

IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE BYLAWS

Article I – Authorization and Objectives

The Calaveras In-Home Supportive Services (IHSS) Advisory Committee (AC) (herein after the “Committee”) was established as an advisory committee to the Board of Supervisors on December 2, 2002, by Ordinance No. 2722, in accordance with AB 1682 and Welfare and Institutions Code (W&IC) 12301. The governing document, Ordinance 2722, officially refers to this Committee as the “In-Home Supportive Services (IHSS) Advisory Committee” (Exhibit A). On April 9, 2019, the Board of Supervisors adopted Resolution No. 20190409r040, establishing a quarterly meeting schedule (Exhibit A).

Pursuant to state budget changes in March 2011, W&IC 12301.3 eliminated the mandate requiring counties to maintain an Advisory Committee. Pursuant to W&IC 12301.6 (C), if the enabling ordinance designates the Board of Supervisors as the Governing Body of the Public Authority, it shall also require the appointment of an Advisory Committee of not more than 11 individuals.

The primary activity of the Committee is to provide ongoing advice and recommendations regarding IHSS and the mode or modes of service to the Calaveras County Board of Supervisors, any administrative body in the county that is related to the delivery and administration of IHSS, and the governing body and administrative agency of the Public Authority.

Article II – Membership, Composition and Attendance

Membership on the Committee shall be governed by Section 12301.3 of the W&IC and by Calaveras County Resolution No. 2013-161, which supersedes Resolution No. 02-24 as follows:

- A. Six (6) members shall be individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of these services.
- B. A minimum of One (1) member shall be a current or former provider of in-home supportive services.
- C. Four (4) members may shall be members of the general public and interested persons and organizations so as to provide a broad spectrum of representation. These members may include:
 - i. Individuals who are interested public members;
 - ii. Individuals who represent organizations that advocate for people with disabilities or seniors; or
 - iii. Individuals from community-based organizations that advocate on behalf of home care employees.
- D. One (1) nonvoting member shall be a county representative who may include a member of the Board of Supervisors or a county employee.
- E. The Health and Human Services Agency (HHSA) Director shall appoint a staff contact(s) to serve as liaison between the Committee, the HHSA and other County Departments.

All initial appointments shall be for a term of two years, plus a period of time ending on December 31st of the second year of service. Thereafter, all appointments shall be for a term of two years, with possible reappointment for a subsequent two year term.

Applications for membership or reappointment to the Committee shall be made available at the Board Clerk's office. Applications shall only be submitted to the Board Clerk and must include the membership seat being applied for, and explain justify provide documentation of the qualifications required for that membership seat. Applications that do not include this information shall not be deemed accepted by the Board Clerk and will not be processed. The Board Clerk shall forward all applications to the Health and Human Services Agency for vetting of qualifications. Once vetted, the Clerk of the Board will forward the applications to the Board of Supervisors for consideration and possible appointment.

1. All members shall attend the Brown Act training provided by County staff each year.

~~5.~~ 2. Members who wish to resign from the Committee prior to the expiration of their term shall submit a written resignation to the Clerk of the Board of Supervisors.

~~6.~~ 3. Members receiving compensation associated with their appointment shall be required to provide a W-4 to the staff contact. This must be done prior to the member's first meeting of the Committee. If a member fails to provide a W-4 within 30 days of appointment, no stipend will be paid the appointment will be considered void and a vacancy will be advertised.

~~7.~~ 4. The Committee is not authorized to enter into any agreement, including but not limited to obtaining a post office box, without approval by the Board of Supervisors.

Article III - Committees

1. Matters requiring additional research or attention may be delegated to a Temporary/Ad Hoc Committee, made up of less than a quorum of members and meeting for a limited amount of time to discuss only a particular issue. The Committee shall report all findings back to the full Committee.

Article IV – Meetings ~~The Brown Act~~

1. The Committee meets quarterly (January, April, July and October) at Mark Twain Medical Center Classroom 3.

2. Each member is required to attend a majority of the meetings each calendar year. In order to ensure a quorum is present, any member that is unable to attend a meeting, is asked to contact the Chair one day prior to the day of the meeting.

3. If a member has missed more than three meetings, the Chair may agendize the matter for consideration by the Committee. Upon a majority vote of the members present, the Committee may recommend that the member be removed by the Board of Supervisors.

~~4.~~ Upon such a vote of the Committee, the Chair shall notify the HHSA staff contact who will then notify the Clerk of the Board of Supervisors, in writing, recommending the member be removed and a new appointment be made.

~~2.~~ 4. Agendas for meetings will use the required agenda template, as provided by the Clerk of the Board of Supervisors. ~~(Exhibit C)~~ (Exhibit B)

~~3.~~ 5. Agendas will be provided to the Committee's staff contact for posting to the general meeting calendar on the County's website, according to the timelines specified by the Ralph M. Brown Act.

