



**Contra
Costa
County**

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: April 16, 2019

Subject: 2017-2019 TRIENNIAL ADVISORY BODY REVIEW - PHASE II REPORT AND
RECOMMENDATIONS

RECOMMENDATION(S):

ACCEPT the 2017-2019 Triennial Review Phase II Report and specific recommendations summarized below:

1. DIRECT the County Administrator to continue implementation with the third cycle of the triennial review process for the remaining advisory bodies.
2. DIRECT the Clerk of the Board to assist with bylaw updates for the Advisory Council on Equal Employment Opportunity, related to membership and quorum requirement.
3. DIRECT the Clerk of the Board to collaborate with the District V Supervisor, County Counsel, and the Rodeo MAC to update the bylaws to perform advisory duties previously completed by the CSA R-10 Citizen Advisory Committee.
4. DIRECT the Clerk of the Board to collaborate with the District V Supervisor and related county departments to consider discontinuing the inactive M-16 Citizens Advisory Committee.

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/16/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: April 16, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Jami Napier,
925-335-1908

RECOMMENDATION(S): (CONT'D)

5. DIRECT the Clerk of the Board to collaborate with the District IV Supervisor to update the bylaws of the Contra Costa Centre MAC's membership and composition.

6. REQUEST that the Clerk of the Board explore new review formats to better capture the compliance of advisory bodies with county and state requirements for future cycles of the triennial review.

7. DIRECT the Clerk of the Board and County Counsel to offer a Brown Act, Better Government Ordinance, and Advisory Boards overview training for advisory board staff and chairs in 2019.

8. AUTHORIZE the Clerk of the Board to create materials and resources related to online posting requirements, for those bodies that are currently required under county policy to post agendas online.

9. AUTHORIZE the Clerk of the Board to research and develop new training requirements for advisory board members and advisory board staff, which will return to the Internal Operations Committee for discussion and approval.

BACKGROUND:

The Board of Supervisors is the governing authority for approximately 78 active advisory boards, commissions, and committees (bodies). These bodies serve a variety of governmental functions, both mandatory and discretionary. In order to formalize a regular, on-going sunset review process, as well as compliance with operating procedures, 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. Last year, the Internal Operations Committee reviewed findings of the second round of triennial sunset review for 14 advisory bodies included in Phase I, which was approved on February 12, 2018. This year, Internal Operations and the Board of Supervisors will review 27 bodies included in Phase II.

List of Advisory Bodies in Phase II

Twenty-seven committees are included in Phase II, which was last completed in 2017. The twenty-seven advisory bodies are divided between 5 mandatory bodies and 22 discretionary bodies.

Mandatory Commissions or Committees

Mandatory commissions include those required under state or federal law. The following five advisory councils, committees, and commissions are considered mandatory, meaning that Contra Costa County must operate the following bodies as required by state or federal law:

- Contra Costa County Planning Commission
- First 5 Contra Costa Children and Families Commission
- In-Home Supportive Services Public Authority Advisory Committee
- Local Child Care & Development Planning Council
- Mental Health 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 these nineteen advisory bodies on a voluntary basis to address community needs and solicit further resident engagement.

The bulk of discretionary bodies included in this review cycle fall into two categories: Citizen Advisory Committees for County Service Areas, and Municipal Advisory Councils to provide representation for unincorporated communities. The county's citizen advisory committees for County Service Areas were established by the Board of Supervisors pursuant to the authority granted by Section 31010 of the California Government Code.

Additionally, three bodies in this phase fall into other categories, and are listed below under "Other Discretionary Bodies".

