RESPONSE TO GRAND JURY REPORT FORM

Report Title: Board of Supervisors Standing Committees

Report Date: March 20, 2013

Response by: Carmel J. Angelo Title: Chief Executive Officer

FINDINGS

- I (we) agree with the findings numbered: 1
- I (we) disagree wholly or partially with the findings numbered: 2, 3, 4, 5

  (Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered 2, 3, and 4 have been implemented.

  (Attach a summary describing the implemented actions.)

- Recommendations numbered_____ have not yet been implemented, but will be implemented in the future.

  (Attach a timeframe for the implementation.)

- Recommendations numbered _____ require further analysis.

  (Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

- Recommendations numbered 1_____ will not be implemented because they are not warranted or are not reasonable.

  (Attach an explanation.)

Date: 6-12-13 Signed: Carmel J. Angelo

Number of pages attached 2

Findings

F2: The BOS Rules of Procedure (adopted January 8, 2013) do not require ad hoc committees to be of short term duration. As stated in Rule 31, they are "encouraged to conclude their business at the end of each calendar year but may be extended at the recommendation of the committee and approval of the Board." All of the current ad hoc committees qualify as investigative and issue-specific.

F3: Ad hoc committees do not have decision-making authority, are advisory in nature, are composed of less than a quorum, and do not have continuing subject matter jurisdiction or a fixed meeting schedule. They are therefore not considered legislative bodies as defined by California Government Code Section 54952(b) and are not subject to the Brown Act.

F4: The CEO disagrees that the use of ad hoc committees does not afford the public opportunity for meaningful participation in County government. The BOS makes decisions at publicly noticed meetings, which are open for public participation. The BOS currently uses the Supervisor's Reports section of the Board agenda to report any updates or activity regarding ad hoc committees. If an ad hoc committee makes a formal recommendation, requests the Board to take action, or has fulfilled its purpose and is to be disbanded, it is agendized as a separate item. For example, two ad hoc committees were disbanded on June 11, 2013, when it was determined that they had concluded their purpose and were no longer active.

F5: Ad hoc committees investigate single, specific, and temporary issues; it is therefore unclear how "long-term planning and continuity" is applicable to such matters. Please see Response F3 for more information.

Recommendations

R1: The CEO does not have the authority to activate standing committees.

R2: It is the responsibility of the ad hoc committees to follow the BOS Rules of Procedure. However, to help clarify to the public when status updates are given, the CEO has incorporated a standing item into the BOS meeting agendas. This will appear beginning in the June 11, 2013 Board meeting agenda, Item 6(a).

R3: It is current BOS policy, outlined in Rule 31 of the Rules of Procedure, that ad hoc committees only be formed to investigate single issues *anticipated* for resolution within the current calendar year, as recommended by the Grand Jury. It remains the decision of the BOS whether to extend an ad hoc beyond its initial calendar year. This is permissible under Rule 31 and consistent with the Grand Jury's recommendation; therefore, the recommendation is already implemented.

R4: The Executive Office has posted a list of current ad hoc committees on the BOS website, available at: http://www.co.mendocino.ca.us/bos/calendar.htm