



STANISLAUS COUNTY MUNICIPAL ADVISORY COUNCILS

HANDBOOK

**StanCountyMACs.com
StanCoMAC@stancounty.com**

**Created: July 2019 / Revised: May 2025
By: Stanislaus County Chief Executive Office**

Contents

Introduction	2
Purpose and Authority of a Municipal Advisory Council	2
Bylaws	2
Municipal Advisory Council Elections	2
Vacancies and Resignations	3
Duties of a Municipal Advisory Council	3
Brown Act	4
Developing an Agenda	5
Conducting a Municipal Advisory Council Meeting	8
Handling Public Comment	9
Taking Minutes	11
Types of Meetings	12
Parliamentary Process	13
Conducting Civil Meetings	14
Participation in the Planning Process	14
Municipal Advisory Council and Election Campaigns	16
County Government Structure	16
Commissions and Boards	17
Who to Contact	18
Post Office Boxes	20
Municipal Advisory Council Fact Sheets	20
Important Contacts	21

This handbook was adapted from the Placer County Municipal Advisory Council handbook with additional information from the Stanislaus County Clerk of the Board, County Counsel, and Planning and Community Development.

Introduction

The Municipal Advisory Council (MAC) handbook was created to clarify the purpose of the MAC and to offer guidance to MAC members on the various matters that arise. Thank you for your willingness to volunteer and serve your community. The Board of Supervisors and county staff recognize and appreciate your commitment.

The Board of Supervisors established Municipal Advisory Councils throughout the unincorporated area to advise the Board on various matters. Stanislaus County has nine MACs. In 1983, the first Stanislaus County MAC was created in Knights Ferry. The other MACs include Denair (1992), Empire (1989), Hickman (1994), Keyes (1991), Salida (1984), South Modesto (2006), Valley Home (2007), and Wood Colony (2017).

Purpose and Authority of a Municipal Advisory Council

A Municipal Advisory Council (MAC), as formed by California Government Code Section 31010, is an advisory body of local citizens elected by the community or appointed by the Board of Supervisors with the purpose of representing the community to the Board of Supervisors. These councils face two ways:

1. Toward the County, offering the collective and overall views of the community; and
2. Toward the community, sharing information about County proposals and a place where individuals can discuss community issues and perhaps receives help or assistance.

MACs are to advise the Board of Supervisors on matters of public health, welfare, safety, planning, public works, and other such matters as the Board may designate which affect the territory and inhabitants of the represented community. MACs may also represent its community to any governmental agency or other organization on matters concerning the community.

Bylaws

Each Municipal Advisory Council (MAC) has a set of bylaws for guidance. The bylaws identify the purpose of the MAC, described in the above section, membership requirements, officers and their duties, meeting requirements, committees, method of amending bylaws, and a description of the MAC boundary.

The MAC Secretary should bring a copy of the bylaws to every MAC meeting to have as a reference.

Municipal Advisory Council Elections

Municipal Advisory Council (MAC) members are elected to staggered four-year terms. Some members may be elected to fill short-term if a vacancy occurred during a term. Elections are

held during the November General Election every even-year. Vacancies which occur due to a resignation are filled through appointment by the Board of Supervisors.

Vacancies and Resignations

If a resignation occurs, please immediately inform the Clerk of the Board. Resignations should be in writing and state the effective date. The Board of Supervisors has 90 days from the day of the resignation to fill the vacant seat through appointment. Vacant seats available for appointment are listed on <http://www.stancounty.com/board/boards-commissions.shtm>. Individuals interested in the position should submit an application to the Clerk of the Board of Supervisors.

Duties of a Municipal Advisory Council

Holding Regular Meetings

Regularly scheduled meetings offer a convenient venue for residents to voice comments or concerns on various matters and hear about county business. The meeting frequency (monthly, bi-monthly, quarterly) is stipulated in the MACs bylaws. Meeting frequency can be changed, as needed, through the bylaw amendment process.

Encourage Public Comment

MACs should encourage public comment and maintain an impartial point of view on the comments it receives. Public comment is discussed in more detail later in this handbook.

Provide Written Advisory Recommendations

Providing advisory recommendations to the County is an important duty of every MAC. Advisory recommendations on planning projects and other policy decisions should be made once the MAC has reviewed the topic, listened to presenters, and gathered community input.

Officer Duties

Every MAC has a Chair, Vice-Chair, and Secretary. These three officers take on additional duties as MAC members. The specific duties of each officer can vary by MAC, but the following is a general description of duties for each position.

- Chair – The Chair typically creates the agenda and runs the meeting. The Chair can delegate the task of preparing the agenda to the Secretary, but the Chair must ultimately approve the agenda for posting.
- Vice-Chair – The Vice-Chair is to assume the duties of the Chair when he/she is absent.
- Secretary – The Secretary typically records minutes, maintains a list of those who attend meetings, maintain an official copy of the bylaws, send out meeting notices to those who have requested it, and conduct the correspondence. The Secretary can also develop the agenda for the Chair's approval.

Members are elected to each officer position for one year. The election of officers must occur at the first meeting of the new calendar year.

Brown Act

Municipal Advisory Councils (MAC) must adhere to the Ralph M. Brown Act (Government Code Sections 54950 et. seq.). Legislative and advisory bodies subject to the Brown Act must conduct their business and make their recommendations in open public meetings.

