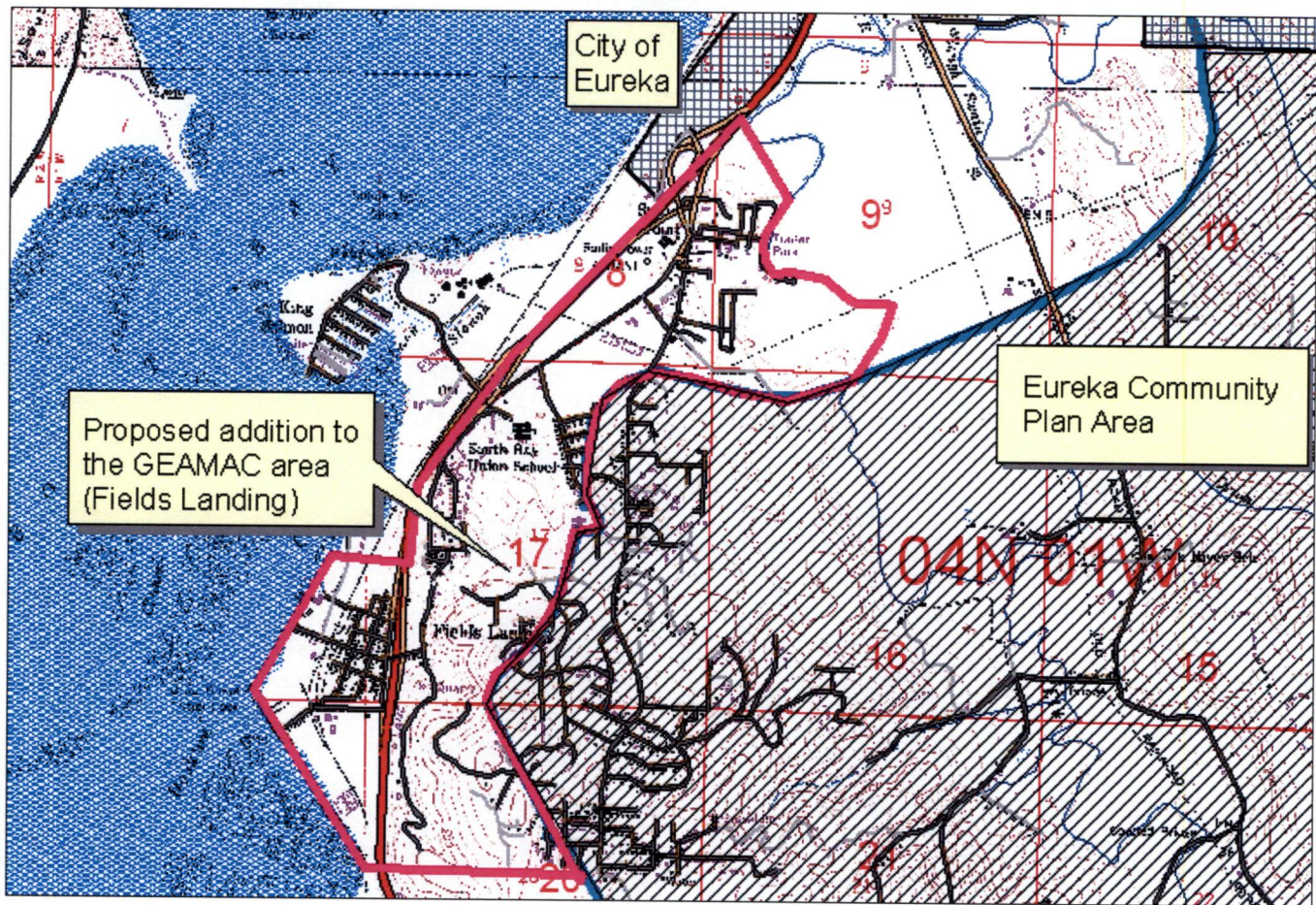
Replacement of voting GEAMAC members removed by the 1st District Supervisor, or by majority vote of the HCSD Board, Eureka City Council, or by the Board of Supervisors shall follow the

procedures in Section 4 (Composition and Terms of Office of the GEAMAC Members). For example if the GEAMAC voting member removed from office was appointed by the 1st District Supervisor, the 1st District Supervisor shall appoint a replacement voting member to serve the remainder of the term.

