

Proposed revisions to
CONTRA COSTA COUNTY MEASURE X COMMUNITY ADVISORY BOARD BYLAWS
DRAFT V.2 – December 14, 2022

(Note: Original bylaws were adopted by the Board of Supervisors on April 27, 2021)

Article I – Purpose

A. The Measure X Community Advisory Board (the “Advisory Board” or “MXCAB”) was established by the Board of Supervisors on February 2, 2021 to advise the Board of Supervisors on the use of Measure X transactions and use tax funds. The main responsibilities of the Advisory Board are:

1. Overseeing an annual written assessment of community needs, using as a starting point, the priority areas identified in the original (2019) Needs Assessment, (emergency response (fire/medical), health care, safety net services, preventative care, affordable housing, and supports for early childhood, youth, families, and seniors), and updating annually from there, with MXCAB being responsible for determining the scope and methodology of the assessment;
2. Assessing and documenting top community priorities and unmet needs, based on the results from the most current needs assessment;
3. Using the assessment findings to develop general funding priority recommendations to the Board of Supervisors on 95% of the revenue generated annually by Measure X;
4. Evaluating annually, a) the outcomes and impact of the programs and services funded by Measure X, utilizing criteria and processes developed by MXCAB with input from the County Administrator’s Office; and b) Assessing annually the performance and effectiveness of MXCAB, via a written survey and other means;
5. Providing an annual report to the Board of Supervisors on the outcomes and impact of allocated funds and on MXCAB’s self-assessment of their effectiveness during the past year;

5. Article II – Membership

A. Composition:

1. The Advisory Board shall consist of 17 members, composed of 10 Supervisorial District appointees (two (2) per Supervisorial District) and seven (7) At-Large appointees.
2. The Advisory Board shall include ten (10) alternates. Alternate members are expected to attend all regular Advisory Board meetings and may participate fully, except that they may not vote unless substituting for an absent member as described below. Alternate members may not serve as elected officers but may serve on ad hoc or standing committees of the Advisory Board.

- a) One (1) alternate shall serve on the Advisory Board for each Supervisorial District appointment for a total of five (5) District alternates. The role of District alternate is fully interchangeable with that of regular District appointed

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Commented [1]: It seems to me that the purpose of this advisory board is the central sticking point and I wonder if being more specific about our "scope of work" in this purpose section would be useful. Should we be more specific about the assessment scope? Should we provide a broader definition of the safety net services? The top ten service gaps thing is vague too. As is the statement about the annual report about outcomes and impacts of allocated funds. Maybe work in something about the member surveys as well? Not trying to create extra work, I just think this is the primary section where there is a gap between what the CAO thinks of our purpose and what many of us were led to believe when we were appointed.

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Advisory Board members. A District alternate may not vote unless substituting for the respective absent District appointed member.

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b) Five (5) alternates shall serve on the Advisory Board as At-Large alternates. The role of At-Large alternate is fully interchangeable with that of regular At-Large Advisory Board members. At-Large alternates may fully participate and voice opinions but may not vote unless substituting for an absent At-Large member.

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B. Eligibility:

1. General: The Advisory Board shall be composed of members representing diverse voices, perspectives, and expertise, including but not exclusive to: budget justice advocacy, children’s services, community health, consumer advocacy, faith leadership, senior services, fire and public safety protection, housing and homelessness, labor union representation, legal advocacy, local businesses, mental health services, non-partisan civic organizations, policy organizations, public health, racial justice and equity, safety net services, senior services, substance use services, taxpayers, and youth services.

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Priority will be given to residents who are most impacted by one or more of the community needs identify by MXCAB , and/or who have direct lived experience of the harms caused by racial and economic inequities. MXCAB will work with members of the Board of Supervisors to develop and implement strategies to identify and support MXCAB applicants and new members with lived experience.

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2. Live/Work Requirement: Committee members shall either live or work in Contra Costa County, with a majority being residents of the County. There is no requirement for Supervisorial District seat appointees to live or work within a specific Supervisorial District.

3. No Public Officials: Public officials, including both elected and appointed, are not eligible to serve on the Advisory Board.

C. Terms of Office:

1. Appointments: The members of the Advisory Board and alternates shall serve staggered terms of two or three years.

a) Supervisorial District Appointments: Each of the two (2) Supervisorial District seats and alternates identified in Article II(A) for each Supervisorial District, shall serve a term of two (2) years.

b) At-Large Appointments: Each of the seven (7) At-Large seats and alternates identified in Article II(A), shall serve a term of three (3) years.

