



# Agenda

## MEASURE X COMMUNITY ADVISORY BOARD

May 17, 2023  
5:00 P.M.

1025 Escobar St, Room 110A, Martinez CA 94553  
or  
Contra Costa County Supervisor John Gioia's Office  
11780 San Pablo Avenue Suite D El Cerrito, CA 94530

The public may attend in person at the above locations or observe and participate by using this link:  
<https://cccouny-us.zoom.us/j/81705643626?pwd=Q3V3WlUyWkRHM2RCeHdSVFFGMzI5Zz09>  
Meeting ID: 817 0564 3626  
Or by dialing (888) 278-0254  
Conference Code: 894519

Mariana Moore, Chair  
Michelle Stewart, Vice Chair

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Roll Call / Introductions
2. Public comment on any item under the jurisdiction of the MXCAB and not on this agenda (speakers may be limited to two minutes).
3. RECEIVE and APPROVE the Records of Action for the Measure X Community Advisory Board meeting March 15, 2023 and April 19, 2023 meetings.
4. ELECT MXCAB chair and vice-chair
5. RECEIVE Teleconferencing Guidance
6. RECEIVE MXCAB membership updates
7. DISCUSS orientation process for new MXCAB members
8. RECEIVE updates on MXCAB Bylaws revisions and Measure X oversight (Mariana Moore, MXCAB Chair)
9. RECEIVE updates from FY23-24 Budget Hearing
10. The next meeting is currently scheduled for June 21, 2023.
11. Adjourn

*The Measure X Community Advisory Board will provide reasonable accommodations for persons with disabilities planning to attend Measure X meetings. Contact the staff person listed below at least 72 hours before the meeting.*

*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Measure X Community Advisory Board less than 96 hours prior to that meeting are available for public inspection at 1025 Escobar St., 4th Floor, Martinez, during normal business hours.*

*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

For Additional Information Contact:

Adam Nguyen, Committee Staff  
Phone (925) 655-2048  
adam.nguyen@cao.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### MEASURE X COMMUNITY ADVISORY BOARD

**Meeting Date:** 05/17/2023

**Subject:** Record of Action for the Measure X Community Advisory Board

**Department:** County Administrator

**Referral No.:** N/A

**Referral Name:** Record of Action

**Presenter:** Adam Nguyen, Committee Staff

**Contact:** Adam Nguyen (925) 655-2048

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#### **Referral History:**

County Ordinance requires that each County body keep a record of its meetings.

#### **Referral Update:**

Attached for the Measure X Community Advisory Board's information are the Draft Records of Action for its March 15, 2023 and April 19, 2023 meetings.

#### **Recommendation(s)/Next Step(s):**

Staff recommends MXCAB receive the Record of Action for the March 15, 2023 and April 19, 2023 meetings.

#### **Fiscal Impact (if any):**

N/A

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#### **Attachments**

Draft Record of Action - 3/15/23

Draft Record of Action - 4/19/23

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# DRAFT



## Agenda

### MEASURE X COMMUNITY ADVISORY BOARD

March 15, 2023

Mariana Moore, Chair  
Michelle Stewart, Vice Chair

#### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Mariana Moore, Chair; Michelle Stewart, Vice Chair; BK Williams; Kathryn Chiverton; Sharon Quesada Jenkins; Ali Saidi; Roxanne Carillo Garza; Ruth Fernandez; Debbie Toth; Pello Walker; Gigi Crowder; Diana Honig; Steven Bliss

Absent: Edith Pastrano; Odessa LeFrancois; Sandra Wall; Susun Kim; Geneveva Calloway; Melissa Stafford Jones; Lindy Johnson; Peter Benson; ;

Staff Present: Adam Nguyen, County Finance Director; Enid Mendoza, Senior Deputy County Administrator

Attendees: Supervisor John Gioia

1. Roll Call

***Chair Moore called the meeting to order at 5:10pm. Staff provided instruction for access to English live transcription (automated closed captioning), and live simultaneous Spanish and American Sign Language interpretation, and then conducted roll call. 12 MXCAB voting members were present. There were approximately 21 total participants.***

2. Public comment on any item under the jurisdiction of the MXCAB and not on this agenda (speakers may be limited to two minutes).

***No public comment was requested.***

3. Staff recommends MXCAB receive the Record of Action for the January 18, 2023 meeting.

***The record of action was approved as submitted.***

4. DISCUSS the role of Measure X Community Advisory Board.

***Chair Moore summarized the Finance Committee discussion of the proposed changes to the MXCAB Bylaws. Supervisor Gioia joined the discussion and additional revisions were proposed for discussion at the next meeting of the Finance Committee. Public comment was received from two members of the public.***

5. DISCUSSION about the elections for MXCAB Chair and Vice Chair (Mariana Moore, MXCAB Chair)

***Chair Moore prepared MXCAB members for the nominations and elections of chair and vice chair at the next meeting on April 19, 2023. Public comments were received from one member of the public.***

6. DISCUSS MXCAB membership terms and attendance

***MXCAB members discussed the advisory body's membership and attendance. No public comment was requested.***

7. The next meeting is currently scheduled for April 19, 2023.

8. Adjourn

***The meeting adjourned at 7:05 PM.***

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*The Measure X Community Advisory Board will provide reasonable accommodations for persons with disabilities planning to attend Measure X meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

For Additional Information Contact:

Adam Nguyen, Committee Staff  
Phone (925) 655-2048  
adam.nguyen@cao.cccounty.us

# DRAFT



## Agenda

### MEASURE X COMMUNITY ADVISORY BOARD

April 19, 2023  
5:00 P.M.

Mariana Moore, Chair

#### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

Present: Mariana Moore, Chair; Rachel Rosekind; Willie Robinson; Susanna Thompson; Kathryn Chiverton; Marcus Famui; Sharon Quesada Jenkins; Roxanne Carillo Garza; Debbie Toth; Gigi Crowder; Diana Honig

Absent: Odessa LeFrancois; Ruth Fernandez; Sandra Wall; Susun Kim; Geneveva Calloway; Melissa Stafford Jones; Lindy Johnson; Peter Benson

Staff Present: Adam Nguyen, County Finance Director; Enid Mendoza, Senior Deputy County Administrator

Attendees: Supervisor John Gioia

#### 1. Roll Call

***Chair Moore called the meeting to order at 5:10pm. 12 MXCAB members total were present: 5 at the Martinez location, 2 at the District 1 Supervisor's Office in San Pablo, and 5 remotely. The meeting did not meet quorum, as there were not at least 8 members (out of the 15 filled seats) at a single meeting location. There were approximately 27 total virtual participants.***

#### 2. Public comment on any item under the jurisdiction of the MXCAB and not on this agenda (speakers may be limited to two minutes).

***Public comment was received from one member of the public.***

#### 3. RECEIVE the Record of Action for the March 15, 2023 meeting.

***Item continued.***

#### 4. DISCUSS the role of Measure X Community Advisory Board.

***Item continued.***

#### 5. DISCUSSION of options for remote meeting participation by MXCAB members who need disability accommodations

**County Counsel, Tom Geiger, provided an overview of the existing laws and allowances for teleconferencing, including the criteria for invoking "just cause" and "emergency circumstances." Additional written guidance was anticipated to be issued by County Counsel in the coming weeks. Public comment was received from 4 members of the public.**

6. ELECTION of Chair and Vice Chair

***Item continued.***

7. DISCUSSION of membership updates

***Item continued.***

8. The next meeting is currently scheduled for May 17, 2023.

9. Adjourn

***The meeting was adjourned at 6:22 PM.***

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*The Measure X Community Advisory Board will provide reasonable accommodations for persons with disabilities planning to attend Measure X meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

For Additional Information Contact:

Adam Nguyen, Committee Staff  
Phone (925) 655-2048  
adam.nguyen@cao.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### MEASURE X COMMUNITY ADVISORY BOARD

**Meeting Date:** 05/17/2023

**Subject:** RECEIVE Teleconferencing Guidance

**Submitted For:** MEASURE X Com Advisory Board,

**Department:** County Administrator

**Referral No.:** N/A

**Referral Name:** Mariana Moore

**Presenter:** Adam Nguyen, County Finance Director

**Contact:** Adam Nguyen, (925) 655-2048

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#### **Referral History:**

At the MXCAB meeting on April 19, 2023, during discussion on reasonable accommodation requests related to remote meeting participation, MXCAB members asked for additional clarification about teleconferencing rules for Brown Act meetings. County Counsel stated that a memo would be forthcoming.

