



# Monterey County

## Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Resolution No.: 13-308

Upon motion of Supervisor Parker, seconded by Supervisor Calcagno and carried by those members present, the Board of Supervisors hereby:

Approved and adopted revisions to the Bylaws of the Equal Opportunity Advisory Commission.

PASSED AND ADOPTED on this 24th day of September 2013, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker

NOES: None

ABSENT: Supervisor Potter

I, Gail T. Borkowski, 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 76 for the meeting on September 24, 2013.

Dated: September 26, 2013  
File Number: 13-0876

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By   
Deputy

## **EQUAL OPPORTUNITY ADVISORY COMMISSION BYLAWS**

### **ARTICLE I – INTRODUCTION**

This organization shall be known as the Monterey County Equal Opportunity Advisory Commission (EOAC), and shall be guided by the policies and procedures established by the Board of Supervisors of Monterey County in the performance of its duties.

### **ARTICLE II – PURPOSE AND DUTIES**

1. In accordance with the Equal Opportunity Plan for County of Monterey adopted by the Board of Supervisors on July 23, 1996 and revised January 29, 2013. Any subsequent updates to the Equal Opportunity Plan (EOP), Monterey County Equal Opportunity Advisory Commission shall advise and make recommendations to the Board of Supervisors on matters relating to equal opportunity as part of the EOP. The document will be referenced as the “EOP” throughout the remainder of the EOAC Bylaws.
2. The Commission has the following specific responsibilities:
  - a. Provide recommendations on the Annual Status Report of the EOP Progress to be presented to the Board of Supervisors by the Equal Opportunity Officer and Director of Human Resources.
  - b. Review and become familiar with the EOP and present proposals for modification to the Board of Supervisors for consideration.
  - c. Recommend goals and timetables regarding the EOP for departments and the County as a whole.
  - d. Periodically during the year, review and make recommendations regarding the progress of departmental plans in furtherance of the EOP’s goals for equal opportunity.
  - e. Review the County’s recruitment, testing, selection, and promotion procedures, and recommend changes where needed.
  - f. Hold meetings with department heads, appropriate employee groups, and community groups to implement the EOP.
  - g. Review and advise Board of Supervisors on issues relating to equal access to contracting opportunities.
  - h. Provide updates to their organization or Board Member on Commission related matters.
  - i. Each newly appointed Commissioner must attend a Commission orientation, provided by the Equal Opportunity Officer, within 30 days of appointment.

- j. The completion of the ethics training as required under AB1234 (Chapter 700, 2005), to be completed within 60 days of appointment.

### **ARTICLE III – MEMBERSHIP AND SELECTION**

The Commission shall be composed of a total number not to exceed sixteen (16) representatives:

1. Two Department Heads Council Representatives.
2. The following employee organizations shall each select employees representing a protected group<sup>1</sup>:
  - a. Monterey County Deputy Sheriff's Association – one (1) representative
  - b. Service Employees International Union (SEIU) Local 521 – two (2) representatives
3. Each Supervisor shall appoint a representative from his or her district. At least three supervisorial appointees shall be of a protected group.
4. The Commission on the Status of Women shall have one representative.
5. Up to five representatives from various community based organizations which actively advocate for civil rights and/or represent the interest and concerns of protected groups in the County of Monterey. Each organization is approved separately and must be screened in accordance with standards established by the Commission. All representatives are appointed after the organization is approved for membership. Upon expiration of a community member's term, other interested and qualified community based groups may petition for appointment to the Commission.
6. Members shall be approved by the Board of Supervisors.

### **ARTICLE IV – TERMS OF OFFICE**

1. Terms of office shall begin January 1<sup>st</sup> and end December 31<sup>st</sup>.
2. The term of office for Commissioners, other than Board of Supervisors' representatives, is three years. Except Board of Supervisors' representatives, Commissioners desiring to be reappointed must petition for an additional term.
3. Each Board of Supervisors' representative shall serve during the term of office of the appointing Supervisor, or until replaced.
4. There shall be a six-year maximum consecutive membership for all representatives, with the exception of the Board of Supervisors' representative.