Brown Act Requirements

The Brown Act has a set of requirements that every MAC must follow:

- MAC agendas must list date, time, and location of meeting;
- **MAC agendas must be posted at the location of the meeting in a publicly accessible location at least 72 hours before the meeting;**
- MAC agenda items must be descriptive enough to properly inform the public of the nature of the subject matter;
- MAC meetings must be open to the public;
- MAC agendas must include a public comment period for items not listed on the agenda, and public comment must be allowed on any subject listed on the MAC agenda;
- MAC discussion and action must be limited to the items listed on the agenda; and
- MAC members cannot discuss MAC business with a majority of MAC members unless at a noticed public meeting.

What is a Meeting

Generally, a meeting is a gathering of a quorum (at least 3 members) of the MAC where the MAC's business is discussed. The meeting must be properly noticed, and the public must have an opportunity to observe and participate. It is possible that a quorum of MAC members will attend the same social gathering. If this does occur, members must refrain from any discussion of official MAC business. Subcommittees and other meetings made up of fewer than three MAC members is not a meeting under the Brown Act. Subcommittees allow MAC members to investigate topics and bring information to the full MAC.

Serial Conversations and Prohibited Communication

Serial conversations are discussions involving personal, phone, electronic, or other communication between MAC members concerning official MAC business outside the open meeting. Serial conversations are prohibited. MAC members cannot discuss how they or other MAC members intend to vote, concerns on a project, or any other MAC business that should be discussed in a publicly noticed MAC meeting.

For example, if two members discuss MAC business (which isn't a violation) and then one of those members consults with a third member on the same issue, then the majority of the body has consulted on the same issue and is a Brown Act violation. Such a violation can occur by the simple forwarding of an email.

Permissible Communication

The Brown Act doesn't eliminate all communication between MAC members. The MAC chair can solicit items for the agenda from MAC members, confirm member availability for upcoming meetings to determine if there will be a quorum, or distribute relevant information or documents which have been created and provided by someone other than a MAC member.

Lack of a Quorum

If a MAC does not have a quorum (at least three members) at a scheduled meeting, the legislative body cannot hold, or continue to hold the meeting. If a quorum is not achieved, a member of the body, or the clerk, should orally announce that the meeting is cancelled due to a lack of quorum. Please see attached memo (May 12, 2025) for additional information.

Developing an Agenda

The Brown Act requires the monthly meeting agenda have enough information so a member of the public can understand what will be discussed at the meeting and what sort of actions the Municipal Advisory Council (MAC) will take. The following information will help you develop your agenda. In addition, it is good practice to send a draft agenda to the County Chief Executive Office Community Manager.

Agenda Requirements

- Printed on current County letter head with the county logo in the top left corner and the name of the MAC and contact information (post office box, email, phone number) in the top right corner.
- Must list the date, time, and location of meeting, including street address.
- Must include public comment statement:
 - "Limit comments to ___ minutes so that everyone may be heard. Matters under the jurisdiction of the Council and not on this posted agenda may be addressed by the general public at this time, and the Council may consider adding the item to the next month's agenda for further consideration. California law prohibits the Council from taking any action on a matter that is not on the posted agenda unless it is determined to be an emergency by the Council."
- Must include reasonable accommodation statement:
 - "In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Erica Inacio at (209) 480-2074. Notification 72 hours prior to the meeting will enable the Council to make reasonable arrangements to ensure accessibility to this meeting."

- Must include call to order and roll call of MAC members.
- Must list approval of prior meeting minutes.
- Must list public comment sections (for any item not on agenda).
- Must list information (non-action) items.
- Must list action items.
- Must list adjournment and next meeting date/time.
- Must list selection of officers on first meeting of new year.

Agenda Optional Information

- Pledge of Allegiance
- Public Safety Reports
- Board of Supervisors Report
- County Library Report
- Community Based Organization Reports
- Sub-Committee Reports
- Council Comments and Suggestions for Future Agendas

Suggested Agenda Order

1. Call to Order and Pledge of Allegiance
2. Welcome and Roll Call
3. Public Comment
4. Approval of Prior Meeting Minutes
5. Community Reports
 - a. Public Safety (CHP, Sheriff, Fire)
 - b. Local Government (County Board of Supervisors, Chief Executive Office, County Library)
 - c. Community Based Organizations
6. Information Items
7. Action Items
8. Council Comments and Suggestions for Future Agendas
9. Adjournment

Agenda Guidelines

- Public comment should be limited to three or five minutes, at the Chair’s discretion.
- Give public safety representatives the option to provide their report prior to any lengthy presentations.
- Don’t overschedule your meeting. Request those giving monthly community reports to be concise and limit the number of informational and action items.
- The “Community Reports” section should only include routine reports from agencies which attend every meeting. Reports and presentations from agencies that do not normally attend should be listed under “Information Items.”

- For Action Items, the description should include the project name, its physical location, a brief project description, and what action the MAC is being requested to take.
- Informational items should include a brief description of the presentation.

