

County of Monterey Board Policy Manual

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Standing and Ad Hoc Committees, and Non-County Entities Functions, Membership and Appointments	G-10	1 of 5
Policy Category Government and Administration		

I. Purpose

To establish policy and guidelines for the function of and appointments to Standing and Ad Hoc Committees of the Board of Supervisors, and appointments to non-County entities such as the Local Agency Formation Commission of Monterey County ("LAFCO") and the Monterey Bay Air Resources District ("MBARD").

II. Background

The Board of Supervisors ("Board") has, from time-to-time, established various standing and ad hoc committees. In addition, the County is required or has agreed to appoint Supervisors to various non-County entities such as special districts and joint powers authorities. Historically, the appointments to such committees and non-County entities have been annually upon recommendation of the incoming Chairperson of the Board and vote of the full Board. The procedure for appointments has not been formally established, and was last addressed by the Board in 2010.

This policy is intended to formalize the functions of and the appointment process to Board standing and ad hoc committees, and appointments to non-County entities.

III. Policy

It is the policy of the Board that the functions of and appointments to Board standing and ad hoc committees, and appointments to non-County entities, be pursuant to this policy unless otherwise determined by Board resolution or Board order.

IV. Definitions

- A. "Standing Committee" means an advisory committee established by the Board consisting of less than a quorum of the Board and having continuing jurisdiction of a major policy issue or objective, or an issue of ongoing significance to the

County. Standing Committees shall be subject to the California Open Meeting Law, Government Code section 54950 et seq. (the "Brown Act").

- B. "Ad Hoc Committee" means an advisory committee established by the Board consisting of less than a quorum of the Board and established to address a specific issue or goal and having a limited existence. Ad Hoc Committees shall generally not exist for the lesser of the time to complete their purpose or 1 year. In unusual circumstances, the Board may authorize an Ad Hoc Committee to exist beyond 1 year, but such committee shall not exist for more than a total of eighteen (18) months. Ad Hoc Committees are not subject to the Brown Act.
- C. "Non-County Entity" means a non-County legislative or governing body established pursuant to state law or agreement. Examples of Non-County Entities are, but not limited to, LAFCO, MBARD, Salinas Valley Groundwater Sustainability Agency ("SVBGSA"), Salinas Valley Recycles (Salinas Valley Solid Waste Authority), Monterey Regional Waste Management District ("MRWMD"), and Monterey One Water ("M1W"). Such entities may or may not be subject to the Brown Act, depending on their organic law, method of formation, or unilateral determination. Membership on some such entities may also be determined by state law or agreement.

V. Committees established

A. Standing Committees.

As of the date this policy was adopted, the Standing Committees of the Board are as set forth in Attachment A. The Board may create new or abolish existing Standing Committees from time-to-time, and the Clerk of the Board ("COB") is authorized and directed to update Attachment A as necessary to reflect the new or abolished committees. Attachment A shall reflect which committees are new and which have been abolished, and the date of such action by the Board in order to create a historical record of Standing Committees.

B. Ad Hoc Committees.

As of the date this policy was adopted, the Ad Hoc Committees of the Board are as set forth in Attachment B. The Board may create new or abolish existing Ad Hoc Committees from time-to-time, and the COB is authorized and directed to update Attachment B as necessary to reflect the new or abolished committees. Attachment B shall reflect which committees are new and which have been abolished, the date of such action by the Board, and the target date for the termination of the Ad Hoc Committee, in order to create a historical record of Ad Hoc Committees.

C. Non-County Entities.

As of the date this policy was adopted, the Non-County Entities to which the Board makes appointments are as set forth in Attachment C. Non-County Entities may be created or abolished from time-to-time, and the COB is

authorized and directed to update Attachment C as necessary to reflect the new or abolished entities. Attachment C shall reflect which entities are new and which have been abolished, and the date of such action, in order to create a historical record of Non-County Entities.

VI. Appointments and Membership

A. Standing Committees.

The membership on Standing Committees shall be on a rotational basis sequentially by Supervisorial District as follows:

Supervisors shall serve on a Standing Committee for a term of three years that commences on January 1 and ends on December 31.

