



(PVMAC)

Penn Valley Municipal Advisory Council

PUBLIC NOTICE – MEETING AGENDA

Notice is now given that a regular meeting of the MAC of directors has been called and will be held on **Thursday, September 21, 2017**, at **5:00 p.m.** in the Buttermaker's Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

Members:

Michael Mastrodonato, Member & Chair
Gordon Beattie, Member & Vice Chair
Michael Sullivan, Member
Stephanie Stevens, Member
Susan George, Member
Rick Nolle, Member
Susan Hoek, Member
Andrew Burton, Alternate
Nancy Peirce, Alternate

1. Call to Order, Roll Call and Pledge of Allegiance

2. Consent Agenda (Single Motion Needed)

All matters listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the MAC, audience, or staff requests a specific item to be removed from the Consent Agenda for separate action. Any item removed will be considered after the motion to approve the Consent Agenda.

- a. Approval of Agenda and Order of Business
- b. Approval of Minutes from 8/31/2017

Action
Action

3. Public Comment

This time is set aside for persons wishing to address the MAC on any matter of interest that is not on the agenda. The MAC invites comments from the agenda items after discussion by the MAC Members. Speakers will be limited to five (5) minutes, unless extended by the MAC chair. The MAC Chair reserves the right to further limit or exclude repetitious or irrelevant presentations. If written material is included, 20 copies of all information to be distributed to MAC members should be given to the Secretary prior to the meeting. Action will not be taken at this meeting on citizen comments. The MAC, however, after hearing from interested citizens, may place items under new business on a future agenda so proper notice may be given to all interested parties. If no one wishes to comment, the next scheduled agenda item will be considered.

4. MAC Education Topic – *Brown Act Training – Alison Barrett-Green, County Council*

Information

5. Bylaws – Bylaws Ad Hoc Subcommittee Present Draft 1 of Bylaws

Action

6. Communication/MAC PR

Action

7. Next MAC MEETING **October 19, 2017, 5:00 p.m.** at the Buttermaker's Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.

8. Adjournment estimated @ 6:30 p.m.

Times stated are approximate and subject to change. Agenda order is tentative and may be changed by MAC action without prior notice. This meeting will conform to the Open Meeting Act. Agenda discussions and report items are subject to action being taken on them during the meeting by the MAC at its discretion. The MAC provides the public the opportunity at meetings to address each agenda item during the MAC's discussion or consideration of the item. Total time allocated for public comment on particular issues is limited. The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five (5) working days before the meeting to the MAC to be considered. Requests for further information should be directed to Mike Mastrodonato, Interim Acting Chair of the PVMAC at (530) 265-1480.

AFFIDAVIT OF POSTING

Meeting Notice/Agenda of the PVMAC regular meeting, scheduled for September 21, 2017, was posted per Open Meeting Law requirements at the following locations:

Eric W. Rood Administrative Center, 950 Maidu Avenue, Nevada City CA
Buttermaker's Cottage, located at 18560 Penn Valley Drive, Penn Valley, CA.
Grass Valley City Hall, 125 East Main Street, Grass Valley CA
Nevada City Hall, 317 Broad Street, Nevada City CA
Penn Valley True Value located at 17387 Penn Valley Drive, Penn Valley CA

AGENDA POSTED: Monday, September 18, 2017



COUNTY OF NEVADA

Penn Valley Area Municipal Advisory Council

<http://www.mynevadacounty.com/nc/bos/district4/Pages/Penn-valley-Area-Municipal-Advisory-Council-.aspx>

Michael Mastrodonato, Chair
Gordon Beatie, Vice - Chair
Susan Hoek, Member
Michael Sullivan, Member
Stephanie Stevens, Member
Susan George, Member
Richard Nolle, Member
Andrew Burton, Alternate Member
Nancy Peirce, Alternate Member

REGULAR MEETING: Nevada County Penn Valley Area Municipal Advisory Council

DATE: August 31, 2017, **5:00 p.m.**

PLACE: Buttermaker's Cottage, Western Gateway Park, 18560 Penn Valley Drive, Penn Valley, CA

IN ATTENDANCE: Supervisor Hank Weston, Gordon Beatie, Michael Mastrodonato, Susan Hoek, Stephanie Stevens, Susan George, Rick Nolle, Andrew Burton, Nancy Peirce

SUMMARY MINUTES

1. **Call to Order, Roll Call and Pledge Allegiance**

Chair Mastrodonato called the meeting to order at 5 p.m.

