RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ( ) No (x))

Community Service Department Head on behalf of the Commission on Aging requests approval of the following changes to their bylaws: Article II- Functions of the Commission Section 1 A, C and D, Article III-Membership Section 1 and 4, Article V-Officers Section 1, and Article VI-Meeting, Quorum, Committees Section 1.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Historically the Board of Supervisors approves bylaws of County Commissions.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Continue with the existing bylaws and continue turnover, causing vacancy in the Commission on Aging.
2. Continue to have meetings without a full quorum, thus causing a hardship on appointees that traveled a distance.

COSTS: () Not Applicable
A. Budgeted current FY
B. Total anticipated costs
C. Required additional funding
D. Internal transfers

SOURCE: () 4/5ths Vote Required
A. Unanticipated revenues
B. Reserve for contingencies
C. Source description:
   Balance in Reserve for Contingencies,
   if approved: $__________

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

ADMINISTRATIVE OFFICER’S RECOMMENDATION:
This item on agenda as:

- Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further Action

Comment:

A.O. Initials:

Action Form Revised 5/92
MARIPOSA COUNTY COMMISSION ON AGING
BY-LAWS
REVISED May 23, 2005

ARTICLE I - NAME
ARTICLE II - FUNCTIONS OF THE COMMISSION
ARTICLE III - MEMBERSHIP
ARTICLE IV - TERMS OF OFFICE AND VACANCIES
ARTICLE V - OFFICERS
ARTICLE VI - MEETINGS, QUORUM, COMMITTEES
ARTICLE VII - AMENDMENTS

ARTICLE I – NAME

Section 1. The name of this organization shall be the Mariposa County Commission on Aging; hereinafter referred to as the Commission.

ARTICLE II – FUNCTIONS OF THE COMMISSION

Section 1. The functions of the Commission shall remain as those set forth in Mariposa County Resolution #9 J-46 (copy attached) and shall now include the following:

A. Act in an advisory capacity to the Board of Supervisors and formulate and transmit, in writing to the Board, statements of the opportunities and problems in the community, including suggestions and solutions as appropriate. All Correspondence generated by the Commission shall be presented through the Department Head of Community Services to the Board of Supervisors for their approval before mailing or distribution.

B. Work with and through the A12AA Advisory Council to promote advocacy for seniors in the County and in Public Service Area 12. County Commissioners shall comprise at least fifty (50) percent of the County membership to the Area 12 Agency on Aging (A12AA) Advisory Council—such members are to be appointed by the Board of Supervisors.

C. Provide better communication between the senior population and the balance of the community. Act as an instrument to assist the seniors in taking advantage of available opportunities and in finding solutions to community problems which may affect them.

D. The Commission will recruit and recommend prospective COA members from within the County to the Board of Supervisors for appointment.

ARTICLE III – MEMBERSHIP

Section 1. The Commission shall be composed of ten (10) regular voting members. Each District will be represented by one (1) member, the remaining five (5)
members will be at large. All members will be approved and appointed by the Board of Supervisors.

Section 2. For every six thousand (6,000) residents of the County, the Board of Supervisors shall appoint one (1) member to the Area 12 Agency on Aging Advisory Council. Fifty (50) percent of these appointments shall come from the Commission.

ARTICLE IV – TERMS OF OFFICE AND VACANCIES

Section 1. The term of each person appointed to the Commission representing a Supervisorial District shall correspond to the term of the Supervisor nominating that Commissioner and shall terminate when that Supervisor leaves office for any reason or commenced a new term in office. The affected commission member is considered a voting member until official notification.

Section 2. The term of each Commissioner appointed to an At-Large position shall be for four (4) years. A Commissioner will continue to serve in his/her respective committee when the term has expired unless said member resigns or is replaced.

Section 3. The Chairperson shall notify the Board of Supervisors, via the Department Head of Community Service, in writing, sixty (60) days before the expiration of the term of any At-Large Commissioner so that the Board has sufficient time to consider reappointment or the appointment of a new Commissioner At-Large.

Section 4. If any member is absent from two (2) regular meetings during a calendar year without a valid excuse, the Chairperson shall notify the Department Head of Community Services to request the Board of Supervisors terminate that member’s appointment. After termination, the Department Head of Community Services shall then post a NOTICE OF VACANCY for that position on the Commission to fill the unexpired term.