#### **Referral Update:**

County Counsel provided clarification in a May 4, 2023 memo on Brown Act teleconferencing rules related to Assembly Bill 2449.

#### **Recommendation(s)/Next Step(s):**

RECEIVE the updated teleconferencing guidance.

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#### **Attachments**

Teleconferencing Guidance Memo

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**Office of the County Counsel**  
1025 Escobar Street, 3<sup>rd</sup> Floor  
Martinez, CA 94553

Contra Costa County  
Phone: (925) 655-2200  
Fax: (925) 655-2263

*Date:* May 4, 2023  
*To:* Staff to Advisory Bodies  
*From:* Thomas L. Geiger, County Counsel   
*Re:* **Teleconferencing Guidance**

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This memo provides guidance for advisory body members on how to participate in meetings remotely under traditional Brown Act teleconferencing rules and under new Brown Act teleconferencing rules established by Assembly Bill 2449. The new AB 2449 rules allow advisory body members to participate in meetings remotely for “just cause” reasons or under “emergency circumstances.” This memo also describes the different quorum requirements for the two types of teleconferencing, and provides examples of when advisory body members may and may not use the new AB 2449 rules at a meeting that is being conducted under traditional Brown Act teleconferencing rules.

A chart showing the rules for each teleconferencing method is attached. Please refer to the February 23, 2023, memo from the Clerk of the Board to advisory body staff for more information on teleconferencing and hybrid meetings.

In addition, some advisory board members have asked whether they may request and receive a reasonable accommodation that would allow them to participate remotely in an advisory board meeting from a non-publicly posted location, like their home. This memo explains that the County is not required to provide that accommodation, based on an opinion issued by the California Attorney General.

### **1. Teleconferencing Under Traditional Brown Act Rules**

Advisory body members may participate in meetings remotely under the traditional Brown Act teleconferencing rules. Under these rules:

- The meeting agenda must be posted at all teleconference locations.
- Each teleconference location must be shown on the meeting agenda.
- Each teleconference location must be open and accessible to the public.
- The agenda must provide an opportunity for public comment at each teleconference location.

**Quorum requirement for traditional Brown Act teleconferencing:** At least a quorum of the Board must participate from locations in the County.



## 2. Teleconferencing Under AB 2449 Rules

**“Just Cause.”** If a member needs to attend a meeting remotely for a “just cause” reason:

- The member must notify the body at the earliest possible opportunity, up to and including the start of a regular meeting, of the need to participate remotely.
- The member must provide a general description of at least one of the following “just cause” circumstances necessitating the remote appearance:
  - (1) A childcare or caregiving need for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires remote participation.
  - (2) A contagious illness that prevents the member from attending in person.
  - (3) A need related to a physical or mental disability that is not otherwise accommodated for.
  - (4) Travel while on official business of the legislative body or another state or local agency.
- A member may not use a “just cause” reason to appear remotely for more than two meetings per calendar year.
- The advisory body does not need to take any action to allow the member to attend virtually for “just cause.”

**“Emergency Circumstances.”** If a member needs to attend a meeting remotely due to an emergency circumstance:

- The member must make the request to participate remotely as soon as possible and must make a separate request for each meeting for which remote participation under the emergency circumstance option is requested.
- The member who requests to attend remotely under an emergency circumstance must provide a general description of the need to appear remotely. The description need not exceed 20 words and need not include any personal medical information.
- The body must take action on the request at a public meeting. If there is insufficient time to include the item on a posted agenda, the body may take action on the request at the beginning of the meeting and approval must be by majority vote. The member requesting the remote appearance should not vote on the item.
- The “emergency circumstances” option may not be used by a member for more than three consecutive months or more than 20 percent of the advisory body’s regular meetings per calendar year. If the body regularly meets less than 10 times a year, a member may not participate remotely for more than two meetings under AB 2449.
- “Emergency circumstances” means a “physical or family medical emergency that prevents a member from attending in person.”

**Quorum Requirement for AB 2449 Teleconferencing:** A teleconference meeting may be conducted with a member or members participating under an AB 2449 option as long as:

- (1) A quorum of the members of the body participates in person, and
- (2) The quorum meets in a single, physical location clearly identified on the agenda that is open to the public and situated in the County.

In addition, if a member is participating remotely under an AB 2449 option, the body must ensure that members of the public may remotely hear and visually observe the meeting, and remotely address the legislative body.

**Examples of when advisory body members may and may not use the new AB 2449 rules at a meeting that is being conducted under traditional Brown Act teleconferencing rules:**

#### **FIVE-MEMBER BODY, QUORUM IS THREE MEMBERS**

**Example #1:** Three members attend the meeting, with each member attending at a different location within the County. Each location is listed on the meeting agenda and is open and accessible to the public.

- Is this a valid meeting under the Brown Act?

**YES**, because a quorum is meeting at noticed locations within the County.

- Are the other two members of the body allowed to participate remotely using a “just cause” or “emergency circumstance” exception?

**NO**, because a quorum is not meeting at one location in the County.

**Example #2:** Three members attend the meeting in person at a single location within the County. The location is listed on the meeting agenda and is open and accessible to the public.

- Is this a valid meeting under the Brown Act?

**YES**, because a quorum is meeting at a noticed location within the County.

- Are the other two members of the body allowed to participate remotely using a “just cause” or “emergency circumstance” exception?

**YES**, because a quorum is meeting at one location in the County, as long as the two members have not already used the AB 2449 option the maximum number of times.

### **NINE-MEMBER BODY, QUORUM IS FIVE MEMBERS**

**Example #3:** Five members attend the meeting in person at three separate locations within the County. Of these five members, two members attend at one location, two members attend at a second location, and one member attends at a third location. Each location is listed on the meeting agenda and is open and accessible to the public.

- Is this a valid meeting under the Brown Act?

**YES**, because a quorum is meeting at noticed locations within the County.

- Are the other four members of the body allowed to participate remotely using a “just cause” or “emergency circumstance” exception?

**NO**, because a quorum is not meeting at one location in the County.

**Example #4:** Seven members attend the meeting in person at two separate locations within the County. Each location is listed on the meeting agenda and is open and accessible to the public.

- Is this a valid meeting under the Brown Act?

**YES**, because a quorum is meeting at noticed locations within the County.

- Are the other two members of the body allowed to participate remotely using a “just cause” or “emergency circumstance” exception?

**YES**, if at least five members meeting in person are at one location, because a quorum is meeting at one location in the County.

**NO**, if four members meeting in person are at one location and three members meeting in person are at the other location, because a quorum is not meeting at one location in the County.

