

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM  
3.15  
(ID # 7746)**

**MEETING DATE:  
Tuesday, February 5, 2019**

**FROM : OFFICE ON AGING:**

**SUBJECT: OFFICE ON AGING: Amendment to the Riverside County Advisory Council on  
Aging Bylaws. All Districts. [Total Cost: \$0]**

**RECOMMENDED MOTION: That the Board of Supervisors approve the Amendment to the  
Riverside County Advisory Council on Aging Bylaws.**

**ACTION: Consent**

*Rachelle Roman*  
Rachelle Roman, Deputy Director for Administration 1/24/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

**Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt  
**Nays:** None  
**Absent:** None  
**Date:** February 5, 2019  
**xc:** OoA

Kecia Harper  
Clerk of the Board  
*Kecia Harper*  
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year</b>	<b>Next Fiscal Year</b>	<b>Total Cost</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 18/19</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Riverside County Advisory Council on Aging (Advisory Council), as mandated by Federal and State statutes (Older Americans Act and Older Californians Act) is a volunteer leadership body comprised of 17 members, whose purpose is to advise the Riverside County Office on Aging (RCOoA) and the Board of Supervisors on all matters related to the development of the RCOoA Strategic Plan, the administration of the plan, and operations conducted under the plan. Bylaws are a statutory requirement for an Advisory Council to exist and they must be reviewed each year by the Advisory Council Bylaws Committee. At the most recent review, it was determined that revisions were necessary to strengthen and support the governance and effectiveness of the Advisory Council. These revisions were approved by the Advisory Council on June 13, 2018. Prior to this, the Bylaws were last revised in 2012.

In accordance with Resolution No. 2005-148 of the Uniform Rules and Procedures for Advisory Committees, Boards and Commissions of the County of Riverside and Board Policy A-21, RCOoA and the Advisory Council respectfully request the Board of Supervisors approve the revisions to the bylaws.

**Impact on Residents and Businesses**

The Advisory Council is a diverse group of seasoned community leaders who collaborate with RCOoA staff, policy makers, community service providers, and the public to exchange ideas and insights, to help build a foundation for positive, progressive changes to services for older adults and persons with disabilities. Moreover, the Advisory Council is committed to improving and expanding services available to older adults and is charged with acting as a conduit and liaison between Riverside County community members, community partners, RCOoA, and the Riverside County Board of Supervisors in order to pass valuable information between service recipients, service providers, advocates and policy makers.

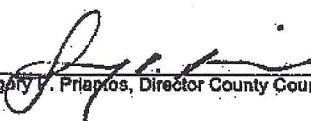
In order for the Advisory Council to function at its highest capacity, the bylaws must reflect rules and guidance to steer its members with clarity and purpose. It is anticipated these revisions will have a positive impact on the Advisory Council, and in turn, the Riverside County community.

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ATTACHMENTS:

ATTACHMENT 1. BYLAWS REVISIONS - SUMMARY

ATTACHMENT 2. BYLAWS - AS REVISED

  
\_\_\_\_\_  
Gregory V. Priaplos, Director County Counsel 1/25/2019

**ADVISORY COUNCIL ON AGING**  
**BYLAWS**  
**RIVERSIDE COUNTY OFFICE ON AGING**

**ARTICLE 1**

**Name and Purpose**

**SECTION 1. Name**

The name of this organization is the Advisory Council on Aging herein called "Council."

**SECTION 2. Purpose**

The Council is formed pursuant to Resolution 82-327 adopted by the Riverside County Board of Supervisors and Section 9250 et seq. of the Welfare and Institutions Code (WIC) of California. In connection therewith, the Council shall endeavor to advocate that older persons within the planning and service area of the County have full and free enjoyment of the opportunity to achieve an adequate income in retirement; have access to the best possible physical and mental health services, have suitable housing; have access to appropriate institutional care; have the opportunity for employment; be able to pursue meaningful activity within the widest range of civic, cultural and recreational opportunities; have efficient and coordinated community service which provide assistance in achieving these goals; have information about research which can sustain and improve health and happiness; and have freedom and independence in the exercise of individual initiative in planning and managing their own lives. Nothing within WIC shall be construed as limiting in any way the ability of the Council to serve as an advocate for all older persons and adults with disabilities.

