

*Before the Board of Supervisors County
of Monterey State of California*

Resolution No. 20 – 413

(Monterey County Emergency Medical
Care Committee Bylaws – Amendment)

WHEREAS, Ordinance No. 5138 Amended Chapter 15.40 of the Monterey County Code by modifying the structure and role of the Emergency Medical Services Agency and established the Emergency Medical Care Committee;

NOW, THEREFORE, BE IT RESOLVED, that this Resolution shall set forth amended Bylaws which include the addition of a Monterey County Emergency Communications Department representative as an ex-officio member of the Emergency Medical Care Committee and adding corrective language in Section 2.1 to more specifically enumerate membership terms.

I. PURPOSE AND AUTHORITY

1.1 Authority. These bylaws of the Monterey County Emergency Medical Care Committee are adopted pursuant to Chapter 15.40 of the Monterey County Code and Section 1797.270 of Division 2.5 of the California Health and Safety Code.

1.2 Purpose. The purpose of these bylaws is to establish procedures for the conduct of meetings of the Monterey County Emergency Medical Care Committee and to provide guidelines for the other activities of the Committee members.

1.3 Definitions.

“Board” means the Monterey County Board of Supervisors.

“Committee” means the Emergency Medical Care Committee appointed by the Board in accordance with Health and Safety Code Sections 1797.270, et seq.

“EMS Director” means the Director of the Emergency Medical Services Agency.

1.4 EMS Agency Staff. The EMS Agency Staff shall provide clerical and staff assistance to the Committee, as directed by the EMS Director. Committee members shall direct requests of staff to the EMS Director.

II. MEMBERS

2.1. Numbers, Appointments and Term. There are twelve (12) voting members on the

Committee. Each member may have an alternate, who may vote in the absence of the member. The members and alternates are appointed by the Monterey County Board of Supervisors. The term of appointment for the member and alternate shall be two years commencing on the first of July, unless the member is replaced as described in subsection 2.3 below. A member and his/her alternate may continue to serve beyond the two-year term, if necessary, until the Board is able to appoint a replacement. Members and alternates of the Committee shall be so classified by the Board of Supervisors that half of the membership have terms expiring on June 30 of each year:

- 1 A representative from a fire-protection agency that provides prehospital emergency medical services at the “basic life support” level, nominated by the Monterey County Fire Chiefs’ Association.
- 1 A representative from a fire-protection agency that provides prehospital emergency medical services at the EMT–Paramedic level, nominated by the Monterey County Fire Chiefs’ Association.
- 1 A representative from law-enforcement agency that provides prehospital emergency medical services, nominated by the Monterey County Police Chiefs’ Association.
- 1 A representative of hospital administration nominated by the local Hospital Council.
- 1 A representative of City Managers nominated by the Monterey County City Managers’ Association.
- 1 A representative nominated by the Monterey County Resource Management Agency Department that works in Parks Operations.
- 3 Three citizen representatives nominated by the EMS Director with attention to appropriate geographic representation.
- 1 An emergency physician nominated by the Medical Advisory Subcommittee.
- 1 A Monterey County accredited EMT-Paramedic nominated by the EMS Director.
- 1 A representative of the contracted 911 Monterey County Exclusive Operating Area ambulance provider.

The EMS Director, the Office of Emergency Services Manager, and the Monterey County Emergency Communications Department Director shall serve as ex officio, non-voting members of the Emergency Medical Care Committee.

2.2. Duties. The Committee shall advise the Board of Supervisors and the EMS Director on EMS system issues, including CSA 74 funding, the EMS Agency budget and training; ensure that all EMS constituents will be actively engaged in decisions regarding EMS system resources; and provide input on the development and implementation of County EMS policies, protocols, and procedures.

2.3. Vacancies and Removal of Members. A Vacancy occurs on the Committee when a member's term expires, a member resigns or dies, a member ceases to hold the office or employment which qualified the member for nomination or appointment to the Committee, or when a position is declared vacant by the Board of Supervisors upon the recommendation of the Committee due to the incumbent member's incapacity or failure to attend meetings. A vacancy shall be filled by appointment in the same manner as the appointment of the original Committee member. Any appointment to fill a vacancy shall be for the remainder of the unexpired term. If a Committee member is absent from three consecutive regular meetings, or from three of any five consecutive meetings, the Committee may recommend to the Board of Supervisors that the Board of Supervisors declare a vacancy and appoint a replacement member. The Secretary will monitor attendance and, whenever such absences have occurred, will put the matter on the next Committee agenda for discussion and recommendation to the Board.

2.4. Compensation. Members of the Emergency Medical Care Committee shall receive no compensation for their services.

2.5. Conflicts of Interest. No Committee member shall participate in any matter that comes before the Committee, or in any matter in which he or she is required to act in his or her capacity as a Committee member, where the Committee member has or may have a direct or indirect economic interest that may be affected as a result of such action, unless such participation is otherwise required or permitted by law. No Committee member shall undertake any activity that is inconsistent, incompatible, or in conflict with or inimical to his or her duties as a Committee member.