### **3. Reasonable Accommodation Requests from Advisory Body Members**

Some advisory body members have asked whether they may request and receive a reasonable accommodation that would allow them to participate remotely in an advisory body meeting from a non-publicly posted location, like their home, when an AB 2449 option is not available to them. Based on an opinion issued by the California Attorney General, the County is not required to provide that accommodation. (84 Ops.Cal.Atty.Gen. 181 (2001).) The Attorney General concluded that counties and cities are not required to provide, as an accommodation for a disabled advisory body member who is unable to attend a regularly scheduled meeting, a teleconferencing connection at the member’s place of residence where members of the public would not be permitted to be present. Allowing an advisory body member to participate remotely in a public meeting from a location not open to the public would result in a meeting held in violation of the Brown Act.

Staff to Advisory Bodies

May 4, 2023

Page 5 of 5

Advisory body members are encouraged to contact staff for assistance in finding meeting locations where members may attend remotely in compliance with the Brown Act. The Clerk of the Board's February 23, 2023, memo to advisory body staff has a list of hybrid ready meeting locations with scheduling contacts.

TLG:

Attachment: Teleconference Meeting Options Comparison Chart

cc: Board of Supervisors  
Monica Nino, County Administrator  
Jami Morritt, Chief Assistant Clerk of the Board

H:\2023\Board of Supervisors\teleconferencing guidance - final.docx

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	AB 2449 Teleconferencing (Gov. Code, § 54953(f); becomes (e) on 1/1/24.)
<b>Applicable Timeframe</b>	<ul style="list-style-type: none"> <li>▪ Available anytime.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Available between <u>January 1, 2023</u> and <u>January 1, 2026</u>.</li> </ul>
<b>Who May Appear Remotely and Quorum Requirements</b>	<ul style="list-style-type: none"> <li>▪ Individual board members, if at least a quorum of the members of the body participate from locations within the jurisdictional boundaries of the body.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Individual board members if:               <ol style="list-style-type: none"> <li>(1) a quorum of the members of the body participates in person; and</li> <li>(2) the quorum meets in a single, physical location clearly identified on the agenda that is open to the public and situated within the agency’s jurisdiction.</li> </ol> </li> </ul>
<b>Bases for Remote Appearance</b>	<ul style="list-style-type: none"> <li>▪ Applies when a board member is unable to attend in person.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A member may appear remotely for “Just Cause” or “Emergency Circumstances”:               <ul style="list-style-type: none"> <li>▶ <b>“Just cause”</b> is any of the following:                   <ol style="list-style-type: none"> <li>(1) A need to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner;</li> <li>(2) A contagious illness that prevents a member from attending in person;</li> <li>(3) A need related to a physical or mental disability that is not otherwise accommodated for; or</li> <li>(4) Travel while on official business of the body or another state or local agency.</li> </ol> </li> <li>▶ <b>“Emergency circumstances”</b> is a physical or family medical emergency that prevents a member from attending in person.</li> </ul> </li> </ul>
<b>Notification and Approval Requirements</b>	<ul style="list-style-type: none"> <li>▪ No additional requirements.</li> </ul>	<ul style="list-style-type: none"> <li>▪ To attend remotely for:               <ul style="list-style-type: none"> <li>▶ <b>“Just Cause”</b> <ul style="list-style-type: none"> <li>▪ The member must notify the body at the earliest possible opportunity, including at the start of a regular meeting, of the need to participate remotely.</li> <li>▪ The member must provide a general description of the circumstances necessitating the remote appearance.</li> </ul> </li> </ul> </li> </ul>

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	AB 2449 Teleconferencing (Gov. Code, § 54953(f); becomes (e) on 1/1/24.)
		<ul style="list-style-type: none"> <li>▪ The body need not take action in response.</li> <li> <ul style="list-style-type: none"> <li>▶ <b>“Emergency Circumstances”</b></li> </ul> </li> <li>▪ The member’s request to appear remotely must include a general description of the need to appear remotely, which need not exceed 20 words, and need not include any personal medical information.</li> <li>▪ The member must make the request to participate remotely as soon as possible and must make a separate request for each meeting.</li> <li>▪ The body must take action on the request at a public meeting.</li> <li>▪ If there is insufficient time to include the item on a posted agenda, the body may take action at the beginning of the meeting.</li> <li>▪ Approval must be by majority vote.</li> </ul>
<b>Agenda and Public Access and Comment Requirements</b>	<ul style="list-style-type: none"> <li>▪ The teleconference location must be open to the public.</li> <li>▪ The agenda must be posted at all meeting locations, including the teleconference location.</li> <li>▪ The agenda must identify all meeting locations, including the teleconference location.</li> <li>▪ The agenda must provide for public comment at all meeting locations, including the teleconference location.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Must provide notice and post agendas as otherwise required under the Brown Act and must indicate on the notice how the public may access the meeting and offer comment.</li> <li>▪ The agenda must include an opportunity for all persons to attend and address the body via a call-in option, an internet-based service option, and at the in-person location.</li> <li>▪ The law does not require that the agency post an agenda at the remote location, include the address of the remote location, or provide for public access to the remote location.</li> <li>▪ The body may not require public comments to be submitted in advance and must allow the public to address the body and comment in real time.</li> </ul>

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	AB 2449 Teleconferencing (Gov. Code, § 54953(f); becomes (e) on 1/1/24.)
		<ul style="list-style-type: none"> <li>▪ An individual may be required to register for public comment before being allowed to comment, where the body uses a third-party platform (like Zoom) for the meeting.</li> </ul>
<b>Voting Requirements</b>	<ul style="list-style-type: none"> <li>▪ Members must vote by rollcall.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Members must vote by rollcall.</li> </ul>
<b>Technological Requirements</b>		<ul style="list-style-type: none"> <li>▪ The public must be able to remotely hear and visually observe the meeting, and remotely address the body. Thus, the body must provide either:               <ol style="list-style-type: none"> <li>(1) a two-way audiovisual platform; or</li> <li>(2) a two-way telephonic service and a live webcasting of the meeting.</li> </ol> </li> </ul>
<b>Other Requirements</b>		<ul style="list-style-type: none"> <li>▪ If a member participates remotely, the member must also:               <ol style="list-style-type: none"> <li>(1) Publicly disclose at the meeting before any action is taken, whether any other individuals 18 years or older are in the room at the remote location with the member and the general nature of the member’s relationship with such individuals; and</li> <li>(2) Participate through both audio and visual technology.</li> </ol> </li> <li>▪ If the broadcasting of the meeting to the public by phone or internet service is disrupted, or a disruption within the local agency’s control prevents members of the public from commenting using the phone or internet service, the body shall not take any action at the meeting, until public access to the meeting via the phone option or the internet service option is restored. Actions taken on agenda items during a disruption that prevents the body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</li> </ul>

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	AB 2449 Teleconferencing (Gov. Code, § 54953(f); becomes (e) on 1/1/24.)
		<ul style="list-style-type: none"> <li>▪ The body must have and implement a procedure for receiving and quickly resolving reasonable accommodation requests for individuals with disabilities. Any doubt should be resolved in favor of accessibility.</li> </ul>
<b>Limitations on Frequency of Remote Appearances</b>	<ul style="list-style-type: none"> <li>▪ None.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A member may participate remotely for “just cause” no more than two times per calendar year.</li> <li>▪ A member may not participate remotely for more than three consecutive months or 20 percent of the regular meetings for the local agency within the calendar year, or more than two meetings if the body regularly meets less than 10 times per year.</li> </ul>





# Contra Costa County Board of Supervisors

## Subcommittee Report

### MEASURE X COMMUNITY ADVISORY BOARD

**Meeting Date:** 05/17/2023  
**Subject:** RECEIVE MXCAB membership updates  
**Department:** County Administrator  
**Referral No.:** 2023:1  
**Referral Name:** MXCAB membership terms and attendance  
**Presenter:** Mariana Moore, MXCAB Chair

**Contact:** Mariana Moore

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#### **Referral History:**

Chair Moore requested updates on MXCAB membership.