Roll Call for attendance was done. All MAC Members and Alternates were present except for Michael Sullivan.

Pledge of Allegiance was led by Stephanie Stevens.

2. **Consent Agenda**

a. **Approval of Agenda and Orders of Business**

Corrections to item 4 on the Agenda was noted by County Staff that County Counsel was unable to attend the meeting due to an unexpected event and would not be able to provide Brown Act training.

b. **Approval of Minutes from 7/20/2017 and 8/17/2017**

Stephanie Stevens noted that both actions made by the MAC on 8/17/2017 were not unanimous as she did not vote yes but rather abstained and that the word unanimous should be removed.

Andrew Burton noted that one MAC member was missing and asked what the protocol was in terms of allowing an Alternate Member to vote. The Chair outlined that the protocol would be in the Bylaws which has not yet been determined. Therefore, the Chair determined that for this meeting, no Alternate Members would be needed to vote since there was a quorum and the issue can be addressed once the Bylaws are developed.

Sue Hoek motioned to approve the Consent Calendar as Amended. Rick Nolle seconded. Motion passed unanimously.

3. **Public Comment**

None. It was noted by the Interim Acting Chair that any language that references Board or Board of Directors should be removed. County staff acknowledged that changes would be made.

Sue Hoek pointed out that Terry Jochim (Chair) and Richard Johansen (Vice-Chair), members from the Agriculture Advisory Commission, were in attendance. Supervisor Weston was also in attendance.

4. **MAC Education Topic – Brown Act Training**

Removed from the Agenda and placed on the next meeting's agenda.

5. **Review and recommendations for Review of Proposed text amendments to the Nevada County Zoning Ordinance to bring the Code into Compliance with state Housing laws for accessory**

dwelling units (ADUs), and transitional and supportive Housing

The Chair introduced the item. He also noted that there were some comments regarding issues of speaking over one another at the last meeting. As such, the Chair outlined that they will go around the table to discuss each member's thoughts on their review of the proposed zoning amendments. Rick Nolle explained that he downloaded video and read through everything and that a number of things bothered him, including concerns about finance, but that was out of scope in terms of what they had been asked to review, which was, should there be an owner-occupied requirement for ADUs or not? His general recommendation was yes. His experience is that rentals will have compliance issues; an owner-occupancy requirement means that the owner has skin in the game. Rick explained that non-local investors are not going to know the issues and will have a harder time with compliance. Another concern he raised was how financing will be enforced. How do you isolate and make the ADU affordable/enforceable? Discussion ensued. Supervisor Weston explained that staff recommended that an owner-occupancy requirement be included for ADUs but that the Planning Commission voted 3-1 to recommend removing the requirement. As such, he has brought it to the MAC to get their opinion.

Sue Hoek outlined that the biggest concern she saw was that it makes sense to have the owner-occupancy requirement. If you have a person living next door, you will have someone there who will know what is going on and can respond correctly. She does not see the affordable housing piece as an issue. However, she does anticipate that this will create a backlog for the Planning Department and the Building Department.