County Service Area Citizen Advisory Committees:

- County Service Area M-16 (Clyde) Citizens Advisory Committee
- County Service Area P-2A (Alamo) Citizens Advisory Committee (Alamo Police Services Advisory Committee)
- County Service Area P-2B (Blackhawk) Citizens Advisory Committee
- County Service Area P-5 (Roundhill) Citizens Advisory Committee
- County Service Area P-6 (Discovery Bay) Citizen Advisory Committee
- County Service Area R-10 (Rodeo) Citizens Advisory Committee

Municipal Advisory Councils (MACs) and Town Advisory Council (TAC):

- Alamo Municipal Advisory Council
- Bay Point Municipal Advisory Council
- Bethel Island Municipal Advisory Council
- Byron Municipal Advisory Council
- Contra Costa Centre Municipal Advisory Council
- Diablo Municipal Advisory Council
- East Richmond Heights Municipal Advisory Council
- El Sobrante Municipal Advisory Council

- Kensington Municipal Advisory Council
- Knightsen Town Advisory Council
- North Richmond Municipal Advisory Council
- Pacheco Municipal Advisory Council
- Rodeo Municipal Advisory Council

Other Discretionary Bodies:

- Advisory Council on Equal Employment Opportunity
- Council on Homelessness
- Family & Children's Trust Committee

Referral Update

Following the Triennial Review approved in 2016, no committees included in Phase II were sunset. One newly-formed committee has been added—the East Richmond Heights MAC.

Findings

Summary of Findings for Phase II

Staff from the Clerk of the Board 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 paraphrased description of advisory bodies in the Phase II review, along with a summary of comments or recommendations from the Clerk of the Board.

Mandatory Bodies

In-Home Support Services Public Authority Advisory Committee

Serves as an advisory council to the In-Home Support Services Public Authority (IHSS), which is administered by the Employment and Human Services Department (EHSD). IHSS provides specialized support services to residents who are frail, elderly, blind, or disabled. Public Authority has an Advisory Committee whose membership is composed of individuals who are current or past users of personal assistance services paid for through public or private funds and professional representatives from the Community.

Staff Comments/Recommendations

The IHSS Public Authority Advisory Committee appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the IHSS Public Authority Advisory Committee.

Planning Commission

The Planning Commission was established under State law to implement the planning power of the county. The Planning Commission develops or approves land use plans, development initiatives, planning programs, and permit applications, among other duties. The Planning Commission was established in County Ordinance Code, Section 26-2, pursuant to Chapters 3 and 4 of Title 7 of the California State Government Code.

Staff Comments/Recommendations

The County Planning Commission appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Planning Commission.

First 5 Contra Costa Children and Families Commission

The commission works to support early childhood development through a strategic plan developed pursuant to the California Children and Families First Act of 1998, an initiative Constitutional Amendment approved by the voters as Proposition 10. Contra Costa County established the First 5 Children and Families Commission with Board Resolution 98/46.

Staff Comments/Recommendations

The First 5 Commission appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the First 5 Commission.

Local Child Care & Development Planning Council

The mission of the Contra Costa County Local Planning and Advisory Council for Early Care and Education (LPC) is to promote quality childcare through community assessment, advocacy, resource development, and collaboration with other organizations. The LPC coordinates programs and services affecting early child care and education, including recommendations for the allocation of Federal Funds to local

early child care and education programs.

Staff Comments/Recommendations

The Local Planning Council appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the LPC.

Mental Health Commission

The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institutions Code 5604, also known as the Bronzan-McCorquodale Act. The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors and to the Mental Health Division and its staff. Commissioners are appointed by members of the County Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors. The Board of Supervisors established the Mental Health Commission in actions taken in on June 22, 1993 (Board Agenda Item 06/22/93_I.O.5).

Staff Comments/Recommendations

The Mental Health Commission notes difficulties in recruiting members to fill the various categories. However, even with these challenges, the Commission has been able to maintain adequate membership and has not needed to cancel meetings in the past year due to lack of quorum. The Mental Health Commission appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Mental Health Commission.

Discretionary Bodies

County Service Area Citizen Advisory Committees:

County Service Area M-16 (Clyde) Citizens Advisory Committee

The County Service Area M-16 Citizens Advisory Committee advises the Board of Supervisors and county administrative departments on the desires of the community in street lighting facilities and services, recreation and park services in the unincorporated community of Clyde.