Failure of a voting GEAMAC member to attend (4) four consecutive regularly scheduled GEAMAC meetings shall be reported to the Chair of the GEAMAC and will result in automatic removal unless the GEAMAC member missing the meetings wishes extenuating circumstances to be considered. The GEAMAC member may continue to serve if a majority of the voting GEAMAC members find extenuating circumstances prevent attendance.

Figure 1 – Areas added to the GEAMAC territorial jurisdiction





Attachment 2:

Redline and Strikethrough Version of the Rules Regulations and
Procedures for Establishment and Operation of the McKinleyville
Municipal Advisory Committee (MMAC).

(October 21, 2014 Proposed Revision)

EXHIBIT A

Rules, Regulations and Procedures for Establishment and Operation of the McKinleyville Municipal Advisory Committee (MMAC) (Revised October 21, 2014)

1) Territorial Jurisdiction

All lands within the boundaries of the McKinleyville Community Planning Area shown in Figure 1 of the 2002 McKinleyville Community Plan, and the areas shown as "Alternative 1" and "Alternative 2" in the attached map (Figure 1).

2) Responsibilities of the MMAC

In accordance with the 2002 McKinleyville Community Plan, 1730, the Board of Supervisors shall appoint a Municipal Advisory Committee to advise the Board of Supervisors on local McKinleyville community issues.

The McKinleyville Municipal Advisory Committee (MMAC) is tasked with gathering input from the community and ~~providing advice commenting~~ on matters ~~of concern~~ which relate to ~~County~~ services ~~which are or may be~~ provided to ~~the~~ McKinleyville Community Planning Area by the County or other local governmental agencies. The advice to be provided by the MMAC includes including but is not limited to advice on matters of public health, safety, welfare, public works, health, safety, welfare and public financing and proposed annexations that may affect the local area covered by the MMAC. The MMAC is not intended to address countywide ~~matters topics unless those matters have a localized impact within the area mapped in Figure 1 and described as the territorial jurisdiction of the MMAC.~~

A secondary responsibility of the MMAC is to review, comment and provide advisory recommendations to the Planning Commission and the Board of Supervisors on proposed zoning amendments, and General Plan petitions and amendments located within the McKinleyville Planning Area related to conformance with the McKinleyville Community Plan. The MMAC will also discuss and provide input on long-range planning issues.

The MMAC ~~will~~would not review, comment or provide advisory recommendations on subdivisions, conditional use permits, special permits, coastal development permits or variances unless they are part of a larger project which also includes a General plan Amendment or Zone Reclassification. The MMAC will make recommendations on proposed zoning, General Plan petitions and amendments, but is not a decision-making body. The MMAC will not have authority to make, set, provide interpretation of or enforce county ordinances, policies or laws.

Input received from the community is not limited to comments received at a MMAC meeting. Community input to the MMAC can be received via letter, or email. Community members may also provide direct input to the Planning Commission and Board of Supervisors by attending meetings held by those bodies. The MMAC should encourage and inform the public when there are other opportunities to provide input. Agencies referring items to the MMAC are encouraged to adopt standards for making referrals to ensure continuity and consistency of items being forwarded.

The MMAC meetings will also provide an opportunity for County, and non-county agency staff to provide the McKinleyville community with information or updates

Requests to County Departments

The MMAC may request County staff attend MMAC meetings and provide information regarding community issues. Requests of County staff will be made through the Clerk of the Board by phone at (707) 476-2396 or by email at khayes@co.humboldt.ca.us.

Meeting Frequency

Regular and special MMAC meetings shall be held in conformance with the Brown Act and take place in a convenient venue for McKinleyville residents. For proposed zoning and general plan petitions and amendments, time is of the essence, and meetings shall be held to ensure review is completed within two (2) months of receiving the project referral from the Planning Division.

Upon agreement with the McKinleyville Community Services District Board, McKinleyville Communities Services District (MCSD) shall provide an appropriate meeting venue for the MMAC meetings at no cost to the County.

Provide Written Advisory Recommendations

After the MMAC has reviewed a local community issue or proposed project, listened to presenters and gathered community input, a written advisory recommendation for support, modifications or denial; with or without suggested changes, shall be submitted to the Planning Commission, Board of Supervisors, or other agency for consideration as appropriate.

After the MMAC is presented with an issue, the MMAC may choose to not formally consider, deliberate and vote on the issue or the MMAC may choose to take a neutral position. Failure of the MMAC to comment prior to a public hearing on a proposed project shall not be cause for the hearing to be postponed. Copies of all correspondence from the MMAC shall be provided to the Clerk of the Board.

Promote and Encourage Public Comment

The public has a right to be present at all MMAC meetings, to hear all of the dialogue related to any item on the MMAC agenda (with the exception of personnel matters and litigation), and to comment on any item which is discussed. The MMAC shall encourage public comment and maintain an impartial viewpoint regarding any topic until information or comment has been presented.

Conformance with the Brown Act

The California State Legislature passed the Ralph M. Brown Act to assure that legislative bodies, like the MMAC, conduct their business and make their recommendations in open public meetings.

The MMAC is created by formal action of a legislative body; is covered by the requirements of the Brown Act; and shall conduct its affairs consistent with all Brown Act requirements.

Ex Parte Communications

Ex Parte communications are contacts (e.g. emails, meetings, conversations) made by one party with a decision-maker outside the presence of other interested parties. When these contacts occur about a matter that is quasi-judicial in nature, i.e. subdivision maps, conditional use permits, variances, or Coastal Development Permits, the applicant's right to an impartial decision-maker may be unfairly impacted. The MMAC is neither a decision-making body nor is it designed to make recommendations on quasi-judicial matters. However, to the extent that quasi-judicial projects are included in general plan or zoning amendment matters presented for recommendation, members should avoid ex parte communication on these items, and ensure that discussion takes place only during the public meeting.

Governance

The MMAC shall adopt rules, regulations and procedures as are reasonable and appropriate for its activity to deliberate and provide recommendations to appropriate agencies, County Departments and the Board of Supervisors. These rules may only be implemented upon specific approval by the Board of Supervisors. In the absence of other approved governing procedures, Robert's Rules of Order shall be used to govern the MMAC.

The MMAC shall annually at the beginning of the calendar year select its own Chair, Vice Chair and Secretary.

The Chair of the MMAC plays an important role in conducting meetings that are orderly, positive and productive. The Chair is responsible for the following:

- Draft an agenda
- Ensuring meeting materials are emailed to the County Clerk of the Board for distribution to the MMAC members and other interested parties for review.
- Leading the MMAC meeting in an orderly, efficient and productive manner.
- Drafting language for and signing recommendation and comment letters approved by the MMAC.
- Ensuring posting all meeting agendas in a conspicuous place at the meeting location at least 72 hours in advance of the meeting.
- Providing copies of all correspondence from the MMAC to the Clerk of the Board

If the MMAC is unable to reach a quorum at a regular or special meeting, that meeting is cancelled.

Records

The MMAC is responsible for creating and posting agendas for its meetings, taking minutes of its meetings, and recording of all its decisions. The MMAC shall file all agendas, minutes and records of its decisions with the Clerk of the Board of Supervisors in a timely manner. The MMAC shall maintain current contact information for all MMAC members, and provide updated information to the Clerk of the Board in a timely manner. The Clerk of the Board will forward the MMAC recommendations to the appropriate County agencies to which they are directed and will maintain a file that will contain all MMAC agendas, minutes of meetings and records of all MMAC decisions. The MMAC is a local public agency and as such its records are subject to disclosure pursuant to the California Public Records Act.

Compensation

All members of the MMAC shall serve without compensation.

Conflict Of Interest

If a MMAC member's professional or community interests involve issues before the MMAC, there may be a conflict of interest. To allow the MMAC to remain as objective as possible in the comments and recommendations it provides, a MMAC member must refrain from participating in MMAC discussions or decisions in which they have a financial or other interest that would cause them to be biased, to not be impartial, or to have an appearance of bias.

If a MMAC member believes there may be a conflict of interest or the appearance of a conflict of interest, the MMAC member shall publicly identify in detail the economic interest that creates the conflict, step down from the dais and must then leave the room. If a MMAC member has a personal economic interest in a matter on the agenda and wishes to speak on that matter as a private citizen, the MMAC member must follow the rules set forth in the Fair Political Practices Act.