Topics Not Appropriate for Agenda

Municipal Advisory Councils are to advise the Board of Supervisors on proposed County projects and policy decisions that can affect their community. There are some topics that should not be included on MAC agendas. They include:

- Campaign/election-related information;
- Federal or State legislation;
- Court issues;
- Disputes or claims against the County; or
- County employee-related issues

If you are unsure of the appropriateness of a topic, please contact the Board Office or Chief Executive Office Community Manager.

Listed Time Limits

To help facilitate an efficient meeting, the Chair may set time limits for the agenda.

Community Reports

It is up to the discretion of the MAC to what sort of community reports are given at each meeting; however, all community organizations and governmental agencies are welcomed to speak during the public comment period. Community reports should be limited to brief updates on the actions of the agency. If a community report includes a topic that is of high interest to the community, the MAC should invite the agency to give a formal presentation on a future meeting. This ensures the topic is placed on the agenda and the public is adequately notified so all those interested in the matter are aware.

If an agency wants to make a presentation on a specific topic, the presentation should be listed under the “Action Items” or “Informational Items” headings. Examples of this include a presentation on a major Public Works project, Parks and Recreation Master Plan, or Planning and Community Development Annual Action Plan, etc. Additionally, if an agency is requesting a formal action from the MAC, the topic needs to be listed under “Action Items.”

The Chief Executive Office suggests three categories of Community Reports: Public Safety, Local Government, and Community Based Organizations.

Public Safety

MACs can invite public safety agencies such as the Stanislaus County Sheriff's Department, California Highway Patrol, local Fire district, or Cal Fire to provide updates, and provide residents an opportunity to relay concerns or ask questions regarding public safety.

Local Government

MACs can invite departments from County Government or neighboring city agencies to provide general reports on recent agency decisions or future meetings. These reports usually come from the Board of Supervisors, school district, local Library branch, or local community services district. As a reminder, any topic that has an exceptional amount of interest should have a formal presentation at a future MAC meeting.

Community Based Organizations

MACs can invite community-based organizations such as nonprofits which work in the area or chambers of commerce to provide updates on events or other work the organization is doing in the area.

Informational Items

Informational Items provide an opportunity for an agency to give a presentation on a project, program, or policy to the MAC and those community members in attendance. Often, the presenting agency will be looking for input from the MAC and community to see if there is community support.

Action Items

Some agencies, usually Planning, will ask the MAC to review and make a recommendation on a project in its area. These requests will fall under the Action Items section of the agenda. The MAC will either have an opportunity to review a Planning staff report or Planning staff will make a presentation to the MAC. The MAC must encourage full public discussion prior to making any formal recommendation.

Council Comments and Suggestions for Future Agendas

This section of the agenda allows for MAC members to provide an update on events they attended in the community or an update on issues they've been looking to resolve. In addition, every MAC member can make suggestions for future agenda items. It is good practice for the Chair to first solicit from other MAC members their comments and suggestions for future agendas.

Conducting a Municipal Advisory Council Meeting

Every Municipal Advisory Council (MAC) conducts its meetings differently. The formality of each meeting varies, but all MAC meetings are to inform the public on issues in the county and receive public input. It is suggested the MAC strive to limit meetings to no more than one and a half hours. Running an efficient meeting provides a positive experience for all of those who attend and

encourages them to continue to be actively engaged. The following are some bulleted suggestions on how the Chair can run the meeting.

Conducting a Meeting

1. Using the gavel, call the meeting the order and ask everyone to rise for the pledge of allegiance.
2. Welcome those in attendance to the meeting and ask every MAC member to introduce him/herself.
3. Introduce the public comment period by reading aloud the “public comment” statement that is printed on the agenda. Ask for public comment for any topic not listed on the agenda.
4. Ask for a motion to approve the minutes.
5. Continue in the order of items that are listed on the agenda.

Changing the Order of Agenda Items

The Chair has the authority to change the order of agenda items if the need arises. For example, if public safety personnel request early placement on the agenda, the Chair can accommodate this request.

Approval of Minutes

MAC members should have the opportunity to review meeting minutes prior to the meeting. It is at this time MAC members can ask for corrections in the minutes.

Canceling a Meeting

There may be instances when the MAC needs to cancel a meeting. If this is a case, the MAC should distribute a meeting cancellation notice to its agenda distribution list, directly inform all agencies who normally attend MAC meetings, and post a cancellation notice at the normal meeting site. Canceling a meeting should only occur when absolutely necessary. The MAC may still hold an informal meeting if it is unable to achieve a quorum.

Sign-in Sheets

MACs may request meeting attendees to sign-in and provide an email address. This is not required to attend the meeting but is a good way to develop an email list that the MAC can use to email meeting agendas and other information to the community it serves.

Handling Public Comment

Municipal Advisory Council (MAC) meetings are public meetings conducted under the Brown Act, and public comment is a vital part of the meeting. The following are a set of guidelines to help MAC members navigate the public comment section of their meetings.

Direction and Scope of Comments

Public comments are to be directed towards the MAC (not members of the audience) and should be limited to matters under the jurisdiction of the Council.

Public comment is not meant to be a roundtable discussion on a topic that is not on the agenda. Only members of the MAC should ask the public commenter questions, and MAC members should limit their questions. If the topic is of high interest the MAC should put the topic on a future agenda to allow for all interested people to hear and join the discussion.

