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# Board Committee Discussion

— Jenell Sherman & Emily Allen —

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# Background

- There are times when it would be helpful to have a Board Committee where selected Board Members and possibly can work with staff to advise on a particular matter.
- Common Board Committees are:
  - Budget Committee
  - Audit Committee
  - New Board Member Recruitment Committee
  - Finance Committee (Ongoing)
  - Executive Director Search Committee

# Background

- There are two kinds of Board Committees:
  - Standing Committees - Committees that would be considered ongoing or have continuing subject matter jurisdiction. Standing Committees are subject to the Brown Act, regardless of composition.
  - Ad hoc Committee - A committee that is created for a particular action and for a specific amount of time. Ad hoc committees are not subject to the Brown Act as long as the composition is less than a quorum of Board Members.

# Background

- There is a third option called a Working Group:
  - A working group would consist of one Board Member who can be part of the conversation with staff for a specific topic. It can only consist of one Board Member, and this Board Member is not allowed to communicate with other Board Members about these items outside of a Board Meeting.

## Discussion / Potential Action

- The point of this agenda item is to give the Board time to discuss the topic of Board Committees or Working Groups and to see if there is a desire of the Board to create either a Committee or Working Group to assist with the Budget Process.

# Resources - Brown Act

- The Ralph M. Brown Act (“Brown Act”) (Govt. Code § 54950 et seq.) open meeting requirements apply to all “legislative bodies” as defined by the Brown Act. In addition to the governing body of a local agency, the term “legislative body” includes committees of the governing board, whether permanent or temporary, decision-making or advisory, created by resolution of formal action of the governing board. (Govt. Code § 54952 (b)) “Formal action” is not limited to a formal resolution or a formal vote by the body.
- Exception: Advisory committees composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies. (Govt. Code § 54952(b))Limitation:
- This exception does not apply to standing committees, regardless of composition, which:
  - Have continuing subject matter jurisdiction (e.g. budget, finance), or
  - A meeting schedule fixed by charter, ordinance, resolution or formal action of the legislative body. (Govt. Code § 54952(b))