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<sup>1</sup> A protected group is a group of people who share common characteristics and are protected from discrimination and harassment by federal and/or state law. A protected group is distinguished by their race or ethnic origin, color, nation origin, religion, disability, sex, age, veteran status, or sexual orientation/identity.

5. Vacancy and replacements:

a. A vacancy shall exist:

- 1) when a commissioner submits a written resignation to the Commission Chairperson and the appointing Supervisor/organization;
- 2) when the Board of Supervisors removes a Commissioner due to the Commissioner's violation of the Commission's attendance policy or other reason;
- 3) when a commissioner's death, disability or any other circumstance prevents him/her from completing a term; or
- 4) when a commissioner no longer resides in the County or Supervisorial District or otherwise does not meet the qualifications for the appointment.

b. Vacancies shall be filled for the remainder of the term.

c. When a vacancy on the Commission occurs, the Commission Chairperson shall forthwith notify the Board of Supervisors in writing. Notice of vacancies shall comply with Board of Supervisors' Resolution No. 80-12. Pursuant to Resolution 80-12, public notices of unscheduled vacancies shall be listed in newspapers of general circulation printed and published in Monterey County and posted in County offices, and libraries by the Clerk to the Board of Supervisors.

**ARTICLE V – ORGANIZATION, PROCEDURES AND ATTENDANCE**

1. Meetings:

- a. Each Commission meeting shall be open to the public, and shall be governed by applicable law and the requirements of Board of Supervisors' Resolution No. 80-12. The time and place shall be determined by a quorum of the members at the first meeting of each calendar year.
- b. Members of the Commission shall meet once each month or at least nine times per year.
- c. Members of the Commission may contact the Equal Opportunity Office or the Chair to place an item on the Agenda for discussion/ consideration at the next regular meeting.
- d. Special meetings shall be called by the Chairperson and/or may be called at the request of three members of the Commission.

2. Attendance:

- a. Commissioners are expected to attend every meeting, unless excused.

- b. "Excused absences" are those due to vacation, family emergencies, personal illness, etc. when 24 hour in advance notice has been given to the Equal Opportunity Office.
- c. "Unexcused absences" are those where 24 hour advance notice was not provided to the Equal Opportunity Office; or when arrival more than 15 minutes after the scheduled meeting impacts the Commission's ability to establish a quorum.
- d. The Commission may, for good cause, grant leaves of absence for a reasonable period to its members. Request for leave of absence must be submitted to the Equal Opportunity Office.
- e. Attendance Policy. A Commissioner will be in violation of the attendance policy when:
  - 1) A commissioner has three (3) unexcused absences in one calendar year; or
  - 2) A Commissioner has two (2) consecutive unexcused absences in one calendar year; or
  - 3) A Commissioner has more than three (3) excused absences in one calendar year.
- f. The Commission, in accordance with the Bylaws, may recommend to the Board of Supervisors the removal of a Commissioner for violation of the Attendance Policy.

### 3. Quorum:

A quorum is a majority of the total current appointed membership of the Commission. Commission action may be taken only if a quorum is present. A roll call vote shall be taken when requested by any members in attendance.

### 4. Officers:

The Commission shall elect its Chairperson and Vice Chairperson. Commission officers shall be elected during the Commission's first meeting of the year.

a. Officers shall serve for one year and may run for reelection at the annual election.

#### b. Duties of Officers:

##### 1) Chairperson

- a) Is responsible to speak for the Equal Opportunity Advisory Commission to other organizations and to the public
- b) Presides at all Commission meetings.
- c) Appoints committees and committee chairpersons per bylaws.
- d) Signs all documents to carry out the will of the Commission.