Placement on the Agenda

Public comment can be placed at the beginning or end of the agenda. County staff recommends MACs place public comment at the beginning of the agenda. The agenda should include the following statement, typically placed at the top or bottom of the page:

PUBLIC COMMENT: Limit comments to five (5) minutes so that everyone may be heard. Matters under the jurisdiction of the Council and not on this posted agenda may be addressed by the general public at this time, and the Council may consider adding the item to the next month's agenda for further consideration. California law prohibits the Council from taking any action on a matter that is not on the posted agenda unless it is determined to be an emergency by the Council.

It is strongly encouraged the chair read the above statement prior to opening public comment to remind all attendees of the ground rules.

Time Limits

Each speaker should limit comments to three to five minutes. At the beginning of the public comment period the chair can adjust the time limit to facilitate a timely meeting. If there are many public commenters the chair can reduce the time limit stated on the agenda, but it is suggested to provide at least three minutes. A speaker may only speak once during the public comment period.

Public Participation

The MAC cannot regulate or restrict the content of the comments (except to limit to matters within the jurisdiction). This means the MAC must allow criticisms and complaints and cannot rule a speaker "out of order" because the MAC disagrees with the content. However, a speaker is not allowed to disrupt or disturb the orderly conduct of the meeting.

Commenting on Agenda Items and Presentations

In addition to the public comment portion of the meeting, the public has the right to comment on agenda items and presentations prior to the MAC taking any action. Since the matter was placed on the agenda and the public was notified, more in depth discussion can occur on these topics; however, the MAC chair should ensure the comments and discussion are relevant to the agenda topic and does not shift towards a topic not placed on the agenda.

The MAC may impose time limits on comments and can limit each person to only speaking once on the topic. This may be difficult if the format has become a roundtable discussion. The goal is

to ensure everyone has had the opportunity to provide comments and conduct the meeting in a timely manner. Therefore, if comments become redundant or are off topic the chair should check with the public if there is anyone who has not commented would like to do so then move the meeting forward to a vote (if applicable) or next item on the agenda.

If public comment becomes a discussion between two people on a matter or issue that does not pertain to anyone else, the chair should ask that the two take the conversation “offline” and move forward with the meeting.

Taking Minutes

Minutes are a record of the meeting. Minutes should capture the essence of the meeting, the decisions made, and the planned next steps. Minutes are not transcriptions, not an exact record of discussions and conversations, and are not “to do” lists. Minutes should not contain personal opinions, interpretations, or descriptive or judgmental phrases.

Minutes should contain:

- MAC name;
- Date, time, and location of meeting;
- Names of those present;
- References of any presentations or reports made and by whom;
- Short summary of public comment;
- Action taken/decisions made (voting outcomes, motions taken, items continued);
- Adjournment time; and
- Signature of Secretary or Chair

The agenda can work as an outline for the Secretary. The Secretary should use a template to take notes of the meeting. The formal minutes can be developed using these notes. It is suggested the minutes be written as soon as possible after the meeting.

A draft copy of the minutes should be distributed to all members of the agency ahead of the meeting to be reviewed for any needed corrections. Minutes for each meeting, along with the agenda, and documents that are sent out with the agenda or handed out at the meeting should be kept on file with the Secretary.

Content and Style Tips

Minutes should be an objective narrative that does not use descriptive or judgmental phrases. Be sure to use formal names, identify individuals with their title, and identify acronyms. Keep adjectives and pronouns to a minimum. The minutes should be professional (no flowery descriptions or personal opinion, etc.), be understandable to strangers, and only provide discussion germane to the final disposition. The general rule of minute taking is to be accurate, brief, and clear.

Types of Meetings

Municipal Advisory Councils are required to have a regular meeting schedule. Six of the MACs meet monthly. The Hickman MAC meets every other month, and Keyes and Valley Home MACs meet quarterly. The MAC should approve the MAC meeting schedule for the upcoming year at its last meeting of the current year.

Meetings taking place other than the regularly scheduled meetings are considered special meetings. Special meetings are typically for matters that could draw a large audience or to meet a deadline. Prior to holding a special meeting, the Chair should confer with the Chief Executive Office Community Manager.

Monthly MAC Meeting Schedule

Municipal Advisory Council Meeting Location	Schedule / Time
<u>Denair</u> Denair Unified School District Leadership/Board Room 3460 Lester Road Denair, CA 95361	Monthly 1 st Tuesday 7:00 PM
<u>Empire</u> Empire Library 18 S. Abbie Street Empire, CA 95319	Monthly 4 th Wednesday 6:00 PM
<u>Hickman</u> Hickman School Auditorium Basement 13306 4th Street Hickman, CA 95323	Quarterly* 1st Thursday 6:00 PM *Feb, May, Aug, Nov
<u>Keyes</u> Keyes Community Services District Office 5601 7th Street Keyes, CA 95328	Quarterly* 3 rd Thursday 7:00 PM *Jan, April, July, Oct
<u>Knights Ferry</u> Knights Ferry Community Club House Main Street Knights Ferry, CA 95361	Quarterly* 4 th Thursday 7:00 PM *Jan, Apr, July, Oct
<u>Salida</u> Salida Library Community Room 4835 Sisk Road Salida, CA 95368	Monthly 4 th Tuesday 7:00 PM

