



Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to:

Approve the proposed amendments to the Bylaws of the In-Home Supportive Services Advisory Committee.

PASSED AND ADOPTED on this 10th day of March 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(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 March 10, 2020.

Dated: March 10, 2020

File ID: 20-113

Agenda Item No.: 15

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

Joel G. Pablo, Deputy

Monterey County
In-Home Supportive Services Advisory Committee

BYLAWS

ARTICLE I

Name and Authority

- 1.1 Name. The name of the Advisory Committee shall be Monterey County In-Home Supportive Services Advisory Committee (IHSSAC).
- 1.2 Authority. IHSSAC has been established as an Advisory Committee by the Monterey County Board of Supervisors (Board) as provided in section 2.65.040 of the Monterey County Code (County Code) pursuant to the statutory provisions of Welfare and Institutions Code (WIC) sections 12301.3, and 12301.6.].

ARTICLE II

Purpose

- 2.1 Purpose. The purpose of IHSSAC is:
 - 2.1.1 To submit recommendations to the Monterey County Board of Supervisors (Board of Supervisors) on the preferred mode(s) of service to be utilized in Monterey County (the County) for the In-Home Supportive Services program (IHSS); and
 - 2.1.2 To provide ongoing advice and recommendations regarding IHSS to the Board of Supervisors, any administrative body in the County that provides delivery and administration of IHSS, and the Monterey County In-Home Supportive Services Public Authority (IHSS Public Authority).

ARTICLE III

Members

- 3.1 Voting Members. IHSSAC shall consist of no more than eleven (11) members, duly appointed by a majority of the Board of Supervisors. Members shall be residents of the County.

- 3.1.1 No less than fifty percent of the voting members shall be individuals who are current or past users of personal care assistance services paid through public or private funds or as IHSS recipients.
 - 3.1.2 Two (2) members shall be current or former IHSS providers as provided in WIC section 12301.3 (a) (1) (B).
 - 3.1.3 Each member of the Board of Supervisors (5) shall nominate one consumer. The IHSSAC shall nominate one Consumer At-Large over the age of 18.
 - 3.1.4 The IHSSAC shall include one member from the following community affiliations: Area Agency on Aging (AAA) Advisory Council, Monterey County Commission on Disabilities and the Central Coast Center for Independent Living (CCCIL).
- 3.2 Term of Appointment. Following appointment by the Board of Supervisors, IHSSAC members shall serve a three-year term and termination dates are to be staggered. No more than 4 members shall complete their term at the end of June each year. IHSSAC members appointed to fill vacancies that occur during a term shall complete the term of the member they are replacing. A member may be reappointed at the sole discretion of the Board of Supervisors.
- 3.3 Vacancies. Each IHSSAC member shall serve at the pleasure of the Board of Supervisors and may be removed at any time by the Board of Supervisors.

When a prospective vacancy is imminent, or when an IHSSAC member resigns, the IHSSAC Chair shall direct staff to inform the Board.

When a vacancy from a member of the IHSSAC representing the Commission on Disabilities, Area Agency on Aging Advisory (AAA) Council or Central Coast Center for Independent Living occurs, the body from which that vacancy came shall make a replacement recommendation to the IHSSAC within 60 days of the end of that member's service.

A vacancy shall exist:

3.3.1 When an IHSSAC member submits a letter of resignation to the IHSSAC Chair, and if appointed by a Board member, the appointing Supervisor.

3.3.2 When an IHSSAC member fails to attend three consecutive IHSSAC

meetings without good cause (excused) as entered on its minutes or fails to attend four regular IHSSAC meetings in one calendar year without good cause (excused) as entered on its minutes.

- 3.3.3 When a death, disability or any other circumstance prevents an IHSSAC member from completing a term.
 - 3.3.4 When an IHSSAC member no longer resides in the County.
 - 3.3.5 Upon majority recommendation from the membership and approval by a majority vote of the Board of Supervisors.
- 3.4 Reimbursement for IHSSAC Members. IHSSAC members shall be reimbursed for reasonable and necessary expenses in performing IHSSAC functions duly authorized by the Chair or the full IHSSAC, within the limits of the budget for the Public Authority for IHSS, with travel allowances as determined by the Board of Supervisors.

ARTICLE IV

Officers

- 4.1 Officers. The officers of IHSSAC shall be a Chair and a Vice-Chair.
- 4.2 Election and Term of Office. The members shall elect officers from among the voting members at the last meeting of the fiscal year. Each officer shall serve for a term of one year or until his/her successor is selected and qualified. Officers may be re-elected to the same office for two successive terms.
 - a. In March the Chair shall convene a Nominating Sub-committee.
 - b. In May the Nominating Sub-committee shall present to the Advisory Committee a slate of officer nominations.
 - c. In May the Advisory Committee shall elect its officers. An individual receiving the most votes cast for an office shall be deemed elected. Nominations may be made from the floor with the consent of the person being nominated during the May meeting.
 - d. The election will be open, i.e. not a secret ballot, in compliance with the Ralph M. Brown Act.

- 4.3 Removal of Officers. Any officer may be removed without cause by a simple majority vote of the members present and voting at a properly noticed meeting of IHSSAC.
- 4.4 Chair. The Chair shall conduct meetings of the IHSSAC and may call special meetings of the IHSSAC when necessary. Should the office of the Chair become vacant, the Vice-Chair shall succeed to that office.
- 4.4.1 Additional Duties of the Chair Include:
- a. Appointing members to the Executive and Ad-Hoc committees;
 - b. Serving as an ex-officio member of committees;
 - c. Working with Public Authority Staff to prepare the meeting agenda;
 - d. Assuring that members of the public have an opportunity to speak during IHSSAC meetings during appropriate times;
 - e. Acting as liaison to the Board of Supervisors as directed by the IHSSAC.
- 4.5 Vice-Chair. In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair, and when so acting, shall have all the powers of, and be subject to all restrictions upon the Chair.

ARTICLE V

Meetings

- 5.1 Schedule. Six (6) regular meetings will be scheduled in the odd months each fiscal year. Notification of the agenda, time and place of meetings shall be given at least one week in advance to members of the IHSSAC, the Board of Supervisors, representatives of the media, agency members and persons in the community who have filed requests for notification. A three-day advance notification of any change in the agenda, time and place of a posted meeting shall be given in accordance with the Brown Act. Agendas shall be posted at meeting locations 72 hours before a regularly scheduled meeting.
- Special Meetings may be called at any time by the Chair, consistent with Brown Act requirements.
- 5.2 Quorums. A quorum of the IHSSAC shall consist of a majority (50% plus one) of seated members. Absence of a quorum shall result in the cancellation

of a posted meeting. No business requiring membership vote shall be transacted without a quorum present.

5.3 Attendance at Meetings. All members of the IHSSAC shall be in attendance at the hour appointed for each regular or special meeting.

5.3.1 An IHSSAC member who will be absent from a meeting shall serve notice of the anticipated absence and request an excuse by notifying the office for Aging and Adult Services (AAS).

5.3.2 If an absence is unanticipated, the absent IHSSAC member should notify the AAS prior to the following IHSSAC meeting of the reasons for the absence, if an excused absence is to be requested, or shall orally report at the next IHSSAC meeting and request formal excuse.

5.3.3 Failure to request an excused absence shall result in the absence being entered into the record as unexcused.

5.4 Order of Business. The suggested order of business is as follows:

- a. Call to order
- b. Roll call: Determine excused/unexcused absences
- c. Public/Provider Introductions
- d. Public and Provider Comments and Announcements
- e. Committee Member Comments/ Announcements
- f. Report from the Chair (e.g., Executive Committee meeting)
- g. Deputy Director's Report
- h. Manager's Report
- i. Old business
- j. New business
- k. Future agenda items
- l. Adjournment

5.5 Approval of Minutes. The minutes shall be an accurate summary of the IHSSAC's consideration of each item in the agenda and an accurate record of each action taken by the IHSSAC.

