



Contra
Costa
County

To: Board of Supervisors
From: Candace Andersen, District II Supervisor
Date: February 9, 2016

Subject: RESOLUTION TO ELIMINATE ALTERNATE APPOINTEES TO THE STANDING COMMITTEES OF THE BOARD OF SUPERVISORS AND OTHER APPOINTMENTS

RECOMMENDATION(S):

1. ACKNOWLEDGE that adoption of a new Master Resolution with a complete roster of all appointments is required by Board policy whenever terms expire or new appointments are made.
2. ADOPT Resolution No. 2016/79 to:
 - A. ELIMINATE Alternate appointees to the standing (Type I) committees of the Board of Supervisors and to restate the appointment of Board members and other individuals to serve on Board committees, special county committees, and regional boards/ committees/ commissions for 2016, some of which include additional compensation in the form of stipend; and
 - B. APPOINT Supervisor Karen Mitchoff as Director, Treasurer-Tax Collector Russell Watts as First Alternate, and Assistant Treasurer Belinda Zhu as Second Alternate to the Association of Bay Area Government's (ABAG) Finance Authority for Nonprofit Corporations (FAN) Board of Directors and its Executive Committee representing Contra Costa County.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/09/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: 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: February 9, 2016

, County Administrator and Clerk of the Board of Supervisors

ABSENT: John Gioia, District I
Supervisor

By: June McHuen, Deputy

Contact: Julie DiMaggio Enea (925)
335-1077

cc:

C. REMOVE Supervisor Karen Mitchoff as Vice Chair to the Transportation, Water and Infrastructure Committee and appoint Supervisor Candace Andersen as Vice Chair.

3. INDICATE that this Resolution No. 2016/79 supersedes in its entirety Resolution No. 2016/1, which was adopted by the Board of Supervisors on January 5, 2016.

RECOMMENDATION(S): (CONT'D)

>

4. RESOLVE that Board Members as named are APPOINTED to serve on Board committees, special county committees and regional boards/ committees/ commissions as specified on Attachment A to Resolution No. 2016/79 as Internal Standing Committees (Type I), Other Internal Committees, (Type II), Regional Bodies (Type III), Special/Restricted Seats (Type IV), and Ad Hoc Committees (Type V).

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Board Standing Committees. At its annual reorganization meeting on January 5, 2016, the Board of Supervisors created Alternate seats for each of the Board's standing committees and stipulated that the alternate designated for each committee will serve only in the event of a long-term absence, as determined by the Board Chair, of a regular committee member.

At its January 26, 2016 retreat, the Board discussed the suggestion of using Alternates more extensively, to address any (not only an extended) absence of a regular committee member. After further consideration, the Board reached consensus that Alternate appointees might, in practice, create conflicts with the open meeting provisions of the Brown Act and Better Government Ordinance because more than three members of the Board of Supervisors may become involved in deliberations during committee discussions. Committee study of matters referred by the Board sometimes extends to multiple committee meetings during the course of the year. In such cases, the potential for serial meetings of the Board of Supervisors exists, since three board members could be involved in committee discussions. All matters within the purview of a Board standing committee are potentially within the purview of the Board of Supervisors, which refers matters to the committees for study. Concern was also expressed about the amount of time that Alternate appointees would need to reserve on their calendars to ensure their availability to substitute for a regular committee member, and how that time commitment might detract from other activities.

The Board considered the idea of publicly noticing certain standing committee meetings as Board of Supervisors meetings in observance of the Brown Act and Better Government Ordinance, but ultimately decided that it would be more practical to reschedule or cancel committee meetings or, as a last resort, proceed with a "quorum of one" in those instances when both members cannot be in attendance at the standing meeting time.

Also during the January 26 retreat, Supervisors Piepho and Mitchoff expressed concern about how their representation of the County on the Delta Counties Coalition and other

various water-related commissions might create challenges in compliance with the open meeting provisions of the Brown Act and Better Government Ordinance, with respect to their recent appointment to the Board's Transportation, Water & Infrastructure Committee (TWIC), which deliberates on many of the same issues as the regional water-related commissions. To avoid the potential for conflict with open meeting requirements, I am recommending that the Board appoint me to replace Supervisor Mitchoff as Vice Chair to the TWIC.

ABAG Finance Authority for Nonprofit Corporations (FAN). Contra Costa County is a member of the ABAG FAN, a joint powers authority. The FAN is governed by a Board of Directors and an Executive Committee. Contra Costa County is entitled to appoint an elected official of the County as a Director of the FAN Board and two alternates who may vote in the Director's absence. I am recommending the appointment of Supervisor Karen Mitchoff to the ABAG FAN Board, and Treasurer-Tax Collector Russell Watts and Asst. Treasurer Belinda Zhu and her first and second alternates, respectively.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommendations are not approved, the Alternate appointees to the Board's standing committees will remain as adopted on January 5, 2016, the County will not be represented on the ABAG Finance Authority for Nonprofit Corporations, and a potential conflict with open meeting requirements will exist for members of the TWIC.

ATTACHMENTS

Resolution No. 2016/79

Attachment A to Resolution No. 2016/79_Board Committee Assignments