

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA:4.B.8
AGENDA DATE: March 1, 2022

SUBJECT:

Approval to Amend the Bylaws of the Hickman Municipal Advisory Council

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2022-0086

On motion of Supervisor B. Condit Seconded by Supervisor Grewal
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Grewal, C. Condit, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. MAC-6-11

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:4.B.8
AGENDA DATE: March 1, 2022

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Amend the Bylaws of the Hickman Municipal Advisory Council

STAFF RECOMMENDATION:

1. Approve changes to the Hickman Municipal Advisory Council Bylaws, Section III, to clarify membership.
2. Approve changes to Section IV regarding its officers and their duties.
3. Approve changes to Section V regarding meetings and Section VI regarding its committees.
4. Approve changes to Section VI to clarify the methods to amend the Bylaws and Section VIII on parliamentary authority.
5. Approve the deletion of Section XIII on membership inspection rights.
6. Approve other minor changes for clarification purposes and grammar revisions.

DISCUSSION:

On May 17, 1994, the Stanislaus County Board of Supervisors approved the formation of the Hickman Municipal Advisory Council (Hickman MAC). The boundaries served by the Hickman MAC were approved originally by the Board on May 17, 1994, and amended on February 29, 2000, and are described in Attachment A as part of the Bylaws. On February 15, 2000, and May 21, 2013, the Board of Supervisors approved amendments to the Bylaws. The Hickman MAC is charged with advising “the Stanislaus County Board of Supervisors on matters of public health, welfare, safety, planning, and public works, and other such matters as the Board of Supervisors may designate which affect the territory and inhabitants of the unincorporated community of Hickman, California; and represent this community to any governmental agency or other organization on matters concerning the community.”

Stanislaus Municipal Advisory Councils (MACs) are established by a Board of Supervisors resolution pursuant to Government Code Section 31010 as an advisory body of local citizens which can either be elected by the community or appointed by the Board of Supervisors. There are currently nine MACs in Stanislaus County representing the communities of Denair, Empire, Hickman, Keyes, Knights Ferry, Salida, South Modesto, Valley Home, and Wood Colony.

The Hickman MAC bylaws detail the amendment process. In summary, bylaw amendments must be first submitted in writing at a Hickman MAC meeting with a copy for each member. At the next meeting, the amendment shall be approved by the majority of the Hickman MAC. Amendments to the bylaws must be approved by the Board of Supervisors. The proposed bylaws amendments are consistent with the format of other MACs, for clarity, and to address grammatical errors. The bylaws were submitted in writing to each of the Hickman MAC members at their October 7, 2021, regular meeting. On February 3, 2022, there was a unanimous vote from the Hickman MAC to approve the bylaws as recommended. It should be noted that one member was absent, but a quorum was met.

POLICY ISSUE:

Amendments to the Hickman MAC bylaws must be forwarded to the Board of Supervisors for approval. In doing so, the Board of Supervisors should determine whether the amendment to the bylaws is consistent with the MAC's objectives and purposes.

FISCAL IMPACT:

There is no direct fiscal impact associated with the proposed bylaw changes. MACs are currently allocated \$150 annually within the Chief Executive Office – Operations and Services budget for administrative and meeting expenses.

BOARD OF SUPERVISORS' PRIORITY:

Approval of the recommended actions supports the Board of Supervisors' priorities of *Strong and Safe Neighborhoods, Supporting Community Health, Delivering Efficient Public Services and Community Infrastructure* through the continued support of MACs.

STAFFING IMPACT:

County departments attend the Hickman MAC meetings periodically.

CONTACT PERSON:

Erica May Inacio, Community Manager

Telephone: (209) 480-2074

ATTACHMENT(S):

1. Amended Hickman MAC Bylaws
2. Amended Hickman MAC Bylaws (Red-Lined)

HICKMAN MUNICIPAL ADVISORY COUNCIL BYLAWS

I. Formation

This Council will be known as the Hickman Municipal Advisory Council (Hickman MAC), as established by Resolution #1994-507, May 17, 1994, by the Stanislaus Board of Supervisors (Board of Supervisors) pursuant to Government Code Section 31010. These Bylaws have been amended by the Board of Supervisors on February 15, 2000, and May 21, 2013. The boundaries served by the Hickman MAC were approved originally by the Board on May 17, 1994, and amended on February 29, 2000, and are described and mapped in Attachment A.