Upon adoption of this policy, the Chairperson shall recommend appointments to the Standing Committees for the remainder of calendar year 2022, with consideration given to interest, continuity, expertise and importance to specific Supervisorial Districts, and the Board shall make the appointments. Thereafter, in December of 2022, the incoming Chairperson shall recommend appointments to the Standing Committees on a rotational basis. The recommendations shall be by Supervisorial District sequentially, and the recommendations shall stagger the initial terms such that not all memberships start with District 1. For example, Districts 1 and 2 to committee A; Districts 2 and 3 to committee B; Districts 3 and 4 to committee C, etc. The Board shall make the appointments at the first meeting in January of 2023, designating the Supervisor first in sequence to serve an initial term of two years, and the Supervisor second in sequence to serve the full term. Thereafter, upon completion of a Supervisor's term on the committee, the Supervisor from the District next in sequence shall serve on the committee and no formal appointment by the Board shall be required.

1. A Supervisor whose District is in sequence may, at the start of a term, decline to serve on a Standing Committee, in which case the Supervisor in the District next in sequence shall serve, and the membership sequence shall remain the same. For example, if the Supervisor from District 3 is next in sequence to start a term to serve on committee A and declines, the Supervisor from District 4 then serves on the committee and District 5 is next in sequence. The declining Supervisor shall provide notice to the Chairperson, CAO, County Counsel and the COB in the December prior to the start of a term.

If all other Supervisors decline to serve, the Board shall make an appointment upon the Chairperson's recommendation. Upon such appointment, the appointed Supervisor's District shall not re-start the sequence of membership and it remains the same. In the same example as above, if District 2 is appointed, District 5 remains next in sequence.

2. A Supervisor whose District is in sequence may assign or delegate membership on a Standing Committee to another Supervisor at the start of a term. Such assignment or delegation shall require Board approval. In the event the Board approves the assignment or delegation, the assigned/delegated Supervisor's District shall not re-start the sequence of membership. For example, the Supervisor from District 4 is on committee B and the Supervisor from District 5 is next in sequence to serve on that committee. The Supervisor from District 5 may assign or delegate service to the Supervisor from District 3. Upon Board approval, the Supervisor from District 3 serves on the committee, but District 1 remains in sequence to next serve a term on the committee. If the Board declines all proposed assignments/delegations, the Supervisor from the District in sequence shall serve the term. In the example above, if the Board declines the assignment/delegation to District 3, the Supervisor from District 5 shall serve the term.
3. Membership on Standing Committees is by District. If a new Supervisor is elected during a term for which a District is serving on a committee, the newly elected Supervisor shall finish out the term.
4. Supervisors who begin a term on a committee are expected to serve out that term. If a vacancy occurs in a Supervisorial District, or a Supervisor desires to resign or refuses to participate in committee meetings, the procedures in paragraph VI.A.3, above, shall generally be followed, and the selected Supervisor shall serve out the term on the committee, but the sequence of membership shall remain the same.
5. Notwithstanding the foregoing:
 - a. A Supervisor from either District 3 or 4 shall serve on the Monterey Urban County Standing Committee with the remaining position rotating sequentially by District;
 - b. The Supervisors from Districts 2 and 3 shall serve on the Water Resources Agency Joint Boards Leadership Committee;
 - c. The Supervisor from District 3 shall serve on the Cannabis Standing Committee with the remaining position rotating sequentially by District; and,
 - d. The Supervisor appointed to serve on the Coalition of Homeless Services Providers Leadership Council shall serve on the Homelessness Standing Committee with the remaining position rotating sequentially by District.
 - e. Should any of the above identified Supervisors decline to serve, wish to assign or delegate, or resign from serving, the procedures in Paragraphs VI.A.3, A.4 or A.6, above, shall be followed as appropriate.

6. The COB shall keep a roster of Standing Committee membership which shall be presented to the Board for information at the Board's first meeting of the calendar year.

B. Ad Hoc Committees.

Ad Hoc Committees may be formed from time-to-time by the Board. Upon formation, the Board shall determine membership and anticipated length of existence, with consideration given to interest, expertise, and importance to specific Supervisorial Districts. Supervisors appointed to an Ad Hoc Committee are expected to serve on the committee until such time as the committee is disbanded; however, a Supervisor may request to be removed from a committee, in which case the Board shall select a replacement.