## **ARTICLE II**

### **Functions**

#### **SECTION 1. Functions**

The Council shall:

- A. Be advisory to the Riverside County Office on Aging and Board of Supervisors on all matters for which they are required and empowered to perform by law and as directed by the Board of Supervisors.
- B. Study, review, evaluate and make recommendations to the Board of Supervisors relative to any and all matters affecting older persons and adults with disabilities in the County, including, but not limited to, health, education, employment, housing, transportation and recreation.
- C. Assess and report on the nature and extent of the unmet needs of older persons and adults with disabilities, develop a county-wide 4-year Strategic Plan with annual updates that prioritized and addresses ways to meet those needs.
- D. Identify the various public and private services available to older persons and adults with disabilities in the County.
- E. Form a By-Laws Committee at the first meeting of the new term of Office. The Parliamentarian shall serve as Chairperson of the By-Laws Committee. The Council Chairperson shall appoint two (2) members from the Executive Board and two (2) members from the Council to serve as the committee.
- F. Adopt and follow by-laws concerning, but not necessarily limited to:
  - 1. Terms of membership and office,
  - 2. Election of officers,
  - 3. Frequency and notice of meetings,

4. Accessibility of meetings to members of the general public,
  5. Rules regarding the conduct of Council and Council Committee meetings,
  6. Removal of members and officers and the filling of vacancies.
  7. Establish and delineate functions on an annual basis during the September meeting for standing and ad hoc committees comprised of Council members to assist the Council in fulfilling its functions.
- G. Establish membership attendance requirement.
  - H. Prescribe duties for officers.
  - I. Delineate any other functions not inconsistent with any relevant Resolution, ordinance, or statute provisions.

The Council shall have no administrative functions.

### **ARTICLE III**

#### **Reports**

##### **SECTION 1. Annual Report**

The Council shall file with the Board of Supervisors, the Office on Aging, California Department of Aging, California Commission on Aging, the Senate Sub-Committee on Aging and Long Term Care and, insofar as resources permit, all other interested parties, a copy of the Council's annual report.

##### **SECTION 2. Special Reports**

The Council may file a special report with the Board of Supervisors whenever it deems desirable to do so, and shall file a report(s) when requested by the Board of Supervisors.

## ARTICLE IV

### Membership

#### SECTION 1. Composition of Membership

Council membership shall consist of seventeen (17) members and be composed of:

- A. A majority of persons sixty (60) years of age or older,
- B. Service providers,
- C. Members who reflect the Districts established by the Board of Supervisors or the geographic, racial, economic, and social complexities of the Planning and Service Area,
- D. At least one member who represents the interest of the disabled,
- E. The Director of the Office on Aging, or his/her designee, who shall serve as ex officio member,
- F. Each member shall be a resident of Riverside County or be employed within the county,
- G. Five (5) members shall be appointed by the Board of Supervisors and such membership appointments shall include one (1) person from each Supervisorial district,
- H. The Council shall appoint the remaining twelve (12) members,
- I. To comply with the composition as prescribed above, the Director of the Office on Aging shall be responsible for making appointee recommendations to the Board of Supervisors and Council.

#### SECTION 2. Terms of Membership and Office

The term of office of members shall be for a three (3) year period commencing on the first day of July. Advisory Council members whose terms are expiring are required to complete a three (3) year evaluation and request to remain on the Council.

Evaluations will be reviewed by the Membership Committee and will forward its recommendation to the Council for action at the next regular meeting. This reappointment procedure does not include the 5 members appointed by the Board of Supervisors. If the reappointment is approved by the Council, the information shall be transmitted to the Riverside County Board of Supervisors for review and final approval.

If appointed other than on July 1 to fill a vacancy, the term shall be considered as a full three-year term if appointed prior to the mid-point of the vacancy to which the member is appointed. If the appointment is after the mid-point, the term shall not be considered a full term and the member shall be eligible to serve one full term following this appointment to fill a vacancy. The Council may on the recommendation of the Membership Committee, reappoint members with the exception of supervisorial appointees.

### **SECTION 3. Membership Duties**

Members shall:

- A. Attend all Council Meetings.
- B. Serve and actively participate on at least one (1) Committee.
- C. Actively participate in advocacy, act as a local and county-wide Ambassador, attend and assist at Council conferences and other events.
- D. Act as a liaison.
- E. Be able to travel to meetings and community events throughout the County

### **SECTION 4. Absences**

In the event that a member fails to attend two (2) consecutive meetings or who has three (3) absences within the year without giving a written and/or verbal excuse to



the Chairperson, the Chairperson will contact the member to discuss the responsibilities of a member.

The Advisory Council defines an excused absence as follows:

- A. Illness of the member or a member of family,
- B. Religious holidays,
- C. The death of a family member or a person close to the member,
- D. Inclement weather or other conditions that prevent travel to a given meeting.

#### **SECTION 5. Leave of Absence**

Leave of Absence requests are to be submitted in the event that a Council member will not be able to fulfill his/her duties on the Advisory County for any length of time.

- A. Request must be submitted in writing/email to Advisory Council Chair must include the following:
  - 1. Start Date
  - 2. End Date
  - 3. Reason for Request.
- B. Requests for leave will not exceed six (6) months,
- C. Requesting Council member will be encouraged to keep Council Chair or staff updated on ongoing status of leave,
- D. Request will be reviewed by Council Chair and submitted to full Advisory Council body for approval,
- E. Member will continue to receive meeting notices, information, and updates.

## **SECTION 6. Membership Vacancies**

Vacancies shall:

- A. Exist upon the written resignation, death, or loss of residency requirement of a member.
- B. Upon the expiration of a term,
- C. When a member fails to attend three (3) consecutive meetings per year where such absence is not excused by the Advisory Council, the Secretary to the Advisory Council will report such absences to the Board of Supervisors for declaration of vacancy.

As a vacancy(ies) occur, the respective groups(s) making the original appointment(s) shall fill such vacancy(ies) for their unexpired term.

A vacancy will normally be filled in accordance with the provisions of Sections 54970 et seq. of the Government Code.

## **SECTION 7. Removal of a Member**

Notwithstanding a specified length of term for a member of the Council, any member may be removed at any time at the discretion of the concerned appointing authority.

## **SECTION 8. Reimbursement of Expenses**

Reimbursement, at the current rate paid by the county according to Ordinance 440, Section 11(e), shall be made for the member's actual and necessary mileage for attendance at regular monthly meetings of the Council.

Actual expenses incurred during the performance of approved department activities, including travel, mileage, and meals and lodging, will be reviewed and reimbursed at the discretion of the Office on Aging, and in accordance with Board Policy D-1: *Reimbursement for General Travel and Necessary Expenses*.

## ARTICLE V

### Officers

#### SECTION 1. Elected Officers

The members of the Council shall elect one of its members to serve as Chairperson, Vice Chairperson, and Parliamentarian. This shall be done every two years during the regular June meeting.

#### SECTION 2. Term of Office

The Chairperson, Vice Chairperson, and Parliamentarian shall serve for a term of two years commencing the first day of July immediately following the election. The Chairperson, Vice Chairperson, and Parliamentarian may be elected to the same office for two (2) full terms only. Any Chairperson, Vice Chairperson, or Parliamentarian elected to serve more than six (6) months of a vacated office shall be considered to have served a full one (1) year.

#### SECTION 3. Nominations and Elections

- A. The Nominating Committee shall consist of five (5) active members. The Chairperson of the Council shall appoint the Chair of the Committee, four (4) members, and one (1) alternate member at the January meeting the year elections are to take place and shall be approved by the Council. Committee members who do not attend the first meeting of the Nominating Committee shall be permanently replaced by the alternate(s). Nominating Committee members shall have been Council members for at least six (6) months.
- B. Nominees for elected and appointed offices shall have been Council members in good standing for not less than one (1) year.
- C. The Nominating Committee shall present names of candidate for Elected offices to the Executive Board by the end of April, and notify Council members prior to the June election. Nominations from the

floor, with nominee's consent to serve, may be made at the election meeting in June.

- D. Sixty (60) percent of members in good standing must be present in order to hold an election. A majority vote shall elect. The Council, by unanimous consent, may dispose with the ballot when there is but one (1) candidate for each office.

#### **SECTION 4. Removal of Officers**

The Chairperson, Vice Chairperson, and Parliamentarian may be removed during his/her term of office for cause by the members of the Council. In the event of such removal, the members shall elect another member to serve during the unexpired term of the prior office holder.

#### **SECTION 5. Duties of Officers**

- A. The Chairperson shall preside at all Council and Executive meetings, exercise general supervision of the affairs and activities of the Council, serve as ex officio member of all Council committees, with the exception of the Nominating Committee. Unless otherwise directed by the Council, the Chairperson shall establish standing and ad hoc committees as may be necessary to assist the Council in fulfilling its duties and functions hereunder; shall be the representative on Chairperson's behalf to external organizations including the Triple A Council of California. The Chairperson shall appoint Special Committees with the concurrence of the Executive Committee or by a majority vote of the Council. The Chairperson shall call special meetings of the Council and the Executive Committee when indicated.

- B. The Vice Chairperson shall assume the duties and powers of the Chairperson in the event of the Chairperson's absence, a conflict of interest, resignation, or inability to perform his/her duties and powers prescribed herein. In any instance when a Chairperson permanently leaves the office of Chairperson, the Vice Chairperson shall become the Chairperson and assume the duties and powers of the office for the duration of the former Chairperson's term. When the Vice Chairperson becomes Chairperson, the new Chairperson will convene the Nominating Committee for the purpose of nominating a new Vice Chairperson. The Nominating Committee will present the names of candidates at the next Council meeting.
- C. Parliamentarian shall act as an advisor to the Council on parliamentary procedure and shall be the Chairperson for the By-Laws Committee.
- D. The Director of the Office on Aging, or his/her designee, acting as Secretary of the Council, shall:
1. Maintain Council records and provide staff assistance as may be needed.
  2. Maintain a copy of these by-laws, and any amendment thereto at the Office on Aging.
  3. In consultation with Chairperson, be responsible for the presentation of all Council meeting agendas.
  4. Be responsible for maintaining written minutes of all meetings of the Council, including a record of the time and place of each meeting, regular and special, and if special, given the names of the members and any other persons attending each meeting, and proceedings thereof. The original of these minutes shall be maintained at the Office on Aging.

5. Distribution to each member of the Council, in a reasonable manner, a copy of such minutes before the next scheduled meeting.
  6. In the absence of the Chairperson and Vice Chairperson, the Parliamentarian shall supervise the election of a Chairperson pro tempore.
- E. The Council shall have an Executive Committee composed of the Chairperson, Vice Chairperson, Parliamentarian and Chairpersons of Council Standing Committees. Standing Committees shall be the Executive, Healthy Living, Membership and Community Connections. Ad Hoc Committees are Nominating and By-Laws. The Executive Committee, as soon as possible after officers have been elected, shall conduct an internal hearing with the membership to establish a program for committee work to educate the public and advocate and support senior issues as identified by the Council's four-year Strategic Plan and any new emerging needs.

## **ARTICLE VI**

### **Meetings**

#### **SECTION 1. Quorum**

A quorum shall consist of a majority of the members of the Council not counting vacant positions or members on an approved Leave of Absence. When a quorum is present, any action of the Council shall require affirmative votes of a majority of attendees. Less than a quorum may adjourn a meeting sine die or to a specified time and place.

#### **SECTION 2. Standing Rules**

Standing Rules are adopted or suspended by a majority vote of the Council membership and may be repealed by two-thirds (2/3) vote of those members present.

### **SECTION 3. Meetings**

The Council shall hold a minimum of ten (10) monthly regular meetings each calendar year within Riverside County at such place therein and at such time as shall be fixed by standing order of the Council. The calling, giving notice and conduction of meetings shall be in accordance with the Ralph M. Brown Act (Section 54950 et seq. of the Government Code) and the Robert's Rules of Order, Revised, provided, however, in the event of a conflict as between the provisions of the Ralph M. Brown Act and the Robert's Rules of Order, Revised, the provisions of the Ralph M. Brown Act shall prevail.

## **ARTICLE VII**

### **Financial Interest**

#### **SECTION 1. Financial Interest Prohibited**

No member of the Council shall make, participate in making, or in any way attempt to use his/her membership position to influence any action or decision by the Council in which he/she knows, or has reason to know, he/she has a financial interest.

#### **SECTION 2. Financial Interest – Definition**

Any member of the Council has a financial interest in a decision or action within the meanings of Section 1 of the Article, if it is reasonably foreseeable that the decision or action will have a material financial effect, distinguishable from its effect on the public generally, on:

- A. Any business entity or real property in which the member has a direct or indirect investment worth more than one thousand dollars (\$1,000);
- B. Any source of income, other than loans by a commercial lending in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the member within twelve (12) months prior to the time when the decision or action is made; or

- C. Any business entity in which the member is a director, officer, partner, trustee, employee, or holds any position or management.

For the purposes of this section, indirect investment or interest means any investment or interest owned by the spouse or dependent child of a member, by an agent on behalf of a member, by any business entity controlled by the member or by a trust in which he/she has substantial interest. A business entity is controlled by a member if the member, his/her agents, spouse and dependent children hold more than fifty percent (50%) of the ownership interest in the entity. A member has a substantial interest in a trust when the official his/her spouse and dependent children have a trust when the official, his/her spouse and dependent children have a present or future interest worth more than one thousand dollars (\$1,000).

## **ARTICLE VIII**

### **By-Laws Amendments**

#### **SECTION 1. Effective date of By-Laws**

These By-laws shall become effective upon their adoption by the Council and approval by the Riverside County Board of Supervisors.

#### **SECTION 2. Amendments to By-Laws**

- A. The By-Laws shall be reviewed each year.
- B. The By-Laws may be amended or repealed and new By-Laws adopted at any regular meeting of the Council, subject to the approval of the Riverside County Board of Supervisors, by a two-thirds (2/3) vote of those members present, written notice of same having been given prior to the day of voting or having been read at previous meeting.
- C. These Revised By-Laws were approved by the Board of Supervisors on February 5, 2019.