



Contra Costa County Board of Supervisors

Subcommittee Report

INTERNAL OPERATIONS COMMITTEE

Meeting Date: 02/12/2018

Subject: Triennial Advisory Body Review – Phase I Report

Submitted For: David Twa, County Administrator

Department: County Administrator

Referral Name: Advisory Body Triennial Review

Presenter: Jami Napier, Chief Assistant Clerk of the Board

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Referral History

The Board of Supervisors is the governing authority for approximately 73 advisory boards, commissions, and committees. These boards serve a variety of governmental functions, both mandatory and discretionary. In order to formalize a regular, on-going sunset review process, the Board approved Resolution (2012/261). This resolution was designed to ensure that every three years each advisory body is reviewed, with approximately a third of the total reviewed each year. Since the new triennial review process was installed in 2012, one full round of review has been completed. The Board approved Phase I of this review on December 5, 2016, Phase II on March 21, 2017, and Phase III on December 5, 2017. This report represents the findings of the second round of triennial sunset review for advisory bodies included in Phase I.

List of Advisory Bodies in Phase I

Since the inception of the current Triennial Review process, one cycle of the process has been completed for all three phases. Fourteen committees are included in Phase I, which was last completed in 2015. The fourteen advisory bodies are divided between four mandatory commissions and ten discretionary commissions.

Mandatory Commissions or Committees

Mandatory commissions include those required under state or federal law. The following four advisory councils, committees, and commissions are considered mandatory and must be operated.

- Advisory Council on Aging (ACOA)
- Countywide Bicycle Advisory Committee
- Economic Opportunity Council
- Hazardous Materials Commission

Discretionary Commissions or Committees

Discretionary commissions are created by the Contra Costa County Board of Supervisors on a voluntary basis. Contra Costa County created the ten committees below on a voluntary basis to meet community needs.

- Agricultural Advisory Task Force Committee
- Alcohol and Other Drugs Advisory Board
- Arts and Culture Commission of Contra Costa County (AC5)
- Aviation Advisory Committee
- Commission for Women
- Emergency Medical Care Committee
- Historical Landmarks Advisory Committee
- Integrated Pest Management Advisory Committee
- Library Commission
- Sustainability Commission

Referral Update

Since the last Triennial Review, three changes have been made to the list of advisory bodies included in Phase I of the review. Following the Triennial Review approved in 2016, two committees included in Phase I have been sunset and one newly-formed committee has been added. As a result of the last cycle of Triennial Review, the Bay Area Library Information System Advisory Council (BALIS) was sunset by the Board of Supervisors, and is no longer included in the Triennial Review. Additionally, since the last Phase I of the review was completed in 2015, the Public and Environmental Health Advisory Board (PEHAB) was also sunset and is not included.

While two advisory bodies have been sunset, the Board has also created a new advisory body that has been added to Phase I of the review. The new Sustainability Commission, formed in 2015, has become fully operational with Board-approved bylaws and full membership. In addition to these changes, one advisory body that was included in Phase I of the last Triennial Review, the Contra Costa Transportation Authority Bicycle and Pedestrian Advisory Committee, will instead be reviewed in the upcoming Phase II.

Findings

Summary of Findings for Phase I

All of the bodies reviewed in this period are fulfilling their function and no major changes are recommended. A number of bodies requested assistance in filling their vacant seats, a recurring theme from the last cycle of review.

Staff from the Clerk of the Board and the County Administrator's Office (CAO) reviewed the materials and surveys submitted by the advisory body staff and chairs. No changes to bylaws, membership requirements, or seat structure are recommended for committees except those highlighted in the summary findings. This report includes a description of advisory bodies in the

Phase I review, along with a summary of comments or recommendations from the County Administrator.

Mandatory Bodies

Advisory Council on Aging (ACOA)

The Contra Costa County Advisory Council on Aging (ACOA) advises the Area Agency on Aging (AAA) in all matters related to the development and administration of senior programs in accordance with the mandates of the Older Americans Act. The Council is composed of 40 authorized member seats appointed by the Board of Supervisors in partnership with local cities and commissions on aging, the ACOA Membership Committee, and a designated advisory group – the Nutrition Council. A majority of the ACOA must be age 60 or older. Members represent the geographic, economic, capacity, cultural, sexual orientation, and ethnic diversity of the County.

Staff Comments/Recommendations

Staff have reviewed the Advisory Council on Aging's Triennial Review submission, and do not currently suggest changes to the ACOA's bylaws or operations.

Countywide Bicycle Advisory Committee

The Countywide Bicycle Advisory Committee provides input to Contra Costa County and the cities in the County on the use of Transportation Development Act (TDA) funds to construct bicycle and pedestrian projects. The Bicycle Advisory Committee also provides advice to the cities and the County on bicycle and pedestrian planning matters.

Staff Comments/Recommendations

Staff does not recommend any changes to the operations or bylaws of the Bicycle Advisory Committee at this time.

Economic Opportunity Council

The Economic Opportunity Council (EOC) is responsible for assuring that Community Action Agencies assess and responds to the causes and conditions of poverty in the community, achieve anticipated family and community outcomes, and remain administratively and fiscally sound.

Staff Comments/Recommendations

The EOC states that in the past, they have relied heavily on the mission and laws that are embodied in the Community Services Block Grant (CSBG) Information Memorandum #82, regarding Tripartite Boards. However, the EOC has identified that creating a mission statement is a priority and will be completed as part of the strategic plan in the upcoming months. Staff will monitor the EOC's progress and provide guidance, as requested.

Hazardous Materials Commission

The Hazardous Materials Commission was established in 1983 by the Contra Costa County Board of Supervisors. Its charge is to develop overall policy recommendations for hazardous materials and wastes and advise the Board, local elected officials, and county and city staff.

Staff Comments/Recommendations

Staff does not recommend any changes to the operations or bylaws of the Hazardous Materials Commission at this time.

Discretionary Bodies

Agricultural Advisory Task Force Committee

The Agricultural Advisory Task Force Committee was created to advise and provide recommendations to the Board of Supervisors on matters that relate to preserving and promoting agriculture in Contra Costa County. The Agricultural Advisory Task Force was originally established on March 25, 1991 to advise the Board on agricultural and open space issues, but ceased to be an active committee. Then, on March 28, 2000, the Board authorized the re-establishment of the Agricultural Advisory Task Force and directed the Community Development Department to develop guidelines and to establish a process for recruiting and seating new members. However, in recent years, the advisory body has held no meetings. In 2016, efforts were made to revitalize the group and establish bylaws. However, progress has stalled, due in part to staff turnover.

Staff Comments/Recommendations

The status of the Agricultural Advisory Task Force Committee was last discussed at the November 9, 2017 meeting of the Internal Operations Committee, where further actions to reconstitute the task force were suspended.

Alcohol and Other Drugs Advisory Board

The mission of the Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding prevention and treatment for alcohol and other drug related problems. Resultant findings and recommendations are forwarded to the Health Services Department and the Board of Supervisors.

Staff Comments/Recommendations

The Board has been having difficulty in filling vacant seats and has made the comment that eliminating vacant seats would ensure a quorum is met. As of January 19, 2018, nine of the 18 seats are vacant. Additionally, seven meetings were cancelled during the last 36 months specifically due to lack of a quorum. Currently, the Board is updating their bylaws, which are under review by County Counsel. During this bylaw update, staff recommends that the Board consider its membership composition and number of seats in order to more readily achieve a quorum.

