

**ALAMEDA COUNTY BOARD OF SUPERVISORS
MINUTE ORDER**

The following action was taken by the Alameda County Board of Supervisors on 10/01/2019

Approved as Recommended **Other**

Read title, waived reading of Ordinance in its entirety and adopted Ordinance O-2019-38

Unanimous **Chan:** **Haggerty:** **Miley:** **Valle:** **Carson:** - 4

Vote Key: N=No; A=Abstain; X=Excused

Documents accompanying this matter:

Ordinance: O-2019-38

Documents to be signed by Agency/Purchasing Agent:

File No. 30358

Item No. 8.1

Copies sent to:

District 4, District 3, and Maria Palmeri Qic 50701

Special Notes:



I certify that the foregoing is a correct copy of a Minute Order adopted by the Board of Supervisors, Alameda County, State of California.

ATTEST:

Clerk of the Board
Board of Supervisors

By: Rhonda Bailey
Deputy



Board of Supervisors

Nathan A. Miley
Supervisor, District 4

Agenda Item # 4 September 24, 2019

September 15, 2019

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, Ca. 94612

Dear Board Members:

SUBJECT: First reading and introduction of an ordinance to establish a Municipal Advisory Council (MAC) for the Eden Area Unincorporated Communities of Ashland, Cherryland, Hayward Acres and San Lorenzo

RECOMMENDATION:

Adopt ordinance adding Chapter 2.128 to Title 2 of the Alameda County Administrative Code to Establish the Eden Area Municipal Advisory Council

DISCUSSION:

The Eden Area Livability Initiative (EALI) Phase II began in January 2013. As the result of a Community Charrette held in the fall of 2013, to which 400 community members attended, five working groups were established, and one group, the Governance Working Group, was tasked with identifying ways to enhance local governance in the unincorporated communities. The Governance Working Group consisted of residents from the five urban unincorporated communities of Ashland, Cherryland, Castro Valley, Fairview and San Lorenzo.

As the discussion evolved over time it became clear that the individual communities faced circumstances substantially different than those of their neighbors. Through the work and efforts in the EALI Governance Working Group, two Municipal Advisory Council (MAC) Formation Committees formed to explore the viability of creating a MAC for the Fairview community and the Eden Area communities of Ashland, Cherryland, Hayward Acres and San Lorenzo.

The Governance Working Group supported the establishment of the MAC's because it would best achieve the goals set out by the Working Group of enhanced local governance, representation and control.

In March 2016, the Ashland, Cherryland and San Lorenzo members of the Governance Working Group formed the Eden Area MAC Formation Committee to explore and ultimately drive the effort for Board of Supervisors' Approval.

To gauge community support, in the summer of 2016, Supervisor Chan's office, working with the Alameda County Planning Department, sent a survey to every household in Ashland, Cherryland, Hayward Acres and San Lorenzo.

The survey consisted of 6 questions and was provided in 3 languages; Spanish, Chinese and English. The survey included an introduction, a description of the Eden Area MAC proposal and other questions related to the unincorporated area. More than 1500 surveys were returned with 72% indicating they wanted an Eden Area MAC and 66% indicated they wanted a single unified MAC.

After receiving the survey results, Supervisor Chan and Supervisor Miley formed an Ad Hoc Eden Area MAC Committee to explore a possible Eden Area MAC structure. Nine community members were appointed to serve on the Ad Hoc Committee representing each of the areas and 2 At Large members. Meetings were held between February and May 2018 and covered topics such as meetings per month, location of meetings, number of members, appointment process, etc. The results of the Ad Hoc Committees' deliberations were presented at the September 2018 Board of Supervisors Unincorporated Services Committee meeting. At that meeting Supervisors' Chan and Miley agreed to the formation of an Eden Area MAC.

At the August 5, 2019 Board of Supervisors Transportation and Planning Committee meeting, consideration of an ordinance to establish an Eden Area MAC was presented. Public testimony received at the meeting spoke in favor of establishing the Eden Area MAC. Public testimony also included requests for translation services for the Eden Area MAC meetings and livestreaming of the meetings was discussed. Translation services and livestreaming will be examined by staff with the County Administrator's office and other applicable county departments for possible county provided solutions. In the interim, Supervisor Miley's staff will provide live streaming of meetings for the Eden Area MAC as it does now for the Castro Valley and Fairview MAC's.

CONCLUSION:

The duties and purpose of the Eden Area MAC will be consistent with both the Castro Valley and Fairview MAC's. The Eden Area MAC would advise the Board of Supervisors on all matters concerning services which are or may be provided to the Eden Area by the county or other local governmental agencies, including but not limited to advice on matters of public safety, welfare, public works and planning. The MAC may also advise the Board of Supervisors on matters that occur outside the Area but would or could have impacts within or otherwise affect the Area.

The workload likely to come before the Eden Area MAC could justify up to two meetings per month however, the proposal is to begin with one meeting a month. More than one Supervisor represents the area and nominations will be in proportion to the population of the area in each Supervisorial District as per Ordinance. The Council would consist of seven qualified community members recommended by the District 3 and District 4 Supervisors and their appointments confirmed by the full Board of Supervisors.

Total population by District is as follows:

**Eden Area MAC
Total Population**

	District 3	District 4	Total
Ashland	7,069	16,058	23,127
Cherryland	-	15,431	15,431
San Lorenzo	25,111	-	25,111
Hayward Acres	4,001	-	4,001
Total	36,181	31,489	67,670

Referencing the above, the District 3 Supervisor would have a total of 4 recommended appointees and the District 4 Supervisor would recommend a total of 3 appointees to the full Board of Supervisors.

BUDGET:

The annual budget for the Eden Area MAC is \$24,614.00 and is based on one meeting per month with an allowance of 2 special meetings for a total of 14 meetings annually with 7 seated councilmembers. Meetings will be held at the San Lorenzo Library. Appointed members of the Eden Area MAC would receive a stipend of \$50.00 per meeting. The detailed budget is as follows:

Staffing	Description	Cost
Clerk of the Board	Agenda Development/distribution, clerking meetings (travel/meeting time, prepare minutes)	\$14,714.00
Stipends	\$50.00 per meeting	\$4,900.00
	7 councilmembers 14 meetings annually	
Miscellaneous	Printing/training etc	\$5,000.00
County Analyst	Attend meetings	In kind
Planning Department	Attend meeting, provide noticing required by law for land use items (as needed)	In kind
Public Works Agency	Attend meetings (as needed)	In kind
Sheriff's Office	Attend meetings (as needed)	In kind
District 3 & 4 staff	Agenda Development w/ chair and vice chair/attend meetings	In kind
Room Rental	San Lorenzo Library Meeting Room	In kind
Total		\$24,614.00

FINANCING:

There are sufficient funds in the Board of Supervisors' Boardwide budget to cover \$24,614.00.

Respectfully submitted,



Nate Miley
Supervisor, District 4

Cc: Susan Muranishi, County Administrator
Donna Ziegler, County Counsel
Melissa Wilk, Auditor-Controller

ATTACHMENTS:

Eden Area MAC Boundaries MAP
Population Data by Supervisorial District – Census Data provided by HCSA – CAPE Program
Ordinance

ORDINANCE NO. 2019- 38

AN ORDINANCE ADDING CHAPTER 2.128 TO TITLE 2 OF THE ALAMEDA COUNTY ADMINISTRATIVE CODE TO ESTABLISH THE EDEN AREA MUNICIPAL ADVISORY COUNCIL

WHEREAS, California Government Code Section 31010 provides the authority for counties to establish municipal advisory councils in unincorporated areas; and

WHEREAS, residents of the Eden area, including Ashland, Cherryland, Hayward Acres and San Lorenzo, have expressed an interest in having a municipal advisory council, and the Board of Supervisors finds that establishing a municipal advisory council for the Eden Area community would be beneficial to the County;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Alameda, as follows:

SECTION I

Chapter 2.128 is hereby added to the Alameda County Administrative Code and reads as follows:

2.128.010 - Organization.

There is hereby created pursuant to the provisions of Government Code Section 31010 the Eden Area Municipal Advisory Council, referred to as "the Council".

2.128.020 - Duties and Purposes.

The Council shall advise the Board of Supervisors on matters concerning the government by the Board of that area known as Eden Area, defined as the area within the boundaries established by the March 30, 2010 Eden Area General Plan, excluding the area that is established by the Fairview Municipal Advisory Council, as shown on the map titled "Eden Area Municipal Advisory Council Boundaries," dated July 19, 2019, on file with the Alameda County Planning Department, referred to as "the Area". Any annexation, withdrawal, or change in city or county boundaries shall be deemed to alter the boundaries of the Area correspondingly. The Council's advice to the Board of Supervisors shall be on all matters concerning services that are or may be provided to the Area by the County or other local governmental agencies, including advice on matters of public safety, welfare, public works, and planning. The Council may advise the Board of Supervisors on matters that occur outside the Area but would or could have impacts within or otherwise affect the Area.

2.128.030 - Membership and Terms.

A. The Council shall consist of seven members, each appointed by the Board of Supervisors upon the nomination of the Supervisor(s) representing the Area.

If more than one Supervisor represents the Area, nominations shall be in proportion to the population of the Area in each Supervisorial District, with each Supervisor (representing the Area) having at least one nomination.

B. Each member shall be appointed for a four-year term and shall serve until his or her successor is appointed, except that the Board of Supervisors shall initially stagger the terms as follows:

1. Two of the members' terms shall be for two years, two shall be for three years, and the remaining three shall be for four years, from the date of Board approval of appointment.
2. The Board of Supervisors shall determine by lot which members are to have the two, three and four year terms.
3. After the expiration of these initial terms, all subsequent terms shall be for four years. A person appointed to fill any vacancy shall serve for the unexpired term of the person he or she succeeds.

No appointee shall serve more than twelve (12) years, or as the Board of Supervisors may otherwise set out in the Alameda County Board of Supervisors Board Operating Procedures or any succeeding document. The Board of Supervisors may remove any Council member from office at any time.

C. Each Council member shall be a resident of the Area or shall have owned or operated a business in the Area for a period of at least five years prior to their appointment. Any Council member appointed by virtue of residency in the Area shall reside in the Area for the entire period of their appointment. Should any such member cease to live in the Area during their term, their appointment shall expire immediately upon termination of their residency in the Area and the Board shall appoint a replacement member as indicated above. Any Council member appointed by virtue of owning or operating a business in the Area shall do so for the entire period of their appointment. Should any member appointed by virtue of their ownership or operation of a business cease to own or operate a business in the Area during their term, their appointment shall expire immediately upon the cessation of their participation in an Area business and the Board shall appoint a replacement member as indicated above.

2.128.040 - Meetings.

The Council shall meet at least once each quarter but not more than twice each month at an established time and place and shall consult with the Board of Supervisors as that Board or the Council may request. The Council shall prepare and adopt rules for the conduct of its business and shall be subject to Government Code Sections 54950, *et seq.* concerning public meetings. The Council shall determine a schedule of regular meeting dates, times and places at the first meeting of the Council following adoption of the ordinance codified in this chapter and annually thereafter.

2.128.050 - Budget.

The Council shall prepare and submit a budget for adoption by the Board of Supervisors. Council members shall receive a stipend in an amount of \$50 for each meeting attended, not to exceed two paid meetings each month. In addition thereto, the Board may provide funds for reasonable and necessary Council expenses.

SECTION II

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage. Before the expiration of fifteen (15) days after its passage, it shall be published once with the names of the members voting for and against the same in a newspaper published in the County of Alameda as required by law.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the 1st day of Oct., 2019, by the following called vote:

AYES: Carson, Chan, Miley & President Valle - 4
NOES: None
EXCUSED: Supervisor Haggerty - 1



RICHARD VALLE
President of the Board of Supervisors

ATTEST:

