



## County of Santa Clara

Policy Name: Requirements for Boards' and Commissions' Exemption  
Regarding Frequency of Meetings - Board Policy 3.69  
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**Policy Type:** Board

**Category:** Board Operations

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### **3.69 REQUIREMENTS FOR BOARDS' AND COMMISSIONS' EXEMPTION REGARDING FREQUENCY OF MEETINGS (Adopted 12-18-18)**

The Board of Supervisors ("Board") values the important role served by its advisory boards and commissions ("commissions") and seeks to strike an appropriate balance with the workload placed on facilities and staff in holding commission meetings. [Ordinance Code section A6-3](#) provides that regular meetings of commissions established pursuant to [Charter section 506](#) shall be held no more frequently than once every two months unless specifically exempted from this requirement by the Board. In addition to regular meetings, a commission may set a special meeting when necessary, in compliance with the Brown Act and County policies.

To apply for an exemption to the frequency of regular meetings under Section A6-3 of the Ordinance Code, a commission shall demonstrate to the Board the justification for the exemption and the ability of the commission members to meet regularly on a more frequent basis. Exemptions may only be granted for any of the following grounds:

1. The commission has a legal requirement to meet more frequently based on the opinion of the County Counsel;



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2. The commission serves a quasi-judicial function for the County and/or holds hearings as part of a quasi-judicial County process; or
3. The commission has a specific task the Board approved on the commission's annual workplan that must be completed within the next 12 months, and that cannot be accomplished through the combined use of subcommittees and the schedule of regular meetings as provided in the Ordinance Code.

A commission may seek an exemption by formally approving a request for exemption at a commission meeting, following Board approval of the commission's annual work plan. Upon approval by the commission, the Clerk of the Board shall forward the request for exemption to the Board. The exemption request must include the following information:

1. If in the opinion of the County Counsel there is a legal requirement for the commission to meet more often.
2. If there is a specific task the Board approved on the commission's annual workplan that must be completed within 12 months, and that cannot be accomplished through the combined use of subcommittees and the schedule of regular meetings as provided in the Ordinance Code. The commission shall specify the task and a detailed timeline of what is to be accomplished each month for a monthly meeting schedule through the December 31st end date of the requested exemption.
3. The number of regular meetings of the commission scheduled in the prior 12-month period, and the number of those meetings that had a quorum, based on the records of the Clerk of the Board.



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4. The number of special meetings of the commission scheduled in the prior 12-month period, and the number of those meetings that had a quorum, based on the records of the Clerk of the Board.
5. If the commission had an exemption approved in the prior calendar year, and the status of the task that needed to be completed under that exemption.

The Clerk of the Board and any department or agency that provides staff assistance to the commission may provide input to the Board regarding the commission's request.

Requests approved under Exemptions 1 and 2 may be granted on an ongoing basis, subject to review upon changes to legal requirements or to the duties of the commission. County Counsel will review changes to legal requirements and notify the Clerk of the Board if an ongoing exemption approval may no longer be applicable under Exemption 1 or 2.

Requests approved under Exemption 3 shall remain in effect for no more than 18 months ending on December 31, such that a request approved during a given Fiscal Year will remain in effect for the remainder of that Fiscal Year and for the six months immediately following the end of the Fiscal Year.

### **Related Policies**

None.

### **Related Forms and Information**

None.



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### History

Date	Changes Made
3/13/2019	Policy Uploaded.
12/18/2018	Policy Adopted. <a href="#">View legislative file.</a>