ARTICLE V – OFFICERS

Section 1. The Officers of the Commission shall be a Chairperson, A Vice-Chairperson and a Secretary. These Officers shall be elected by the Commission for a term of two (2) years and hold office until their successors are elected. The Officers shall be elected at the last official meeting of each calendar year and take office at the first meeting held in the next calendar year.

Section 2. The Chairperson shall preside at all meetings and shall act as the official liaison between the Commission and the Board of Supervisors. The Chairperson shall have the authority to appoint a spokesman to the Board in those instances when he/she deems it appropriate or he/she is unable to perform this function.
Section 3. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence. The Vice-Chairperson shall act as Program Chairperson to obtain speakers for the meetings as requested by the Commission.

Section 4. The Secretary shall be responsible for the minutes of all meetings, attendance records and correspondence. In coordination with the Chairperson and Vice-Chairperson, the Secretary shall be responsible for preparing and posting the agenda for each regular meeting and notifying the Department Head of Community Services regarding necessary appointments. Agendas for Commission on Aging meetings shall be distributed to each member of the Board of Supervisors the week before the meeting so they may be aware of the various issues.

ARTICLE VI – MEETINGS, QUORUM, COMMITTEES

Section 1. **The Commission shall establish a regular time and place of meeting and shall hold at least four (4) meetings per calendar year.** Meetings shall be duly posted and open to the public. The Commission is responsible for meeting all requirements of the Brown Act for holding committee meetings.

Section 2. A simple majority of the appointed members of the Commission shall constitute a quorum for the conduct of business. A simple majority vote of the quorum present at any meeting is required to take action. Parliamentary procedures shall be according to Robert’s Rules of Order. The commission shall keep an accurate record of its proceedings and transactions and shall report to the Board of Supervisors by the Commission’s approved minutes of each meeting, by special report when the Commission deems it appropriate, or when requested by the Board of Supervisors.

Section 3. The elected Officers of the Commission shall be the Rules Committee and appoint all committees. Standing Committees shall include:

A. Legislative Chairperson: Review proposed, pending and recently passed legislation and report to the Commission. The Legislative Chairperson may not, in his/her official capacity, promulgate legislative policies in opposition to this Commission or independently of the Board of Supervisors.

B. Publicity Chairperson: Publicize the date, location and time of meetings and other publicity desired by the Commission.

C. Awards Chairperson: Recommend awards for employees, volunteers and/or other members of the Community, such as Senior Volunteer of the Year. Said Chairpersons would remain in office for term of presiding Commission Chairperson.

The bulk of the work of the Commission shall be conducted through Ad-hoc Committees appointed by the Rules Committee to address specific topics as they arise. When an Ad-hoc Committee is appointed, it should focus of three (3) primary objectives:
A. Gather all available information on resources regarding the subject of the committee.
B. Determine if these resources are adequate.
C. Recommend a course of action to the Commission.

Members of the Commission may receive, with prior approval, reimbursement for mileage, travel and/or other expenses incurred in the performance of duties as a member of the Commission. Approval shall be obtained from the County Administrative Officer through the Department Head of Community Services.

ARTICLE VII – AMENDMENTS

Section 1. These By-laws may be amended by the affirmative vote of a majority of members voting at a regular meeting, provided that notice of such proposed amendment and the nature thereof has been given at the previous meeting.

PASSED AND ADOPTED THIS_____ DAY OF___________________, 2005

_______________________________    _________________________________
Sally Uribe, Chairperson             Tom Pimentel, Secretary
MARIPOSA COUNTY COMMISSION ON AGING
BY LAWS

ARTICLE I --- NAME
ARTICLE II --- FUNCTIONS OF THE COMMISSION
ARTICLE III --- MEMBERSHIP
ARTICLE IV --- TERMS OF OFFICE AND VACANCIES
ARTICLE V --- OFFICERS
ARTICLE VI --- MEETINGS, QUORUM, COMMITTEES
ARTICLE VII --- AMENDMENTS

ARTICLE I - NAME

Section 1. The name of this organization shall be the Mariposa County Commission on Aging; hereinafter, referred to as the Commission.