#### **Referral Update:**

Staff updated the MXCAB membership roster.

#### **Recommendation(s)/Next Step(s):**

RECEIVE the report.

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#### **Attachments**

MXCAB membership

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## Measure X Community Advisory Board Membership

	Incumbent	Seat Title	Term Start Date	Term End Date
<b>Supervisorial Seats</b>				
	Rachel Rosekind	District I Appointee	4/1/2023	3/31/2025
	Willie Robinson	District I Appointee	4/1/2023	3/31/2025
	Kathryn Chiverton	District II Appointee	4/1/2023	3/31/2025
	Steven Bliss	District II Appointee	4/1/2023	3/31/2025
	Odessa LeFrancois	District III Appointee	4/1/2023	3/31/2025
	Susanna Thompson	District III Appointee	4/1/2023	3/31/2025
	Roxanne Carillo Garza	District IV Appointee	4/1/2023	3/31/2025
	Sharon Quesada Jenkins	District IV Appointee	4/1/2023	3/31/2025
	VACANT	District V Appointee	4/1/2023	3/31/2025
	VACANT	District V Appointee	4/1/2023	3/31/2025
<b>At-Large Seats</b>				
	Marcus Famui	At-large	4/1/2021	3/31/2024
	Gigi Crowder	At-large	4/1/2021	3/31/2024
	Ruth Fernandez	At-large	4/1/2021	3/31/2024
	Debbie Toth	At-large	4/1/2021	3/31/2024
	Sandra Wall	At-large	4/1/2021	3/31/2024
	Susun Kim	At-large	4/1/2021	3/31/2024
	Mariana Moore (CHAIR)	At-large	4/1/2021	3/31/2024
<b>Alternates</b>				
	Lishaun Francis	District I Alternate	4/1/2023	3/31/2025
	VACANT	District II Alternate	4/1/2023	3/31/2025
	VACANT	District III Alternate	4/1/2023	3/31/2025
	VACANT	District IV Alternate	4/1/2023	3/31/2025
	VACANT	District V Alternate	4/1/2023	3/31/2025
	Genoveva Calloway	At-large Alternate	4/1/2021	3/31/2024
	Melissa Stafford Jones	At-large Alternate	4/1/2021	3/31/2024
	Diana Honig	At-large Alternate	4/1/2021	3/31/2024
	Lindy Johnson	At-large Alternate	4/1/2021	3/31/2024
	VACANT	At-large Alternate	4/1/2021	3/31/2024



# Options for Measure X Oversight

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Adam Nguyen, County Finance Director  
County Administrator's Office

May 16, 2023





# Agenda

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1. Measure X background
2. Comparison of county sales tax oversight committees
3. Key considerations for a new oversight body
4. Finance Committee recommendations
  - a. Measure X Fiscal Oversight
  - b. Measure X Community Advisory Board Bylaws revisions
5. Board discussion and direction



# Measure X background

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1. On November 3, 2020, voters in Contra Costa County approved Measure X, a Countywide, 20-year, half-cent sales tax.
2. The intent of Measure X is “to keep Contra Costa’s regional hospital open and staffed; fund community health centers; provide timely fire and emergency response; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential county services”
3. Collection of the tax began on April 1, 2021
  - a. \$217.6M has been collected through March 31, 2023
  - b. \$347.4M has been allocated through FY23-24 for 34 projects and funding areas



# Measure X Community Advisory Board

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On February 9, 2021, the Board of Supervisors created the MXCAB to:

1. Oversee an annual assessment of community needs, focusing on the priority areas identified in the Measure X ballot language
2. Create a detailed priority list of the top service gaps based on the results from the Needs Assessment;
3. Use the Needs Assessment to make general funding priority recommendations to the Board of Supervisors; and
4. Provide an Annual Report on the outcomes and impact of allocated funds.



# Comparison of county sales tax oversight committees

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1. On November 8, 2022 the Board requested that staff return with recommendations for the creation of an oversight body
2. CAO conducted a review of oversight structures for county sales tax measures, including Alameda, Marin, San Mateo, Santa Clara, Sonoma, Los Angeles, San Francisco Bay Restoration Authority [See Attachment A]
3. San Mateo's Measure K most closely resembles Contra Costa's Measure X. All but Santa Clara have an oversight committee.
4. Common responsibilities: financial audits, performance measurement, annual reports
5. Meeting frequency – Most meet 2 or 4 times annually





# Potential benefits of an oversight body

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1. Transparency – Independent auditing
  - a. Confirms the accuracy of the County’s reported sales tax revenues
  - b. Verifies that expenditures by County departments, external agencies, and subrecipients were spent appropriately and for their intended purposes as approved by the Board of Supervisors
2. Separation of duties – Eliminates conflicts of interest and incompatible activities
3. Objective analysis – Potentially provides expert, external review of departments’ performance and outcomes
4. Accountability – Increases public information about Measure X activities, progress, and impacts



# Key considerations for Measure X oversight

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1. Role and responsibilities – What does oversight entail?
  - a. Annual financial audit
  - b. Performance measurement & program evaluation
  - c. Annual report
  
2. Membership – Who should provide oversight?
  - a. How many seats and for what term?
  - b. Who represents (e.g. experts such as Auditor-Controller, Public Works Capital Projects Manager, County Administrator, business and financial representatives from public)?
  - c. How are members selected (e.g. application, appointed, by role)?
  - d. Avoid conflicts of interest and incompatible activities (e.g. making funding recommendations and then applying for those funds)
  
3. Deliverables: Year-end report(s), public discussion



# Key considerations for Measure X oversight (continued)

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4. How often to meet?
  - a. Quarterly at launch
  - b. Semi-annual afterwards
  
5. What resources are needed?
  - a. Contracted services for an external auditor
  - b. Staffing to support reporting, public information, website development, program evaluation, and Measure X related meetings
  
6. How do the Measure X Community Advisory Board and their bylaws align?



# Finance Committee Recommendations

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1. Create a Measure X fiscal oversight body responsible for reviewing and confirming Measure X revenues and expenditures
  - a. Oversee financial audits conducted by an external auditor
  - b. Verify conformance with the Measure's language and intent and with the Board's direction for specific allocations
  - c. Produce an associated annual report
  - d. Would not do performance measurement or program evaluation; role is solely financial accountability
2. Membership
  - a. 2 seats for each county supervisor's district (10 total), with recommendations by each district supervisor and appointment by the Board of Supervisors
  - b. Serving 3-year terms, up to 2 terms (6 years) total
3. Meeting frequency: Quarterly to start, semi-annual afterwards



# MXCAB & Finance Committee proposed changes to the MXCAB bylaws

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## 1. Role

- a. Shifts annual needs assessments to every 3 years, or as needed
- b. Specifies that the MXCAB makes funding recommendations on any net revenues available for allocation (after cost-of-living adjustments are made for existing allocations)
- c. Creates a joint session between the Board of Supervisors and MXCAB to receive an annual report from county staff on implementation, milestones, impact, and outcomes of Measure X

## 2. Membership

- a. Prioritizes MXCAB eligibility based on lived experience of the harms caused by racial and economic inequities
- b. Allows public officials (with membership on other County bodies) to serve on the MXCAB, and clarifies restrictions apply to elected officials and County department heads



# MXCAB & Finance Committee proposed changes to the MXCAB bylaws (continued)

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## 3. Meetings and Administration

- a. Enables a majority of the members to call for a special meeting
- b. Clarifies definitions for quorum and voting
- c. Reiterates rules about participation, requiring members to recuse themselves from discussing or voting if doing so would constitute a conflict of interest
- d. Authorizes the MXCAB to create subcommittees, with assigned alternate members having voting rights
- e. Enumerates specific responsibilities to County staff to support MXCAB meetings and administration, including simultaneous interpretation at a minimum for American Sign Language and Spanish, maintaining member rosters and attendance, and responding to the MXCAB Chair's questions and requests between meetings