II. Purpose

The Hickman MAC will advise the Stanislaus County Board of Supervisors on matters of public health, welfare, safety, planning, public works, and other such matters as the Board of Supervisors may designate which affect the territory and inhabitants of the unincorporated community of Hickman, California; and, represent this community to any governmental agency or other organization on matters concerning the community.

III. Membership

The Hickman MAC is composed of five (5) members who shall be elected by the registered voters residing within the boundaries of the Hickman MAC. The term of each member is four (4) years or until their successors are elected; provided however, the initial term for two(2) members shall be two (2) years, and thereafter, the term shall be four (4) years for those seats. These elections shall conform to State general election procedures (California Election Code 23500 et seq.). If a Hickman MAC position should become vacant, the Supervisor of District 2 shall appoint a person to serve the remainder of the term.

IV. Officers and Duties

- A. The Hickman MAC shall, at its first official meeting each calendar year, nominate and elect a Chair, Vice-chair, and a Secretary. These persons shall serve for one (1) year and may serve multiple one-year terms as an officer at the discretion of the Hickman MAC.

- B. The duties of the Chair are: 1) to prepare the agenda for each meeting; 2) to call the members of each meeting to order; 3) to enumerate the business of the meeting and the order in which it is to be acted upon; 4) to recognize members who are entitled to the floor; 5) to state and put to a vote all questions which are properly moved; 6) to maintain order throughout the meeting, and 7) to sign all necessary documents, letters, etc., that state the official business of the Hickman MAC.
- C. The duties of the Vice-Chair are to assume the duties of the Chair when the he/she is absent.
- D. The duties of the Secretary are: 1) to record minutes of all regular meetings and all special meetings of the Hickman MAC in accordance to Section XII of these Bylaws; 2) to maintain a register of those who attend each meeting of the Hickman MAC; 3) to notify officers and/or committees of their appointment; 4) to maintain the official copy of the Bylaws; 5) to send out written notices of meetings to all person or entities who have requested such notice pursuant to the California Government Code, Section 54954.1; 6) to prepare and send official correspondence of the Hickman MAC; and 7) to have at each meeting a list of committees and their members as well as the Bylaws of the Hickman MAC and copies of the minutes of all previous meetings.

V. Meetings

In full compliance with the Brown Act (Government Code, Section 54950 et seq.), the Hickman MAC shall hold at least four (4) meetings in a calendar year (a minimum of one every quarter) in a public building that is accessible and can reasonably and safely accommodate those who may wish to attend the meeting. A regular convenient time and place for each meeting will be established and announced by the Hickman MAC.

The Hickman MAC may, through public notification in accordance with the Brown Act, call for those special meetings it deems necessary. The Chair may cancel regular scheduled meetings due to lack of quorum or lack of business for consideration by the Hickman MAC.

If the Hickman MAC wishes, it may seek the views of those present at a meeting by calling for an advisory vote by those in attendance. Only residents or property owners within the boundaries of the Hickman MAC may vote on issues before the Hickman MAC. Participants of any meeting may be challenged, and the Secretary asked to verify their status as a resident or property owner within the boundaries of the Hickman MAC. The public vote in a meeting shall carry by a majority of those voting.

A majority of the Hickman MAC membership shall constitute a quorum for the conduct of business and shall require at least three (3) affirmative votes to take action on any matter.

VI. Committees

The Chair may appoint, as needed, standing or ad-hoc committees to consider the business of the Hickman MAC, consisting of one (1) member, but not more than two (2) members of the Hickman MAC.

