



**Contra  
Costa  
County**

To: Board of Supervisors  
From: INTERNAL OPERATIONS COMMITTEE  
Date: December 20, 2016

Subject: 2016 YEAR-END REPORT ON INTERNAL OPERATIONS COMMITTEE REFERRALS AND THEIR DISPOSITION

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### **RECOMMENDATION(S):**

1. ACCEPT the 2016 Annual Report of the Internal Operations Committee of the Board of Supervisors.
2. RECOGNIZE the excellent work of the County department staff who provided the requisite information to the IOC in a timely and professional manner, and members of the Contra Costa community and private industry who, through their interest in improving the quality of life in Contra Costa County, provided valuable insight into our discussions, and feedback that helped us to formulate our policy recommendations.
3. REMOVE without taking any further action the referrals listed under Exhibit A.
4. REFER to the 2017 IOC the items listed under Exhibit B.

### **FISCAL IMPACT:**

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☒ APPROVE
 ☐ OTHER  
☐ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☒ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **12/20/2016** ☒ 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

ABSENT: 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 20, 2016  
 , County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Julie DiMaggio Enea (925)  
 335-1077

None.

## BACKGROUND:

During 2016, the Internal Operations Committee (IOC) received 13 referrals from the Board of Supervisors (BOS), made 16 reports to the Board, interviewed 17 candidates and made recommendations to fill 30 seats for certain advisory bodies whose composition requirements must be monitored. Our Committee appreciates the time and effort taken by the staff to the Board's advisory bodies to recruit, screen, and nominate individuals to our Committee for approval and appointment by the Board. Their efforts in this regard allowed the IOC to focus more of its time on the following subjects:

1. Small Business Enterprise (SBE) and Outreach Programs. The IOC accepted an SBE Program report on October 24, 2016 from the County Administrator's Office, covering the period January 2015-June 2016, and reported out to the Board of Supervisors on November 8, 2016. This is a standing referral.

**REFER**

2. County Financial Audit Program. Since 2000, the IOC reviews, each February, the annual schedule of audits and best practices studies proposed by the Auditor-Controller. The Auditor-Controller's Office presented a report of their 2015 audits and the proposed 2016 Audit Schedule to the IOC on February 29, 2016. This is a standing referral.

**REFER**

3. Annual Report on Fleet Internal Service Fund and Disposition of Low Mileage Vehicles. Each year, the Public Works Department Fleet Manager has analyzed the fleet and annual vehicle usage, and made recommendations to the IOC on the budget year vehicle replacements and on the intra-County transfer of underutilized vehicles, in accordance with County policy. In FY 2008/09, following the establishment of an Internal Services Fund for the County Fleet, to be administered by Public Works, the Board requested the IOC to review annually the Public Works department report on the fleet and on low-mileage vehicles.

The IOC received the 2015 annual fleet report on March 28, 2016 and reported out to the Board of Supervisors on April 12, 2016. This is a standing referral.

**REFER**

4. Local Bid Preference Program. In 2005, the Board of Supervisors adopted the local bid preference ordinance to support small local businesses and stimulate the local economy, at no additional cost to the County. Under the program, if the low bid in a commodities purchase is not from a local vendor, any responsive local vendor who submitted a bid over \$25,000 that was within 5% percent of the lowest bid has the option to submit a new bid. The local vendor will be awarded if the new bid is in an amount less than or equal to the lowest responsive bid, allowing the County to favor the local vendor but not at the expense of obtaining the lowest offered price. Since adoption of the ordinance, the IOC has continued to monitor the effects of the program through annual reports prepared and

presented by the Purchasing Agent or designee.

The Purchasing Services Manager made a report to the IOC on September 26, 2016 and the IOC report out to the Board of Supervisors on November 15, 2016. This is a standing referral.

**REFER**

5. Advisory Body Recruitments. On December 12, 2000, the Board of Supervisors approved a policy on the process for recruiting applicants for selected advisory bodies of the Board. This policy requires an open recruitment for all vacancies to At Large seats appointed by the Board. The IOC made a determination that it would conduct interviews for At Large seats on the following bodies: Retirement Board, Fire Advisory Commission, Integrated Pest Management Advisory Committee, Planning Commission, Treasury Oversight Board, Airport Land Use Commission, Aviation Advisory Committee and the Fish & Wildlife Committee; and that screening and nomination to fill At Large seats on all other eligible bodies would be delegated to each body or a subcommittee thereof.

In 2016, the IOC submitted recommendations to the Board of Supervisors to fill 30 vacant seats on various committees and commissions. The IOC interviewed 17 individuals for seats on the Airport Land Use Commission, Aviation Advisory Committee, Integrated Pest Management Advisory Committee, East Bay Regional Parks Advisory Committee, Fish & Wildlife Committee, Resource Conservation District, and the Treasury Oversight Committee. In 2017, the IOC will need to recruit and interview for multiple seats on the Retirement Board. This is a standing referral.

**REFER**

6. Process for Allocation of Propagation Funds by the Fish and Wildlife Committee. On November 22, 2010, the IOC received a status report from Department of Conservation and Development (DCD) regarding the allocation of propagation funds by the Fish and Wildlife Committee (FWC). The IOC accepted the report along with a recommendation that IOC conduct a preliminary review of annual FWC grant recommendations prior to Board of Supervisors review. On April 25, 2016 the IOC received a report from DCD proposing, on behalf of the FWC, 2016 Fish and Wildlife Propagation Fund Grant awards. The IOC approved the proposal and, on May 10, recommended grant awards for six projects totaling \$22,450, which the Board of Supervisors unanimously approved. This is a standing referral.

**REFER**

7. Advisory Body Triennial Review. Beginning in 2010 and concluding in 2011/2012, the Board of Supervisors conducted an extensive review of advisory body policies and composition, 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 BOS 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

Board, through the IOC, on a regular basis.

The first phase report of the current Triennial Review Cycle was considered by the IOC on April 13, 2015. At that time, the Supervisors approved many of the recommendations in the report. However, they also asked the CAO's Office to return with additional information about a number of the advisory bodies. On October 12, 2015 the IOC accepted the follow-up report from the County Administrator on outstanding issues and information requests stemming from Phase 1 of the Board Advisory Body Triennial Review. The IOC reported back to the Board on December 8 with results of Phase I of the review and recommendations for follow-up.

The IOC made four follow-up reports to the Board of Supervisors with additional recommendations, concluding Phase I of the Triennial Review: Reconstitute the Agriculture Task Force, April 2016; Reauthorize and update the Library Commission, April 2016; Modify the bylaws of the Advisory Council on Aging, September 2016; and Abolish the Public and Environmental Health Advisory Board (November 2016).

**REFER**

8. Waste Hauler Ordinance. On May 8, 2012, the Board of Supervisors referred to the Internal Operations Committee a proposal to develop a waste hauler ordinance. The IOC received a preliminary report from the Environmental Health (EH) Division of the Health Services Department on May 14, 2012 and status report on November 13, 2013 showing substantial work and progress. The IOC requested EH staff to bring a final draft ordinance to the Committee for further consideration but staff subsequently identified issues with the interplay between the proposal and current franchise agreements that had to be examined before the County could proceed with an ordinance. The IOC has continued to work on a draft ordinance with staff and the franchises throughout 2015 and 2016, and expects to bring a report to the Board of Supervisors in early 2017. As this continues to be a work in progress, we recommend that this referral be continued to the 2017 IOC.

**REFER**

9. Social Media Policy. On June 17, 2014, the Board of Supervisors approved a social media policy governing the use of various online engagement tools by County employees for business communication purposes. The County Administrator requested the Office of Communications and Media, with assistance from Risk Management and County Counsel, to develop guidelines for use and training. Input and direction from the Internal Operations Committee in 2013 and 2014 shaped the contents of the umbrella policy. Due to staffing and resource limitations, the implementation of the policy was deferred to 2016. On March 28, the IOC accepted a status report from the OCM Director on implementation of the social media policy, including staff training plans.

