



STAFF REPORT

Meeting Type: Finance & Administration Committee/Board of Directors
Title: Review Dual Noticing of Committee Meetings
From: Molly MacLean, General Counsel
Through: Ben Horenstein, General Manager *MM*
Meeting Date: March 28, 2024 *BH*

TYPE OF ACTION: Action X Information Review and Refer

RECOMMENDATION: Consider whether there is an interest in revising the District’s current practice of dually noticing the committee meetings as special board meetings and provide direction to staff.

SUMMARY: For a number of years, the District has dually noticed its standing committee meetings as special board of directors meetings in order to allow a quorum of the Board of Directors to fully participate in these meetings in compliance with the Brown Act. This item will allow for a Board review of this practice. The Board last reviewed this practice at its July 25, 2023 Board of Directors meeting.

DISCUSSION: Standing committees are created by the Board and consist solely of less than a quorum of the Board. Each committee consists of two board members, a chair and a vice-chair, annually appointed by the Board President, with the advice and consent of the Board. The purpose of a standing committee is to cover a “continuing subject matter jurisdiction” and to provide a venue for routine and regular consideration and recommendations on items within that specific subject matter. Standing committees of the Board are subject to the requirements of the Brown Act. Current District standing committees include the Watershed Committee, the Finance and Administration Committee, the Communications and Water Efficiency Committee, and the Operations Committee.

Pursuant to direction provided by the Board of Directors in January 2020, the District dually notices each committee meeting as both a committee and a special board meeting, which allows all Directors to attend and participate. In accordance with the Board Handbook, the Board typically does not take action at a dually noticed committee/special Board meeting, unless there is an urgent need to act.

The Board has discussed revisiting the practice of dually noticing these meetings and may choose to direct noticing of committee meetings only, which would still allow non-committee Directors to attend the committee meetings, but not to sit at the dais, speak or participate in the meeting.

If desired, the Board may consider eliminating dual noticing of standing committee meetings for a period of time to provide a point of comparison to the District's current practice. While the Board has taken this step in the past and chose to reinstate dual noticing, this was several year ago and prior to new membership currently on the Board. Further, all committee meetings are now recorded and viewable to all Board members and the public online following the meetings, which would allow non-participants to monitor committee activities. Another option is for the Board to considering changing this practice for only certain of the standing committees, such as the Communications and Water Efficiency Committee and the Watershed Committee.

As this is purely a policy decision by the Board, this practice may be reviewed and revised at any time.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: Not Applicable.

ATTACHMENT(S): None.