

**ORANGE COUNTY  
IN-HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE**

**BYLAWS**

**Article I – Name**

The name of this organization shall be the Orange County In-Home Supportive Services (IHSS) Advisory Committee, hereafter referred to as the “Committee.”

**Article II – Authority**

The Committee was originally established by the Orange County Board of Supervisors hereafter referred to as the “Board” by Minute Order dated June 13, 2000. The Committee was established in accordance with Assembly Bill 1682 (Cal. Statue, Ch. 90, Statutes of 1999) which mandated the formation of the IHSS Advisory Committee.

**Article III – Definitions**

Definitions of the terms used within these Bylaws.

The term “~~consumer~~[recipient](#)” shall mean current or past user of personal care assistance services and/or In-Home Supportive Services (IHSS).

The term “provider” shall mean a person who provides personal care assistance and/or IHSS to a ~~consumer~~[recipient](#).

**Article IV – Purpose**

The purpose of the Committee shall be to: (1) submit recommendations to the county board of supervisors on the preferred mode or modes of service to be utilized in the county for in-home supportive services; and, (2) provide ongoing advice and recommendations regarding in-home supportive services to the county board of supervisors, any administrative body in the county that is related to the delivery and administration of in-home supportive services, and the governing body and administrative agency of the public authority, nonprofit consortium, contractor, and public employees.

## **Article V – Duties**

To fulfill its responsibilities, the Committee shall commence all activities so long as expenses are within their allocated budget:

1. Stay informed and /educated on IHSS issues.
2. Provide input to the Public Authority and the Social Services Agency ~~into~~ on IHSS issues.
3. Participate in outreach and educational activities.
4. Review, advise and make recommendations to the Board, via the CEO's legislative staff, on pending legislation that may impact the IHSS program, ~~consumers~~recipients, and/or providers.
5. With Governing Board approval, engage in advocacy activities related to IHSS recipient~~consumer~~ and provider issues.

## **Article VI – Membership**

### A. Composition

The Committee shall be comprised of a maximum of 11 members from the specific categories listed below. Members should be residents of Orange County and registered to vote in Orange County. Committee membership categories shall be as follows:

~~7~~ A maximum of 7, making up a majority of membership shall be ~~Consumer~~Recipients who are ~~(current or past users of personal assistance services)~~. One (1) nominated by each of the five members of the Board of Supervisors ~~and~~ two (2) selected at-large. A member of the Board may nominate a person from outside of the District that the member represents, but may only nominate such a person with the written concurrence of the Board member who represents the District in which the proposed nominee resides.

~~2~~ Individual A maximum of 2 individual IHSS Providers selected at-large.

- 1 Representative from a community based organization or public agency located in Orange County, serving the disabled and/or elderly, appointed by the Board of Supervisors' Chair.
- 1 CEO or designee

### B. Appointment of Members

See item VI.A.

### C. Term

The term of each ~~consumer~~recipient and provider member shall be for four (4) years.

The term of the community-based organization (CBO) representative shall be for one (1) year. This appointment is made annually by the Board of Supervisors.

The CBO representative shall continue to discharge the duties of the office until his/her successor has been appointed by the Board of Supervisors.

D. Requirements

Upon initial appointment, members shall take an Oath of Office and shall be bound by the Board adopted Code of Ethics.

E. Resignation

A member may resign at any time by giving written notice to the Committee. The resignation shall take effect as of the date the notice is received or at a later time specified in the notice.

F. Vacancies

1. The Committee Chair or his/her designee shall notify Committee members and the Board when a position becomes vacant.
2. No members will be appointed during the year unless the total membership of the Committee falls below eleven (11).
3. The ~~Membership Ad Hoc~~ Candidacy Ad Hoc Committee shall be created and maintain a list of potential appointees to serve on the Committee in the event of vacancies.
4. Vacancies shall be filled in the same manner as they were originally appointed.
5. Subject to the provisions of paragraph F.2. above, upon the resignation or termination of appointed members, the Board shall appoint a replacement to serve the remaining term of that member.

G. Attendance

Committee members are expected to attend all regular and special meetings. Any member who fails to attend two (2) consecutive ~~regular~~ meetings without previous notice or excuse shall automatically vacate his/her position. Notice shall be to Chair and/or the PA Director and/or the Clerk of the Board within 48 hours of meeting time whenever possible. The sufficiency of any excuse for failure to attend such meeting(s) shall be determined by the Chair of the Committee. The Chair shall advise the Committee members in writing that the

member has vacated his/her position of the Committee. A copy of the letter will be forwarded to the appointing entity and the Clerk of the Board for the County of Orange.

H. Removal of Members

The Committee, by a two-thirds (2/3) vote, not counting the vote of the members in question, may recommend to the Board of Supervisors that a member be removed from the Committee. A reason for removal includes, but is not limited to, two (2) consecutive absences from noticed meetings.

I. Standard of Conduct

Members shall conduct themselves in a professional and courteous manner at all times during a Committee Meeting. This includes, but is not limited to, restraining from making inappropriate, sarcastic, rude and disruptive comments and statements about or directed to other Committee Members and towards anyone in attendance at Committee Meetings. Repeated failure to follow this provision, may result in the Committee voting to recommend to the Orange County Board of Supervisors that a Committee member be removed from the Committee.