Susan George explained that she agrees and that it makes sense to have the owner-occupancy requirement as a part of the zoning ordinance for compliance purposes. Her experience is that there are both good and bad tenants. ADUs will increase housing inventory and help with affordable housing. ADUs will not be very large and the size will dictate the cost of the affordability. Susan also outlined that she has another issue with the zoning ordinance. She explained that she contacted Planning Director Brian Foss on a question when reviewing the zoning tables. Planning explained that all of the changes are due to State law requirements. The State did away with the distinction between transitional housing for 6 or less or more than 6 people. The State requires the County to treat transitional housing like any other housing type. So, Planning has modified the tables to remove transitional housing as its own separate line and added it to the Single Family Dwelling line in the tables. It would be allowed by right in all the zones that allow single-family dwellings by right. The only area that is above what State law requires is allowing it in C2 zones. This was because it was already allowed in C2 by the existing ordinance and as such, Planning left it alone. However, she outlined that her issue is that there is by-right development in all of C2 zoning which means that there is no public review and development only needs to comply with design guidance. Discussion ensued.

Gordon Beatie outlined that his concern over an owner-occupancy requirement was its sustainability over time. He asked if an owner sold property to a management company, what would happen. Nothing says there would be a deed restriction, if not, is this a moot point? Supervisor Weston thought this is a good question for Brian Foss, Planning Director. Gordon Beatie asked if the Building Department would want to have a compliance piece.

Stephanie Stevens stated the objective is to bring language up to compliance with the State. It satisfies as is. From a renter's perspective it could be restrictive, but from landlord issues, recommend that the language stay removed.

Nancy Peirce stated she is not in favor of owner-occupancy restrictions. The size limit limits the rent. Language is more restrictive. Regarding septic systems, it is important to look at potential income on property so owner can recoup the cost. The building code is more and more restrictive. Regarding fire sprinklers, the Board of Supervisors should look at the permit costs.

Andy Burton stated the overarching observation is the original question to review recommendations. It is a good time to look at how to improve the process to make it easier for owners to develop. He agreed with Gordon's concern regarding sustainability. What the public is looking for is a broader

profile of the issue. His recommendation is to support the language change, but he was also concerned with the owner occupancy issue.

Supervisor Weston outlined that he liked the input given thus far. If we don't accept the Uniform Building Code we lose the Housing Element, if it is rejected the County will be required to pay. Nancy Peirce stated that when owners want to build ADUs the administrative issues can be huge. The Chair stated that there appears to be opportunity to build at various levels, but nobody is doing it. The Planning Commission allowed the County to streamline the process to develop ADUs. He did not support the owner occupancy concept. The Board of Supervisors should review the C2 Zoning by right development.

Supervisor Weston asked for discussion regarding septic requirements and set-backs. General discussion ensued. Andy Burton stated that a 900sf or 700sf rental is a desirable size for young people.

Nancy Peirce thought that design restrictions may need more flexibility.

Chair believed it is a free market issue and the assignment is to comment on the owner occupancy requirement. Further discussion ensued.

The Chair outlined that there have been four areas where the group has identified and would entertain motions for recommendation including the septic-tanks, owner occupancy, setbacks and C2 zoning.

- Rick Nolle moved to recommend to have an owner occupancy be a requirement included within the ordinance. Motion was seconded by Sue Hoek. Sue George suggested an amendment to the motion that owner occupancy should only be at the time of initial development. The Chair clarified that the owner occupancy requirement was staff's initial recommendation that the Planning Commission voted 3-1 to remove the recommendation. Rick Nolle withdrew the motion.
- Stephanie Stevens moved to concur with the Planning Commission's recommendations. The Chair seconded. Vote: Rick Nolle: No, Sue Hoek: No, Susan George: No, Gordon Beatie: No, Stephanie Stevens: Yes; Mike Mastrodonato: Yes; Michael Sullivan: Absent; Motion Failed: 2- Yes, 4 - No; 1 - Absent.
- Motion by Rick Nolle to concur with Staff's recommendation that an owner occupancy requirement be included within the ordinance; Second by Sue George. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Gordon Beatie: Yes; Stephanie Stevens: No; Mike Mastrodonato: No; Michael Sullivan: Absent; Motion Passes: 4- Yes, 2 - No, 1 - Absent.