ARTICLE II - FUNCTIONS OF THE COMMISSION

Section 1. The functions of the Commission shall be those set forth in Mariposa County Resolution #91-46 and shall include the following:

A. Provide better communication between the senior population and the balance of the community. Act as an instrument to assist the seniors in taking advantage of available opportunities and in finding solutions to community problems which may affect them.

B. Work with and through the A12AA Advisory Council to promote advocacy for seniors in the County and in Public Service Area 12. County Commissioners shall comprise at least fifty (50) percent of the County membership to the Area 12 Agency on Aging (A12AA) Advisory Council—such members to be appointed by the Board of Supervisors.

C. Act in an advisory capacity to the Board of Supervisors and formulate and transmit, in writing to the Board, statements of the opportunities for and problems facing in the community, including suggestions and solutions as appropriate.

ARTICLE III - MEMBERSHIP

Section 1. The Commission shall be composed of fifteen (15) members as defined in Mariposa County Resolution #91-46 passed and adopted by the Board of Supervisors on February 5, 1991.

Section 2. For every six thousand (6,000) residents of the County, the Board of Supervisors shall appoint one member to the Area 12 Agency on Aging Advisory Council.
Fifty (50) percent of these appointments shall come from the Commission.

ARTICLE IV - TERMS OF OFFICE AND VACANCIES

Section 1. The term of each person appointed to the commission representing a Supervisorial District shall correspond to the term of the Supervisor nominating that Commissioner and shall terminate when that Supervisor leaves office for any reason, or commences a new term in office. The affected Commissioner should be notified of his/her reappointment or replacement within sixty (60) days of the commencement of the new term. The affected commission member is considered a voting member until official notification.

Section 2. The term of each Commissioner appointed to an at-large position shall be for four (04) years.

Section 3. The Chairman shall notify the Board of Supervisors, via the Director of the Department of Community Services, in writing, sixty (60) days before the expiration of the term of any at-large Commissioner so that the Board has sufficient time to consider reappointment or the appointment of a new Commissioner At-Large.

Section 4. If any member is absent from three (03) regular meetings during a calendar year without a valid excuse, the Chairman shall notify the Department of Community Services to request that the Board of Supervisors terminate that member’s appointment. After termination, the Department of Community Services shall then post a NOTICE OF VACANCY for that position on the Commission to fill the unexpired term.

ARTICLE V - OFFICERS

Section 1. The Officers of the Commission shall be a Chairperson, a Vice-Chairperson and a Secretary. These Officers shall be elected by the Commission for a term of one (01) year and hold office until their successors are elected. The Officers shall be elected at the last official meeting of each calendar year and take office at the first meeting held in the next calendar year.

Section 2. The Chairperson shall preside at all meetings and shall act as official liaison between the Commission and the Board of Supervisors. The Chairperson shall have the authority to appoint a spokesman to the Board in those instances when he/she deems it appropriate or he/she is unable to perform this function.
Section 3. The Vice Chairperson shall perform the duties of the Chairperson in his/her absence.

Section 4. The Secretary shall be responsible for the minutes of all meetings, attendance records and correspondence. In coordination with the Chairperson and Vice-Chairperson, the Secretary shall be responsible for preparing and posting the agenda for each regular meeting and notifying the Director of Community Services regarding necessary appointments.

ARTICLE VI --- MEETINGS, QUORUM, COMMITTEES

Section 1. The Commission shall establish a regular time and place of meeting and shall hold at least ten (10) meetings per calendar year. Meetings shall be duly posted and open to the public.

Section 2. A simple majority of the appointed members of the Commission shall constitute a quorum for the conduct of business. A simple majority vote of the quorum present at any meeting is required to take action. Parliamentary procedures shall be according to Robert's Rules of Order. The Commission shall keep an accurate record of its proceedings and transactions, and shall report to the Board of Supervisors by minutes of each meeting, by special report when the Commission deems it appropriate, or when requested by the Board of Supervisors.

