

**BY-LAWS OF THE IN-HOME SUPPORTIVE SERVICES/PUBLIC AUTHORITY
ADVISORY COMMITTEE OF THE COUNTY OF SAN DIEGO**

Article 1 - Definitions

- A. "IHSS" refers to the In-Home Supportive Services Program.
- B. "Public Authority" or "PA" refers to the County of San Diego In-Home Supportive Services Public Authority.
- C. "Advisory Committee" refers to the IHSS/Public Authority Advisory Committee of San Diego County.
- D. "Board of Supervisors" refers to the San Diego County Board of Supervisors.
- E. "County" refers to the County of San Diego.
- F. "Governing Body" refers to the County of San Diego IHSS Public Authority Governing Body.
- G. "AIS" refers to the Aging & Independence Services division of the County of San Diego's Health and Human Services Agency.

Article 2 – Purpose and Authority

- A. Authority: California Welfare and Institutions Code section 12301.6 provides that each county shall appoint an advisory committee where the board of supervisors is the governing body. The Advisory Committee is authorized in the County pursuant to County Administrative Code Section 82.205.
- B. Purpose: The Advisory Committee shall provide advice and recommendations to the Board of Supervisors, Governing Body, and other persons or entities related to the delivery of the IHSS and PA services as required by Welfare and Institutions Code Sections 12301.4 and 12301.6.
- C. Advisory Committee Apolitical: The Advisory Committee is a non-partisan, non-sectarian, non-profit making organization. It does not take part officially in, nor does it lend its influence to, any political issues.
- D. Non-Binding Authority: The Advisory Committee is advisory in nature. The Advisory Committee is not empowered by ordinance, establishing authority, or policy to render a decision of any kind on behalf of the County, the PA, or its appointed or elected officials.

Article 3 - Membership and Term of Office

- A. Advisory Committee Composition: Pursuant to California Welfare and Institutions Code Section 12301.6, and County Administrative Code Section 82.205, not less than fifty-one percent (51%) of the membership of the Advisory Committee shall be individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of IHSS. The Agency Director of the Health and Human

Services Agency is delegated the authority to appoint members pursuant to the process in Section D below.

- B. Pursuant to Board of Supervisors action concurrent with the approval of these By-laws, the Advisory Committee shall consist of nine (9) voting members. The Advisory Committee's composition is as follows: five (5) current or past personal assistance services consumers, two (2) current or past IHSS providers, one (1) AIS Advisory Council member, and one (1) individual from the community with an interest in and involvement in the IHSS/PA programs and who may be a member of the AIS Advisory Council if no interested community members are identified. Special efforts shall be made to include as the IHSS consumer representatives to the Advisory Committee three (3) IHSS consumers who are severely impaired and who are under the age of 65 years.
- C. Term: The term of office for Advisory Committee members shall be two (2) years. Service on the Advisory Committee is limited to two consecutive terms. For the purpose of this limitation, a term shall include any appointments to fill a vacancy for one-half or more of a term. Members whose terms have expired shall continue to serve until such time as they are either replaced or reappointed. After serving two (2) consecutive full terms, a member is ineligible to serve another term until that individual has been off the Advisory Committee for one (1) full term. After a hiatus of at least one (1) full term, an individual will be eligible for nomination.
- D. Vacancies: The Advisory Committee shall establish a Nominating Committee to identify and interview potential new members. The Nominating Committee shall include at least one IHSS or PA staff liaison. Candidates approved by the Nominating Committee will come before the Advisory Committee and must be approved by a two-thirds majority vote of the Advisory Committee.
- E. Standard of Conduct: Members shall conduct themselves in a professional and courteous manner at all times during an Advisory Committee or subcommittee meeting. This includes, but is not limited to, restraining from making inappropriate, sarcastic, rude and disruptive comments and statements about or directed to other Advisory Committee members and towards anyone in attendance at Advisory Committee meetings. Members shall abide by the Chairperson's decisions as the presiding officer over meetings. Members shall not interrupt the Chairperson, other Advisory Committee members or members of the public while they are speaking after being recognized by the Chairperson. Repeated failure to follow this standard of conduct may result in a two-thirds majority (not counting the vote of the affected member) of the Advisory Committee voting to recommend to the Agency Director, Health and Human Services Agency, that an Advisory Committee member be removed from the Advisory Committee. Any recommendation to remove an Advisory Committee member shall be placed on the Advisory Committee's agenda and the member being recommended for removal shall be permitted to address the removal recommendation. Should a

member have more than three unexcused absences in a calendar year (an unexcused absence is one where the member fails to contact staff or the Chair to request the absence), a two-thirds majority of the Advisory Committee may vote to recommend removal of that member. All removal actions must receive the approval of the Agency Director of the Health and Human Services Agency.