Supervisor Weston outlined that he will bring up the concerns that the MAC has raised regarding the owner occupancy requirement.

The Chair stated that he would entertain a motion regarding the concern over septic tank. Some discussion ensued regarding the issue.

- Rick Nolle moved to recommend that addition of ADU's septic tank requirements be evaluated case by case. Motion seconded by Susan George. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.
- Susan George moved that L-II 2.4.D Commercial C2 Zoning Districts By Right should be changed to Use Permit and be comparable to other C1 Zoning. Motion second by Rick Nolle. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: No; Michael Sullivan: Absent; Motion Passes 5- Yes, 1 - No, 1- Absent.

- Mike Mastrodonato moved that setback requirements for new building, detached new construction of ADU, development should be further clarified. Motion seconded by Susan George. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.

Some discussion ensued regarding that the owner occupancy requirement and the problem over long term sustainability of the requirement once a property is sold over time. It was noted that if the owner occupancy requirement was only for the initial development and not in perpetuity, that Stephanie Stevens would be ok with it.

- Susan George moved to rescind the motion to concur with Staff's recommendation that an owner occupancy requirement be included within the ordinance. Motion seconded by Rick Nolle. Motion passes 6- Yes, 0- No, 1-Absent.
- Rick Nolle moved to recommend that an owner occupancy requirement be for initial ADU development but not in perpetuity thereafter. Susan George seconded. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.
- Chair moved that all language in Staff's recommendation be recommended except for the aforementioned four issues. Motion seconded by Sue George. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.

6. Approval of the Calendar of 2017 Regularly Scheduled Meetings

The Chair reviewed the calendar of 2017 Regularly Scheduled meetings which are the third Thursday of the month until 2018.

- Susan George moved to approve the Calendar of 2017 Regularly Scheduled Meetings. Motion seconded by Sue Hoek. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.

7. Selection of Chair and Vice Chair

Stephanie Stevens moved Mike Mastrodonato to be selected as Chair. Motion seconded by Gordon Beatie. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Abstain; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 5- Yes, 1- Abstain, 1- Absent.

Susan George moved Gordon Beatie to be selected as Vice Chair. Motion seconded by Stephanie Stevens. Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.

8. Next Board Meeting Date

It was noted that the next meeting is scheduled for Thursday September 21, 2017.

The Chair noted that the Bylaws should be on the next Agenda. Staff recommended that the Bylaws Ad Hoc Committee present the first draft of the Bylaws at the next Regular Meeting. It was noted that the committee could complete its work via email and would not need to meet in person next time.

Supervisor Weston asked Staff about the District II Supervisor's recent Town Hall Meeting and

whether MACs were mentioned at the Town Hall. Staff outlined that a brief summary presentation was made on MACs at the meeting and that a survey was conducted to gather data in the community's interest but was not yet available.

9. Adjournment

Gordon Beatie motioned to adjourn the meeting. Motion seconded by Rick Nolle.

Vote: Rick Nolle: Yes; Sue Hoek: Yes; Susan George: Yes; Mike Mastrodonato: Yes; Gordon Beatie: Yes; Stephanie Stevens: Yes; Michael Sullivan: Absent; Motion Passes 6- Yes, 1- Absent.