Staff Comments/Recommendations

The County Service Area M-16 Advisory Committee does not currently have any

appointees, and the last appointment terms expired December 31, 2014. Clerk of the Board recommends seeking input from the community and the District V Supervisor to consider discontinuing the Citizen Advisory Committee and removing it from the County's Local Appointments List (Maddy Book).

Alamo Police Services Advisory Committee (County Service Area P-2A Citizens Advisory Committee)

The Alamo Police Services Advisory Committee advises the Board of Supervisors and the Sheriff's Department on the needs of the Alamo community for police services.

Staff Comments/Recommendations

The Alamo Police Services Advisory Committee appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Alamo Police Services Advisory Committee.

County Service Area P-2A (Blackhawk) Citizens Advisory Committee

The County Services Area (CSA) P-2A Citizens Advisory Committee advises the Board of Supervisors on the needs of the Blackhawk community for extended police services which shall include, but not be limited to, enforcement of the State Vehicle Code, crime prevention, litter control, and other issues.

Staff Comments/Recommendations

In general terms, the P-2A appears to be functioning as intended. However, the Clerk of the Board noted deficiencies with record keeping and compliance with several administrative procedures. To rectify this, the Clerk of the Board recommends that the District III Supervisor consider establishing a liaison to the committee within her office. Additionally, the Clerk of the Board recommends that the District III office serves as the keeper of the CSA P-2A's permanent records (including minutes and agendas). Clerk of the Board also recommends additional training for advisory body staff persons, particularly new advisory body staff who are not familiar with the complex system of rules that pertain to advisory bodies.

County Service Area P-5 (Roundhill) Citizens Advisory Committee

The County Service Area P-5 Citizens Advisory Committee advises the Board of Supervisors regarding community concerns regarding public protection within the district boundaries, which lie within the Roundhill area of the unincorporated community of Alamo.

Staff Comments/Recommendations

The Alamo Police Services Advisory Committee appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Alamo Police Services Advisory Committee, and recommends continuation of the advisory body.

County Service Area P-6 (Discovery Bay) Citizen Advisory Committee

The County Service Area P-6 Citizen Advisory Committee creates reports and recommendations to the Board of Supervisors on extended police protection services which includes, but is not limited to, enforcement of the State Vehicle Code where authorized by law, crime prevention, and litter control.

Staff Comments/Recommendations

The County Service Area P-6 (Discovery Bay) Citizens Advisory Committee appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the P-6 Citizens Advisory Committee, and recommends continuation of the advisory body.

County Service Area R-10 (Rodeo) Citizens Advisory Committee

The County Service Area R-10 Citizens Advisory Committee advises the Board of Supervisors and administrative departments regarding the desires of the community of Rodeo regarding local park and recreation facilities and services.

Staff Comments/Recommendations

The County Service Area R-10 has not been active in recent years. The Clerk of the Board recommends examining whether the Rodeo MAC can feasibly take on the advisory functions previously performed by the R-10 Citizen Advisory Committee, to ensure representation in this area, without further need for additional administrative support and additional meetings. Combining the functions could potentially provide for better engagement, as Rodeo residents would have one community meeting to attend—rather than having to attend two separate meetings.

Municipal Advisory Councils (MACs) and Town Advisory Council (TAC):

Alamo Municipal Advisory Council

The Alamo Municipal Advisory Council (MAC) advises the Board of Supervisors on issues and concerns related to County services provided to the unincorporated area of Alamo.

Staff Comments/Recommendations

The Alamo MAC appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Alamo MAC, and recommends that it continues.

Bay Point Municipal Advisory Council

The Bay Point MAC advises the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bay Point.

Staff Comments/Recommendations

Clerk of the Board could not find evidence of online posting of the Bay Point MAC's agendas, 96 hours in advance of meetings. Clerk of the Board recommends that all MACs are given a checklist of reminders of the online posting requirements, as well as resources to assist with this process.

Bethel Island Municipal Advisory Council

The Bethel Island MAC advises the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bethel Island.

Staff Comments/Recommendations

The Bethel Island MAC appears to be functioning as intended, and generally operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Bethel Island MAC. However, the Clerk of the Board notes that staff would benefit from a Better Government Ordinance training, as staff may have confusion over the timelines for posting meeting agendas and notices.