# CAO recommendations

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1. RECEIVE the report
2. PROVIDE DIRECTION on Measure X oversight
3. PROVIDE DIRECTION on proposed changes to the Measure X Community Advisory Board bylaws
4. DIRECT staff on next steps

**Attachment B - Comparison of Oversight Structures for County Sales Tax Revenues**

	San Mateo	Alameda	Marin	Sonoma	Santa Clara	Los Angeles	San Francisco Bay Restoration Authority
<b>Measure</b>	Measure A (2012) and Measure K (2016) extended 20 years. <a href="#">Half-cent sales tax</a> passed 2016 to support essential County services and to maintain or replace critical facilities. Also known as "San Mateo County Critical Services Measure."	Measure A, the Essential Health Care Services Initiative, was adopted by Alameda County voters in March 2004. The Measure authorized the County of Alameda to raise its sales tax by <a href="#">one-half cent</a> in order to provide for additional financial support for emergency medical, hospital inpatient, outpatient, public health, mental health and substance abuse services to indigent, low-income, and uninsured adults, children, families, seniors and other residents of Alameda County.	Measure A to maintain open space, parks, and sustainable agriculture, without increasing tax rates, shall the Marin County measure be adopted to: manage vegetation to reduce wildfire risk and preserve biodiversity; protect streams, baylands, natural areas, wildlife habitat; maintain park facilities; and maintain/enhance walking, hiking, biking, and equestrian trails; by re-implementing an existing <a href="#">one-quarter cent sales tax</a> , providing \$14,000,000 annually, for 9 years (renewed 2022; original 2012)	On Nov. 6, 2018, approved Measure M, a <a href="#">one-eighth cent sales tax</a> that supports Sonoma County's regional and city parks. Approved by 72.6 percent of voters, the "Sonoma County Parks Improvement, Water Quality and Fire Safety Measure" went into effect in April 2019 and will provide funding for parks for 10 years.	Extended indefinitely in November 2018, the 2012 Measure A is a <a href="#">1/8 cent sales tax</a> approved by the voters in November 2012. As a result of the extension, the County has updated the strategic plan for 2012 Measure A usage by aligning services and community needs within a long-term strategy. Specifically, the Recommended Budget contains an ongoing allocation of 2012 Measure A revenue to the Office of Supportive Housing (OSH) to ensure critical service needs are met and to continue the mission of ending and preventing homelessness.	Measure H <a href="#">¼-cent sales tax</a> approved in March 2017, dedicated to preventing and addressing homelessness countywide.	Measure AA, or the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure, was a revenue generating measure placed on the June 2016 ballots of the nine-county San Francisco Bay Area. The measure proposed a 20-year, <a href="#">\$12 parcel tax</a> to raise approximately \$25 million annually to fund restoration projects in the Bay. It passed with 70% approval across the region and went into effect in 2017.
<b>Sales tax rate</b>	9.375%	10.250%	8.250%	8.500%	9.125%	9.500%	N/A
<b>Funding decisions</b>	Board of Supervisors approves every Measure K project, program, or initiative at a public meeting.	Seventy-five percent (75%) of the proceeds are transferred directly to the Alameda County Medical Center and 25% of the proceeds are allocated by the Alameda County Board of Supervisors (BOS) based on demonstrated need and the County's commitment to a geographically dispersed network of providers.	PARKS AND OPEN SPACE 65%, SUSTAINABLE AGRICULTURE 20%, CITIES AND TOWNS 15%.  Proposed project expenditures are also routinely brought before the Parks and Open Space Commission and the Open Space District Board. An annual budget is reviewed by the Parks and Open Space Commission and approved by the Marin County Board of Supervisors.	Two-thirds of the funds collected will be spent on Sonoma County Regional Parks, enabling the department to: Maintain parks, trails & open spaces; Help protect water quality; Reduce risk of future wildfires; Protect wildlife habitats & fisheries; Improve access for the underserved; Support neighborhood parks & recreation. One-third of all the money will be shared by Sonoma County's cities to maintain and improve local parks. Each city will determine how best to prioritize its funding projects.	Allocated through annual budget process and approved by Board of Supervisors	The Homeless Initiative conducts an inclusive and transparent annual funding recommendations process involving County departments and agencies, cities, nonprofit service providers, community partners, and people who have experienced homelessness. Members of the public have multiple opportunities to provide feedback before the Board of Supervisors approves the final budget.	The Restoration Authority Board makes funding decisions at public meetings based on its enabling legislation and the requirements of Measure AA. The Board may fund projects to protect, restore and enhance the San Francisco Bay, including: habitat restoration projects; flood protection projects that are part of a habitat restoration project; and shoreline access and recreational amenity projects that are part of a habitat restoration project.
<b>Structure</b>	Oversight Committee	Citizen Oversight Committee	Oversight Committee	Citizens Oversight Committee	N/A	Citizen's Oversight Advisory Board	The San Francisco Bay Restoration Authority is a regional agency comprised of: A Governing Board of local elected officials (7); An Advisory Committee to represent the community and public agencies (27), and make recommendations on expenditure priorities within the requirements of Measure AA; An Oversight Committee (6); and Staff from state and regional agencies.
<b>Oversight Membership</b>	10 seats - two appointed per district	17 seats - League of Women Voters, Taxpayers Association, County Mental Health Board, Public Health Commission, Labor Council, City Managers Association, City of Berkeley, District seats	7 seats - (2) Parks Commission, (1) Agricultural Community, (4) members with working knowledge in subject areas and disciplines beneficial to the work of the committee (e.g. financial management and reporting, public agency administration, and provision of park and open space services). 2 year terms.	7 seats - 5 members appointed by each supervisorial district. 2 members appointed from a list of names submitted by the Mayors of Sonoma County Cities. In the absence of nominations from the City Mayors, the Sonoma County Parks Advisory Commission Chair and Vice Chair will serve on the Oversight Committee. Committee members will serve a three year term and are eligible to be reappointed to one additional three year term.	N/A	5 seats - Appointed by the Board of Supervisors	The Oversight Committee consists of one representative from each of the four regions (North, South, East, and West Bay), and two members from counties not already represented, currently Alameda and San Mateo.