**BYLAWS OF THE
PENN VALLEY AREA
MUNICIPAL ADVISORY COUNCIL**

I. STATEMENT OF PURPOSE

- A. The purpose of the Penn Valley Area Municipal Advisory Council (herein referenced as “MAC”) shall be:
1. To review and make recommendations to the District IV Supervisor, Planning Commission and Board of Supervisors regarding the following in the area of responsibility:
 - a. Discretionary project applications;
 - b. Implementation of the General Plan land use designations;
 - c. Zoning Ordinances Updates; and
 - d. Other issues as directed by the District IV Supervisor and/or Board of Supervisors.
 2. To review and make recommendations regarding the community of interest area designated as the Penn Valley Area Municipal Advisory Council which incorporates the boundaries of the Western Gateway Regional Recreation & Park District and the Penn Valley Fire Protection District to the extent and only within the boundaries of Supervisorial District IV.
- B. The authority for the formation of this MAC are Board Resolutions 17-144 and 17-362.
- C. In accordance with the above authority, staff to the MAC shall be as follows:
1. Legal counsel provided by the County.
 2. Secretarial services chosen by the MAC and paid for by the County (Nevada County Counsel C.C. OP. NO. 82-42).

II. DEFINITIONS

- A. BOARD is the Nevada County Board of Supervisors.
- B. MAC is the Penn Valley Area Municipal Advisory Council
- C. Boundaries of the MAC incorporate the boundaries of the Western Gateway Regional Recreation & Park District and the Penn Valley Fire Protection District to the extent and only within the boundaries of Supervisorial District IV.
- D. Community of Interest is the residents and communities found within the MAC boundaries.
- E. Planning Commission is the Nevada County Planning Commission.

III. POWERS AND DUTIES

A. POWERS

1. The MAC shall be advisory in nature only.
2. The MAC shall independently research and report to the Board on issues beneficially or negatively impacting MAC’s community of interest and.

3. The MAC shall exercise all other powers as may be assigned by the Board.
4. The MAC shall serve at the pleasure of the District IV Supervisor and Board of Supervisors and shall not represent the County on any issue to the public, public or private institution, agency or organization, state and/or federal government. The Council shall be an advisory body only to the District IV Supervisor, Planning Commission and Board of Supervisors and shall not have any power to approve, deny, delay or other formal action on land use, development or other issues reviewed by the Council but rather shall only provide advisory recommendations as a representative cross-sector of the community of the area of responsibility.

B. DUTIES

1. The MAC shall review and make written recommendations to the District IV Supervisor, Planning Commission and Board of Supervisors regarding the following in the area of responsibility for a) discretionary project applications, b) implementation of the General Plan land use designations, c) zoning ordinance updates and d) any other issue or program as directed by the District IV Supervisor and/or Board of Supervisors such as Housing Element and General Plan Updates and/or modifications.
2. The MAC shall respond to all Board communications and board orders.
3. The MAC shall convene meet at least quarterly or more often as deemed necessary by the Council, District IV Supervisor or Board of Supervisors. The Council may establish a time and place for regular meetings. Special meetings of the Council may be called by the Chairperson with approval of the District IV Supervisor. Regular and special meetings shall be noticed as required by law.
4. The MAC shall notify the Clerk of the Board of any resignations and maintain a current membership roster at all times.
5. The MAC shall promote and encourage public participation and inclusion and shall solicit community input on matters being reviewed by the MAC, including but not limited to promoting and encouraging public comment at its regular and special meetings.
6. The MAC shall carry out all other duties as may be assigned by the District IV Supervisor and Board of Supervisors.

IV. ORGANIZATION

- A. This MAC shall consist of seven (7) appointed members and two (2) appointed alternate members.
- B. Officers of this MAC shall be chosen from and by the current members of the MAC and shall consist of the following:
 1. A Chair who shall be elected at the July meeting by a majority vote of the members of the MAC and who shall prepare agendas, preside at MAC meetings, represent the MAC, and perform other tasks necessary for the conduct of MAC business. The Chairman shall not serve more than one (1) consecutive term unless other members are unwilling to serve as Chairman, whereas the current Chairman could continue to serve on a year-to- year basis.
 2. A Vice Chair who shall be elected at the July meeting by a majority vote of the members of the MAC and who shall assume the duties of the Chairman in his or her absence.
 3. The Chair, with consent of the MAC, may temporarily appoint MAC members and assign appropriate title for specific tasks.

C. All officers shall serve from the day after elected for one calendar year or until the next election. Appointed officers begin service immediately and serve for a time certain or until the task is completed.

