

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.