~~4.~~ 6. Meetings shall be conducted as prescribed by these by-laws and in compliance with the Ralph M. Brown Act.

~~5.~~ 7. A meeting may only commence when a quorum is present (i.e. six (6) members of a ten (10) member committee). A quorum shall consist of a majority of the total appointed members. In the event a quorum is not present, there shall be no meeting nor any discussion of Committee business.

~~6.~~ 8. All agendas must state the meeting time and location and provide a brief description of the items to be discussed by the Committee, the distinct action to be taken following the template provided (Exhibit B) and be posted in a location that is freely accessible to the public.

~~7.~~ 9. Public Comment:

a. Items on the Agenda – The Committee must provide an opportunity for the public to comment on each item on the Agenda before or while the Committee is considering the item.

b. Items not on the Agenda – The Committee must also provide at least one (1) general public comment period for the public to speak on any item within the jurisdiction of the Committee. The Committee may not take action upon a non-agenda item arising during public comments.

c. Time limits are at the discretion of the Chair and are generally limited to three (3) to five (5) minutes per person.

8. Regular meeting agendas shall be posted at the meeting location and made available to the Committee and Public at least 72 hours prior to the meeting time.

~~9.~~ 10. Special meeting agendas shall be posted at the meeting location and made available to the Committee and Public at least 24 hours prior to the meeting time.

Article V – Duties and Responsibilities of Officers

1. The officers of the ~~Committee~~ ~~Commission~~ shall consist of a Chair, Vice-Chair, and Secretary, elected by a majority vote of the Committee at the first meeting in January.

2. The Chair is to conduct the meetings and should be familiar with Robert's Rules of Order. The Chair responsibilities also include preparing the agenda for each meeting and posting it at the meeting location.

3. The Vice-Chair shall conduct the Chair responsibilities in the absence of the Chair.

4. The Secretary is to record the minutes of all meetings, receive all financial reports from the staff contact, present the reports to the Committee and work with the staff contact regarding all expenses and payment of invoices, if applicable. The ~~Secretary~~ ~~Chair~~ shall ~~sign the meeting minutes and~~ provide the agendas and minutes ~~them~~ to the staff contact for retention. ~~Prior to each meeting, the Secretary~~ ~~The Chair~~ shall email the agenda ~~and prior meeting minutes~~ to all Committee members and mail ~~same~~ ~~them~~ via U.S. Mail ~~agendas~~ to ~~members with no internet access.~~ ~~those without email access via US Mail.~~

The Secretary ~~shall disseminate the minutes to all committee members prior to the next meeting and~~ shall conduct the Chair responsibilities in the absence of the Chair and Vice-Chair.

Article VI – Ethics/Conflict of Interest

1. The Committee is included in the County’s Conflict of Interest Code.
2. Members are required to file a Statement of Economic Interest – Form 700 within 30 days of appointment, annually, and within 30 days of leaving office. These forms are filed with the Clerk of the Board of Supervisors.
3. In compliance with AB1234, members are also required to complete Ethics Training upon appointment, or as soon as practicable thereafter. If a member serves multiple consecutive terms, the member is required to complete an Ethics Training every two years. This training is available online at www.fppc.ca.gov. Certificate of Completions shall be filed with the Clerk of the Board of Supervisors.
4. A conflict of interest exists when any member of the Committee has, either a direct or an indirect financial interest in a matter before the Committee.
5. In the event a conflict of interest does occur, or appears to be imminent, the member shall declare the conflict, recuse himself/herself from voting on the item and shall not use his or her official position to influence or attempt to influence the decision in any way.

Article VII – Position on Public Policy/Legislation

1. The Committee is not empowered by ordinance, establishing authority or policy to render a position or decision of any kind on behalf of the County of Calaveras or its appointed or elected officials. If the Committee wishes to request a County position on a public policy or legislative item, the request shall be submitted in writing to the Clerk of the Board of Supervisors.

Article VIII - Annual Report

1. The Committee shall provide a written report no later than October of each year to the staff contact, who will in turn provide the report to the Clerk of the Board of Supervisors for inclusion in the Annual Clerk of the Board’s Report to the Board of Supervisors to keep the Board apprised of the Committee’s activities.

Article IX – By-Laws

1. By-Laws shall be reviewed by the Committee on an annual basis. Any suggestions for changes will be provided to the staff contact, who will provide them to the Clerk of the Board of Supervisors for consideration and possible approval by the Board of Supervisors.
2. By-Laws are not effective until approved by the Board of Supervisors.

Chair, Board of Supervisors

Date

Attest:

Clerk of the Board of Supervisors

Date