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2. Term Limits: Each member is limited to serving, consecutively, for a maximum of six years.

D. Appointment Process:

1. Initial Appointments:

a) The Clerk of the Board of Supervisors will solicit applications to fill the 17-member Advisory Board through a single recruitment process.

b) Applications shall be referred to each County Supervisor to select three nominees to serve on the Advisory Board (two nominees plus one stand-by nominee).

c) Supervisorial District nominees will be transmitted to the Finance Committee of the Board of Supervisors (the "Finance Committee") along with all remaining applications for appointment.

d) The Finance Committee shall review the Supervisorial District nominations and select nominees for the remaining seven (7) At-Large seats, taking into account the goals identified in Article II(B)(1).

e) In the case where the same nominee is selected for a Supervisorial District appointment by multiple Supervisors, the Finance Committee shall take into consideration the stand-by nominees recommended by those Supervisors in resolving the conflict and making a final recommendation to the Board of Supervisors.

f) The Finance Committee shall ultimately make every effort to ensure that there is representation from the broadest cross-section of stakeholders as described in Article II(B)(1) as well as geographic, racial and ethnic representation reflecting the County's diversity.

2. Subsequent Appointments:

a) Supervisorial District Appointments:

1) The Clerk of the Board of Supervisors will solicit applications to fill the Supervisorial District Appointments every two (2) years in a single recruitment process. The respective Supervisor, and interested members of MXCAB, shall assist in ensuring that the opportunity to apply is distributed widely to a broad array county residents and stakeholders, in order to maintain and support diverse representation on MXCAB.

2) Applications shall be referred to each County Supervisor to select three nominees to serve on the Advisory Board (two nominees plus one alternate nominee).

3) In the case where the same nominee is selected for a Supervisorial District appointment by multiple Supervisors, Supervisors will be notified to allow for modifications to their nominations.

4) Once conflicts are resolved, nominations will be submitted directly to the Board of Supervisors.

b) At-Large Appointments:

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- 1) The Clerk of the Board of Supervisors will solicit applications to fill the At-Large Appointments every three (3) years in a single recruitment process.
- 2) Applications shall be referred to the Finance Committee to select seven (7) At-Large seats and five (5) At-Large alternates, taking into account the goals identified in Article II(B)(1).
- 3) The Finance Committee shall ultimately make every effort to ensure that there is representation from the broadest cross-section of stakeholders as described in Article II(B)(1) as well as geographic, racial and ethnic representation reflecting the County's diversity.
- 4) Final nominations shall be submitted to the full Board of Supervisors for consideration of appointment.

3. Unscheduled Vacancies:

a) General: Should an unscheduled vacancy occur during a MXCAB member's term of office, whether by death, resignation or otherwise, the Board of Supervisors and MXCAB Chair shall be notified of the vacancy. The Board of Supervisors shall direct the Clerk of the Board to announce the vacancy and collect applications for appointment.

b) Supervisory District Vacancy: If the unscheduled vacancy is in a Supervisory District seat, then the applications seeking appointment will be transmitted by the Clerk of the Board to the Supervisory District responsible for making nominations for appointment to that seat. The MXCAB will also be notified of the vacancy. The Supervisory District will then transmit the nomination for appointment to the Board of Supervisors for consideration.

c) At-Large Vacancy: If the unscheduled vacancy is in an At-Large seat, then the applications seeking appointment will be transmitted by the Clerk of the Board to the Finance Committee to consider making nominations for appointment to the vacant seat. The Finance Committee will then transmit the nomination for consideration and appointment to the Board of Supervisors for consideration.

d) If a member is absent three or more times in a 12-month period, the MXCAB Chair may recommend to the Board of Supervisors that the member's seat be vacated and the appointment process re-opened.

e) Timeline to Fill Vacancies: The Board of Supervisors will fill vacancies within 60 days of a seat being vacated.

e) Resignation: Any appointed member may resign by giving written notice to the Clerk of the Board of Supervisors and the MXCAB Chair.

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Article III. – Advisory Board Structure & Meetings

A. Officers: The Advisory Board shall select a Chair and Vice Chair for purposes of officiating meetings, who shall each serve for a term of one (1) year. The Chair and Vice Chair, respectively, may be elected to successive terms by the Advisory Board, until such time as their overall term ends. Alternate members may not serve as officers. Election of officers shall be held in April of each year.

