



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Counsel



DATE: February 4, 2014
BOARD MEETING DATE: February 11, 2014
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: John C. Beiers, County Counsel
SUBJECT: Waiving the Supervisorial District Residency Requirements

RECOMMENDATION:

Adoption of a Resolution waiving the supervisorial district residency requirements for San Mateo County Planning Commissioner Steven Dworetsky.

BACKGROUND:

San Mateo County has a five-member Planning Commission, established by the San Mateo County Ordinance Code. Members of the Planning Commission are subject to two residency requirements tied to supervisorial districts. The first is that one member of the commission must reside in each of the five supervisorial districts, and the second is that each member must reside in the district from which the member was appointed during the member's entire term.

Amendments to the Ordinance Code are scheduled for a second reading at this February 11, 2014 meeting of the Board of Supervisors. Should those amendments be adopted, Section 2.61.010 of the Ordinance Code will provide that these residency requirements for Commission members may be waived if the Board of Supervisors finds it in the public interest to do so. The Ordinance Code will provide that when more than one commissioner resides in the same supervisorial district, one of these commissioners should reside as geographically near as possible to the district lacking an appointee to the Planning Commission.

DISCUSSION:

Steven Dworetsky has been a member of the Planning Commission since April 20, 2004, and has been subsequently reappointed for terms to coincide with the terms of Supervisor Adrienne Tissier, Supervisor of District Five, whose current term expires in 2017. Commissioner Dworetsky was a resident of Supervisorial District Five at the time of his most recent reappointment to the Planning Commission, but, due to redistricting, he now resides within District One.

Supervisor Tissier has indicated that Commissioner Dworetsky's service and contributions to the work of the Planning Commission since his appointment have been of substantial value to the County and the public as a whole, such that the public will

benefit from his continued service as a Planning Commissioner. In addition, because Mr. Dworetsky's residence used to lie within District One but is now in District Five, his residence is in an area as geographically near as practicable to District Five within the meaning of the Ordinance Code.

Commissioner Dworetsky therefore meets the criteria for a waiver of the residency requirements discussed above.

Approval of the Resolution contributes to the Shared Vision 2025 outcome of a Collaborative Community by allowing Steven Dworetsky to finish his term as Planning Commissioner and continue providing valuable public service.

FISCAL IMPACT:

None.