A quorum for the approval of minutes from a previous meeting shall consist of a majority of those members present at the previous meeting. When it

is not possible to approve minutes due to a change in membership, minutes may be accepted by the majority of the members currently serving on the IHSSAC who were in attendance at the meeting in question.

Once approved by IHSSAC, the Chair shall sign the minutes and staff shall keep them on file. A draft copy of the minutes shall be provided to IHSSAC members one week prior to the next scheduled meeting for approval.

- 5.6 Facilitation. The Chair of the IHSSAC shall facilitate the meetings. In absence of the Chair, the Vice Chair shall facilitate. In the absence of both the Chair and Vice Chair, the Managing Director of the Public Authority shall facilitate the meetings.
- 5.7 Open Meetings. IHSSAC meetings shall be open to the public. Guidelines for public participation are as follows:
 - 5.7.1 The public shall be provided with an opportunity to address IHSSAC with general comments and on any item on the public meeting agenda.
 - 5.7.2 The Chair may establish reasonable limits on the amount of time allotted to each speaker on a particular item.
- 5.8 Brown Act. IHSSAC meetings, meeting notices, agendas, and procedures shall comply with the Ralph M. Brown Act ("the Brown Act") (Government Code sections 54950, et seq.).
- 5.9 Robert's Rules of Order. IHSSAC meetings will be conducted in a spirit of cooperation and accommodation. Robert's Rules of Order shall guide the proceedings, and shall govern any disputes regarding procedure.

ARTICLE VI

Committee Structure

6.1 Executive Committee

Composition and Terms. The Executive Committee shall be composed of the Chair, Vice Chair and between one but no more than three IHSSAC Committee members appointed by the Chair who have been approved by the IHSSAC. The Executive Committee may make recommendations to the IHSSAC and shall report to the IHSSAC on its actions at the next regular meeting of the

IHSSAC. The actions and recommendations of the Executive Committee shall not be deemed the action of the full IHSSAC and shall in no way bind the full IHSSAC. The function of the Executive Committee is to develop meeting agendas, bring before the IHSSAC items pertaining to policy, legislation and program developments, and prepare/revise governing bylaws. A quorum shall be comprised of a majority of members (i.e., 2 out of 3).

6.2 Ad-Hoc Committees

Composition and Terms. Ad-Hoc Committees shall be convened by the Chair, for a particular purpose that is time-limited. Members shall be appointed by the Chair.

ARTICLE VII

Policy on Support and Sponsorship

- 7.1 Public Policy. Other agencies or boards may ask IHSSAC to provide its position on a matter of public policy and/or to endorse a program, event, and study or grant application. In these instances, the request must be reviewed and approved by IHSSAC at a regular meeting. IHSSAC may then recommend adoption of such public policy or endorsement to the Board of Supervisors. With support of the Board of Supervisors, IHSSAC may then take action on the policy or endorsement as appropriate.
- 7.2 Mailing Lists. The mailing list and roster of IHSSAC shall not be released to the public.

ARTICLE VIII

Conflict of Interest

- 8.1 Conflict of Interest. IHSSAC members shall abstain from voting on any item, which involves a conflict of interest with any organization with which they are currently involved. If any member is unclear as to what might constitute a conflict of interest, the matter shall be referred to County Counsel for a decision.

ARTICLE IX

Public Records

- 9.1 Public Records and Inspection. All documents and records of IHSSAC

Current Bylaws approved by Monterey County Board of Supervisors on March 5, 2019
Draft version approved at IHSSAC meeting on July 30, 2019

shall be public records and open to inspection pursuant to the California Public Records Act (California Government Code sections 6250 et seq.).

ARTICLE X

Amendment of the Bylaws

- 10.1 Amendment. These Bylaws may be altered, amended, or repealed by a simple majority of the members present and voting at a properly noticed meeting of IHSSAC. Proposed amendments to these Bylaws shall be presented in writing to the Chair and such proposed change(s) shall be read at a regularly scheduled meeting.

These Bylaws shall become effective upon approval by the Monterey County Board of Supervisors.

Date of approval by the Committee: ____07/30/2019____

Date of approval by County Counsel: _8/28/19_____

Date of approval by the Board of Supervisors: _____