The MMAC will be added to the County's Conflict of Interest Code. All MMAC members will be required to comply with the Fair Political Practices Act, which is standard County policy and includes the filing of the Form 700 Statement of Economic Interest.

3) Responsibilities of the County

Requests To and From County Departments

The MMAC may request that a County Department provide information to the MMAC on a matter within the subject matter jurisdiction of the Committee. County Departments likewise may request time on the MMAC's agenda to discuss items and issues of concern related to the McKinleyville area.

The Planning Division shall determine if an application for a proposed zoning or general plan petition or amendment is within the MMAC area. If so, the application will be referred to the MMAC for consideration at the next available meeting.

Planning Division staff shall attend MMAC meetings when proposed zoning and general plan petitions and amendments are considered to present the item and provide interpretation of the county zoning ordinance, the county General Plan and the McKinleyville Community Plan.

Current Projects Listings

The Planning Division shall prepare and distributes the "Current Projects Listing" to the MMAC once a month. This document will include a list all the discretionary permit applications, proposed zoning and general plan petitions and amendments currently under review. (This listing will also be available to the public on the County's web site at www.co.humboldt.ca.us/planning.)

The Public Works Department shall also prepare and distribute a current project listing to the MMAC once a month. This document will include a list all the proposed road and other infrastructure projects currently under design and implementation within the MMAC area, with sufficient detail for the MMAC to anticipate potential conflicts with existing or anticipated MCSD infrastructure.

Email Distribution List

The Clerk of the Board shall create and maintain an email distribution list for MMAC members and interested parties. This list shall be used to distribute meeting agendas, minutes, reports, and other information to MMAC members.

Staffing and Funding

The County will provide the MMAC some staff resources for purposes of posting, copying, and distribution of agendas, and dedicated funding to cover materials and supplies. Budgetary commitments of County staff and resources to the MMAC are at the discretion of the Board of Supervisors. Review of the County costs associated with MMAC operations shall be submitted to the Board of Supervisors by the MMAC and considered annually as part of the County budget review. County staff shall be directed to seek available grant funding to support the committee's efforts.

4) Composition and Terms of Office of the MMAC Members

The MMAC shall be composed of seven (7) voting members and one (1) non-voting member. There is no limit on the number of terms a voting member may serve. The terms shall be staggered such that no more than four voting member's terms expire at the same time.

Initially, the 5th District Supervisor shall appoint three (3) voting members to 2-year terms. After their initial terms have expired, the 5th District Supervisor shall thereafter appoint three (3) members serving 4-year terms.

Initially, the full Board of Supervisors, by majority vote, shall appoint three (3) voting members to 4-year terms. After their initial terms have expired, the full Board of Supervisors, by majority vote, shall thereafter appoint three (3) members serving 4-year terms.

Initially, one (1) voting member shall be a McKinleyville Community Services District (MCSD) Board member, or their designee, appointed by majority vote of the full MCSD Board to a 4-year term. After that member's initial term has expired, the full MCSD Board, by majority vote, shall thereafter appoint a member serving a 4-year term.

The MCSD General Manager shall serve as a non-voting member of the MMAC.

5) Qualifications for Membership

All MMAC voting members shall be residents or business owners within the MMAC geographical area.