**Article VII – Officers and Duties**

1. Officers elected by the Committee shall be the Chair, Vice Chair, and Sergeant at Arms.
2. Once an officer has been elected, she/he is to serve a term of a maximum of one (1) year.
3. An officer may not serve more than two (2) consecutive one (1) year terms in the position they hold.
4. If an officer position becomes vacant, the Committee will hold an election to fill said office at the next meeting as agendized.
5. In the event the Chair, Vice-Chair or Sergeant at Arms are all absent from a meeting, the Committee will appoint a facilitator for that meeting.
6. A committee officer may be removed from office by a two-thirds vote of the Committee members present at the meeting.
7. The Chair will:
  - a) Preside at all meetings of the Committee;
  - b) Call special meetings;

- c) The Chair or committee designee will represent the Committee before the Board of Supervisors and at appropriate public functions and events;
  - d) Appoint members to ad hoc committees with each ad hoc committee to designate a member to agendize a report to full committee;
  - e) Work with the Clerk of the Board to prepare an agenda for each meeting;
  - f) Act as an ex-officio member or delegate responsibility to another officer, on all ad hoc committees except the ~~Membership-Candidacy~~ Ad Hoc Committee;
  - g) Perform all other duties necessary or incidental to the office.
8. The Vice-Chair shall assume the duties of the Chair in her/his absence and any duties assigned by the Chair.
  9. The Sergeant at Arms shall assume the duties of the Chair and Vice-Chair in their absence and any duties assigned by the Chair.
  10. Annual election of officers will commence the ~~first~~ last scheduled meeting of each ~~calendar~~ fiscal year. In the event such meeting must be cancelled due to lack of quorum, elections will be held at the next meeting of the committee.

#### **Article VIII – Ad Hoc Committees and Duties**

The Committee may appoint ad hoc committees as deemed necessary.

#### **Article IX – Meetings**

1. Regular meetings shall be convened four (4) times each year. Meeting dates, location and time will be established at the beginning of each fiscal year and may be changed as needed. Written notice of meetings shall be sent to each Committee member at least one week prior to the meeting date.
2. Special meetings may be called at any time by the Committee Chair, as long as costs are within budget.– Each member of the Committee shall be given adequate written notice of such meetings.
3. Meetings of the Committee shall be held in accordance with the Ralph M. Brown Act, located at Government Code Section 54950 et seq.
4. Subject to the provisions of these Bylaws, all meetings of the Committee shall be conducted in accordance with the Committee Rules of Procedure.

#### **Article X – Voting Procedures**

1. Each Committee member shall have one (1) vote and must be present at a meeting to vote. No proxy or alternate shall be recognized or authorized to vote on behalf of a Committee member.

2. A quorum shall be required for the transaction of business. Six (6) of the Committee membership shall constitute a quorum.
3. A majority of the Committee members present at the meeting at which a vote is taken is required to carry an item.
4. Voting by verbal affirmation on any matter is acceptable unless Committee members request that a roll call vote be taken.
5. No member of the Committee shall participate in a vote if he or she has a proprietary interest in the outcome of the matter being voted upon.
6. Voting for election of officers shall be by roll call vote.

#### **Article XI – Administrative Support**

1. The Clerk of the Board (COB) of Supervisors shall provide the Committee with staff and administrative support that shall be funded through the Social Services Agency, [utilizing the budgeted state and federal allocation for the advisory committee](#). COB staff responsibilities shall include, but shall not be limited to, the compilation and distribution of Committee meeting notices, agendas, and minutes. Staff shall also maintain Committee records, meeting minutes, membership and attendance information.
2. The COB shall retain all records until such time as the Committee is dissolved by the Board. At such time, the COB shall maintain all Committee records subject to the requirements of the County of Orange Auditor-Controller and any formal Records Retention Program of the County.
3. The Social Services Agency (SSA) and the Orange County In-Home Supportive Services Public Authority shall provide the Committee with program support, [i.e.g.](#), information and answering questions regarding the IHSS Program.

#### **Article XII – Amendment of Bylaws**

These bylaws may be adopted, amended or repealed by a majority vote of the Committee members present at any regular or special meetings, subject to the approval of the Board. Written notice of any proposed amendments must be sent to Committee members at least seven (7) calendar days prior to the meeting at which the proposed amendments will be voted upon.

#### **Article XIII – Committee Position on Legislation**

Committee positions on legislation shall be approved by the Committee.

If the Committee wishes to request a County position on a legislative item, the request shall be submitted to the County Executive Office (CEO) for the County of Orange for consideration and referral to the CEO/Legislative Affairs. Positions taken by the Committee regarding legislation which have not been approved by the Board and the CEO Legislative Affairs shall indicate that they do not represent official policy. If the Board and the CEO Legislative Affairs concur with the Committee's position on legislation, the Committee may advise the general public of its position.

Rev ( [Please insert BOS Date](#)~~11/19/15~~)