V. MEMBERSHIP

A. COMPOSITION OF MAC AND QUALIFICATIONS OF MEMBERS

1. The MAC shall be comprised of a minimum of five (5) and maximum of seven (7) regular members, with up to two (2) alternate members, whose composition shall include members of the community that represent a fair cross-section of the community as determined by the District IV Supervisor.
2. All members shall reside in the Penn Valley Area Municipal Advisory Council area of responsibility.
3. All members shall be appointed, and may be removed, by the District IV Supervisor and Board of Supervisors.
4. A MAC member shall reapply within thirty (30) days to be appointed by a new Supervisor in their district when that Supervisor takes office.
5. Should a MAC member withdraw their membership, they shall submit in writing their resignation and its effective date to Chair, District IV Supervisor and the Clerk of the Board.
6. All members must be able to dedicate the time necessary to attend meetings and otherwise perform the duties as outlined in Sect. III (B) above.

B. ALTERNATE MEMBERS

1. Alternate members shall have all the same duties and responsibilities as regular members except for their ability to vote, unless another MAC member is not present. The Chair shall select the applicable alternate(s) as follows:
 - a. If a member is missing, then an alternate may vote in the absence of the member. The first time that an alternate is used within the calendar year, the Chair shall select the alternate based on alphabetical order of the last name of the alternates. Thereafter, the alternate selected by the Chair shall rotate between the two alternates.
 - b. If two members are missing, then both alternates may vote in the absence of the members.

C. REMOVAL OF MEMBERS

1. For the following reasons, the MAC may, by a majority vote at a properly noticed meeting, make a recommendation to the District IV Supervisor or Board of Supervisors that a member be removed from the MAC:
 - a. Unexcused absences of two (2) consecutive meetings or more than half the meetings in any 12 month period; or
 - b. Malfeasance of office or dereliction of duty.

VI. CONDUCT OF BUSINESS

A. QUORUM

1. Five members of the MAC present in person shall constitute a quorum, and the actions of this quorum shall stand as the action of the MAC. If a member(s) of the MAC are not present, alternate(s) may be selected by the Chair to serve as voting members which shall contribute to a quorum.
2. If there is not a quorum at any meeting of the MAC, the Chair may adjourn the meeting or continue the meeting with refrain from discussion or action on financial matters, member removal, or other items that require a MAC vote. Items requiring a vote will automatically be placed on the agenda at the next regularly scheduled meeting.

B. MEETINGS

1. Regular meetings of the MAC shall be on the third Thursday of the month except for the months of November and December and/or as decided by a majority vote of the MAC. All meetings will be held at Western Gateway Recreation and Park District Buttermaker's Cottage, 18560 Penn Valley Drive, Penn Valley, CA 95946 unless otherwise noticed. All meetings convene at 6:00 p.m.
2. A special meeting may be called by the presiding officer, by a majority of the members of the MAC, District IV Supervisor or the Board of Supervisors. Notice shall be received, either by personal delivery or mail, within 24 hours prior to the special meeting, by each member of the MAC and each local paper of general circulation, radio, and television station requesting notice in writing. Such written notice shall be posted at least 24 hours prior to the requirements of Government Code Section 54946 prior to and during such special meeting.
3. In the event a special meeting of the MAC is called, an agenda specifying the time and place of the special meeting as well as the business to be transacted shall be delivered personally, by mail or electronically at least 24 hours in advance of the special meeting to each member of the MAC and to each local newspaper of general circulation and each radio and television station requesting notice in writing. The agenda shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.
4. Members of the MAC shall vote by roll call vote on any vote that requires action by the MAC including but not limited to voting on advisory recommendations, the creation of subcommittees, etc. Members of the MAC shall vote by voice vote on any routine administrative actions including but not limited to the approval of agenda or minutes. All voting members of the MAC shall vote by either yeah, no or abstention.
5. Members of the MAC shall abide by the Nevada County Board of Supervisors' Order of Decorum rules when applicable when conducting themselves during meetings including but not limited to be prompt at meeting times, speaking when called upon by the Chair, not using e-communication devices during meetings (i.e. smartphones), not talking over on another, adhering to the Chair's requests, and being respectfully to members of the public, MAC members, and County staff.