Byron Municipal Advisory Council

The Byron Municipal Advisory Council advises the Board of Supervisors on issues and concerns related to the unincorporated area of Byron.

Staff Comments/Recommendations

The Byron MAC appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Byron MAC at this time.

Contra Costa Centre Municipal Advisory Council

The Contra Costa Centre Municipal Advisory Council was formed to advise the Board of Supervisors, the County Planning Commission, and the Zoning Administrator on issues and concerns affecting the residents (including businesses) of Contra Costa Centre (the area surrounding the Pleasant Hill BART station).

Staff Comments/Recommendations

The Clerk of the Board recommends that the Contra Costa Centre MAC may be considered a candidate for dissolution, or alternatively, that the bylaws should be modified to reflect the Council's current workload. Established in 2003 as the Pleasant Hill BART Station Vicinity Municipal Advisory Council, the Council was originally intended to replace the Pleasant Hill BART Station Area Steering Committee. Since then, it was renamed to its current name, the Contra Costa Centre MAC in 2005, and the area has since further developed and matured. With fewer rapid changes in land use and other issues of concern, the Clerk of the Board recommends scaling back the MAC's regular meetings to a quarterly basis (rather than monthly). Additionally, given the difficulties obtaining a full roster and achieving quorum, the Clerk of the Board recommends amending the membership to 5 authorized seats, potentially with alternates as authorized under Board Item D.1 on January 14, 2014 (Survey Findings and Recommendations on Proposals to add MAC Alternate and Youth Seats).

Diablo Municipal Advisory Council

The Diablo MAC's purpose is to advise the Board of Supervisors, County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of Diablo.

Staff Comments/Recommendations

The Diablo MAC appears to be functioning as intended, and in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Diablo MAC at this time.

East Richmond Heights Municipal Advisory Council

The East Richmond Heights Municipal Advisory Council was created to advise the Board of Supervisors or other local government agencies on issues and concerns related the unincorporated community of East Richmond Heights. The East Richmond Heights MAC was newly established in 2017, and began to hold meetings in 2018.

Staff Comments/Recommendations

So far, the East Richmond Heights MAC has not yet been meeting on a regular, monthly meeting schedule, plans to meet on a regular basis now that the MAC has its bearings. The Clerk of the Board noted website posting of agendas and meetings, reflecting meetings held in 2018. While relatively new, the East Richmond Heights MAC appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the East Richmond Heights MAC at this time.

El Sobrante Municipal Advisory Council

The El Sobrante Municipal Advisory Council provides input to the Board of Supervisors, the County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of El Sobrante.

Staff Comments/Recommendations

Overall, the El Sobrante MAC reports that they are doing well, but are in the process of updating their bylaws to amend officer roles. Board Resolution 2011/497 indicates that changes to the bylaws regarding officer roles and responsibilities can be done with the approval of only the MAC without returning to the BOS for approval, provided that no further changes are made. If the El Sobrante MAC identifies further modifications to be made to their bylaws, the bylaws would then need to return to the Board of Supervisors for approval to become effective. Beyond their intended bylaw updates, the El Sobrante MAC appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the El Sobrante MAC at this time.

Kensington Municipal Advisory Council

The Kensington MAC advises the Board of Supervisors, County Planning Commission, and the Zoning Administrator on land use issues and other concerns affecting the unincorporated community of Kensington.

Staff Comments/Recommendations

The Kensington MAC appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the Kensington MAC at this time.

Knightsen Town Advisory Council

The Council advises the Board of Supervisors on land use and planning matters affecting the community of Knightsen and may represent the Knightsen community before the Board of Supervisors, the East County Regional Planning Commission, the Zoning Administrator and the Local Agency Formation Commission on proposed boundary changes affecting the community. Effective February 26, 2019, the Board of Supervisors has separated the Knightsen TAC members from the Knightsen Community Services District (Resolution 2019/58).

