

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA
PROVIDING FOR THE CREATION AND OPERATION
OF A MUNICIPAL ADVISORY COUNCIL FOR THE OAK PARK AREA

WHEREAS, section 31010 of the Government Code authorizes the Board of Supervisors to establish, by resolution, a Municipal Advisory Council for any unincorporated area in the County of Ventura to advise the Board on such matters which relate to that area as may be provided to the area by the County or other local governmental agencies, including but not limited to advice on matters of planning, public works, safety, welfare and public health; and

WHEREAS, on June 3, 1975, the Board formed such a council in the Oak Park area for the purpose of advising the Board and other designated agencies on those subjects set forth in this resolution; and

WHEREAS, the Council provides the residents of the unincorporated area with a forum through which to identify needs and goals and to provide advisory recommendations on a continuing basis; and

WHEREAS, this resolution incorporates the original resolution adopted on June 3, 1975, and contains the same substantive provisions of the predecessor resolution, effective on December 31, 2007; and

WHEREAS, this resolution brings the operation of the Oak Park Municipal Advisory Council into conformity with the operations of other Ventura County Municipal Advisory Councils by eliminating the practice established on June 3, 1975 of the Board of Supervisors granting limited four-year terms for the existence of the Oak Park Municipal Advisory Council;

NOW THEREFORE, BE IT RESOLVED AND ORDERED as follows:

1. Council Area. The Municipal Advisory Council originally created on June 3, 1975, by resolution of the Board of Supervisors, for the unincorporated area known generally as "Oak Park," is hereby ordered to continue in existence subject to the terms of this resolution.
2. Name of Council. The council hereby established shall be known as the "Oak Park Municipal Advisory Council" (hereinafter "Council").
3. Termination of Council. The Board may, at its sole discretion, terminate and dissolve the Council only after giving 30 days notice to the Council.
4. Area of Review. The area subject to the review by the Council shall be the unincorporated territory within the Oak Park Area of Interest, referred to herein as the "Council area," as shown on the attached map (Exhibit A).

5. Designated Powers and Duties. The Council shall have only those powers and duties set forth in this resolution. The Board of Supervisors may expand or limit the powers and duties, pursuant to limitations of laws, by amendment of this resolution.
 - a. The Council shall review and provide advisory recommendations regarding planning, public works, public health, safety, and welfare matters which relate to the Oak Park Area of Interest and which are heard by the County Planning Director, Planning Commission, Board of Supervisors, or Ventura Local Agency Formation Commission; provided however that items to be considered by the Council shall be determined by the County Planning Director or the County Supervisor in whose district the Council is located. Attendance by County Planning staff members at Council meetings will be at the discretion of the County Planning Director only.
 - b. The Council shall review and provide advisory recommendations concerning the financing and operation of County Service Area No. 4 (hereinafter "CSA No. 4).

6. Council Communications. The Council shall transmit its concerns and/or recommendations regarding the above specified items affecting the Council area by forwarding written comments, as specified below, to the Board of Supervisors, the County Planning Commission, the County Planning Director, the Chief Executive Office or the Executive Officer of the Ventura LAFCO, as appropriate.
 - a. The Council, through the County Supervisor's designated representative, shall keep County representatives fully informed of its activities.
 - b. Council informational items, requests for action or other issues related to Council activity shall be directed to the Board of Supervisors by way of the Supervisor in whose district the Council is located; provided however, that presentation to the Board of such reports or other items shall, at the discretion of the affected Supervisor, be made either by that Supervisor or by a representative of the Council.

7. Rules and Procedures of the Council. The Council shall maintain rules and procedures for the orderly conduct of Council meetings. Such rules and procedures shall not be inconsistent with the rules and procedures set forth herein and are subject to approval by the Board of Supervisors.
 - a. The Council shall hold regularly scheduled meetings not less than one time per month. The time and place of the meetings shall be established by resolution of the Council.
 - b. The Council is subject to the Ralph M. Brown Act (Government Code section 54950 et seq.) and all regular and special Council meetings must comply with the provisions of said Act.