Section 3. The elected officers of the Commission shall be the Rules Committee and appoint all committees. Standing committees shall include:

A. Legislative Committee: Review proposed, pending and recently passed legislation, and report to the Commission.

B. Publicity Committee: Publicize the date and time of meetings, and other publicity desired by the Commission.

C. Awards Committee: Recommend awards for employees, volunteers and/or other members of the community.

The bulk of the work of the Commission shall be conducted through Ad-hoc Committees appointed by the Rules Committee to address specific topics as they arise. When an Ad-hoc Committee is appointed, it should focus of three (03) primary objectives:

A. Gather all available information and information on resources regarding the subject of the committee.
B. Determine if these resources are adequate.

C. Recommend a course of action to the Commission.

ARTICLE VII --- AMENDMENTS

Section 1. These By Laws may be amended by the affirmative vote of a majority of all members voting at a regular meeting, provided that notice of such proposed amendment and the nature thereof was given at the previous meeting.

PASSED AND ADOPTED THIS 25th DAY OF NOVEMBER, 1996

(Chairperson) (Secretary)
RECOMMENDED ACTION AND JUSTIFICATION: Recommend the Board approve the resolution re-establishing the Mariposa County Commission on Aging.

Through attrition, the current Commission has ceased to be a viable entity. The proposed new make-up of the Commission is needed to address the myriad issues and problems facing seniors in the county.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board has, in the past, been supportive of the Commission and has re-established the Commission to address the changing issues and problems of the aging and the aged in Mariposa County.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Decline to approve the Resolution and: (1) Provide guidance for another resolution, or (2) decide to keep the current resolution (88-106) and appoint members to fill current vacancies. I believe the consequences would be in the community interest and support.

COSTS: (x) Not Applicable

SPECIAL INSTRUCTIONS:
1. Submit Original of Action Form
2. Submit eleven copies of all attachments, number the pages, and list the attachments:

SOURCE: ( ) 4/5ths Vote Required
A. Internal transfers
B. Unanticipated revenues
C. Reserve for contingency
D. Description:
Balance in Reserve for Contingencies, if approved:

CLERK'S USE ONLY:
Res. No.: 91- 46
Ord. No.: 
Vote - Ayes: 5 Noes: 
Absent: 
Abstained: 
Approved ( ) Denied ( ) Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.

Date:

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By:

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment:

A.O. Initials: [ ]

Action Form Revised 12/89
WHEREAS, the Board of Supervisors has been, and continues to be, concerned with the welfare of the opportunities for the aging and the aged in all phases of community life and desires to establish a better means of communication and action with this population in order to better understand and address the problems and opportunities they face; and,

WHEREAS, this Board deems it desirable to re-establish the Mariposa County Commission on Aging, composed of persons appointed by this Board, as a means of providing better communication between the aging and the aged and the balance of the community, and as an instrument that may assist such persons in taking advantage of available opportunities and in finding solutions to community problems which may affect them.

NOW, THEREFORE, BE IT RESOLVED that this Board hereby determines and orders as follows:

1. The Mariposa County Commission on Aging is hereby re-established and shall be composed of fifteen (15) regular members.

2. Each Supervisor shall nominate two (02) members to the Commission on Aging from his/her District.

3. In addition, five (05) at-large members shall be nominated
and appointed by this Board.

4. The term of each Commissioner representing a district shall correspond to the term of the nominating Supervisor and the appointment shall terminate when that Supervisor leaves office for any reason, or commences a new term in office.

5. The term for the at-large Commissioners shall be four (04) years. However, the initial terms for the at-large Commissioners shall be staggered, so that the term of office of one member is six months, one member is one year, one member is two years, one member is three years, and one member is four years.

6. The Commission shall act in an advisory capacity to this Board. It shall formulate and transmit, in writing to this Board, statements of the opportunities for and problems facing the aging and the aged in the community, as determined by the Commission, and may propose suggestions/solutions, as appropriate.

7. The Commission shall have its first meeting at a time and place agreed upon by a majority of the appointed members. It may elect its own officers and adopt rules for the conduct of its own business including a determination of the number of its members necessary to be present in order to constitute a quorum.

8. Members of the Commission may receive reimbursement for mileage, travel, and other expenses incurred in the
performance of duties as a member of the Commission pursuant to established County policy.