



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: ORD 24-029

September 17, 2024

Introduced: 9/9/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Ordinance

Introduce, waive reading, and set October 1, 2024 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Section 2.04.180 of the Monterey County Code to require that a Board of Supervisor abstention vote count as an abstention and not as a vote of the majority.

RECOMMENDATION:

It is recommended that the Board of Supervisors introduce, waive reading, and set October 1, 2024 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Section 2.04.180 of the Monterey County Code to require that a Board of Supervisor abstention vote count as an abstention and not as a vote of the majority.

SUMMARY/DISCUSSION:

On May 29, 1979, the Board of Supervisors adopted Ordinance No. 2523, codified at Chapter 2.04 of the Monterey County Code, to set forth the rules for conduct of meetings, business and hearings of, and prescribing formula setting compensation of Chairperson and other members of the Board of Supervisors of the County of Monterey. Supervisor Church submitted Referral No. 2024.09 concerning Monterey County Code section 2.04.180 that sets the roll call procedure for the Board of Supervisors (Attachment A). In relevant part, Section 2.04.180 states: "In the event a member abstains from voting, his or her vote shall be counted as a vote with the greater number voting for or against a motion, resolution, etc." Referral No. 2024.09 requested an amendment to Section 2.04.180 to allow a Supervisor's abstention vote to be recorded as an abstention rather than being counted with the majority decision.

On August 13, 2024, the Board of Supervisors considered Referral No. 2024.09. The Board directed the Office of the County Counsel to return with an ordinance to amend Section 2.04.180 on abstention voting. Staff now returns with a draft ordinance for the Board's consideration (Attachments B/C). The amended language provides that in the event a member abstains from voting, his or her vote shall be counted as an abstention, and shall not be counted as a vote with the greater number voting for or against a motion, resolution, etc. Such language is consistent with Robert's Rules of Order and other local governments' voting requirements.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

There is no fiscal impact with this item.

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BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action provides for a more efficient process of Board member votes.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

A: Referral No. 2024.09

B: Draft ordinance amending Monterey County Code Section 2.04.180 (clean)

C: Draft ordinance amending Monterey County Code Section 2.04.180 (redline)