Prior to the first meeting of the Board in a calendar year, the COB shall prepare a matrix showing membership on Ad Hoc Committees and the anticipated expiration of the committees, and submit the matrix for Board confirmation at the first meeting of the calendar year. The COB shall keep the matrix for reference, and shall update the matrix if a committee is disbanded during the calendar year.

C. Non-County Entities.

~~In December of each year, for those Non-County Entities whose membership is not set by state law or agreement, membership shall be established as follows: the CAO shall, in a manner that does not violate the Brown Act, and in consultation with the County Counsel, solicit interest from each Supervisor regarding service on such entities. Upon receiving such input, the CAO shall provide the information to the incoming Chairperson, who shall prepare recommendations for appointments to the Non-County Entities, including recommendations for those Non-County Entities whose membership is set by state law or agreement. Recommendations for those entities whose membership is not set by state law or agreement shall be prepared with consideration given to interest, continuity, expertise, and importance to specific Supervisorial Districts. The CAO shall process to the full Board consideration of the recommendations at the first Board meeting in January of each year, and the Board shall make such appointments as it deems appropriate.~~

At the first regular Board meeting in January, Supervisors shall select those Non-County Entities on which they wish to serve on a rotational basis with the Chair first selecting one Entity, then the remaining Supervisors in numerical order selecting one Entity. Once the first Non-County Entity selection process has been completed, the process continues until all Non-County Entity selections have been made. If there are any Non-County Entities that no Supervisors have selected on which to serve, the Chair shall make such appointments. If the case of alternates, the process will continue after the primary appointees are chosen for the selection of alternate positions.

By way of example only:

Year 1 – Supervisor of District 1 is Chair and selects first, Supervisor of District 2 selects second, Supervisor of District 3 selects third, Supervisor of District 4 selects fourth, Supervisor of District 5 selects fifth, Chair begins the second round of selections.

Year 2 – Supervisor of District 2 is Chair and selects first, Supervisor of District 3 selects second, Supervisor of District 4 selects third, Supervisor of District 5 selects fourth, Supervisor of District 1 selects fifth, Chair begins the second round of selections.

Supervisors may agree to switch positions with a colleague on a choice for a given round of selections. For example, in the Year 1 scenario above, the Supervisor for District 4 may request to switch selection spots with the Supervisor for District 3. If the Supervisor for District 3 agrees, the Supervisors switch spots only for that round of selections, and return to the normal selection spot for subsequent rounds.

After the selections are complete, Supervisors may agree to switch assignments.

☞ –The COB shall keep a roster of Non-County Entity membership for reference.

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Notwithstanding the foregoing:

1. A Supervisor who resides within the boundaries of the Monterey Peninsula Water Management District ("MPWMD") shall be appointed to that Board.
2. The Chairperson of the Board shall serve on the Board of the Random Access Network ("RAN").
3. The Supervisor from either District 4 or 5 shall be appointed to the Monterey Regional Waste Management District ("MRWMD").
4. The Supervisors from Districts 4 and 5 shall be appointed to the Seaside Groundwater Basin Watermaster, either as primary or alternate.
5. The Supervisors from Districts 1, 2 and 3 shall be appointed to the Board of Salinas Valley Recycles (Salinas Valley Solid Waste Authority), either as primaries or alternate.

VII. Committee Procedures

At their first meeting of each calendar year, Standing and Ad Hoc Committees shall select a Chairperson. Generally, and unless a committee determines otherwise, the Chairperson position of each committee shall rotate annually between its appointees. The meetings of committees, and the responsibility of committee members, shall be in conformance with Section 2.04.250 of the Monterey County Code, enclosed for ease of reference as Attachment D.

VIII. Effective date

The provisions of this policy shall be effective upon its adoption by the Board of Supervisors.

IX. Review Date

This Policy will be reviewed by the Board in December of every even numbered year commencing in December of 2024.

X. Board Action

Adopted, August 28, 2018.

Amended, March 1, 2022.