<u>South Modesto</u> Stanislaus County Agricultural Center Harvest Hall (Room G) 3800 Cornucopia Way Modesto, CA 95358	Monthly 2 nd Thursday 6:00 PM
<u>Valley Home</u> Valley Home School Library 13231 Pioneer Avenue Oakdale, CA 95361	Quarterly* 2 nd Wednesday 6:30 p.m. *Jan, April, July, Oct
<u>Wood Colony</u> Hart Ransom Elementary School 3930 Shoemake Ave Modesto, CA 95358	Monthly* 2 nd Wednesday 7:00 PM

Parliamentary Process

Following a Parliamentary Process, such as the Rosenberg Rules of Order, promotes an orderly and efficient meeting, encourages discussion, and facilitates decision-making. Rosenberg's Rules of Order suggests the following format for an agenda item discussion:

1. The Chair should clearly announce the agenda item number and state what the agenda item subject.
2. The Chair should invite the appropriate person to report on the item, including any recommendation that they might have. This may be the Chair, a member of the MAC, or a staff person from the County or other agency.
3. The Chair should ask the member of the MAC if they have any technical or clarifying questions on the agenda item, which can be answered by the presenter.
4. After the MAC has had an opportunity to ask questions, the Chair should invite public comment. If there are many individuals wishing to speak, the Chair may place a time limit on the speakers.

The first four steps should be followed on all agenda items. If the MAC has an action item, the next six steps should be followed.

5. After the public comment has finished, the Chair should invite a motion, and announce the name of the MAC member making the motion.
6. The Chair should determine if any member wishes to second the motion and announce the name of the member seconding the motion.
7. After the motion is made and seconded, the Chair should make sure everyone understands the motion.
8. The Chair can invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should call for the vote.

9. The Chair then asks for the vote. Typically, a simple majority determines whether the motion passes or is defeated.
10. The Chair should announce the result of the vote and announce what action (if any) the MAC has taken.

Conducting Civil Meetings

Municipal Advisory Council (MAC) meetings will often include controversial subjects where the public discussion can become heated. It's imperative MAC members set a tone of civility, and much of the responsibility for keeping the meeting civil falls on the Chair. As mentioned, the Chair should read the statement regarding public comment to reinforce the ground rules of the discussion. In addition, it is the Chair's role to handle disruptions. Disruptiveness is not courteous behavior and can erode the meetings civility. If members of the community are being disruptive, the Chair should remind them to wait their turn to speak. Additionally, all comments from the audience should be directed towards the MAC or presenter, and not at another member of the audience.

Participation in the Planning Process

The Stanislaus County General Plan includes a policy in which proposed projects located within MAC boundaries will be referred to the MAC for comment. Planning and Community Development staff will be available to make presentations and answer questions on the project, when requested by the MAC Chair. Municipal Advisory Councils can formally support or oppose a project within its area. Notices will be emailed and mailed to the contact information on file. It is recommended to periodically ensure the department has the correct contact information.

Development applications are either ministerial projects, or discretionary projects. Ministerial projects are permitted by right in the zoning district, are not referred out to other agencies, and are exempt from the California Environmental Quality Act (CEQA). Discretionary projects are referred to other agencies, require additional review, are heard by the Planning Commission, and in some cases require the approval of the Board of Supervisors. The Planning Commission can approve Use Permits, Variances, and Parcel Maps. Rezones, General Plan Amendments, and Tentative Subdivision Maps require Board of Supervisors' approval.

Land Use Entitlement Process

Discretionary projects are referred to various agencies and the community. If the project resides within a MAC boundary, the MAC will receive a project referral for comment. In addition to MACs, certain agencies and departments review the project to comment on what sort of infrastructure or other mitigations will be needed to make the project work. Landowners in the area of the project also receive notice of the proposed project, which can be reviewed on the County Planning Department's web page under active projects. If a project resides in a LAFCO-approved Sphere of Influence (SOI), the County has a policy that written support of the City is needed for a discretionary action to be approved within a city's SOI.

Environmental Review

The land use entitlement process consists of the Early Consultation stage and Environmental Review stage. During Early Consultation, the referred agencies review the proposed project and identify topics which the project applicant should study. During the Initial Study stage, reviewing agencies and departments review the project and identify issues needing to be addressed through Conditions of Approval. During this stage, the applicant may provide technical reports such as traffic or noise study.

Suggested Protocol for Considering Planning Project Referrals

The MAC's input is also solicited during the environmental review process, prior to the Planning Commission's public hearing. Response comments should be provided in writing to County Planning staff.

Before the MAC Meeting

- The planning Project Referral (Early Consultation or Environmental Review Initial Study) is mailed to the MAC's contact.
- The project referral is scheduled for next MAC agenda by MAC Chair.
- MAC representative to contact Planning Department staff when a project presentation is desired at the MAC meeting.
- Planning staff to confirm attendance of project planner and applicant.
- MAC to comply with the Brown Act by not discussing project outside of the MAC meeting.