VII. Methods of Amending the Bylaws

The Hickman MAC may amend its Bylaws in the following manner: 1) the amendment must be submitted in writing at the scheduled meeting preceding the one at which it is to be voted upon, with a copy provided for each member; 2) at the next scheduled meeting, the amendment shall be placed on the agenda for discussion and action; 3) action to approve amendment of the Bylaws will include transmitting the amended Bylaws to the Board of Supervisors for its consideration and approval, and, 4) upon approval by the Board of Supervisors, the amendment will be considered adopted and the Bylaws amended.

VIII. Parliamentary Authority

The Hickman MAC adopts the rules contained in Robert's Rules of Order to govern it in all situations not governed by these Bylaws or any special rules of order of the Hickman MAC.

IX. Vacancies

Vacancies on the Hickman MAC shall exist 1) on the death, resignation or removal of any member, and 2) whenever the number of authorized members is increased. The Board of Supervisors or the Hickman MAC may declare vacant the seat of a council member who has missed three unexcused absences from the regular meeting dates, during any twelve-month period or has been declared of unsound mind by a final order of court or has been convicted of a felony. Any member may resign effective upon giving written notice to the Chair of the Hickman MAC or the Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation. Vacancies on the Council shall be filled by the County Board of Supervisors within 90 days per the California Elections Code and as set forth in Section III of these Bylaws

X.
Non-Liability of Members and Officers

The members shall not be personally liable for debts, liabilities, or other obligations of the Hickman MAC.

XI.
Fiscal Year

The fiscal year of the Hickman MAC shall be the same as for Stanislaus County.

XII.
Records and Reports

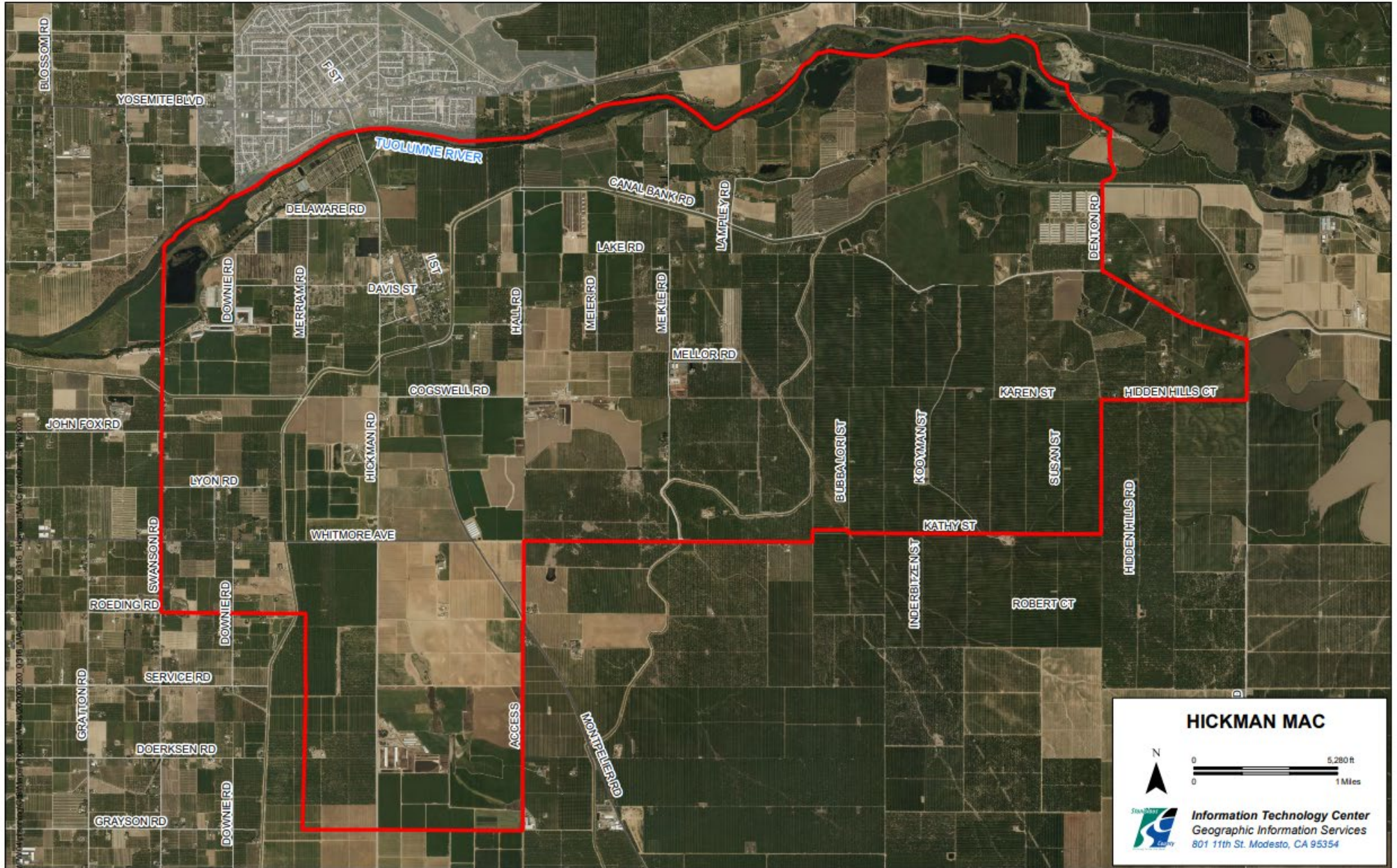
The Hickman MAC shall keep minutes of all its meetings, and the meetings of any committees of the Hickman MAC indicating the time and place of holding such meetings, whether regular or special, how called, the given notice, and the name of those members present, and the nature of the proceedings and all actions taken by the Hickman MAC.