	San Mateo	Alameda	Marin	Sonoma	Santa Clara	Los Angeles	San Francisco Bay Restoration Authority
<b>Responsibilities</b>	Annual audit, reviews and recommends metrics, prepares annual report. Committee does not make funding recommendations.	The Measure A ordinance established a Citizen Oversight Committee, which consists of 17 members appointed by the Alameda County Board of Supervisors (Board), to annually review the expenditures for the prior year and report to the Board on the conformity of the expenditures to the ordinance. The Committee develops, publishes, and presents a final report, based on individual reports submitted by fund recipients, at the end of each year to the Board.	The duties of the committee are to: (1) review annual expenditures to ensure they conform with the Expenditure Plan; (2) oversee an annual audit; and (3) prepare an annual report describing how funds were spent. These tasks are completed in partnership with staff and independent auditors.	The committee shall review the receipt and expenditures of the revenue from the transactions and use tax, including the County's annual independent audit. The committee's review shall be completed in conjunction with the County's budget process. The committee shall produce an annual oral or written report on its review which shall be considered by the Board at a public meeting. The committee may provide budget recommendations to the Board and City Councils regarding expenditures from the transactions and use tax. To preserve the integrity and independence of the oversight process, the committee's responsibilities shall not include decision-making on spending priorities, financing plans or tax rate projections or assumptions and the committee shall have no authority to direct, nor shall it direct, County or City staff or officials.	N/A	The Homeless Initiative is the central coordinating body for Los Angeles County's ongoing effort – unprecedented in scale – to expand and enhance services for people experiencing homelessness or at risk of losing their homes. The Citizens' Oversight Advisory Board (COAB) meets quarterly to discuss a range of topics and conduct periodic audits.	The Independent Citizens Oversight Committee is a group of six individuals, operating independently from the Advisory Committee, Governing Board and staff of the Authority to provide an unbiased annual analysis of the work of the Authority. The group is responsible for the following tasks:  1. Annually review the Authority's conformance with Measure AA; 2. Review the Authority's audits and expenditure and financial reports; and 3. Publish an annual report of its findings
<b>Meeting frequency</b>	Meets at least twice a year.	Monthly	Regular public meetings of this committee are held on the second Thursday in February and November.	Quarterly	N/A	Quarterly	At least twice each year: once to discuss and make initial comments on the Authority's annual reports and financial documents; and a second time to discuss, amend, and adopt its findings and recommendations to the Authority, in the form of a written report.
<b>Website</b>	<a href="https://www.smcgov.org/ceo/measure-k">https://www.smcgov.org/ceo/measure-k</a>	<a href="https://www.acgov.org/health/indigent/measureA.htm">https://www.acgov.org/health/indigent/measureA.htm</a>	<a href="https://www.parks.marincounty.org/about-us/measure-a#:~:text=Measure%20A%20Allocations,used%20for%20any%20other%20purpose.">https://www.parks.marincounty.org/about-us/measure-a#:~:text=Measure%20A%20Allocations,used%20for%20any%20other%20purpose.</a>	<a href="https://parks.sonomacounty.ca.gov/learn/funding#:~:text=Measure%20M%20Details,going%20to%20the%20nine%20cities.">https://parks.sonomacounty.ca.gov/learn/funding#:~:text=Measure%20M%20Details,going%20to%20the%20nine%20cities.</a>	N/A	<a href="https://homeless.lacounty.gov/measure-h/">https://homeless.lacounty.gov/measure-h/</a>	<a href="https://www.sfbayrestore.org/independent-citizens-oversight-committee">https://www.sfbayrestore.org/independent-citizens-oversight-committee</a>



**CONTRA COSTA COUNTY  
MEASURE X COMMUNITY ADVISORY BOARD**

**BYLAWS**

(adopted by the Board of Supervisors on April 27, 2021)

**Article I – Purpose**

- A. The Measure X Community Advisory Board (the “Advisory Board”) 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 assessment of community needs, focusing primarily on the priority areas identified in the Needs Assessment, including emergency response (fire/medical), health care, safety net services, preventative care, affordable housing, and supports for early childhood, youth, families, and seniors.
  2. Creating detailed priority lists of the top ten service gaps (county- and community-provided) based on the results from the needs assessment.
  3. Using the assessment to make general funding priority recommendations to the Board of Supervisors on 95% of the revenue generated by Measure X.
  4. Providing an annual report on the outcomes and impact of allocated funds.
  5. The Advisory Board committee shall initially meet as needed and thereafter shall meet quarterly.

**Article II – Membership**

- A. Composition:
1. The Advisory Board shall consist of 17 members, composed of 10 Supervisorial District appointees (2 per Supervisorial District) and seven (7) At-Large appointees.
  2. The Advisory Board shall include ten (10) alternates. Alternate members have made a commitment to attend the meetings and gain the understanding of the issues and each other’s viewpoints needed to reach agreement on recommendations. 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 Advisory Board members. A District alternate may not vote unless substituting for the respective absent District appointed members.
    - 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.

B. Eligibility:

1. General: The Advisory Board shall be composed of members representing broad and 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.
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.
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.
- 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:

- 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) Vacancies through September 30, 2021: Should an unscheduled vacancy occur prior to October 1, 2021, the Supervisorial Districts and Finance Committee may use the initial recruitment pool for nomination/appointment.
- b) General: Should an unscheduled vacancy occur during a member's term of office, either by death, resignation or otherwise, the Board of Supervisors shall be notified of the vacancy and shall direct the Clerk of the Board to announce the vacancy and collect applications for appointment.
- c) Supervisorial District Vacancy: If the unscheduled vacancy is in a Supervisorial District seat, then the applications seeking appointment will be transmitted by the Clerk of the Board to the Supervisorial District responsible for making nominations for appointment to that seat. The Supervisorial District will then transmit the nomination for appointment to the Board of Supervisors for consideration.
- d) 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.
- e) Resignation: Any appointed member may resign by giving written notice to the Clerk of the Board of Supervisors.

### 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. Alternate members may not serve as officers.
- B. Regular Meetings: Regular meetings of the Advisory Board shall be held at least quarterly based on a schedule adopted by the Advisory Board and that schedule may be changed or augmented as needed. In addition, 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. 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 membership are present. A majority of the membership is defined as a majority of filled seats on the Advisory Board at any given time. For example, if only 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 and a minimum of nine (9) votes of the members present are 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.
- G. Meeting Procedure: The Chair will preside at all meetings and proceed with the business of the Advisory Board in a manner prescribed in these bylaws. The Chair will also decide questions of procedure as needed.
- H. Order of Business: The regular order of business of the Advisory Board shall be at least the following:
  - 1. Call to order
  - 2. Roll call to determine voting eligibility of At-Large alternates. At the start of each meeting, the five 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
- I. 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.

**Article IV. – Administration**

The Advisory Board shall obtain staff support from the County Administrator’s Office. The staff will be responsible for the compilation and distribution of Advisory Board meeting notices, agenda packets and records of action.

**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.

1 **CONTRA COSTA COUNTY MEASURE X COMMUNITY ADVISORY BOARD BYLAWS**

2 **DRAFT April 19, 2023**

3 (adopted by the Board of Supervisors on April 27, 2021)

4 **Article I – Purpose**

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

- 8 1. Overseeing ~~an annual~~regular written assessment of community needs, using as a starting  
9 point focusing primarily on the priority areas identified in the original (2019) Needs  
10 Assessment, including (emergency response (fire/medical), health care, safety net services,  
11 preventative care, affordable housing, and supports for early childhood, youth, families, and  
12 seniors), and updating every three years, or as needed, with MXCAB being responsible for  
13 determining the scope and methodology of the assessment to identify top community  
14 priorities and unmet needs;
- 15 ~~2. Assessing and documenting top community priorities and unmet needs, Creating detailed~~  
16 ~~priority lists of the top ten service gaps (county and community provided) based on the~~  
17 ~~results from the most current needs assessment;~~
- 18 ~~23.~~ Using the assessment findings to develop ~~make~~ general funding priorities to be  
19 recommended to the Board of Supervisors on any Measure X net revenues available for  
20 allocation. y recommendations to the Board of Supervisors on 95% of the revenue generated  
21 by Measure X. Revenue growth from Measure X shall first be allocated to the cost growth  
22 within existing Measure X funded programs;
- 23 ~~34.~~ Receiving annual status reports on the implementation, milestones, impact, and outcomes  
24 of Measure X funded programs in a joint presentation to the MXCAB and Board of  
25 Supervisors;
- 26 ~~45.~~ Providing an annual report to the Board of Supervisors on the outcomes and impact of  
27 allocated funds and on MXCAB’s self-assessment of their effectiveness during the past year.
- 28 ~~5. The Advisory Board committee shall initially meet as needed and thereafter shall meet~~  
29 ~~quarterly.~~

30 **Article II – Membership**

31 A. Composition:

- 32 1. The Advisory Board shall consist of 17 members, composed of 10 Supervisorial District  
33 appointees (two (2) per Supervisorial District) and seven (7) At-Large appointees.
- 34 2. The Advisory Board shall include ten (10) alternates. ~~Alternate members have made a~~  
35 ~~commitment to attend the meetings and gain the understanding of the issues and each~~  
36 ~~other’s viewpoints needed to reach agreement on recommendations.~~ Alternate  
37 members are expected to attend all regular Advisory Board meetings and may

1 participate fully, except that they may not vote unless substituting for an absent  
2 member as described below. Alternate members may not serve as elected officers but  
3 may serve on ad hoc or standing committees of the Advisory Board.