2.6. Appointment Requirements. Before he/she can officially serve his/her appointment, the member must complete the following

- (a) Administer the Oath of Office with the staff of the Clerk of the Board's Office or before a notary public, and sign and file the Oath of Office with the Clerk of the Board's Office;
- (b) Complete and file a current Statement of Economic Interest (Form 700) with the Clerk of the Board's Office; and
- (c) Complete a course in ethics approved by the Fair Political Practices Commission of the Attorney General within the last two years and provide a course completion certificate to the Clerk of the Board's Office.

2.7. Membership Requirements; Members are required to annually complete and file a current Statement of Economic Interest (Form 700) with the Clerk of the Board's Office by the first day of April; and provide the Clerk of the Board's Office an ethics course-

completion certificate approved by the Fair Political Commission of the Attorney General every two years.

2.8. Notice to Members. Whenever written notice is required by these bylaws to be given or delivered to any of the members, notice shall be deemed given or delivered when the notice is left at the member's residence or usual place of business by personal messenger, when the notice is electronically sent by e-mail to the mail address given to the EMS Agency by the member, or five days after the notice is deposited in the U.S. Mail, first class postage prepaid, properly addressed to the member.

III. OFFICERS

3.1. List of Officers. The officers of the Emergency Medical Care Committee shall be the Chair, Vice-Chair, and Secretary.

3.2. Qualification, Selection, and Term. The Chair and Vice Chair shall be members of the Committee. The EMS Director shall designate an EMS Agency staff member to be the Secretary for the Committee; the Secretary is not authorized to vote at Committee Meetings. The Chair and Vice-Chair shall be elected by the Committee by July 1 st of each year, and shall serve for a period of one (1) year and until a successor has been duly elected. A Committee member shall not simultaneously hold more than one office.

3.3. Duties of Chair. The Chair shall preside at all meetings of the Committee; be an ex-officio member of all subcommittees; execute correspondence, conveyances, and other written instruments as authorized by the Committee; and appoint subcommittees, or representatives to various committees related to EMS services, as required.

3.4. Duties of Vice-Chair. The Vice-Chair shall, in the absence of the Chair, assume the duties of the Chair and perform such reasonable duties as may be required by the Committee or the Chair of the Emergency Medical Care Committee.

3.5. Duties of Secretary. The Secretary shall be responsible for maintaining Committee meeting minutes and other records that may be required by the Committee's activities, and shall perform such reasonable duties as may be required by the Committee or the Chair of the Emergency Medical Care Committee.

3.6. Vacancies and Removal of Officer. A vacancy in any office shall be filled by nomination and election by the Committee as soon as it is reasonable possible. Officers may be removed by a majority vote of the Committee for failure to performance the duties of the office or for malfeasance in office.

IV. SUBCOMMITTEES

4.1. Medical Advisory Subcommittee. The Medical Advisory Subcommittee is appointed by the EMS Director in consultation with the Emergency Medical Care Committee to provide input to the EMS Director, EMS Medical Director, and the Emergency Medical Care Committee on medical control and other medical issues. Membership and terms of this subcommittee shall be determined by the EMS Director in consultation with the Committee.

4.2. Operations Subcommittee. The Operations Subcommittee is appointed by the EMS Director in consultation with the Emergency Medical Care Committee to provide input to the EMS Director, EMS Medical Director, and the Emergency Medical Care Committee on operational issues involving pre-hospital emergency medical services. Membership and terms of this subcommittee shall be determined by the EMS Director in consultation with the Committee.

4.3. Other Standing and Ad Hoc Subcommittees. The EMS Director may appoint other standing subcommittees or ad hoc task forces or subcommittees as needed, to advise the EMS Director, EMS Medical Director, and/or the Emergency Medical Care Committee on medical control or operational issues involving prehospital emergency medical services. Membership and terms shall be determined by the EMS Director in consultation with the Committee.

4.4. Appointment and Terms of Standing and Ad Hoc Subcommittee. EMS Agency Staff members may be appointed as members of subcommittees. The Committee Chair may serve as an ex officio member of standing and ad hoc subcommittee.

4.5. Staff Assistance to Standing and Ad Hoc Subcommittees. EMS Agency staff shall provide assistance to subcommittees on request, as directed by the EMS Director.

4.6. Role of Standing and Ad Hoc Subcommittee. The role of each standing or ad hoc subcommittee is limited to the matter expressly assigned to the standing or ad hoc subcommittee by the EMS Director in consultation with the Committee. Standing and ad hoc subcommittees do not make binding decisions; and only provide recommendations and advice to the EMS Director, EMS Medical Director, and/or the Emergency Medical Care Committee.

