

BYLAWS OF THE SECOND  
REORGANIZATION OF THE MONTEREY COUNTY  
ANIMAL CONTROL PROGRAM ADVISORY BOARD

1. ESTABLISHMENT, PURPOSE, AND AUTHORITY

101. Establishment. The Monterey County Animal Control Program Advisory Board (the "Advisory Board"), which was created by Resolution No. 90-367, is hereby reorganized as provided herein. The Advisory Board shall be independent of any other commission, committee, or board established by the Monterey County Board of Supervisors.

102. Purpose. The Advisory Board shall:

(a) Review, analyze, and propose appropriate changes to the provisions of Title 8 of the Monterey County Code relating to Animal Control.

(b) Review and evaluate the Animal Control Program needs, services, facilities, and budget.

(c) Advise and assist the Animal Control Program in its public information and public relations activities.

(d) Report to the Monterey County Board of Supervisors, through the Director of Health as Chief Animal Control Officer, its findings and recommendations concerning its areas of responsibility set forth above.

103. Staff Assistance to Advisory Board. The Monterey County Health Department and its Animal Control Division shall provide administrative and clerical support to the Advisory Board.

104. Animal Services Staff Input to the Advisory Board. Input from Animal Services Staff is deemed to be vitally important to the effective functioning of the Advisory Board. Accordingly, Animal Services Staff may attend meetings of the Advisory Board to provide firsthand account of issues affecting their (i.e. the Staff's) work.

2. MEMBERSHIP

201. Members, Appointment, and Terms.

(a) The Advisory Board shall consist of fifteen (15) members. No person having a conflict of interest as defined in Section 2.05 (b) by virtue of their employment shall be a voting member.

(b) Nine (9) of the members of the Advisory Board shall be appointed.

Each Supervisor shall appoint one (1) member and the Director of Health shall appoint four (4) members. The term of appointment shall be three (3) years commencing on the first of July, unless a member is replaced as described below. Members of the Advisory Board shall be so classified by the Board of Supervisors that one-third of the members will have terms expiring on July 1 of each year. The membership of the Advisory Board should include representatives from the veterinary profession, the educational community, the agricultural industry, pet owner association and clubs, animal rescue associations (or 501c(3) non-profit organizations involved with animals, kennel and pet shop operators, cities and concerned

citizens. Each appointed member of the Advisory Board shall have the right to vote.

(c) There shall be six (6) ex-officio members of the Advisory Board. Ex-officio members of the Advisory Board are the Chief Animal Control Officer, Sheriff, District Attorney, and Agricultural Commissioner, or their respective designees, and a representative from each of the Monterey County Superior Courts and the Society for the Prevention of Cruelty to Animals of Monterey County, Inc. An ex-officio member of the Advisory Board shall not have the right to vote, but may participate in the meetings and activities of the Advisory Board, including sitting on ad hoc and standing committees.

202. Continuation of Active Members until Expiration of Current Terms. Active members of the Advisory Board as of the date these bylaws are adopted shall continue to serve until the expiration of their respective terms. Upon expiration of the continuing term of any active member of the Advisory Board, the Board of Supervisors and the Director of Health shall make appointments on a rotational basis as provided in paragraph 2.01 above.

203. Vacancies and Removal of Members.

(a) A vacancy on the Advisory Board occurs when a member's term expires, a member resigns or dies, or when a position is declared vacant by the Board of Supervisors upon the recommendation of the Advisory Board due to an incumbent member's incapacity or failure to attend meetings. Such recommendation shall be based upon a majority vote of all appointed members of the Advisory Board and shall be reported to the Board of Supervisors. A vacancy shall be filled by appointment in the same manner as the appointment of the original Advisory Board member. Any appointment to fill a vacancy shall be for the remainder of the unexpired term. If an Advisory Board member is absent without excuse from three consecutive regular meetings or from three of any five consecutive meetings, the Advisory Board may recommend to the Board of Supervisors that the Board of Supervisors declare a vacancy.

(b) At least one month prior to the expiration of any Advisory Board member's term, the Advisory Board shall notify the Supervisor representing the Supervisorial District for which the member was appointed of such term expiration and the current need for representation.

(c) The Advisory Board may provide the Board of Supervisors with a list of names of interested and qualified persons from which to make appointments.

204. Compensation. The members of the Advisory Board shall serve without compensation.

205. Conflicts of Interest.

(a) For purposes of Government Code section 87103 and section 18707.4 of Title 2 of the California Code of Regulations, it is hereby found and declared that some of the persons appointed to the Advisory Board are appointed to represent and further the interests of the specific economic interest which an individual member is appointed to represent and each such person therefore does not have financial interests in decisions of the Advisory Board that will have a material financial effect on such person or member of his or her immediate family, distinguishable from its effects on the public generally.