4 a) One (1) alternate shall serve on the Advisory Board for each Supervisorial  
5 District ~~a~~Appointment for a total of five (5) District alternates. The role of  
6 District alternate is fully interchangeable with that of regular District-~~appointed~~  
7 Advisory Board members. ~~A District alternate may not vote unless substituting~~  
8 for the respective absent District-~~appointed~~ members.

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

14 B. Eligibility:

15 1. General: The Advisory Board shall be composed of members representing ~~broad and~~  
16 diverse voices, perspectives, and expertise, including but not exclusive to: budget justice  
17 advocacy, children’s services, community health, consumer advocacy, faith leadership,  
18 senior services, fire and public safety protection, housing and homelessness, labor union  
19 representation, legal advocacy, local businesses, mental health services, non-partisan  
20 civic organizations, policy organizations, public health, racial justice and equity, safety  
21 net services, senior services, substance use services, taxpayers, and youth services.  
22 Priority will be given to residents who are most impacted by one or more of the  
23 community needs identified by MXCAB , and/or who have direct lived experience of  
24 the harms caused by racial and economic inequities. MXCAB will work with members of  
25 the Board of Supervisors to develop and implement strategies to identify and support  
26 MXCAB applicants and new members with lived experience.

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

31 3. No Public Officials: ~~Public officials, including both E~~-elected officials and County  
32 ~~appointed department heads,~~ are not eligible to serve on the Advisory Board.

33 C. Terms of Office:

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

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



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

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

5 D. Appointment Process:

6 1. Initial Appointments:

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

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

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

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

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

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

27 2. Subsequent Appointments:

28 a) Supervisorial District Appointments:

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

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

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

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

9 b) At-Large Appointments:

10 1) The Clerk of the Board of Supervisors will solicit applications to fill the  
11 At-Large Appointments every three (3) years in a single recruitment  
12 process.

13 2) Applications shall be referred to the Finance Committee to select  
14 seven (7) At-Large seats and five (5) At-Large alternates, taking into  
15 account the goals identified in Article II(B)(1).

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

20 4) Final nominations shall be submitted to the full Board of Supervisors  
21 for consideration of appointment.

22 3. Unscheduled Vacancies:

23 ~~a) Vacancies through September 30, 2021: Should an unscheduled vacancy  
24 occur prior to October 1, 2021, the Supervisorial Districts and Finance  
25 Committee may use the initial recruitment pool for nomination/appointment.~~

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

31 ~~be) Supervisorial District Vacancy: If the unscheduled vacancy is in a  
32 Supervisorial District seat, then the applications seeking appointment will be  
33 transmitted by the Clerk of the Board to the Supervisorial District responsible  
34 for making nominations for appointment to that seat. The MXCAB will also be  
35 notified of the vacancy. The Supervisorial District will then transmit the  
36 nomination for appointment to the Board of Supervisors for consideration.~~

37 ~~cd) At-Large Vacancy: If the unscheduled vacancy is in an At-Large seat, then the  
38 applications seeking appointment will be transmitted by the Clerk of the Board~~

1 to the Finance Committee to consider making nominations for appointment to  
2 the vacant seat. The Finance Committee will then transmit the nomination for  
3 consideration and appointment to the Board of Supervisors for consideration.

4 d) If a member is absent three or more times in a 12-month period, staff will  
5 notify the Finance Committee and MXCAB chair of these absences.

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

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

### 10 Article III. – Advisory Board Structure & Meetings

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

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

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

25 D. Quorum: ~~A quorum of the Advisory Board shall occur when a majority of the membership are~~  
26 ~~present.~~ A majority of the membership of the Advisory Board shall constitute a quorum for the  
27 transaction of business. A “majority of the membership” is defined as a majority of filled seats  
28 on the Advisory Board at any given time. For example, if only thirteen (13) seats are filled and  
29 four (4) are vacant, then ~~a majority for purposes of establishing~~ a quorum is established when  
30 ~~would require~~ seven (7) members ~~be are~~ present at ~~the a~~ meeting. Similarly, if all 17 seats are  
31 filled, ~~a majority for purposes of establishing~~ a quorum is established when would require nine  
32 (9) members ~~be are~~ present at ~~the a~~ meeting. No action shall be taken by the Advisory Board  
33 unless a ~~majority of the members are~~ quorum is present as defined above. ~~An~~ Alternate Advisory  
34 Board members ~~s~~ substituting for ~~a~~ members ~~s~~ may be ~~included counted~~ in determining whether a  
35 quorum is established at a meeting.

36 E. Voting: Each member of the Advisory Board, or the member’s alternate when the member is  
37 absent, has one vote. ~~A~~ and a minimum of nine (9) votes of the members present, or alternates  
38 when members are absent, are required to pass a motion.

1 F. Conflict of Interest: As a general rule, ~~no~~a member may not discuss or vote on an agenda  
2 item shall participate as a member in any discussion or voting if doing so would constitute a  
3 conflict of interest. In such a case, the member shall announce that they have a conflict of  
4 interest, and recuse themselves from discussing or voting on that item before the item is  
5 presented and considered.

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

10 H. MXCAB members and staff shall adhere to their respective roles (as described in these  
11 bylaws) in good faith, and shall further amend the bylaws as needed, subject to Board of  
12 Supervisors' approval.

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

15 1. Call to order

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

19 a. Public comment on items not on the agenda

20 b. Approve Record of Action from prior meeting

21 c. Consideration and action on agenda items

22 d. Adjournment

23 J. Sub-Committees and Ad Hoc Committees: With approval from the MXCAB, the MXCAB Chair  
24 may create MXCAB sub-committees and/or ad hoc committees as needed, composed of regular  
25 or alternate members who have full voting rights. All such committees are open and accessible  
26 to the general public in accordance with the Ralph M. Brown Act and the Contra Costa County  
27 Better Government Ordinance. The MXCAB Chair shall consult with MXCAB-staff to ensure staff  
28 capacity to support any such committee meetings.

29  
30 K. Public Access: All meetings of the Advisory Board shall be open and accessible to the general  
31 public in accordance with the Ralph M. Brown Act and the Contra Costa County Better  
32 Government Ordinance. Opportunity for public comment will be included in each agenda  
33 item. In the interest of facilitating the business of the Advisory Board, the Chair may set in  
34 advance of public comment reasonable time limits for oral presentation.

#### 35 **Article IV. – Administration**

36 The Advisory Board shall obtain staff support from the County Administrator's Office or another county  
37 office designated by the Board of Supervisors. The staff will be responsible for compiling and distributing  
38 ~~the compilation and distribution of~~ Advisory Board meeting notices, agenda packets and records of

1 action; arranging for translation into Spanish of MXCAB meeting agendas; arranging for simultaneous  
2 interpretation (at a minimum in American Sign Language and Spanish) for all MXCAB meetings; posting  
3 MXCAB meeting videos on the county website within seven (7) days of the most recent meeting;  
4 maintaining the MXCAB member roster and contact list; maintaining and providing the Chair with a list  
5 of current MXCAB vacancies; providing the Chair with an updated MXCAB attendance record for the  
6 prior quarter; advising the MXCAB Chair and members on questions of procedure; and responding to  
7 questions and requests from the MXCAB Chair between meetings.

8 **Article V. – Compensation**

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

11 **Article VI. – Changes to Bylaws**

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

1 **CONTRA COSTA COUNTY MEASURE X COMMUNITY ADVISORY BOARD BYLAWS**

2 **DRAFT April 19, 2023**

3 (adopted by the Board of Supervisors on April 27, 2021)

4 **Article I – Purpose**

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

- 8 1. Overseeing regular written assessment of community needs, using as a starting point the  
9 priority areas identified in the original (2019) Needs Assessment (emergency response  
10 (fire/medical), health care, safety net services, preventative care, affordable housing, and  
11 supports for early childhood, youth, families, and seniors), and updating every three years, or  
12 as needed, with MXCAB being responsible for determining the scope and methodology of the  
13 assessment to identify top community priorities and unmet needs;
- 14 2. Using the assessment findings to develop general funding priorities to be recommended to  
15 the Board of Supervisors on any Measure X net revenues available for allocation. .  
16 Revenue growth from Measure X shall first be allocated to the cost growth within existing  
17 Measure X funded programs;
- 18 3. Receiving annual status reports on the implementation, milestones, impact, and outcomes of  
19 Measure X funded programs in a joint presentation to the MXCAB and Board of Supervisors;
- 20 4. Providing an annual report to the Board of Supervisors on MXCAB’s self-assessment of their  
21 effectiveness during the past year.

22 **Article II – Membership**

23 A. Composition:

24 1. The Advisory Board shall consist of 17 members, composed of 10 Supervisorial District  
25 appointees (two (2) per Supervisorial District) and seven (7) At-Large appointees.

26 2. The Advisory Board shall include ten (10) alternates. Alternate members are expected  
27 to attend all regular Advisory Board meetings and may participate fully, except that they  
28 may not vote unless substituting for an absent member as described below. Alternate  
29 members may not serve as elected officers but may serve on ad hoc or standing  
30 committees of the Advisory Board.

31 a) One (1) alternate shall serve on the Advisory Board for each Supervisorial  
32 District appointment for a total of five (5) District alternates. The role of District  
33 alternate is fully interchangeable with that of regular District-appointed  
34 Advisory Board members. A District alternate may not vote unless substituting  
35 for the respective absent District-appointed member.

36 b) Five (5) alternates shall serve on the Advisory Board as At-Large  
37 alternates. The role of At-Large alternate is fully interchangeable with that of

1 regular At-Large Advisory Board members. At-Large alternates may fully  
2 participate and voice opinions but may not vote unless substituting for an  
3 absent At-Large member.

4 **B. Eligibility:**

5 1. General: The Advisory Board shall be composed of members representing diverse  
6 voices, perspectives, and expertise, including but not exclusive to: budget justice  
7 advocacy, children’s services, community health, consumer advocacy, faith leadership,  
8 senior services, fire and public safety protection, housing and homelessness, labor union  
9 representation, legal advocacy, local businesses, mental health services, non-partisan  
10 civic organizations, policy organizations, public health, racial justice and equity, safety  
11 net services, senior services, substance use services, taxpayers, and youth services.  
12 Priority will be given to residents who are most impacted by one or more of the  
13 community needs identified by MXCAB , and/or who have direct lived experience of the  
14 harms caused by racial and economic inequities. MXCAB will work with members of the  
15 Board of Supervisors to develop and implement strategies to identify and support  
16 MXCAB applicants and new members with lived experience.

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

21 3. No Public Officials: Elected officials and County department heads are not eligible to  
22 serve on the Advisory Board.

23 **C. Terms of Office:**

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

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

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

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

33 **D. Appointment Process:**

34 1. Initial Appointments:

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

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

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

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

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

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

19 2. Subsequent Appointments:

20 a) Supervisorial District Appointments:

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

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30 alternate nominee).

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33 notified to allow for modifications to their nominations.

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

36 b) At-Large Appointments:



1 1) The Clerk of the Board of Supervisors will solicit applications to fill the  
2 At-Large Appointments every three (3) years in a single recruitment  
3 process.

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8 that there is representation from the broadest cross-section of  
9 stakeholders as described in Article II(B)(1) as well as geographic, racial  
10 and ethnic representation reflecting the County's diversity.

11 4) Final nominations shall be submitted to the full Board of Supervisors  
12 for consideration of appointment.

13 3. Unscheduled Vacancies:

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

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

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

30 d) If a member is absent three or more times in a 12-month period, staff will  
31 notify the Finance Committee and MXCAB chair of these absences.

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

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

36 **Article III. – Advisory Board Structure & Meetings**

37 A. Officers: The Advisory Board shall select a Chair and Vice Chair for purposes of officiating  
38 meetings, who shall each serve for a term of one (1) year. The Chair and Vice Chair, respectively,

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2 serve in these capacities until such time as their overall term on the Advisory Board  
3 ends. Alternate members may not serve as officers. Election of officers shall be held in April of  
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5 B. Regular Meetings: Regular meetings of the Advisory Board shall be held at least quarterly,  
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7 canceled by a majority vote of the Advisory Board or, for lack of business or a quorum, by the  
8 Chair.

9 C. Special Meetings: Special meetings of the Advisory Board or any other committees may be  
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11 meetings shall be called in accordance with the provisions of the Ralph M. Brown Act and the  
12 Contra Costa County Better Government Ordinance regarding member and public notice.

13 D. Quorum: A majority of the membership of the Advisory Board shall constitute a quorum for  
14 the transaction of business. A “majority of the membership” is defined as a majority of filled  
15 seats on the Advisory Board at any given time. For example, if only thirteen (13) seats are filled  
16 and four (4) are vacant, then a quorum is established when seven (7) members are present at a  
17 meeting. Similarly, if all 17 seats are filled, a quorum is established when nine (9) members are  
18 present at a meeting. No action shall be taken by the Advisory Board unless a quorum is present  
19 as defined above. Alternate Advisory Board members substituting for members may be counted  
20 in determining whether a quorum is established at a meeting.

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27 considered.

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29 business of the Advisory Board in a manner prescribed in these bylaws. The Chair shall also  
30 decide questions of procedure as needed. If the Chair is not present at a meeting, the Vice Chair  
31 shall preside.

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34 Supervisors’ approval.

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1 2. Roll call to determine voting eligibility of At-Large alternates. At the start of each  
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4 a. Public comment on items not on the agenda

5 b. Approve Record of Action from prior meeting

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7 d. Adjournment

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9 may create MXCAB sub-committees and/or ad hoc committees as needed, composed of regular  
10 or alternate members who have full voting rights. All such committees are open and accessible  
11 to the general public in accordance with the Ralph M. Brown Act and the Contra Costa County  
12 Better Government Ordinance. The MXCAB Chair shall consult with staff to ensure staff capacity  
13 to support any such committee meetings.

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19 advance of public comment reasonable time limits for oral presentation.

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22 office designated by the Board of Supervisors. The staff will be responsible for compiling and distributing  
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25 American Sign Language and Spanish) for all MXCAB meetings; posting MXCAB meeting videos on the  
26 county website within seven (7) days of the most recent meeting; maintaining the MXCAB member  
27 roster and contact list; maintaining and providing the Chair with a list of current MXCAB vacancies;  
28 providing the Chair with an updated MXCAB attendance record for the prior quarter; advising the  
29 MXCAB Chair and members on questions of procedure; and responding to questions and requests from  
30 the MXCAB Chair between meetings.

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33 for any expenses incurred while conducting official business.

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36 the Brown Act, the Contra Costa County Better Government Ordinance and the policies of the Contra  
37 Costa County Board of Supervisors. No such alteration, amendment or repeal shall be effective unless

- 1 and until the change has been approved by the Board of Supervisors, after consideration and
- 2 recommendation by the Finance Committee.