ATTACHMENT A
HICKMAN MUNICIPAL ADVISORY COUNCIL BOUNDARIES

Beginning at the intersection of the center line of the Tuolumne River and the North-South $\frac{1}{4}$ section line of Section 5, Township 4 South, Range 11 East, Mount Diablo Meridian., Thence;

1. Meander the center line of the Tuolumne River upstream approximately 6.75 miles to the east line of Parcel "3" as shown on the map filed in Volume 46 of Parcel Maps, Page 46, Stanislaus County records, lying in Sections 29,32,33, Township 3 South, Range 12 East, Mount Diablo Meridian;
2. Thence Southerly along said the east line of Parcel "3" approximately 0.88 mile to the southeast corner of Parcel "3" and the east line of Section 32, Township 3 South, Range 12 East, Mount Diablo Meridian;
3. Thence South approximately 0.58 mile along section lines to the center line of Lake Road;
4. Thence Southeasterly 1.12 miles along the centerline of Lake Road to the west line of Hawkins Road and east line of Section 4, Township 4 South, Range 12 East;
5. Thence South 0.42 mile along section lines to the southeast corner of Section 4, said Township and range;
6. Thence West 1.00 mile along the south line of Section 4 to northeast corner of Section 8, said Township and Range;
7. Thence South 0.93 mile along the east line of section 8 to southeast corner of Parcel "F" as shown on the map filed in Volume 12 Record of Survey, Page 28, Stanislaus County records;
8. Thence West 2.00 miles along south lines of said Parcel "F", Parcel "E", Parcel "D", and Parcel "C" to southwest corner of Parcel "C" and the west line of Section 7, said Township and Range;
9. Thence South 350.00 feet to southwest corner of said Section 7, Township 4 South, Range 12 East;
10. Thence West 2.00 miles along section lines to the Northeast corner of Section 15, Township 4 South, Range 11 East;
11. Thence South 2.00 miles along section lines and in Hall Road to the Southeast corner of Section 22, said Township and Range;

12. Thence West 1.50 miles along the section lines to the South $\frac{1}{4}$ section corner of Section 21, said Township and Range;
13. Thence North 1.50 miles along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ corner of Section 16, said Township and Range;
14. Thence West 1.00 mile along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ section corner of Section 17, said Township and Range, in Swanson Road;
15. Thence North approximately 2.50 miles along $\frac{1}{4}$ section lines, in Swanson Road, to the point of beginning.