During the MAC Meeting

- If possible, planning staff will introduce themselves to the MAC Chair before the meeting.
- Planning staff may bring maps and set up projector and screen (if available).
- When the Planning Item comes up on the MAC agenda:
 - MAC Chair may either call for the pre-arranged planning staff presentation or review the project referral with the MAC attendees.
 - After presentation the Chair should inquire if there are any project questions from MAC members for staff or applicant present.
 - After questions from MAC members, the Chair opens the floor for any comments and/or questions from the public.
 - MAC secretary should document concerns voiced by the MAC and residents.
- MAC deliberation
 - Chair closes time for public comment.
 - Chair facilitates a consensus on the project (support, oppose, identify environmental concerns or propose a "no comment" response) from MAC membership.
 - The MAC may and should identify any recommended conditions of approval to be shared with the Planning Commission.

- MAC Chair conducts an official vote of MAC members present who are in support or in opposition, along with identifying any environmental concerns or conditions of approvals, as may have been discussed and voted upon.
- Planning staff may stay through the end of the MAC meeting to collect maps, computers, projectors, and presentation material. The Chair may elect to take a brief break, so staff can retrieve maps, etc.

After the MAC Meeting

- MAC Secretary to forward a written response of the MAC's recommendation on the project referral to the County Planning Department.
- County Planning staff will address identified environmental concerns in the initial study and will incorporate MAC comments into the Planning Commission report.
- Any subsequent project questions should be referred to Planning staff by contacting the Planning Department at (209) 525-6330 or by email at planning@stancounty.com.
- Upon request, Planning staff will relay Planning Commission action to the MAC.

Municipal Advisory Council and Election Campaigns

During election season, candidates for federal, state, and local office may attend your MAC meetings, requesting to speak. As mentioned, MACs are created to offer a collective view of the community to the Board of Supervisors and share information about County proposals to the community. With this being the guidepost, MACs should adhere to the following when dealing with candidates and campaigns:

- Candidates **can** speak during public comment, and are to be held to the same standards as any other public member; however, this should not turn into a question and answer opportunity;
- Candidates should not be formally placed on the agenda, unless they are there to speak in an official capacity they currently hold;
- MAC meetings are not the appropriate forum for a candidate debate, and MACs cannot host a candidate debate; and
- MACs cannot endorse any candidate.

As a citizen you are free to organize a debate, endorse a candidate, and be politically active in any way you choose. The above guidelines are meant to ensure the MAC stays neutral in the elections, but this does not preclude what MAC members can do as citizens.

County Government Structure

The Stanislaus County government organization is comprised of nearly 4,500 employees serving the community through 26 departments. These 26 departments are governed by the elected Board of five Supervisors. These individuals represent the community and their role is to establish a strategic vision, goals, policies, and budgets to meet legal mandates and the needs of county residents. The Board of Supervisors then hires a Chief Executive Officer who handles the management of all governmental affairs of the county.

In addition to an elected Board of Supervisors, there are six elected department heads. The Assessor, Auditor-Controller, Clerk-Recorder, District Attorney, Sheriff, and Treasurer-Tax Collector are all elected by Stanislaus County voters to serve four-year terms. The last election occurred in 2018.

The 26 departments provide a mix of state and municipal services. As a subdivision of the State, departments such as the Aging and Veteran Services, Behavioral Health Recovery Services (BHRS), Children and Families Commission (First 5), Community Services Agency (CSA), Health Services Agency (HSA), and Workforce Development administer state and federal programs aimed at improving the community's health and job skills. The departments are predominantly funded with state and federal funds, and the services are available for all county residents.

Additional county departments conduct programs and have functions that cover incorporated and unincorporated areas alike. The Assessor compiles the assessed values of all properties in Stanislaus County. The assessment roll is turned over to the Auditor-Controller's Office where tax rates will be applied to the assessed roll values to calculate the tax amounts due. The Treasurer-Tax Collector then sends out the tax bill and collects the taxes. The Department of Environmental Resources oversees the Environmental Health program which inspects restaurants for health and safety codes, and the Agricultural Commissioner is a regulatory agency acting under jurisdiction of the California Department of Food and Agriculture.

The District Attorney is responsible for the prosecution of all criminal cases in the county; the Public Defender provides representation to indigents accused of crimes; the Sheriff's Office is responsible for the care and custody of over 1,300 pre-trial, sentenced, and out-of-custody inmates; and Probation works with juveniles and adults to prevent them from committing new crimes.

Much like a city, the County provides municipal services to the unincorporated area. This includes police services through the Sheriff's Office, public libraries, parks and recreation, public roads, trash service, code enforcement, and planning and building inspection services. There are also many support departments within the County such as the General Services Agency, County Counsel, and Information Technology Central (the county's information technology department).

Some unincorporated areas may be in a County Service Area or Lighting and/or Landscape District. These are special districts governed by the Board of Supervisors which provide specific communities with services such as the maintenance of landscaping, storm water, storm drains, and street lights. These districts are funded by a direct assessment which is part of the property's property tax bill. There are some services the County does not provide. Utilities like water, electricity, sewer, and gas, and fire protection services are provided through other agencies and independent special districts.

Commissions and Boards

Including the nine MACs, there are 100 Boards and Commissions to which the Board of Supervisors appoints some or all the members. The Local Agency Formation Commission, Nuisance Abatement Hearing Board, and Planning Commission are the three bodies which would be of special interest to the MAC.

