



## CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

<b>Short Name/Subject</b> IHSS Advisory Committee Bylaws	<b>Board Meeting Date</b> June 25, 2019	<b>Agenda Number</b> <b>38</b>
<b>Dept:</b> Clerk/Recorder <b>Div:</b> Clerk of the Board of Supervisors <b>Contact:</b> Rebecca Turner <b>Phone:</b> (209) 754-6370	<b>Supervisory District Number</b> Countywide	Regular Agenda
<b>Published Notice Required?</b> No <b>Public Hearing Required?</b> No		<b>Estimated Time:</b> 2 Hours
<b>Type of Document?</b> Action Item <b>PowerPoint Presentation Included?</b> No <b>Budget Transfer Included (Must be signed by Auditor)?</b> No <b>Complete Agreement Required?</b> No <b>Position Allocation Change?</b> No		

**RECOMMENDATION:**

Approve bylaws for the IHSS Advisory Committee effective immediately.

**DISCUSSION/SUMMARY:**

In accordance with Government Code, or a governing document such as a resolution or ordinance, the Board of Supervisors appoints members to 33 citizen advisory boards, committees and commissions which report to the Board of Supervisors. At their meeting held on February 13, 2018, the Board of Supervisors authorized the implementation of a bylaws template for use by all citizen advisory boards.

Many of these groups have struggled over the years to adopt bylaws that help guide them in the performance of their duties, as assigned to them by the Board of Supervisors. Additionally, it seems to be difficult for the groups to craft bylaws that comply with the Ralph M. Brown Act and County policy. This issue compounds when there are questions regarding how to create an agenda, what defines a quorum, and what kind of items they are legally allowed to discuss and take action on. This results in frustration for the members and an inordinate amount of staff time to educate the members.

In an effort to remove these hurdles, which in some cases consumes most of the group's meeting time, staff recommends the adoption of a generic template that will eliminate the need for "recreating the wheel" and allow these groups to move on to their regular business.

Additionally, the Board required that each group provide a written annual report to the Clerk of the Board of Supervisors no later than October of each calendar year. The IHSS Advisory Committee has not yet met this requirement.

The IHSS Advisory Committee has been discussing and developing bylaws for at least five years and has worked with County Counsel for the past four months to discuss items that the Committee might want to include and to review the staff recommended version of the bylaws. At the Committee's meeting held on May 8, 2019, County Counsel stated that they support the adoption of the staff version. Subsequently, the Committee met again to review the staff version and make changes. Even after the Committee made changes against Counsel's

recommendation, staff, Counsel and the Board of Supervisors representative on the Committee still recommend adoption of the staff version.

The staff version attached to this memo is titled **20190625 IHSS Bylaws Staff Version w Attachments** and the Committee's version is titled **20190520 StaffVersionWithFULLCommitteeEdits**.

There are still some differences between the two versions, namely that the staff version highlights process and policy while adhering to the approved template and the Committee's version includes some inaccurate information which does not follow the established Board of Supervisors documents or Welfare and Institutions Code.

Ultimately, the purpose of bylaws is to provide general guidance in the basic areas of the advisory group:

- ✓ Authorization and Objective (how established and purpose)
- ✓ Membership, Composition and Attendance (composition of the group, meeting information and attendance criteria)
- ✓ Committees (how to create and for what purpose)
- ✓ The Brown Act (compliance)
- ✓ Duties and Responsibilities of Officers (creates the structure for conducting meetings)
- ✓ Ethics/Conflict of Interest (used for groups required to file Form 700s)
- ✓ Position on Public Policy/Legislation (states group is ADVISORY to the BOS)
- ✓ Annual Report (requirement to do one and when)
- ✓ Bylaws (establishing review/approval process)

While it is true that some groups may choose to include some additional information that may be specific to their established purpose, bylaws were never intended to be overly stringent or authorize groups to perform tasks/have responsibility for anything outside of their scope.

### **FINANCING:**

There is no impact to the General Fund associated with the actual approval of bylaws; however, there have been countless hours spent by staff reviewing changes made by the Committee and crafting bylaws that adhere to the established purpose of the Committee.

### **ALTERNATIVES:**

The Board could choose any of the following:

1. Adopt the staff version of the bylaws. This is the recommended action, as it utilizes the Board of Supervisors approved template, complies with County policy and adheres to the established purpose of the group.
2. Adopt the Committee's version of the bylaws. This is not recommended by staff, as it is not in compliance with County policy and the Committee's established purpose.
3. Not approve either version of the bylaws. This is not recommended by staff, as it would require additional efforts by the Committee to develop another version and an additional amount of staff time to review and then bring back to the Board at a future date.

### **OTHER AGENCY INVOLVEMENT:**

IHSS Advisory Committee, HHSA and County Counsel

**APPROVED BY:**



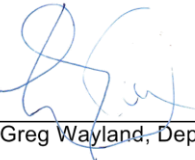
Rebecca Turner, Clerk-Recorder

6/13/2019



Diane Severud, Deputy Clerk of the Board of Supervisors

6/13/2019



Greg Wayland, Deputy County Counsel

6/13/2019



Albert Alt, County Administrative Officer

6/14/2019