C. WRITTEN REPORTS AND RECOMMENDATIONS

1. The MAC shall provide the District IV Supervisor, Planning Commission or Board of Supervisors, upon the applicability of an item, a written report that outlines the MAC's position, items of concern, and recommendations in a written report. Should the MAC not achieve consensus on an item by a 4/s split vote, it may provide a summary of the

dissenting position or provide a secondary minority report to be submitted along with the majority report to the District IV Supervisor, Planning Commission or Board of Supervisors

D. OPEN MEETING LAW AND AGENDA

1. This MAC is subject to the California State Statute requiring open meetings (Brown Act).
2. Agendas will be published and distributed at least 72 hours before all regularly scheduled meetings.
3. All meetings shall allow for a public comment period to address the MAC on any items not on the Agenda. Individuals shall be allotted a three (3) minute time period and individuals representing an organization, entity or group of people shall be allotted five (5) minutes. For any item on the Agenda, public comment period shall be allotted at the time the item is heard by the MAC. For any item that is not on the Agenda, public comment period shall be allotted as decided by the Chair and outlined in the Agenda for any given meeting.

E. CONFLICT OF INTEREST

1. No MAC member shall cast a vote on any matter that directly affects any of their personal interests.
2. If a MAC member disqualifies themselves self from voting, a quorum shall not require the member for action on the item under consideration.

F. COMPENSATION

1. All officers and members of this MAC shall serve without compensation.
2. Provision for reimbursement for actual expenses of this MAC shall be made in the annual budget unless subsequently recommended by the MAC and approved by the Chair and the District IV Supervisor.

VII. SUBCOMMITTEES OF THIS MAC

- A. If constituted, subcommittees shall be advisory to the MAC and operate under the same provisions of these bylaws unless noted.

VIII. AMENDMENTS

- A. Amendments to these bylaws may be made as follows:
 1. The proponent shall send the text of any proposed amendment to the MAC Chair at least 72 hours prior to any regularly scheduled meeting. The Chair shall agendize the bylaw and shall read and distribute copies to the MAC at the meeting. The proponent shall have scheduled time to present arguments followed by discussion. This process is the "first reading". The MAC may, by majority vote, refer the amendment to a subcommittee or ad hoc committee of the MAC.
 2. The bylaw amendment shall again be agendized for the next meeting after the first reading at which time the MAC may lenitively accept, reject, or re-refer to subcommittee the amendment upon its "second reading." If the bylaw amendment is tentatively accepted, it shall be referred to the District IV Supervisor who may accept, reject, or revise the amendment which if accepted or revised shall will then be submitted back to the MAC for a "third reading."
 3. The bylaw amendment shall again be agendized for the next meeting after the third reading

at which time the MAC may accept, reject, or re-refer to subcommittee the amendment.

4. Emergency amendments processed with the advice and consent of legal counsel may be considered as immediate items on the MAC agenda and may be acted on at a single meeting by a majority vote of the members present.

IX. APPROVAL OF BYLAWS

- A. These bylaws may be altered, amended, or repealed only upon approval and ratification of the District IV Supervisor or the Board of Supervisors.
- B. Upon ratification of these Bylaws by the Board, an original and signed copy shall be filed with the Clerk of the Board of Supervisors of Nevada County.

X. APPROVAL AND RATIFICATION

Penn Valley Area Municipal Advisory Council MAC

Mike Mastradanto, Chair

Date

County Counsel

Alison Barratt-Green, County Counsel

Date

District IV Supervisor

Hank Weston, District IV Supervisor

Date