



**Contra
Costa
County**

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: December 8, 2015

Subject: PHASE 1 TRIENNIAL ADVISORY BODY REVIEW RECOMMENDATIONS

RECOMMENDATION(S):

APPROVE Internal Operations Committee recommendations from Phase I of the Triennial Advisory Body Review:

1. TERMINATE the County's participation on the Bay Area Library Information System Advisory Council.
2. REASSIGN Phyllis Gordon to the At Large #7 seat and ABOLISH At Large seats #16-20 on the Contra Costa Commission for Women; DIRECT the Commission to revise its Bylaws to reflect a total membership of 20 seats (one from each Supervisorial District and 15 At Large) plus one Alternate, and the standard County quorum requirement, which is a majority of authorized seats or, in this case, 11, and to submit the revised bylaws to the Board of Supervisors for consideration.
3. APPROVE recommendations of the Health Services Department in Attachment A with regard to the Alcohol and Other Drugs Advisory Board.
4. DIRECT the following departments to report back to the IOC in March 2016 with updates on the issues identified in the background of this report:

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **12/08/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 8, 2015

, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
(925) 335-1077

By: Stacey M. Boyd, Deputy

- EHS Director or designee regarding the Advisory Council on Aging
- Agricultural Commissioner/Director of Weights & Measures or designee regarding the Agricultural Task Force
- Health Services Director or designee regarding the Emergency Medical Care Committee, and potential merger of the Hazardous Materials Commission and the Public and Environmental Health Advisory Board
- County Librarian regarding the Library Commission

RECOMMENDATION(S): (CONT'D)

>

5. REQUEST the Airport Land Use Commission and the Board's Airports Committee to review the functions of the Aviation Advisory Committee to determine if advisory functions continue to be necessary, and make a recommendation to the Board of Supervisors.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Board of Supervisors has asked a number of county residents, members of businesses located in the county and/or county staff to serve on appointed bodies that provide advice to the Board on matters of county or other governmental business. Members provide a resident's, business or county staff perspective on a wide variety of policy issues or programs that the Board oversees. Their efforts can directly affect the quality of life in Contra Costa County and they provide countless hours in this public service.

Appointees begin their official advisory body involvement through Board action and serve for a specified term. Each body has an enabling charge and bylaws, which spell out structure, work processes and the expectations of members. Although bodies do not have the authority to hire employees, most bodies have been assigned county or contracted staff to assist the Chair, Vice Chair and the members with conducting the business of each body and providing regular reports, recommendations and advice to the Board or other units of government. The business of each body is public and governed by all the applicable state and local laws about transparency and availability of the body's records to the members of the public. Some bodies are required to adopt a conflict of interest code, although the Fair Political Practices Commission asked, in 2014, that we review all bodies with these code requirements to see if they are legally necessary, according to State Law. Bodies are expected to file an annual work plan with the Board and a list of goals and priorities that will guide their work for that year. They also are asked to submit an annual report that summarizes their accomplishments and activities.

Periodically the BOS evaluates and examines the advisory bodies to determine if any changes are needed in the structure, composition, Board charge, enabling mandate, assignments or the inner workings of the bodies. Some of these reviews have led to changes in bylaws, membership requirements, structure, enabling charges, assignments/duties or sun-setting of the body. Beginning in 2010 and concluding in 2011/2012, the BOS conducted an extensive review of advisory body policies, makeup and structures and passed Resolution Nos. 2011/497 and 2011/498, which revised and restated the Board's governing principles for the bodies. The Resolutions dealt with all bodies, whether created by the Board as discretionary or those that the BOS is mandated

to create by state or federal rules, laws or regulations. The Resolutions directed the CAO/CoB's Office to institute a method to conduct a rotating triennial review of each body and to report on the results of that review and any resulting staff recommendations to the BOS, through the IOC, on a regular basis.

The Resolutions laid out the questions and issues on which the Supervisors wanted the report to be based and directed that the information be requested from and submitted by each advisory body once every three years. Board members were particularly interested in whether or not advisory bodies should continue in their existing forms or structures and if their duties or membership should be changed. They also asked for staff comments on the possibility to sunset committees or to merge bodies together to achieve efficiencies, greater productivity or better service to the public.

This year, the IOC reviewed staff feedback and recommendations from the first phase of the current triennial review. What follows is a summary of our conclusions and the context for our recommendations.

- Bay Area Library Information System Advisory Council (BALIS): The County Librarian advised that this mandatory body has been sunset by the State of California and can be deleted from the list of Advisory Bodies to whom the BOS makes an appointment (see Recommendation No. 1)
- Advisory Council on Aging: Our study indicated that there might be “mission creep” in the work of this mandatory body, into both program and policy areas, rather than the body remaining in strictly an advisory role to the BOS and the Area Agency on Aging for plan development. We recommend that the Employment and Human Services Director report back to the IOC on these issues. We also recommend maintenance of the requirement for members of this body to file an annual Form 700.
- Countywide Bicycle and Pedestrian Advisory Committee of Contra Costa Transportation (Joint Powers) Authority (CCTA) and Countywide Bicycle Advisory Committee of Contra Costa County: We considered these two bodies together because there can be confusion about their differing obligations. The first committee is a mandatory component of the regional CCTA transportation planning efforts. The second body is a BOS discretionary body that meets informally, usually once per year, to review revenue allocations and comment on whether or not bicycle and pedestrian projects are included in projects funded by the CA Department of Mass Transportation. The Conservation and Development Director reviewed all aspects of the discretionary body's work and recommends that no change be made to the County's Bicycle Advisory Committee. We concur with that recommendation.
- Economic Opportunity Council: We had concerns about reports that most of the Community Services Block Grant (CSBG) received by the EOC was being expended on County staff costs instead of on programs. EHS Director Kathy

Gallagher gave us a report about the functioning of the commission and allocation of administrative costs in the CSBG budget. Kathy expressed concerns with the direction given by the State for doing the CSBG budget. She disagrees with the State's direction and how inconsistent it is compared to other similar revenue streams within EHSD. She plans on talking to state officials later this month to gain more clarity. We asked Ms. Gallagher to report back in 90 days after consultation with the State (see Recommendation No. 4).

- Hazardous Materials Commission: We recommend no changes to this mandatory body.
- Agricultural Task Force Commission: In 2012/13, this discretionary body did not convene and did not have current bylaws. We recommend that the newly appointed Department Head review the charge, work and structure of this body and bring recommendations for any changes, including sunset or merger with other advisory bodies, back to the IOC for further consideration and direction (see Recommendation No. 4).
- Alcohol and Other Drugs Advisory Board (AOD): When originally created, this body was mandated by State law; that mandate was repealed in 1993. The only issue that arose from our review is the extensive amount of County staff time that appears to be necessary to support the subcommittee work undertaken by this body. We asked the Health Services Department to reevaluate the highly formal structure of the AOD to reduce County staff workload related to agendas, meeting packages, reports and minutes. HSD transmitted its recommendations in the attached memo (Attachment A), which describes three subcommittees, a meeting schedule and staffing allocation. We concur with these recommendations (see Recommendation No. 3).
- Arts and Culture Commission (AC5): This discretionary advisory body is the only entity allocated funds (\$15,000) within the County's budget to help carry out its activities. The body has developed a regional and Statewide reputation and focus to promote the arts. Outside of promotion, however, the advisory role to the BOS appeared minimal. We asked the CAO to explore with the AC5's members whether or not the entity should reconsider/redefine its focus as an advisory body to the Board or explore spinning off as a non-profit organization. The membership prefers to remain a BOS advisory body for the time being. We, therefore, recommend no changes at this time.
- Aviation Advisory Committee (AAC): Staff recommends that the County's policy-making Airport Land Use Commission and the standing BOS Airports Committee review the functions of the discretionary AAC to determine if advisory functions continue to be necessary at this time (see Recommendation No. 5). If a determination is made to continue the body, the necessity of filing the Form 700 should be reviewed by County Counsel.

- Commission for Women: This discretionary advisory body's major activities are to regularly host and participate in local, regional, and national seminars and outreach activities on women's issues. The advisory role to the BOS appeared minimal. The body, which has an authorized membership up to 25 plus an alternate, reported having difficulty meeting quorum requirements for meetings. We recommend that the number of At Large seats be decreased by 5 to 15, bringing the total authorized seats to 20 plus an alternate. We also recommend that the Commission's bylaws be updated to reflect the decrease in seats and also to make the quorum requirements consistent with County policy, which is a majority of authorized seats or in this case, 11 (see Recommendation No. 2).
- Emergency Medical Care Committee: Although the current activities and scope of this discretionary advisory committee appear to exceed the original purposes for which the body was established, we recommend no changes in committee structure at this time. The CAO laid out a plan with the EMCC to review its bylaws and rewrite them, especially as they relate to membership and size of the committee. The full Committee will review the proposed by-law changes and come to the BOS for review and approval. The Supervisors may wish to incorporate some of this entity's work activities into an appropriate BOS Standing Committee or expand the EMCC's official charge.
- Historical Landmarks Advisory Committee: The functions of this discretionary advisory committee have primarily been to assist the Department of Conservation and Development to identify historical sites within the County and affect registration as landmarks. The body meets about three times per year. The Conservation and Development Director has reviewed the work of this committee and requests that the BOS continue it as an advisory body to both the Department and the Supervisors, with the same structure, duties and membership as currently exists.
- Integrated Pest Management Advisory Committee: Based on the materials submitted by this discretionary body, its activities appear to have focused a significant amount of effort on evaluating internal operations of the County departments with whom it interacts. We suggest no specific changes at this time.
- Library Commission: This discretionary advisory body has enabling legislation, passed in collaboration with the Mayors' Conference, which continues in effect until the end of 2016. We recommend that the County Librarian (who was not yet hired when this review process was conducted) make a review, and work with the Commission to submit a current annual report and work plan to the BOS.
- Public and Environmental Health Advisory Board (PEHAB): This discretionary body did not submit a response to our Triennial Review survey. However, the Health Services Department did report that the body has stopped meeting for an indefinite period and there is also no staff support available at this time. The Department has

asked for some additional time to permit the newly hired Public Health Director to review PEHAB's charge and structure and report back to the IOC. Strong consideration should be given to merging PEHAB with the Hazardous Materials Commission.

ATTACHMENTS

Attachment A_HSD Recommendations on Alcohol & Other Drugs Advisory Board