

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924

415 868 1224



MEMORANDUM

TO:	Board of BCPUD Directors
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FROM:	Georgia Woods, General Manager
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RE:	<i>Review Existing Committees and the Brown Act and Consider Amending Committees</i>
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TO:	November 19, 2025
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Purpose

This memo reviews current BCPUD Committees and the California Brown Act; it provides recommendations to the Board for updating existing Committees with consideration of their intended function and public transparency.

Review of Existing Committees

VOLUNTEER COMMITTEES

1. Resource Recovery Committee
2. Resident Permit Parking Plan Committee

AD-HOC COMMITTEES

1. Building Ad-Hoc Committee
2. Canyon Road Ad-Hoc Committee
3. BEP/Bike Path Ad-Hoc Committee

STANDING COMMITTEES

1. Personnel Committee
2. Finance Committee
3. Operations Committee
4. Legal Committee

5. Mesa Septic, Flood Control and Roads Committee

Committee Classification

1. Standing Committees

- Always subject to the Brown Act
- These have continuing jurisdiction (e.g., Finance, Personnel) and often have a fixed meeting schedule.

2. Ad Hoc Committees

- Exempt from Brown Act if:
 - Composed of less than a quorum of Board members
 - Created for a limited purpose and finite duration
 - Dissolves upon task completion

3. Volunteer Committees

- If created by formal Board action and have ongoing jurisdiction, they are treated as standing committees.

Further Observations regarding Committee Make-up etc.

1. Mixed Membership Committees

- Including staff (e.g., GM) does not automatically trigger Brown Act if staff provide support only and are not formal voting members.
 - Key test: Is the committee formally appointed with staff as members? Does it have continuing jurisdiction or a fixed schedule? If “NO”, it remains an Ad Hoc Committee and exempt.

2. Staff-Only Committees

- Committees composed entirely of staff (e.g., Resource Recovery Committee with GM, Fire Chief, and other personnel) are NOT subject to the Brown Act.
 - Reason: They do not include Board members and do not exercise delegated authority. They function as internal working groups reporting to the Board.
- **Best Practice:** Document that the committee is staff-only and avoid language suggesting it is a formal committee of the Board.

3. Best Practices for Ad Hoc Committees

- Limit membership to less than a quorum of Board members
- Define a clear, finite purpose and timeline in the resolution
- Avoid language suggesting ongoing jurisdiction or regular meetings
- Document dissolution upon completion of the task

- They should have a finite and well defined duration, which can be renewed if the committee has not yet completed its task.

4. Best Practices for Adherence to Brown Act

- It is best practice to assume that if the Board takes formal Action to create a committee, then said committee is likely subject to the Brown Act.
 - Exceptions: If the Board is creating an Ad-Hac Committee or a “Staff Working Group”, make clear whether the committee/group meetings are going to be subject to the Brown Act, and if exempt, make clear why they are exempt (e.g. Ad-Hoc hiring committee tasked with hiring a new employee)

Suggested Amendments/Corrections to Committees:

1. Resource Recovery Committee: Has not met as a “volunteer committee” in a very long time; recent meetings have included BCPUD/Bo-Fire staff, and contractors or RRP employees; these meetings have not been open to members of the public.

Recommendation: This Committee should be dissolved or it should be recategorized to make clear that this is “Staff Working Group” that is not subject to the Brown Act.

2. Resident Permit Parking Plan Committee: Should have been classified as an **Ad-Hoc advisory committee**, because it had no board members and was limited in scope and duration. To be clear this Committee is dissolving in December and Committee members followed Brown Act rules for noticing, minutes etc.

Recommendation: Dissolve the Committee at the December meeting after its final update.

3. BEP/Bike Path Committee: This Committee included 2 Board Members, Staff and Members of the Public (BEP). As an Ad-Hoc Committee it was not subject to the Brown Act, though the Committee reported regular updates to the Full Board.

Recommendation: At this time, and at the request of BEP members, the BEP/Bike Path Committee should be split into 2 Ad-Hoc Committees:

- (1)Bike Path Committee and (2) BCPUD/Bo-Fire Hazardous Tree Removal Committee.
- BEP has asked that it be made clear that the BCPUD/Bo-Fire Hazardous Tree Removal Committee is not pursuing the Bolinas Eucalyptus Project with an aim to remove all trees in Zone 5 at this time. However, to be clear this Hazardous Tree removal Committee still aims to take down hazardous trees in Zone 5.

- The Bike Path Committee aims to rehabilitate the Bike Path, and at this time this project does not propose the take down of any large trees.
- The Bike Path Committee and the Hazardous Tree Removal Committee should continue to be categorized as Ad-Hoc Committees. As Ad-Hoc Committees, they should continue to be exempt from the Brown Act. They should continue to have 2 Board Members. These Board members should be invited to attend meetings, but should not be required to attend meetings. The Committee Board members should be consulted and updated by BCPUD staff during progress of the projects and the Board Members should report back to the Full Board at Regular Meetings with Committee updates.