B. Regular Meetings: Regular meetings of the Advisory Board shall be held at least quarterly, based on a schedule adopted by the Advisory Board. Meeting frequency shall be determined by the MXCAB Chair. Regularly scheduled meetings may be canceled by a majority vote of the Advisory Board or, for lack of business or a quorum, by the Chair.

C. Special Meetings: Special meetings of the Advisory Board or any other committees may be called by the Chair at any time, or by a majority of current Advisory Board members. Such meetings shall be called in accordance with the provisions of the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance regarding member and public notice.

D. Quorum: A quorum of the Advisory Board shall occur when a majority of the members are present. A majority of the membership is defined as a majority of filled seats on the Advisory Board at any given time, excluding Alternates. For example, if only thirteen (13) seats are filled and four (4) are vacant, then a majority for purposes of establishing a quorum would require seven (7) members be present at the meeting. Similarly, if all 17 seats are filled, a majority for purposes of establishing a quorum would require nine (9) members be present at the meeting. No action shall be taken by the Advisory Board unless a majority of the members are present as defined above. An Alternate Advisory Board member substituting for a member may be included in determining a quorum.

E. Voting: Each member of the Advisory Board or the member's alternate has one vote. A majority vote of board members is required to pass a motion. F. Conflict of Interest: As a general rule, no member shall participate as a member in any discussion or voting if doing so would constitute a conflict of interest. In such a case, the member shall announce that they have a conflict of interest, and recuse themselves from discussing or voting on that item.

G. Meeting Procedure: The Chair shall preside at all meetings, and shall proceed with the business of the Advisory Board in a manner prescribed in these bylaws. The Chair shall also decide questions of procedure as needed. If the Chair is not present at a meeting, the Vice Chair shall preside.

H. MXCAB members and staff shall adhere to their respective roles (as described in these bylaws) in good faith, and shall further amend the bylaws as needed to support the effective and equitable functioning of the Advisory Board.

I. Order of Business: The regular order of business of the Advisory Board shall be at least the following:

1. Call to order

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2. Roll call to determine voting eligibility of At-Large alternates. At the start of each meeting, the five (5) At-Large alternates shall be randomly ordered by staff to replace absent At-Large members for purposes of voting.

- a. Public comment on items not on the agenda
- b. Approve Record of Action from prior meeting
- c. Consideration and action on agenda items
- d. Adjournment

J. Sub-Committees and Ad Hoc Committees: With input from MXCAB members, the MXCAB Chair may create MXCAB sub-committees and/or ad hoc committees as needed. All such committees are open and accessible to the general public in accordance with the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance. The MXCAB Chair may consult with MXCAB staff to ensure staff capacity to support any such committee meetings.

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JK. Public Access: All meetings of the Advisory Board shall be open and accessible to the general public in accordance with the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance. Opportunity for public comment will be included in each agenda item. In the interest of facilitating the business of the Advisory Board, the Chair may set in advance of public comment reasonable time limits for oral presentation.

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Article IV. – Administration

The Advisory Board shall obtain staff support from the County Administrator's Office or another county office designated by the Board of Supervisors. The staff will be responsible for compiling and distributing Advisory Board meeting notices, agenda packets and records of action; arranging for translation into Spanish of MXCAB meeting agendas; arranging for simultaneous interpretation (at a minimum in American Sign Language and Spanish) for all MXCAB meetings; posting MXCAB meeting videos on the county website within seven (7) days of the most recent meeting; maintaining the MXCAB member roster and contact list; maintaining and providing the Chair with a list of current MXCAB vacancies; providing the Chair with an updated MXCAB attendance record for the prior quarter; advising the MXCAB Chair and members on questions of procedure; and responding to questions and requests from the MXCAB Chair between meetings.

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Article V. – Compensation

Members of the Advisory Board shall serve without compensation and shall not receive reimbursement for any expenses incurred while conducting official business.

Article VI. – Changes to Bylaws

The provisions of these Bylaws may be altered, amended or repealed within the limitations imposed by the Brown Act, the Contra Costa County Better Government Ordinance and the policies of the Contra Costa County Board of Supervisors. No such alteration, amendment or repeal shall be effective unless and until the change has been approved by the Board of Supervisors, after consideration and recommendation by the Finance Committee.

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