Local Agency Formation Commission

The Stanislaus Local Agency Formation Commission (LAFCO) is an independent agency responsible for coordinating logical and timely changes in local governmental boundaries, adopting Spheres of Influence for each city and special district within the county, and preparing Municipal Service Reviews for agencies within its purview. LAFCO's efforts are directed at encouraging the efficient provision of services and the orderly formation of agencies while protecting agricultural and open-spaces. LAFCO functions in accordance with Government Code Section 5600 et. seq.

LAFCO is composed of two county supervisors selected by the Board of Supervisors; two city council members selected by a City Selection Committee; and one public member selected by the other four members of the Commission. Members serve four-year terms and there is one alternate for each category. Members appointed on behalf of local governments represent the interests of the public as a whole and not solely the interests of the appointing authority.

Planning Commission

The Planning Commission is responsible for recommending overall land-use planning and zoning for the unincorporated area of the county. The Commission consists of nine members appointed by the Board of Supervisors: 2 members from District 1, 2 members from District 2, 1 member from District 3, 1 member from District 4, 1 member from either District 3 or 4, and 2 members from District 5.

Planning Commission meetings are typically held the first and third Thursday each month at 1010 10th Street, Modesto. Meeting information agendas, minutes, and video can be found at <http://www.stancounty.com/planning/agenda/index.shtm>.

Nuisance Abatement Hearing Board

The Nuisance Abatement Hearing Board (NAHB) perform the functions of the hearing board with respect to the abatement of public nuisance, housing violations, and administrative citations. The NAHB is comprised of two members of the Planning Commission and one member-at-large appointed by the Board of Supervisors.

Who to Contact

Municipal Advisory Council meetings are a good forum for community residents to voice their concerns on a variety of issues. As a MAC member you are a good messenger to relay the concerns to the appropriate county department. Detailed information on the matter, location

(address or cross-streets), and contact information for the concerned citizen will help county personnel follow up on the issue.

There are multiple ways to report community concerns to the County: The “Customer Center” on www.stancounty.com, the “Go Request” smartphone app, by working with the Community Manager and Board of Supervisors Field Representatives, or by directly working with the appropriate county department. Encouraging residents to use the online Customer Center and Go Request smartphone app enables them to directly and immediately contact the County, instead of waiting for a monthly MAC meeting to report the issue.

If you observe a county issue, a member of the community reports an issue to you, or an issue arises as part of public comment you may feel it is best to use your county contacts to get the issue resolved. The Chief Executive Office Community Manager and the Board of Supervisors’ Field Representatives are always available to work on resolving an issue. However, you may be inclined to develop contacts at individual county departments. Developing good relationships with county departments is beneficial to your community. By this, you can directly communicate the community’s priorities and concerns to those who work directly in your community.

Below are some common community concerns and the appropriate department to contact:

- Private Property Blight
 - Overgrown weeds/vegetation – Local Fire Department
 - No garbage service/small refuse complaints – Department of Environmental Resources Solid Waste Division at 209-525-6700
 - Larger Trash/Junk/Abandon Vehicles/Vacant Structures with uncontrolled access – Department of Environmental Resources Code Enforcement at 209-525-6700
 - Dangerous Building Abatement – Building Department at 209-525-6330
 - Typically, structures must be extremely dilapidated to be determined dangerous
- Illegal Dumping
 - County right-of-way – Department of Environmental Resources Code Enforcement at 209-525-6700.
 - Alleys/Private Property – Property owner (the County is not responsible for the maintenance of alleys; however, the Board of Supervisors has set aside funding to support community-led alley cleanups.)
- Homelessness
 - If camping on private property – contact the Sheriff’s Office
 - If camping in public space, contact the Outreach and Engagement Center at 209-272-8800.
 - Dial 211 from any phone in Stanislaus County for free, 24/7 assistance to thousands of vital services or call 1-877-211-7826.

GoRequest Smart Phone Application/ County Website Customer Service Center

The GoRequest smart phone application is an easy-to-use tool to report various issues occurring within the unincorporated area to County officials. The smartphone application is available for both Apple iPhones and Androids. The GoRequest application is convenient to use when you witness graffiti, illegal dumping along a roadside, or damaged road-sign. The application allows you to attach a photo using your smart phone and uses geographic information systems (GIS) to identify the location.

Once submitted, the complaint will go to County staff who will then work on resolving the issue. The application allows you track the issue allowing you to stay informed on the progress towards resolution.

Contained on the County's website (www.stancounty.com) is the Customer Service Center or at this link: <http://www.stancounty.com/crm/>. The Customer Service Center is another tool that the community can use to report different issues and works much like GoRequest.

Post Office Boxes

Most Municipal Advisory Councils have a post office box where it receives mail (typically planning applications or other notices). If the PO box is in the county's name, county staff will automatically renew the subscription on a semi-annual or annual basis. If the PO Box is in a MAC members name, the MAC member will need to inform county staff that the PO Box is up for renewal. Staff will coordinate with the MAC member to either process a check for payment or reimburse the MAC member.

Municipal Advisory Council Fact Sheets

Municipal Advisory Councils should review the Fact Sheet posted on the county website (<http://www.stancounty.com/board/boards-commissions.shtm>) for accuracy on an annual basis. Fact sheets provide the public with basic meeting and contact information. If the Fact Sheet requires updating, please contact the Board of Supervisors at 209-567-4926.