V. MEETINGS

5.1. Regular Meetings – Time and Place. The Emergency Medical Care Committee shall establish a regular meeting location, date and time. The Committee shall meet at least annually to review operations of the ambulance services, and emergency medical care and training.

5.2. Special Meetings. Special meetings may be called at any time by the Committee Chair, for a specific announced purpose. At the request of the EMS Director, the Chair shall call such a special meeting. Written notice of a special meeting must be received by all Committee members at least 24 hours before the meeting. The notice must also be posted at least 24 hours before the meeting in a location that is freely accessible to the public.

5.3. Quorum. No action shall be taken by the Committee unless a quorum is present at the meeting, except as otherwise provided herein or as allowed under Roberts' Rules of Order. For Committee meetings, a quorum shall be a majority of the voting members then serving on the Committee.

5.4. Majority Vote. Actions of the Committee shall be by a majority vote of the voting members present and voting on the motion or resolution. A member who abstains from any vote shall be counted for the purpose of determining whether a quorum is present, but the vote of such abstaining member shall not be counted either for or against a measure in determining whether a majority vote has been obtained.

5.5. Minutes. A record of proceedings in the form of minutes of the Committee shall be kept on file with the EMS Agency. A voting member who dissents from a majority vote of the Committee on a motion or resolution may submit to the Secretary, before the next regular Committee meeting, a written opinion on the relevant issue(s) for inclusion in the minutes.

5.6. Public Meetings. All meetings of the Committee shall be open to the public, unless otherwise provided by law.

5.7. Ralph M. Brown Act.

- (a) All meetings of the Committee and any subcommittees shall be conducted in conformity with the Ralph M. Brown Act, Government Code Sections 54950 et seq.

5.8. Voting. Voting on all motions of the Committee shall be by voice vote, calling for ayes and noes, except that if any member of the Committee or the Secretary requests a roll-call vote, either before or after the voice-vote is taken, then the vote shall be by roll call.

5.9. Agendas of Regular Meetings. At least 72 hours before regular meetings, an agenda shall be posted at the Committee's regular place of posting. The agenda shall contain a brief description of each item of business to be transacted or discussed at the meeting.

5.10. Time for Public Comment

(a) The Chair shall provide an opportunity for members of the public to address the Committee for a period not to exceed three (3) minutes on any issue not on the Committee's agenda. The Committee will listen to all communications but need not take any action. Public participation need not be allowed on discussion of procedural issues, such as continuances, the order in which agenda items will be considered, and the like, and public participation need not be allowed on items that are presented by staff to the Committee for information only.

(b) The agenda for each regular meeting will include a regular time near the beginning of the agenda to receive public comment on items that are within the jurisdiction of the Committee and are not otherwise discussed at the meeting. The Committee is not required to respond to any issues raised during the public comment period, and may not take any action on such issues other than to refer the item to staff or schedule action for a future agenda.

5.11. Non-Agenda Items. The members may take no action on any item not previously placed on the agenda except in the following situations:

(a) The members determine by a majority vote that an emergency situation exists. An emergency situation means work stoppage or other activity that severely impairs health, safety or both, or crippling disaster that severely impairs public health, safety, or both.

(b) The members determine by vote of at least two-thirds of the authorized number of members, or when less than two-thirds of the authorized number of members are present, then by unanimous vote of the members present, that the need to take action arose after the agenda was posted.

(c) The item was continued from a prior meeting held less than five (5) days before the current meeting, and the item was properly placed on the agenda for the previous meeting.

5.12. Robert's Rules of Order. Except as otherwise provided in these bylaws or in rules and regulations adopted by the members, all meetings of the members shall be conducted under Robert's Rules of Order.

5.13. Meeting Procedure. The order of business at any regular meeting shall be determined by the Chair.

5.14. Continuances and Adjournment. The members may continue any item to another meeting specified in the order of continuance, may adjourn any meeting to a time and place specified in the order of adjournment. Less than a quorum may so continue an item or adjourn a meeting. If all members are absent from any meeting, the Secretary may so adjourn the meeting, and shall provide notice of any new meeting date and time as

required by law.

VI. ADOPTION AND AMENDMENT OF BYLAWS.

6.01. These bylaws shall be adopted or amended by resolution and approval of the Monterey County Board of Supervisors.

PASSED AND ADOPTED this 5th day of November 2020, by the following vote:

AYES: · Supervisors Alejo, Phillips, Lopez and Parker

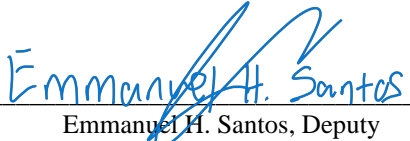
NOES: None

ABSENT: Supervisor Adams
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting November 5, 2020.

Dated: July 25, 2022
File ID: RES 20-190
Agenda Item: No. 20

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy