

ORDINANCE NO. 5257

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
AMENDING CHAPTER 2.04 OF THE MONTEREY COUNTY CODE RELATING TO
THE TIME AND PLACE OF MEETINGS OF THE BOARD OF SUPERVISORS AND
ITS COMMITTEES**

County Counsel Summary

State law requires that all regular meetings of the Board of Supervisors and its committees occur at the county seat (City of Salinas) unless the Board, by ordinance, resolution or rule, permits regular meetings at alternate locations upon appropriate notice. This ordinance amends Chapter 2.04 of the Monterey County Code to permit regular meetings of the Board of Supervisors and its committees to be held at locations other than Salinas provided appropriate notice is given regarding the alternate location or the alternate location is described in an adopted regular meeting schedule. This ordinance also changes references to “subcommittees” of the Board to “committees.”

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Findings and Declarations

A. State law and the Monterey County Code currently require all regular meetings of the Board of Supervisors and its committees to be held at the Chambers of the Board of Supervisors, 168 West Alisal Street, Salinas, California; and

B. Special meetings and adjourned or continued regular meetings of the Board and its committees may be held at locations other than 168 West Alisal Street and other than in the City of Salinas; and

C. Some Board committees have expressed a desire to hold regular meetings at alternative locations without having to call a special meeting or continue a regular meeting in order to better meet the goals of the committee and improve public outreach.

D. The Board desires by this ordinance to enable the Board of Supervisors and its committees to hold regular meetings at locations other than the county seat upon appropriate notice and action of the body, and to change references to “subcommittees” of the Board to “committees.”

SECTION 2. Section 2.04.030 of the Monterey County Code is amended to read as follows:

2.04.030 Meetings – Time and place.

A. Commencing with the first regular meeting of the Board in January 2007 and except as otherwise provided in this Section or by order of the Board, the regular meetings of the Board of Supervisors shall be held on Tuesday of each and every week, commencing at the hour of nine a.m., at the Chambers of the Board of Supervisors, 168 West Alisal Street, Salinas, California.

B. If any regular meeting day falls upon a holiday, the regular meeting of the Board of Supervisors shall be held at the same place on the next Tuesday which is not a holiday commencing at the same hour, in which event all hearings, applications, petitions and other matters before the Board shall be deemed to be and are automatically continued to the same hour on such next Tuesday which is not a holiday.

C. Notwithstanding the requirements of subsection 2.04.030.A, above, regular meetings of the Board of Supervisors may be held at a location within the county other than 168 West Alisal Street or other than in the City of Salinas provided that either (1) such alternate location is adopted when the schedule for regular meetings during the year is adopted by the Board, or (2) the alternate location is adopted by resolution or Board order at a regular meeting and notice of the alternative location is posted prior to the regular meeting immediately preceding the meeting at the alternate location.

D. Regular meetings may be continued or adjourned as provided by State law (Sections 54955 and 54955.1, California Government Code) to a time and location, within the County, other than as set forth in Section 2.04.030.A, above.

SECTION 3. Section 2.04.060 of the Monterey County Code is amended to read as follows:

2.04.060 Meetings – Special.

Special meetings of the Board of Supervisors may be called in the manner provided by State law (Section 54956, California Government Code) and may be held at a time and location, within the County, other than as set forth in Section 2.04.030.A, above.

SECTION 4. Section 2.04.230 of the Monterey County Code is amended to read as follows:

2.04.230 Clerk – Attendance at committee meetings.

The Clerk of the Board, or one of the Clerk’s deputies, upon request of any Board member of any committee of the Board, shall attend the meeting of that committee.

SECTION 5. Section 2.04.250 of the Monterey County Code is amended to read as follows:

2.04.250 Committees.

A. It shall be the responsibility of each member of a committee appointed by the Board to be fully informed concerning the business assigned to it by the Board. Each committee shall promptly perform tasks assigned to it and report to the Board such information and recommendations as shall be necessary or proper.

B. The regular meetings of all committees of the Board of Supervisors shall be held at 168 West Alisal Street, Salinas, California; however, regular meetings of a Board committee may

be held at a location within the county other than 168 West Alisal Street or other than in the City of Salinas provided that either (1) such alternate location is adopted when the schedule for regular meetings during the year is adopted by the committee as permitted in subsection 2.04.250.C, or (2) the alternate location is adopted by resolution or order at a regular meeting and notice of the alternative location is posted prior to the regular meeting immediately preceding the meeting at the alternate location.

C. Committees may hold special meetings, and continue or adjourn regular meetings, in the manner provided for the Board of Supervisors set forth in sections 2.04.030 and 2.04.060, above.

D. Each committee may annually adopt a schedule setting forth the time and place for holding regular meetings; such schedule may be amended from time-to-time by the committee.

SECTION 6. The section titles of sections 2.04.230 and 2.04.250 of the Table of Contents of Chapter 2.04 of the Monterey County Code are amended to read as follows:

2.04.230 Clerk – Attendance at committee meetings.

2.04.250 Committees.

SECTION 7. Severability

If any chapter, section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each chapter, section, subsection, sentence, clause, and phrase thereof regardless of the fact that any one chapter or one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 8. Effective Date

This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this 29th day of September 2015, by the following vote:

AYES: Supervisors Armenta, Phillips, Salinas, Parker & Potter

NOES: None

ABSENT: None

ABSTAIN: None

/s/ Simón Salinas

Chair,

Monterey County Board of Supervisors

A T T E S T:

By: /s/ Gail T. Borkowski

Gail T. Borkowski

Clerk of the Board

APPROVED AS TO FORM:

/s/ Leslie J. Girard

LESLIE J. GIRARD
Chief Assistant County Counsel