Important Contacts

Key County Staff

Clerk of the Board

Elizabeth King
(209) 525-4494

Community Relations Manager

Jennifer Hidalgo
(209) 857-0633
hidalgoj@stancounty.com
StanCoMAC@stancounty.com
StanCountyMACs.com

Supervisor District 1

Supervisor

Buck Condit
(209) 525-4440
conditb@stancounty.com

Field Representative

Jazmine Velazquez
(209) 525-6465
velazquezj@stancounty.com

Supervisor District 2

Supervisor

Vito Chiesa
(209) 525-6440
chiesav@stancounty.com

Field Representative

Brittany Harker
(209) 525-6464
harkerb@stancounty.com

Supervisor District 3

Supervisor

Terry Withrow
(209) 525-6560
withrowt@stancounty.com

Field Representative

Jennifer Pimentel
(209) 525-6560
pimentelj@stancounty.com

Supervisor District 4

Supervisor

Mani Grewal
(209) 525-4445
grewalm@stancounty.com

Field Representative

Patrick Shields
(209) 525-4329
shieldsp@stancounty.com

Supervisor District 5

Supervisor


Chanace Condit
(209) 525-4470
conditc@stancounty.com

Field Representative

(209) 525-4470



MEMORANDUM

DATE: May 12, 2025
TO: MUNICIPAL ADVISORY COUNCILS
FROM: Thomas E. Boze
County Counsel

Ciara Asefi
Deputy County Counsel Trainee
SUBJECT: Municipal Advisory Councils – Quorum and Oath of Office

I. No quorum meetings at Municipal Advisory Councils (MAC).

For our MACs, it is important to avoid meeting without a quorum for constitutional reasons. MACs discuss development projects in their area and make recommendations of approval or denial or request additional conditions of approval to our Board of Supervisors. These decisions have constitutional ramifications and discussion of these items outside of a noticed public hearing can result in a violation of Procedural Due Process. Also, anything learned by an individual member of the MAC must be fully and completely disclosed to the full commission before a discussion is made on that item. So, at the next meeting everything that was said, seen, heard, smelled or felt at the no-quorum meeting must be reiterated again for the full commission's benefit.

Procedure:

1. When a quorum is not present for a scheduled meeting, the legislative body cannot hold, or continue to hold, the meeting.
 - a. When no quorum is anticipated for an upcoming meeting, a notice of adjournment must be posted at the meeting location.
 - b. When you lose your quorum during the meeting (i.e. someone must leave) you must adjourn the meeting.
2. A member of the body, or the clerk, may orally announce that they will wait for a specified time (e.g., 15 minutes) to determine if quorum arrives.
 - a. No public comment or staff reports during the designated waiting time.
3. If a quorum is not achieved, a member of the body, or the clerk, should orally announce that the meeting is cancelled due to a lack of quorum.
 - a. Once the meeting is cancelled, it cannot be held if additional members that would comprise a quorum arrive after the cancellation announcement.
 - b. Following the announcement, a notice of adjournment should be posted at the meeting location.

II. MAC members are not “public officers” for purposes of the constitutional oath requirement.

While there is no case law addressing whether advisory board members are subject to the constitutional oath requirement, the Attorney General issued an opinion setting forth this analysis:

Each advisory commission or board must be examined before determining whether its members must take the constitutional oath of office. If such examination reveals that (1) the functions or duties of such a commission are purely advisory, (2) the commission does not exercise any of the sovereign or governmental powers or functions of the appointing political unit, and (3) the members receive no compensation other than reimbursement for necessary or actual expenditures, then the members thereof are not public officers or employees and are not required to take the constitutional oath. (62 Ops.Cal.Atty.Gen. 325 (1979).)

To determine whether MAC members must take the constitutional oath, their duties will be analyzed under the Attorney General's three-part test. The first and third parts are easily addressed. First, the sole duty of a MAC is to advise the Board of Supervisors on matters affecting citizens in the MAC's geographical area. Thus, the MAC's duties are purely advisory. With respect to the third part, MAC members receive no compensation for their service, other than reimbursement.

The second part requires more analysis. In *Dibb v. County of San Diego*. (1994) 8 Cal.4th 1200, 1212, the court held that members of a civilian review board were public officers because the county supervisors delegated to them the power to hold hearings, administer oaths, issue subpoenas and investigate complaints. In *Parker v. Riley* (1941) 18 Cal.2d 83, 87, the court held that commission members whose duties were to interchange information, assemble data, and formulate proposals to be placed before the legislature, were not public officers because "such tasks do not require the exercise of part of the sovereign power of the state."

Unlike the civilian review board in *Dibb*, MAC members are vested with no fact-finding, decision-making, investigating or other authority. Rather, the duties of MAC members are similar to those of the commission members in *Parker*. Like the commission members, MAC members interchange information between county officials and community members, gather data, and make proposals to the Board. Thus, because MAC members' duties consist only of information gathering and making proposals, the Board has not vested them with any sovereign or governmental power.

CONCLUSION

It is our recommendation that if a board or commission lacks a quorum, all members should adjourn and reconvene at a later date when a quorum can be established.

Additionally, while public officers are required to take a constitutional oath before undertaking official duties, MAC members are not public officers and thus are not required to take the oath.