(b) Members of the staff of a Monterey County department that has a supervisory role over the policies and actions of Monterey County Animal Services shall not be voting members of the Animal Control Panel Advisory Board (ACPAB). This provision recognizes the need for the ACPAB to

provide **independent** opinion to the Board of Supervisors, i.e. not influenced by a member's employment nor the opinion or policy of the department in which they are employed

### 3. OFFICERS

3.01 Designation of Officers. The officers of the Advisory Board shall be the Chair, Vice-Chair, and Secretary.

3.02 Qualification, Selection, and Terms. The Chair and Vice-Chair shall be appointed members of the Advisory Board. Ex-officio members shall not have the right to be the Chair or Vice-Chair of the Advisory Board. The Chief Animal Control Officer or his designee shall be the Secretary for the Advisory Board. The Chair and Vice-Chair shall be elected by the Advisory Board no later than July 1<sup>st</sup> of each year and shall serve for a term of one year and until a successor has been duly elected. A member of the Advisory Board shall not simultaneously hold more than one office on the Advisory Board.

3.03. Duties of Chair. The Chair shall preside at all meetings of the Advisory Board, shall be an ex-officio member of all committees, shall execute correspondence and other written instruments authorized by the Advisory Board, shall appoint committees or representatives to various committees related to animal control, and shall present the annual report to the Board of Supervisors.

3.04. Duties of Vice Chair. The Vice-Chair shall, in the absence of the Chair, assume the duties of the Chair and perform such other reasonable duties as may be assigned by the Advisory Board or by the Chair.

3.05. Duties of Secretary. The Secretary shall mail, deliver, or otherwise transmit all notices required by law; shall maintain minutes for Advisory Board meetings and other records that may from time to time be required by the Advisory Board's activities; and shall perform such other reasonable duties as may be assigned by the Advisory Board or by the Chair. The Secretary may delegate the actual performance of the tasks necessary to fulfill these duties.

3.06 Vacancies and Removal of Officers. A vacancy in either office of Chair or Vice Chair shall be filled by nomination and election by the Advisory Board as soon as practicable following the vacancy. Officers may be removed for failure to perform the duties of the office by a majority vote of all appointed members constituting the Advisory Board.

3.07 Temporary Absence of Officers. If the Chair and Vice-Chair are not present at a meeting, the Advisory Board shall select an acting Chair from one of the appointed members present at the meeting.

### 4. COMMITTEES

4.01. Standing and Ad Hoc Committees. The Advisory Board may establish such standing committees, ad hoc committees, or task forces as it deems necessary or appropriate to carry out its duties and purposes.

4.02. Staff Assistance to Committees. The Monterey County Health Department and its Animal Control Division shall provide administrative and clerical support to committees and task forces established by the Advisory Board.

## 5. MEETINGS

501. Regular Meetings – Time and Place. The Advisory Board shall establish a regular meeting date and time, which shall not be less than quarterly, and shall establish a regular place for holding meetings.

502. Special Meetings. Special meetings may be called at any time by the Chair or at the request of the Chief Animal Control Officer.

503. Ralph M. Brown Act. All meetings of the Advisory Board shall be conducted in conformity with the provisions of the Ralph M. Brown Act, Government Code sections 54950, et seq.

504. Quorum. The Advisory Board shall take no action unless a quorum is present at the meeting. A quorum shall be a majority of all appointed members constituting the Advisory Board. Ex officio members on the Advisory Board shall not be counted in determining whether a quorum is present at the meeting

505. Majority Vote. Actions of the Advisory Board shall be by not less than a majority vote of all appointed members constituting the Advisory Board. 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 the measure in determining whether a majority vote has been obtained.

506. Minutes. A record of proceedings in the form of minutes of the Advisory Board shall be kept on file with the Animal Control Division.

507. Robert's Rules of Order. Except as otherwise provided in these bylaws or in the rules and regulations adopted by the Advisory Board, all meetings of the Advisory Board shall be guided by the latest edition of Robert's Rules of Order.

508. Meeting Procedure. The Chair shall determine the order of business at all meetings of the Advisory Board.

## 6. AMENDMENT OF BYLAWS

601. The Monterey County Board of Supervisors may amend these bylaws by resolution.

Adopted: BOS Resolution No. 90-367 06/12/90

Amended: BOS Resolution No. 02-165 04/30/02

Amended: BOS Resolution No. 13-306 09/17/13