

Adopted this Resolution on 12/13/2011 by the following vote:

NOES:	
ABSENT:	
ABSTAIN:	
RECUSE:	



**IN THE MATTER OF ADOPTING POLICY GOVERNING APPOINTMENTS TO, FORMATION OF,
AND REQUIREMENT FO BOARDS, COMMITTEES,
AND COMMISSIONS THAT ARE ADVISORY TO THE BOARD OF SUPERVISORS**

A. The Board makes appointments to two distinct types of seats on its advisory bodies. The following process will be followed for appointments to these two types of seats:

Type 1: Supervisorial District Appointments

Applications may be delivered to either the Clerk of the Board or to the District Supervisor's office. Applications received by a Supervisor's office are to be sent to the Clerk of the Board, and a copy is to be retained by the Supervisor's office. The Clerk of the Board will ensure that the Supervisor has a copy of all applications originally filed with the Clerk of the Board.

Type 2: At Large/Countywide Appointments

Applications are sent to the Clerk of the Board. The Clerk of the Board will distribute the applications to the appropriate interviewer. When an advisory body conducts interviews, the body's recommendation will be provided to a Board Committee for further review. In all cases, the Board Committee decides which applicants to nominate for full Board action. A list of those advisory bodies that initially interview applicants for appointment is attached hereto as Exhibit B, "Bodies that interview applicants for at large/countywide appointments." A list of those bodies for which a Board Committee initially interviews applicants for appointment is attached hereto as Exhibit C, "Bodies for which a Board Committee interviews applicants."

B. A Board Committee or an individual Supervisor may select a screening committee to assist in interviewing applicants for appointment. Membership subcommittees of Board advisory bodies may serve this purpose.

C. The Board shall strive to maintain an ethnic, economic, and geographic balance to the membership of advisory bodies.

D. Except where federal, State, or County statutes or regulations dictate otherwise, or in exceptional circumstances, the following applicants generally should not be appointed:

- 1.** An applicant who has a family member already serving on the same advisory body.
- 2.** An applicant who would be repeatedly required to recuse himself from the body's business due to a conflict of interest.

E. Except for county officers and employees serving in an official capacity, all advisory body members shall have specific terms of appointment as prescribed by statute or as fixed by the Board. Unless otherwise specified, appointees shall serve four-year terms, and terms should be staggered to limit the number of scheduled vacancies at any one time.

F. All Board appointees to advisory bodies serve at the pleasure of the Board and may be removed during their terms of office by a majority vote of the Board at its pleasure, provided that such action is consistent with conditions imposed by law.

G. An unscheduled vacancy occurs when an appointee leaves his/her seat before his/her term expires. Unscheduled vacancies in seats on advisory bodies which are appointed by the Board will be listed on the Board's agenda within 20 days after the vacancy occurs. The Board will declare the positions vacant and instruct the Clerk of the Board to post the unscheduled vacancies. The Clerk of the Board will create and post the unscheduled vacancy notice within one business day of being instructed to do so by the Board. The notice will be posted at the following locations: 1) in a conspicuous location at the Office of the Clerk of the Board; 2) at all County library branches; and 3) on the Contra Costa County website. Additional outreach may be implemented by the Supervisorial District offices, and/or the advisory body. Pursuant to Government Code §54974(a), the Board will not make a final appointment for a minimum of ten working days after the Clerk has posted the unscheduled vacancy notice. If the Board finds an emergency exists, it may fill the unscheduled vacancy immediately, but the appointee will only serve on an acting basis until the final appointment is made.

IV. FORMATION AND DISSOLUTION OF ADVISORY BODIES

A. The Board of Supervisors may form an advisory body for the purpose of rendering advice or recommendations to the Board on issues of importance. The Board of Supervisors may dissolve an advisory body at the Board's discretion, consistent with conditions imposed by law. Commencing July 1, 2012, each advisory body shall be reviewed at least once every three years pursuant to a procedure established by the Board.

B. When the Board creates an advisory body, the Board may determine whether or not the body should adopt a conflict of interest code.

V. RESPONSIBILITIES OF ADVISORY BODIES.

A. Each advisory body:

1. Shall operate within its mandate as defined in the Board Order, Resolution, or Ordinance creating the body and any applicable law, and may establish specifically defined objectives consistent with its mandate.

2. Shall elect a chairperson and notify the Clerk of the Board of said selection;

3. Shall establish regularly scheduled meeting times and inform the Clerk of the Board of such schedule;

4. Subject to limitations resulting from statutory requirements, may adopt a set of operating rules (bylaws) addressing attendance requirements for continuing membership, the election of officers, and the establishment of subcommittees composed solely of current members of the advisory body. Should the advisory body adopt operating rules (bylaws) that address other topics, these rules shall not be operative until they have been approved by the Board of Supervisors.

5. Shall keep necessary records including agendas and records of action.

6. Shall comply with by the Ralph M. Brown Act (Gov. Code, §§ 54950, et. Seq.) and the County's Better Government Ordinance (County Ordinance Code Division 25.)

7. Shall comply with the Board's policy against conflict of interest.

8. Shall submit an Annual Report to the Board on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year, in December. (The form for the Annual Report is found in the Advisory Body Handbook.)

VI. This Resolution and Resolution 2011/498 supercede Resolution 2002/377 in its entirety.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Timothy Ewell, 925-335-1036

ATTESTED: December 13, 2011

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc: