

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.

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

31 3) In the case where the same nominee is selected for a Supervisorial
32 District appointment by multiple Supervisors, Supervisors will be
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.

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

7 3) The Finance Committee shall ultimately make every effort to ensure
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,

1 may be elected to successive terms as Chair and Vice Chair by the Advisory Board, and may
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
4 each year.

5 B. Regular Meetings: Regular meetings of the Advisory Board shall be held at least quarterly,
6 based on a schedule adopted by the Advisory Board. Regularly scheduled meetings may be
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
10 called by the Chair at any time, or by a majority of current Advisory Board members. Such
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.

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

24 F. Conflict of Interest: As a general rule, a member may not discuss or vote on an agenda item if
25 doing so would constitute a conflict of interest. In such a case, the member shall announce that
26 they have a conflict of interest, and recuse themselves before the item is presented and
27 considered.

28 G. Meeting Procedure: The Chair shall preside at all meetings, and shall proceed with the
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.

32 H. MXCAB members and staff shall adhere to their respective roles (as described in these
33 bylaws) in good faith, and shall further amend the bylaws as needed, subject to Board of
34 Supervisors’ approval.

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

- 37 1. Call to order

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

4 a. Public comment on items not on the agenda

5 b. Approve Record of Action from prior meeting

6 c. Consideration and action on agenda items

7 d. Adjournment

8 J. Sub-Committees and Ad Hoc Committees: With approval from the MXCAB, the MXCAB Chair
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.

14
15 K. Public Access: All meetings of the Advisory Board shall be open and accessible to the general
16 public in accordance with the Ralph M. Brown Act and the Contra Costa County Better
17 Government Ordinance. Opportunity for public comment will be included in each agenda
18 item. In the interest of facilitating the business of the Advisory Board, the Chair may set in
19 advance of public comment reasonable time limits for oral presentation.

20 **Article IV. – Administration**

21 The Advisory Board shall obtain staff support from the County Administrator’s Office or another county
22 office designated by the Board of Supervisors. The staff will be responsible for compiling and distributing
23 Advisory Board meeting notices, agenda packets and records of action; arranging for translation into
24 Spanish of MXCAB meeting agendas; arranging for simultaneous interpretation (at a minimum in
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.

31 **Article V. – Compensation**

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

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

35 The provisions of these Bylaws may be altered, amended or repealed within the limitations imposed by
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.