Arts and Culture Commission of Contra Costa County

The purpose of the Arts and Culture Commission of Contra Costa County (AC5) is to advise the Board of Supervisors in matters and issues relevant to Arts and Culture. The AC5 seeks to advance the arts in a way that promotes communication, education, appreciation and collaboration throughout Contra Costa County, as well as to preserve, celebrate, and share the arts and culture of the many diverse ethnic groups who live in Contra Costa County. They aim to create partnerships with business and government, and to increase communications and

understanding between all citizens through art. Broadly, the Commission strives to promote arts and culture as a vital element in the quality of life for all of the citizens of Contra Costa County.

Staff Comments/Recommendations

The AC5 is currently in the process of revising their bylaws. As of this writing, the AC5's bylaws are undergoing preliminary review by County Counsel. Staff will monitor the development of the updated bylaws and provide assistance, as requested.

Aviation Advisory Committee

The purpose of the Aviation Advisory Committee (AAC) is to provide advice and recommendations to the Board of Supervisors on aviation issues that are: (i) related to the economic viability and security of airports in CCC, and (ii) affect the general welfare of people living and working near the Airports and in the broader community. The AAC may conduct public discussions and hear comments on airport and aviation interests relative to the safe and orderly operation of airports in order to formulate the recommendations it makes to the Board. The AAC may conduct discussions with local, state, and national aviation interests relative to the safe and orderly operation of airports in order to formulate the recommendation it makes to the Board. At the request of the Director of Airports, the AAC shall provide the Director of Airports a forum within which to discuss policy matters affecting the County's Airports.

Staff Comments/Recommendations

Staff does not recommend any changes to the operations or bylaws of the Aviation Advisory Committee at this time.

Commission for Women

The Contra Costa Commission for Women (the CCCW) was formed to educate the community and advise the Contra Costa County Board of Supervisors and other entities as necessary on issues relating to the changing social and economic conditions of women in the County, with particular emphasis on the economically disadvantaged. The CCCW's stated mission is "to improve the economic status, social welfare, and overall quality of life for women in Contra Costa County."

Staff Comments/Recommendations

While the current Commission Chair did not submit a final triennial review survey, responses were received from Beth Mora (Co-Chair from 3/2017-7/2016), Lauren Babb (Current District IV Member), and Jennifer Cohen (Listed as Fiscal Liaison in the Commission's 2017 meeting minutes).

There were a few recurring themes in the surveys submitted and the Commission does not appear to be performing as effectively as it could be. During the review period, a number of issues arose and have been discussed at the Internal Operations Committee meetings. Among other issues, the committee has experienced turnover with no fewer than eleven members (out of a membership of 20) resigning during the three-year review period. Suggested changes include updating the bylaws to provide more clarity on the Commission's mission and the responsibilities of its members as well as realign its priorities to the community's current issues and needs.

Additionally, the Commission should consider issuing term limits and reducing the number of

seats in their bylaws. The bylaws and other establishing documents should be updated to address the relationship between Commission members and the Friends of the Contra Costa Commission for Women.

Emergency Medical Care Committee

The Emergency Medical Care Committee acts in an advisory capacity to the Board and the County Health Services Director on matters relating to emergency medical services.

Staff Comments/Recommendations

The Emergency Medical Care Commission updated their bylaws on January 5, 2016 and staff does not recommend additional changes during the review period.

Historical Landmarks Advisory Committee

The purpose of the Contra Costa County Historical Landmarks Advisory Committee (HLAC) is to advise the Board of Supervisors on matters relating to the identification and preservation of historical resources within the County, including identifying eligible sites and places to be listed in the County's Historic Resources Inventory.

Staff Comments/Recommendations

No operational concerns have been raised with the Historical Landmarks Advisory Committee during the review period. During the last cycle of Triennial Review, staff examined whether the functions of the HLAC could be performed by another body. However, the Conservation and Development Director requested that the Board of Supervisors continue the HLAC as an advisory body to both the Department and the Supervisors, without changes to its structure, membership, or duties.

Integrated Pest Management Advisory Committee

The Integrated Pest Management (IPM) Advisory Committee lists six purposes in their bylaws. At a high-level, they seek to promote a coordinated County-wide effort to implement IPM in the County in a manner that is consistent with the Board-adopted IPM Policy. Broadly, they serve as a resource to help Department Heads and the Board of Supervisors review and improve existing pest management programs and the processes for making pest management decisions. Additionally, they make policy recommendations upon assessment of current pest issues and evaluation of possible IPM solutions.

As a result of the last cycle of Triennial Review, an advisory board that had a dedicated seat on the IPM Advisory Council was abolished. In November 2016, the Board of Supervisors abolished the Public and Environmental Health Advisory Board (PEHAB) as part of the Phase I Triennial Advisory Body Review. The abolishment of PEHAB left in question the disposition of the PEHAB seat on the IPM Advisory Committee. Ultimately, the seat was retained as a voting seat, and was designated to be a seat for a nominated member of the Sustainability Commission. The new bylaws were reviewed in the Internal Operations Subcommittee in November 2017, and were approved by the Board of Supervisors on December 5, 2017.

Staff Comments/Recommendations

The IPM Advisory Committee adopted new bylaws in December 2017 to update their seats, with no other substantial changes. Staff does not recommend any additional changes during this review period.

Library Commission

The Contra Costa County Library Commission was originally established in March 1991 for a two-year period and has been reauthorized by both the Board of Supervisors and the Mayors Conference for continuance. The original purpose and responsibility of the Commission includes five parts: 1) To serve in an advisory capacity to the Board of Supervisors and the County Librarian; 2) To provide community linkage to the County Library; 3) To establish a forum for the community to express its views regarding the goals and operations of the County Library; 4) To assist the Board of Supervisors and the County Librarian to provide library services based on assessed public need; and 5) To develop and recommend proposals to the Board of Supervisors and the County Librarian for the betterment of the County Library including, but not limited to, such efforts as insuring a stable and adequate funding level for the libraries in the County.

Staff Comments/Recommendations

Library Commission was reauthorized through December 31, 2019, with a revised composition of 24 voting members and 4 non-voting special representatives. The City of Richmond elected to leave the commission. The County Librarian was directed to return to the Board with recommendations for revised Commission bylaws, which were last updated on December 13, 2016.

Sustainability Commission

The Sustainability Commission was officially established November 15, 2016 to carry out three categories of responsibilities. First, the commission provides advice to staff and the Board on successful implementation of the Climate Action Plan, including suggestions on how that work can be performed more efficiently and effectively. Second, the Commission advises the Board on opportunities to realize equity and fairness across the diverse communities of Contra Costa County in sustainability programs that support the Climate Action Plan. Third, the Commission provides suggestions to staff and the Board on how to better engage Contra Costa County residents and businesses on sustainability issues and implementation of the Climate Action Plan.

Staff Comments/Recommendations

The Sustainability Commission adopted bylaws in June 2017 and has successfully filled all but one of its seats as of the writing of this report. While the Commission is relatively new, staff has not identified any issues with its operations or bylaws.

Recommendations/Next Steps

1. ACCEPT the 2016-2018 Triennial Review Phase I Report and specific recommendations summarized below:
 - a. DIRECT the County Administrator to continue implementation with cycles two and three of the triennial review process for the remaining advisory bodies.

- b. DIRECT the Alcohol and Other Drugs Advisory Board to create a plan to increase their membership and consider changes to their membership composition and seats during their pending bylaw updates.
- c. REQUEST that the Women's Commission consider implementing specific recommendations to address the concerns identified in this report and provide an update to the Internal Operations Committee by October 9, 2018 with a plan of action.
- d. REQUEST that the Clerk of the Board explore a new application format to further the Board's goals of increased community participation in citizen advisory bodies, and report back to the Internal Operations Committee.
- e. REQUEST that the Clerk of the Board conduct a survey of ethics training requirements for advisory body commissioners to comply with or exceed state requirements and report back to the Internal Operations Committee.