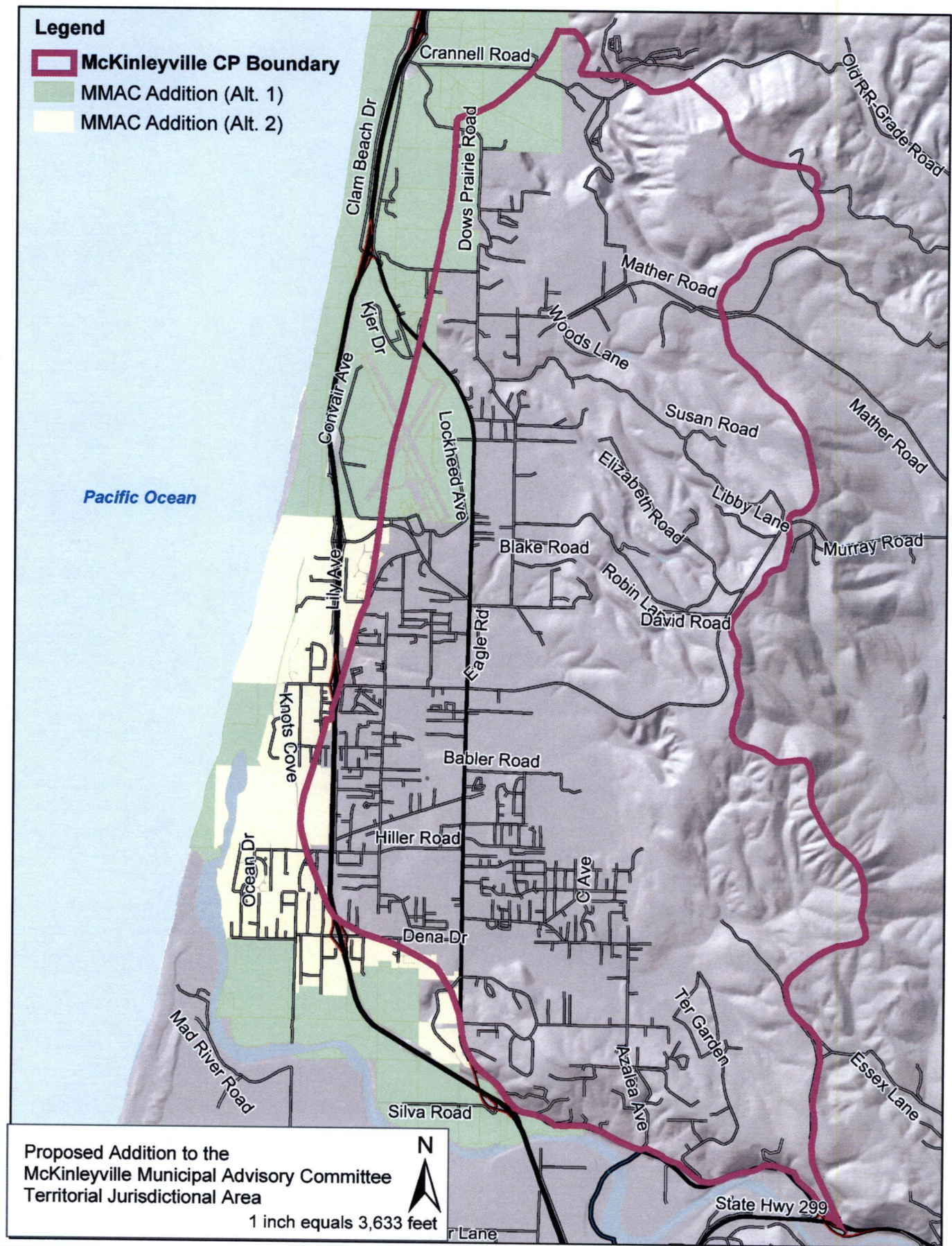
6) Removal from Office

The voting MMAC members appointed by the 5th District Supervisor shall serve at the will of that sitting Supervisor, and may be removed by that Supervisor at any time. The voting MMAC member appointed by the MCSD Board shall serve at the will of that Board, and may be removed by a majority vote of the full MCSD Board at any time. In addition, all voting MMAC members serve at the pleasure of the Board of Supervisors and may be removed from office by a majority vote of the Board of Supervisors at any time.

Replacement of voting MMAC members removed by the 5th District Supervisor, by the MCSD Board by majority vote, or by the Board of Supervisors by majority vote shall follow the procedures in Section 4 (Composition and Terms of Office of the MMAC Members). For example if the MMAC voting member removed from office was appointed by the 5th District Supervisor, the 5th District Supervisor shall appoint a replacement voting member to serve the remainder of the term.