Staff Comments/Recommendations

The Knightsen MAC is currently vacant at the time of this writing, due to the reorganization authorized by the Board of Supervisors on February 26, 2019. Previously, however, the Knightsen MAC appeared to be functioning as intended, and

operated in compliance with the county's administrative policies. The Clerk of the Board does not recommend further changes to the Knightsen MAC at this time, but will monitor the MACs progress with recruiting and appointing new members.

North Richmond Municipal Advisory Council

The North Richmond Municipal Advisory Council advises the Board of Supervisors on issues and concerns affecting the unincorporated community of North Richmond.

Staff Comments/Recommendations

The North Richmond MAC appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the North Richmond MAC at this time.

Pacheco Municipal Advisory Council

The purpose of the Pacheco Municipal Advisory Council is to advise the Board on services which are or may be provided to the community by the County or other government agencies.

Staff Comments/Recommendations

The Pacheco MAC appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board notes that the Pacheco MAC has recently transitioned to posting its agendas and meeting notices on the county's Agenda Center platform. To make agendas easier for citizens to locate, the Clerk of the Board recommends that the Pacheco MAC include a link to the new agenda posting location on the MAC's website, but does not recommend any additional changes to the Pacheco MAC at this time.

Rodeo Municipal Advisory Council

The Rodeo Municipal Advisory Council makes recommendations to the Board of Supervisors on issues and concerns related to County services provided to the unincorporated area of Rodeo.

Staff Comments/Recommendations

The Rodeo MAC appears to be functioning as intended, and to be operating in compliance with the county's administrative policies. Given the overlapping boundaries of the R-10 and the Rodeo MAC, the Clerk of the Board encourages the Rodeo MAC to consider taking on the advisory functions of the CSA R-10 Citizen Advisory Commission.

Other Discretionary Bodies:

Advisory Council on Equal Employment Opportunity

The Advisory Council on Equal Employment Opportunity assists with the implementation of the County's Equal Employment Opportunities and Contracting Programs and serves as an advisory committee to the Board of Supervisors.

Staff Comments/Recommendations

The bylaws for the Advisory Council on Equal Employment Opportunity (ACEEO) contain language regarding quorum requirements that allow the advisory body to meet without a quorum. This language was included in the original bylaws, approved in 1992. Currently, the ACEEO has 6 of 13 seats filled. The Clerk of the Board recommends that the advisory body consider changing its membership composition due to the difficulty of filling specific seats. Additionally, the Clerk of the Board recommends considering whether the bylaws should be updated to be consistent with the quorum requirements applied to other county advisory bodies.

Council on Homelessness

The Contra Costa Council on Homelessness, appointed by the Board of Supervisors, provides advice and input on the operations of homeless services, program operations, and program development efforts in Contra Costa County. Further, the Council on Homelessness establishes the local process for applying, reviewing and prioritizing project applications for funding in HUD Homeless Assistance Grant Competitions, including the Continuum of Care Program and the Emergency Solutions Grant Program.

The Contra Costa Council on Homelessness provides a forum for the Continuum of Care to communicate about the implementation of strategies to prevent and end homelessness. The purpose of the forum is to educate the community on homeless issues, and advocate on federal, state, county and city policy issues that affect people who are homeless or at-risk of homelessness.

Staff Comments/Recommendations

The Council on Homelessness has robust participation and a great deal of community interest, with record numbers of applications received by Clerk of the Board during the Council's last recruitment cycle in Fall 2018. The Council on Homelessness appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to Council on Homelessness at this time, and recommends the Council's continued operation.

Family & Children's Trust Committee

The Family and Children's Trust Committee (FACT) was established in 1985 by the Contra Costa County Board of Supervisors to make funding recommendations on the allocation of specific funds for the prevention and treatment of child abuse and neglect and supportive services for families and children. Funding for FACT supported projects derived from federal and state program legislation, and donations to the County's Family and Children's Trust Fund.

Staff Comments/Recommendations

The Family and Children's Trust Committee (FACT) appears to be functioning as intended, and operates in compliance with the county's administrative policies. The Clerk of the Board does not recommend any changes to the FACT at this time, and recommends its continued operation.