- c. The Council shall select a chair who shall conduct the meetings, and a vice-chair who shall act in the absence of the chair.
 - d. A secretary shall be appointed for the Council by the Supervisor in whose district the Council is located. The responsibilities of the secretary will be to produce and distribute agendas, prepare minutes of Council meetings and provide liaison and coordination for the Council.
 - e. A copy of the minutes of Council meetings shall be forwarded by the secretary to the Supervisor in whose district the Council is located, the Clerk of the Board of Supervisors and the County Executive Officer.
8. County Service Area No. 4. The necessary and reasonable expenses of operating the Council shall be the responsibility of CSA No. 4. Such expenses shall include the costs of noticing meetings, preparing agendas for and minutes of meetings and performing related clerical activities, the costs of elections of Councilmembers, expenses of County employees serving a liaison or staff to the Council, and mileage reimbursement to Council members for activities performed in their official capacities. Said mileage is to be compensated at the rate provided for County management employees.
9. Membership of Council. The Council shall be composed of five members selected and serving as provided herein. Qualification for and election to the Council and all proceedings incidental to and connected with the election shall be as provided in the Uniform District Election Law except as specifically provided for in this resolution.
- a. Composition. The Council shall be composed of five members. All members shall be elected at large by registered voters residing within the Council area.
 - b. Qualifications. All nominees for Councilmember positions must be registered voters residing within the Council area.
 - c. Nomination. Nomination for election shall be by Declaration of Candidacy. Forms for Declaration of Candidacy shall be substantially the same as that provided in the California Elections Code.

Declaration for Candidacy forms shall be obtained in person or by mail from the Elections division of the County Clerk and Recorder. The form shall be first available on the 113th day prior to the council election and shall be filed with the Election Division not later than 5:00 p.m. of the 88th day prior to the election. If an incumbent for the council fails to file a Declaration of Candidacy by 5:00 p.m. of the 88th day prior to the election, the nomination period shall be extended to 5:00 p.m. of the 83rd day prior to the election for candidates other than the incumbent.

At the same time that the Declaration of Candidacy form is issued, there shall be filled in the name of the candidate and the office for which he/she is a candidate. There shall be no filing fee required for nomination petitions.

- d. Legal Notice. The County shall publish once in a newspaper of general circulation within the Council area a notice of the election. The notice shall state:
1. The date of the election;
 2. The offices for which candidates may be nominated;
 3. Where nomination papers can be obtained and the deadline to file with the County Clerk;
 4. The qualifications of the candidates,
 5. A statement that if there are insufficient or no nominees for the total number of vacancies to be filled by the 83rd day before the election, the Board of Supervisors shall appoint those persons already properly nominated plus any additional number of qualified persons necessary to fill such vacancies, unless a petition signed by 10 percent of the voters in the Council area requesting the election be held is presented to the Board of Supervisors; and
 6. That the polls will remain open from 7:00 a.m. to 8:00 p.m.
The notice shall be published not later than 113 days before the election, and not earlier than 127 days before the election. No other notice need be published by the County Clerk.
- e. Consolidation of Election. In the event the Council election is consolidated with a statewide election, the filing date shall be the same as established for that statewide election pursuant to the provisions of law regulating statewide elections.
- f. Elections. Elections shall be held on scheduled election days according to the following:
1. The term of office for Council members shall be four years. Elections shall be held in November of even numbered years for as long as the Council may continue to exist.
 2. The Council candidate who receives the greatest number of votes shall be elected. In case of a tie, the contest shall be decided by lot.
 3. Elected council members shall take office at noon on the first Friday in December next following the election. Council members shall hold until their successor is duly qualified and elected or appointed.
 4. A Council position shall become vacant on the happening of the events specified in Government Code section 1770 as the same may be amended from time to time. In the event there is a vacancy on the council, the Board of Supervisors shall fill such a vacancy by appointment. The vacancy shall be announced and the names of candidates solicited at the first Council meeting following such vacancy. Nominations may be submitted to either the Council or the office of the County Supervisor in whose district the Council is located. Names of candidates will be

accepted until the close of the second Council meeting following the vacancy, and all names submitted will be announced at the close of that meeting. The vacancy will be filled by an appointment by the Board of Supervisors from the list of submitted names. The appointed Councilmember shall be a registered voter residing in the Council area. The appointment will be announced at the beginning of the subsequent Council meeting.

Upon motion of Supervisor _____, seconded by Supervisor _____, and duly carried, the foregoing resolution was adopted on February 7, 2012.

John C. Zaragoza, Chair

ATTEST:
MICHAEL POWERS,
Clerk of the Board of Supervisors,
County of Ventura, State of California.

By
Deputy Clerk