ANIKA CAMPBELL-BELTON
Clerk of the Board of Supervisors

By: RBainy
Deputy

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

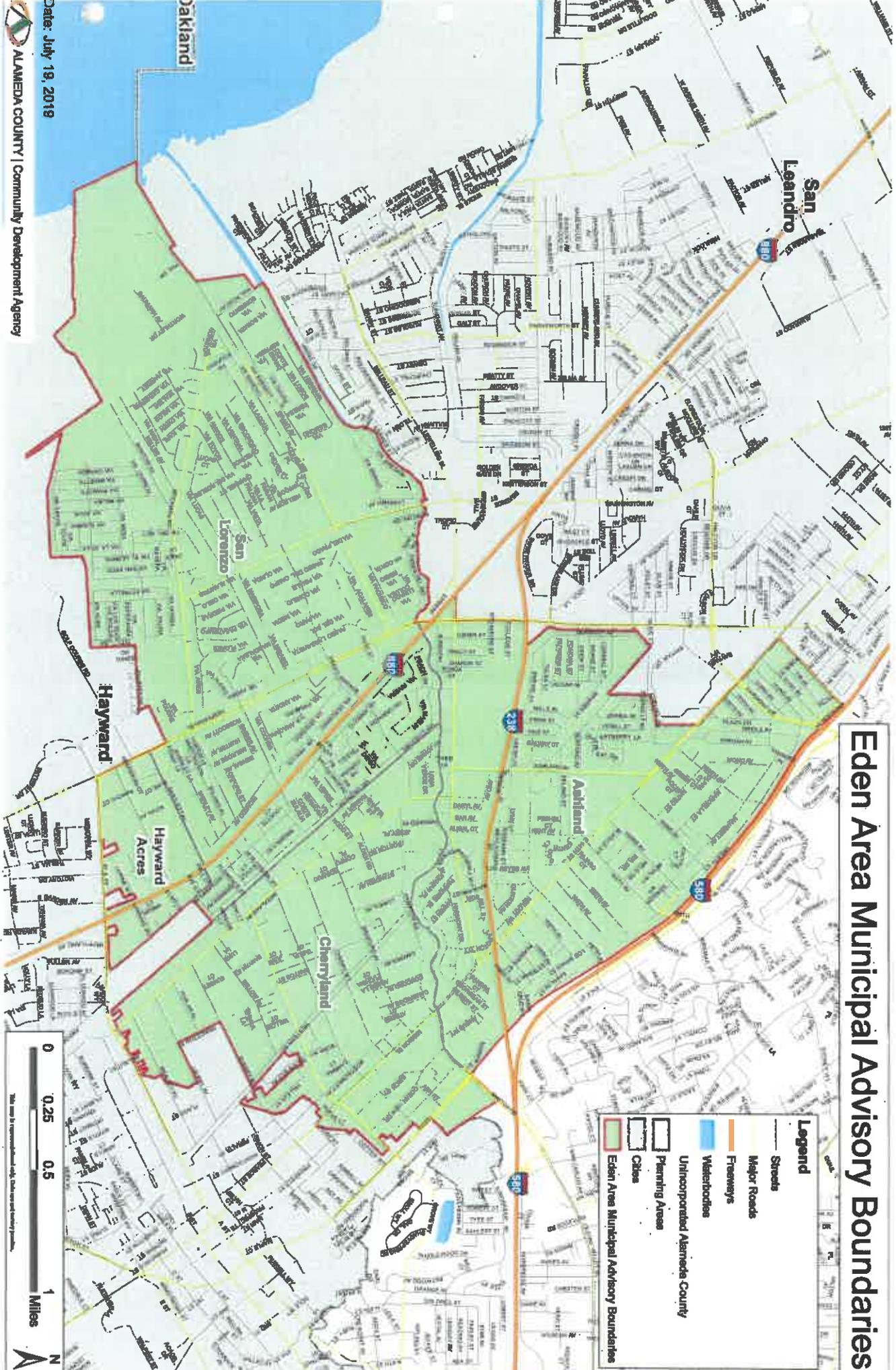
By: HML
Heather M. Littlejohn
Deputy County Counsel

Eden Area MAC

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Source: CAPE, ESRI 2019

Eden Area Municipal Advisory Boundaries



Date: July 19, 2019
ALAMEDA COUNTY | Community Development Agency