- e) Stands as an ex-officio member of all committees with the exception of the nominating committee.
- f) Is responsible for the establishment of the agenda.
- g) Attend the Board of Supervisors Equal Opportunity Committee meetings.

2) Vice-Chairperson

- a) Be knowledgeable of and assume the duties of the Chairperson in case of absence or incapacity and becomes the Chairperson upon the death, resignation or permanent incapacity of the Chairperson.

5. Committees:

- a. There shall be two standing committees:
  - 1) Compliance Review of Department's EOP
  - 2) Compliance Review of the County's EOP
- b. Ad hoc committees shall be appointed by the Chairperson as needed for special situations not covered by the standing committees. Ad hoc committees shall serve only until the final report of the committee is given to the Commission.
- c. The Commission Chairperson shall appoint a temporary chairperson of each committee until each committee meets and selects a chairperson.
- d. The Chairperson shall appoint a Nominating Committee of at least three members in November to oversee the nomination process and conduct the election of officers at the December meeting.
- e. Duties of each committee shall be decided upon by the committee members and submitted to the general Commission for approval with the exception of the Nominating Committee.
- f. The Commission's Chair or the Commission's Vice Chair shall not hold a Chairmanship or Vice-Chairmanship on either of the two Standing Committees, except on a temporary basis.

6. Amendments of Bylaws:

- a. Any member of the Commission may suggest amendments to the bylaws.
- b. To be approved, an amendment must first be presented in writing at a regular meeting. At the next regular meeting, it may be adopted by a two-thirds vote of those present. Thereafter, such amendment must be submitted to the Board of Supervisors for final approval.



7. County Staff Support:

The Equal Opportunity Office shall provide staff support to the Commission. The County Equal Opportunity Officer shall be the Executive Secretary to the Commission and shall be responsible for taking minutes of each regular meeting, preparing the same, and for mailing the meeting agenda and informational materials to all Commission members.

8. Minutes:

Official minutes indicating attendance and recording actions taken at each Commission meeting shall be prepared and submitted to the Board of Supervisors through the Clerk to the Board, prior to the subsequent meeting.

9. Expenses:

Pursuant to the provisions of Resolution 80-12, Commission members shall be entitled to mileage reimbursement to and from meetings and reasonable expenses necessarily incurred to conduct official County business. Standard rates allowed County personnel shall be paid for reimbursement.

10. Annual Report

In accordance with the Board of Supervisors' adoption of the County of Monterey Board, Commissions, Committees and Collaboratives Training and Annual Reporting Policy (BCCC). The BCCC Policy states, in part, the following procedures:

a. Reporting Process

- The Equal Opportunity Officer will be responsible for the overall reporting process.
- The Equal Opportunity Officer will bring to the Board of Supervisors, once a year, as a scheduled item, a board report with all Annual Reports attached. During the scheduled item, the Equal Opportunity Officer will make a presentation highlighting the accomplishments of some or all of the Commissions for which Annual Reports were submitted.
- It is at the discretion of the Equal Opportunity Officer to decide when to bring the item to the Board of Supervisors as long as it occurs once per calendar year.
- Pursuant to said Policy, the Equal Opportunity Officer will prepare and submit an Annual Report to the Board of Supervisors no later than January of each year.
- Each committee chairperson shall be responsible for preparing a report summarizing the work of his/her committee. Each committee's report shall be approved by the full Commission, and submitted to the Equal Opportunity Officer no later than the December meeting of each year.

11. Rules:

Board of Supervisors' Resolution 80-12, together with all other Resolutions which establish County policy and/or procedure for the formation and operations of the various County commissions, shall apply to the activities of the Equal Opportunity Advisory Commission except as otherwise modified by these bylaws. Roberts' Rules of Order shall guide the procedural conduct of meetings.

REVISED and RECOMMENDED FOR ADOPTION this 17th day of July 2013, by the Monterey County Equal Opportunity Advisory Commission.