~~BY-LAWS~~
HICKMAN MUNICIPAL ADVISORY COUNCIL BYLAWS
(~~HICKMAN MAC~~)

I.

~~FORMATION OF ORGANIZATION~~Formation

This Council will be known as the Hickman Municipal Advisory Council (Hickman MAC), as established by Resolution #1994-507, May 17, 1994, by the Stanislaus ~~Council~~ Board of Supervisors (Board of Supervisors) pursuant to Government Code Section 31010. These ~~By-Laws~~ have been amended by the Board of Supervisors on February 15, 2000, and May 21, 2013. The boundaries of served by the Hickman MAC, were approved originally by the Board on May 17, 1994 and amended on February 29, 2000, shall be as found in Attachment One to these By-Laws, and are described and mapped in Attachment A.

II.

~~PURPOSE~~Purpose

~~SECTION 1. OBJECTIVES AND PURPOSES~~

The ~~Council~~ Hickman MAC will advise the Stanislaus County Board of Supervisors on matters of public health, welfare, safety, planning, public works, and other such matters as the Board of Supervisors may designate which affect the territory and inhabitants ~~within the Hickman MAC of the unincorporated community of Hickman, California;~~ and, represent this community to any governmental agency or other organization on matters concerning the community.

~~SECTION 2. BOUNDARIES OF THE HICKMAN MUNICIPAL ADVISORY COUNCIL~~

~~The boundaries of the Hickman MAC, approved originally by the Board on May 17, 1994 and amended on February 29, 2000, shall be as found in Attachment One to these By-Laws.~~

III.

~~MEMBERSHIP~~Membership

~~The Hickman MAC Council members shall be registered voters residing within the Hickman MAC. The Council~~ is composed of five (5) members who shall be elected by the registered voters residing within the boundaries of the Hickman MAC. The terms of each member is four (4) years or until their successors are elected; provided however, the initial term for two (2) members shall be two (2) years, and thereafter, the term shall be four (4) years for those seats. ~~The terms of members initially elected are staggered with three (3) members' terms expiring December 31, 1995. No person shall be elected for more than three (3) consecutive terms. These elections shall conform to State general~~

~~election procedures (California Election Code 23500 et seq.). If a Hickman MAC position should become vacant, the Supervisor of District 2 shall appoint a person to serve the remainder of the term. These elections shall conform to State general election procedures (California Election Code 23500 et seq.).~~

IV.

~~OFFICERS & DUTIES~~ Officers and Duties

~~SECTION 1. ELECTION OF OFFICERS~~

- A. The ~~Council~~ Hickman MAC shall, at its first official meeting each calendar year, nominate and elect a Chair~~person~~, Vice-chair~~person~~, and a Secretary. These persons shall serve for one (1) year and may serve multiple one-year terms as an officer at the discretion of the Hickman MAC.

~~SECTION 2. DUTIES OF THE CHAIRPERSON~~

- B. The duties of the Chair~~person~~ are: 1) to prepare the agenda for each meeting; 2) to call the members of each meeting to order; 3) to enumerate the business of the meeting and the order in which it is to be acted upon; 4) to recognize members who are entitled to the floor; 5) to state and put to a vote all questions which are properly moved; 6) to maintain order throughout the meeting, and 7) to sign all necessary documents, letters, etc., that state the official business of the ~~Council~~ Hickman MAC.

~~SECTION 3. DUTIES OF THE VICE-CHAIRPERSON~~

- C. The duties of the Vice-Chair~~person~~ are to assume the duties of the Chair~~person~~ when the ~~Chairperson~~ he/she is absent.

~~SECTION 4. DUTIES OF THE SECRETARY~~

- ~~D.~~ The duties of the Secretary are: 1) to record minutes of all regular meetings ~~of the Council and read publicly the minutes of the previous meeting,~~ and all special meetings of the Hickman MAC in accordance to Section XII of these Bylaws; 2) to maintain a register of those who attend each meeting of the ~~Council~~ Hickman MAC; 3) to notify officers and/or committees of their appointment; 4) to maintain the official copy of the By-~~Laws~~ laws; 5) to send out written notices of meetings to all ~~those living or who own property within the Hickman MAC~~ person or entities who have requested such notice pursuant to the California Government Code, Section 54954.1; 6) to ~~conduct the~~ prepare and send official correspondence of the ~~Council~~ Hickman MAC; 7) to have at each meeting a list of committees and their members as well as the ~~ByLaws~~ Bylaws of the ~~Council~~ Hickman MAC and copies of the minutes of all previous meetings. ; 8) ~~to sign with~~

~~the Chairperson all Secretary's reports; 9) to maintain a current and up to date list of all residents and property owners within the Hickman MAC.~~

V.

~~MEETINGS~~Meetings

~~In full compliance with the Brown Act (Government Code, Section 54950 et seq.)~~ ~~the Hickman MAC shall hold at least six-four (4) meetings in a calendar year (a minimum of two-one every quarter) in a public building which-that is accessible and can reasonably and safely accommodate all those residents and/or property owners of the Hickman MAC-those~~ who may wish to attend the meeting. A regular convenient time and place for each meeting will be established and announced by the ~~Council~~Hickman MAC.

The ~~Council~~Hickman MAC may, through public notification in accordance with the Brown Act, call for those special meetings it deems necessary. The Chair may cancel regular scheduled meetings due to lack of quorum or lack of business for consideration by the Hickman MAC.

If the ~~Council~~Hickman MAC wishes, it may seek the views of those present at a meeting by calling for an advisory vote by those in attendance. Only residents or property owners within the boundaries of the Hickman MAC may vote on issues before the ~~Council~~Hickman MAC. Participants of any meeting may be ~~challenged~~challenged, and the Secretary asked to verify their status as a resident or property owner within the boundaries of the Hickman MAC. The public vote in a meeting shall carry by a majority of those ~~present~~voting.

A majority of the ~~council~~Hickman MAC membership shall constitute a quorum for the conduct of business and shall require at least three (3) affirmative votes to take action on any matter. ~~All special and regular meetings of this Council shall comply with California Government code Sections 54950 et seq. (The Brown Act).~~

VI.

~~COMMITTEES~~Committees

The Chair~~person~~ may appoint, as needed, standing or ad-hoc committees ~~that exist for a specified period of time or special committees that are created~~ to consider special issues.~~the business of the Hickman MAC, consisting of~~ ~~A committee may consist of one~~ (1) member, but not more than two (2) members of the ~~Council~~Hickman MAC. ~~All standing committees shall comply with the Brown Act provisions, as applicable.~~

VII.

~~METHODS OF AMENDING THE LAWS~~Methods of Amending the Bylaws

The Hickman MAC may amend its By-Laws in the following manner: 1) the amendment must be submitted in writing at the monthly-scheduled meeting preceding the one at which it is to be voted upon, with a copy provided for each council-member; 2) at the next monthly-scheduled meeting, the amendment shall be placed on the agenda for discussion and voteaction; 3) adoption-of-theaction to approve amendment of the Bylaws shall be by a majority of the votes cast by the Council, a quorum being present will include transmitting the amended Bylaws to the Board of Supervisors for its consideration and approval, and, 4) upon approval by the Stanislaus County-Board of Supervisors, the amendment will be considered adopted and the By-Laws amended.

VIII.

PARLIAMENTARY AUTHORITYParliamentary Authority

The Hickman MAC adopts the rules contained that all meetings shall be governed by in Robert's Rules of Order, as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these By-Laws to govern it in all situations not governed by these Bylaws or any special rules of order of the Hickman MAC.

IX.

VACANCIESVacancies

Vacancies on the Council-Hickman MAC shall exist 1) on the death, resignation or removal of any member, and 2) whenever the number of authorized members is increased. The Council-Board of Supervisors or the Hickman MAC members may declare vacant the seat of a council member who has missed three unexcused absences from the regular meeting dates, during anyone term any twelve-month, or period or has been declared of unsound mind by a final order of court, or has been convicted of a felony. Any member may resign effective upon giving written notice to the chairperson-Chair of the Council-Hickman MAC and-or the Stanislaus County-Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation. Vacancies on the Council shall be filled by the County Board of Supervisors within 90 days per the California Elections Code and as set forth in Section III of these Bylaws.