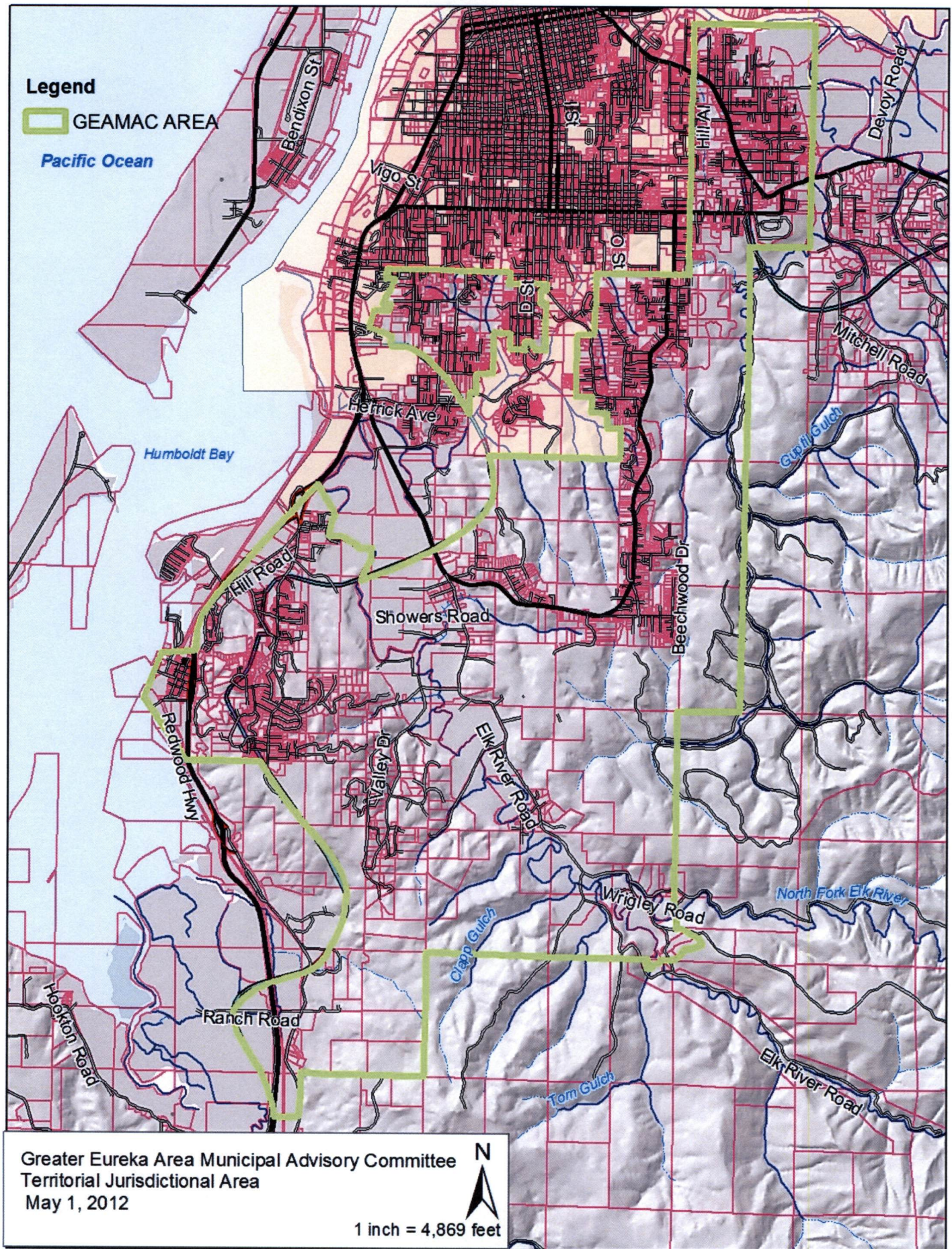
Failure of a voting MMAC member to attend (4) four consecutive regularly scheduled MMAC meetings shall be reported to the Chair of the MMAC and will result in automatic removal unless the MMAC member missing the meetings wishes extenuating circumstances to be considered. The MMAC member may continue to serve if a majority of the voting MMAC members find extenuating circumstances prevent attendance.

Figure 1 – Areas added to the MMAC territorial jurisdiction



Attachment 3:


Adopted Map of GEAMAC Territorial Jurisdiction



Attachment 4:

Adopted Map of MMAC Territorial Jurisdiction

Legend

 MCKMAC AREA

Pacific Ocean

McKinleyville Municipal Advisory Committee
Territorial Jurisdictional Area
May 1, 2012

1 inch = 5,000 feet