- F. In accordance with Government Code 53235, members are required to complete an ethics training course and submit a written certificate of completion to the Advisory Committee Secretary. This training must be kept current and needs to be renewed every two years as required by State law.

Article 4 – Duties:

- A. The Advisory Committee is advisory to the Board of Supervisors, the County Health and Human Services Agency, the PA, the Governing Body, and any other qualifying person or entity pursuant to Welfare and Institutions Code Section 12301.4.

Article 5 – Officers

- A. The Advisory Committee shall annually elect from its members the following officers: Chairperson, Vice-Chairperson (co-officers may be elected, if deemed necessary), and Parliamentarian. The election of officers shall occur annually at the last meeting of the Advisory Committee during the County's/PA's fiscal year. No officer shall hold more than one office at a time.
- B. If an office is vacated, the Chairperson will temporarily appoint a member of the Advisory Committee to fill the vacancy until a new officer is elected. Such election shall be held within 30 days of the vacancy.
- C. The Chairperson provides general supervisory guidance to the Advisory Committee and presides over its meetings. The Chairperson assigns coordinating duties to the Vice-Chairperson as necessary. The Chairperson is the sole official spokesperson for the Advisory Committee unless this responsibility is delegated in writing.
- D. In the absence of the Chairperson, the Vice-Chairperson assumes the duties and responsibilities of that office. In the absence of both the Chairperson and the Vice-Chairperson, the Advisory Committee may appoint a member to serve as Chairperson for that meeting only.
- E. The Advisory Committee Secretary role will be filled by County or PA staff and will assist the Advisory Committee and record the minutes of all Advisory Committee meetings and handle Advisory Committee correspondence. The Secretary will maintain the attendance roll, certify the presence of a quorum, maintain a list of all active representatives, and keep records of actions as they occur at each meeting. The Secretary shall submit a draft of the meeting minutes to the Chairperson within ten

(10) business days prior to an Advisory Committee meeting. The previous meeting's minutes will be on the agenda of each meeting and will be subject to approval by the Advisory Committee. The Advisory Committee Secretary shall also: convene the Nominating Subcommittee; monitor Advisory Committee attendance; and monitor the ethics training requirements of members.

- F. It is the responsibility of the County or PA staff assigned to the Advisory Committee to ensure that posting of meeting notices in a publicly accessible place for 72 hours prior to the Advisory Committee meeting occurs, to keep a record of such posting, and to reproduce and distribute the Advisory Committee notices and minutes of all meetings.

Article 6 – Subcommittees

- A. The Advisory Committee may select from its members, subcommittee chairpersons and/or members to direct studies, conduct research or make recommendations on Advisory Committee activities. Non-members may join subcommittees but shall not be members of standing committees.
- B. The purpose and scope of each subcommittee shall be outlined in writing.
- C. Each subcommittee chairperson shall be responsible for the keeping of records of all actions and reports of the subcommittee, and shall submit these actions and reports to the Advisory Committee on a regular basis. A subcommittee chairperson shall not act as spokesperson for the Advisory Committee unless authorized to do so in writing as set forth in Article 5, Section C, of these By-laws.
- D. A Coordinating Committee comprised of the chairpersons of the subcommittees may be formed to assemble information from each subcommittee for presentation to the Advisory Committee. The Chairperson or Vice-Chairperson shall act as the chairperson of the Coordinating Committee.

Article 7 – Organization Procedures

- A. The most current edition of Robert's Rules of Order governs the operation of the Advisory Committee in all cases not covered by these By-laws. The Advisory Committee may formulate specific procedural rules of order to govern the conduct of its meetings.
- B. Voting is on the basis of one vote per person and no proxy, telephone or absentee voting is permitted.
- C. All meetings of the Advisory Committee and its subcommittees are open to the public to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places. Notice of all Advisory Committee meetings shall be posted in a publicly accessible place for a

period of 72 hours prior to the meeting (special meetings require 24-hour notice). In addition, such notice will be mailed on request.

- D. A majority of the members currently appointed shall constitute a quorum. No vote of the Advisory Committee shall be considered as reflecting an official position of the Advisory Committee unless passed by a majority of its quorum present at the specific meeting where the vote was taken.

Article 8 – Amendments to By-Laws: These By-laws may be amended when necessary by a majority vote of the Advisory Committee. The amendments only become effective when ratified by the Board of Supervisors.