**TERMINATE**

10. Animal Benefit Fund Review. On April 21, 2015, the Board of Supervisors received several comments regarding the Animal Benefit Fund from members of the public during fiscal year 2015/16 budget hearings. As part of budget deliberations, the Board directed

staff to include a review of the Animal Benefit Fund to a Board Standing Committee for further review. On May 12, 2015, the Board of Supervisors adopted the fiscal year 2015/16 budget, including formal referral of this issue to the Internal Operations Committee. On September 14, 2015 IOC received a staff report summarizing prior year expenditures and current fund balance of the Animal Benefit Fund. On March 28, 2016, the IOC approved a proposal to expand the animal services donation program and reported out to the Board of Supervisors on April 19, 2016. The Board Order directed the Animal Services Director to report annually to the IOC on the impact of the Animal Benefit Fund on the community and families, creating a new standing referral.

## **REFER**

11. Community Choice Energy. On August 18, 2015, the Board of Supervisors referred to the IOC the topic of Community Choice (Energy) Aggregation. Community Choice Aggregation (CCA) is the practice of aggregating consumer electricity demand within a jurisdiction or region for purposes of procuring energy.

On March 15, 2016, the Board of Supervisors directed staff to work with interested cities in Contra Costa County to obtain electrical load data from PG&E and conduct a technical study of CCE alternatives. Fourteen Contra Costa cities participated in the study with nine contributing towards the cost of the study. An outside consultant was engaged to conduct the study, which was presented to the IOC on December 12, 2016 and will be presented to the Board of Supervisors on January 17, 2017. Pending further direction from the Board on this matter, it is recommended that CCE remain on referral to the IOC.

## **REFER**

12. Property Assessed Clean Energy (PACE). On June 16, 2015, the Board of Supervisors approved the recommendation of the IOC to direct the Department of Conservation and Development (DCD) to establish an application process and accept applications from PACE providers to operate within the unincorporated area of the county. The Board also approved the form of an Operating Agreement the County would require PACE providers to enter into with the County as a condition of operations. The purpose of the Operating Agreement is to protect the County and the general public from the potential costs and risk of PACE programs. The Operating Agreement requires PACE providers to participate in the State PACE Loss Reserve Program, disclose financial costs and risks to participating property owners, and indemnify the County from legal claims arising from the operation of PACE programs.

On November 17, 2015, the Board of Supervisors approved an Operating Agreement with the Western Riverside Council of Governments (WRCOG) and adopted a resolution authorizing WRCOG to operate the California HERO PACE financing program within the unincorporated area of the county.

On November 1, 2016, the Board of Supervisors approved an Operating Agreement with the California Statewide Communities Development Authority to operate the CaliforniaFirst PACE financing program in the unincorporated area of Contra Costa County.

## **TERMINATE**

13. Animal Noise Ordinance Update. On December 6, 2016, the Board of Supervisors referred to the IOC development of an ordinance to authorize administrative penalties for barking dogs and other noisy animals, and to limit the number of roosters on private property in the county unincorporated areas. The 2016 IOC was unable to give consideration to this referral and recommends that it be assigned to the 2017 IOC.

## **REFER**

### **EXHIBIT A LIST OF REFERRALS TO BE REMOVED**

- 9. Social Media Policy
- 12. PACE (Property Assessed Clean Energy)

### **EXHIBIT B LIST OF ITEMS TO BE REFERRED TO THE 2017 INTERNAL OPERATIONS COMMITTEE**

#### **Standing Referrals**

- 1. Continued policy oversight and quarterly monitoring of the Small Business Enterprise and Outreach programs, and e-Outreach
- 2. Review of the annual financial audit schedule
- 3. Review of annual Master Vehicle Replacement List and disposition of low-mileage vehicles
- 4. Local Bid Preference Program
- 5. Advisory Body Candidate Screening/Interview
- 6. Fish and Wildlife Propagation Fund Allocation
- 7. Advisory Body Triennial Review
- 10. Animal Benefit Fund Review

#### **Non-Standing Referrals**

- 8. Waste Hauler Ordinance
- 11. Community Choice Energy Aggregation
- 13. Animal Noise Ordinance Update

## **CONSEQUENCE OF NEGATIVE ACTION:**

Should the Board elect not to approve the recommendations, the Internal Operations Committee will not have clear direction on the disposition of prior year referrals for discussion in calendar year 2017.