X.

NON-LIABILITY OF COUNCIL MEMBERS AND OFFICERSNon-Liability of Members and Officers

The members shall not be personally liable for debts, liabilities, or other obligations of the Hickman MAC.

XI.

FISCAL YEARFiscal Year

The fiscal year of the Hickman MAC shall be the same as ~~the Stanislaus County Board of Supervisors for Stanislaus County.~~

XII.

~~COUNCIL RECORDS AND REPORTS~~ Records and Reports

The ~~Council Hickman MAC~~ shall keep ~~at its principal office in Stanislaus County: 1)~~ minutes of all ~~its~~ meetings, ~~and the meetings of any~~ committees of the ~~Council Hickman MAC~~ indicating the time and place of holding such meetings, whether regular or special, how called, the given notice, and the name of those ~~members~~ present and ~~the nature of the~~ proceedings ~~thereof, and 2) adequate and correct books and records of accounts, including accounts of its properties and business transactions and account of its assets, liabilities, receipts, disbursements, gains and losses and all actions taken by the Hickman MAC.~~

XIII.

~~MEMBERSHIP INSPECTION RIGHTS~~

~~Every council member shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Council.~~

ATTACHMENT A

HICKMAN MUNICIPAL ADVISORY COUNCIL BOUNDARIES

Beginning at the intersection of the center line of the Tuolumne River and the North-South $\frac{1}{4}$ section line of Section 5, Township 4 South, Range 11 East, Mount Diablo Meridian., Thence;

1. Meander the center line of the Tuolumne River upstream approximately 6.75 miles to the east line of Parcel "3" as shown on the map filed in Volume 46 of Parcel Maps, Page 46, Stanislaus County records, lying in Sections 29,32,33, Township 3 South, Range 12 East, Mount Diablo Meridian;
2. Thence Southerly along said the east line of Parcel "3" approximately 0.88 mile to the southeast corner of Parcel "3" and the east line of Section 32, Township 3 South, Range 12 East, Mount Diablo Meridian;
3. Thence South approximately 0.58 mile along section lines to the center line of Lake Road;
4. Thence Southeasterly 1.12 miles along the centerline of Lake Road to the west line of Hawkins Road and east line of Section 4, Township 4 South, Range 12 East;
5. Thence South 0.42 mile along section lines to the southeast corner of Section 4, said Township and range;
6. Thence West 1.00 mile along the south line of Section 4 to northeast corner of Section 8, said Township and Range;
7. Thence South 0.93 mile along the east line of section 8 to southeast corner of Parcel "F" as shown on the map filed in Volume 12 Record of Survey, Page 28, Stanislaus County records;
8. Thence West 2.00 miles along south lines of said Parcel "F", Parcel "E", Parcel "D", and Parcel "C" to southwest corner of Parcel "C" and the west line of Section 7, said Township and Range;
9. Thence South 350.00 feet to southwest corner of said Section 7, Township 4 South, Range 12 East;
10. Thence West 2.00 miles along section lines to the Northeast corner of Section 15, Township 4 South, Range 11 East;
11. Thence South 2.00 miles along section lines and in Hall Road to the Southeast corner of Section 22, said Township and Range;

12. Thence West 1.50 miles along the section lines to the South $\frac{1}{4}$ section corner of Section 21, said Township and Range;
13. Thence North 1.50 miles along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ corner of Section 16, said Township and Range;
14. Thence West 1.00 mile along $\frac{1}{4}$ section lines to the interior $\frac{1}{4}$ section corner of Section 17, said Township and Range, in Swanson Road;
15. Thence North approximately 2.50 miles along $\frac{1}{4}$ section lines, in Swanson Road, to the point of beginning.

