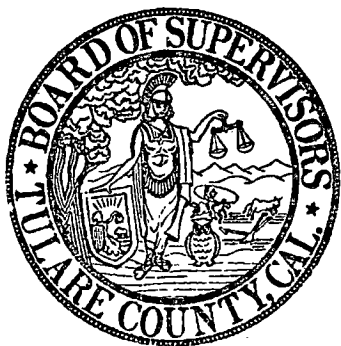


# BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTION OF THE )  
REVISED BY-LAWS OF THE TULARE ) Resolution No. 2018-0191  
COUNTY ANIMAL SERVICES ADVISORY )  
COMMITTEE )

UPON MOTION OF SUPERVISOR SHUKLIAN, SECONDED BY SUPERVISOR VANDER POEL, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MARCH 20, 2018, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY AND ENNIS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: Wendy Powell  
Deputy Clerk

\*\*\*\*\*

Adopted the revised by-laws of the Tulare County Animal Services Advisory Committee.

HHS

HAR  
3/20/2018



**Health & Human Services  
Agency  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** March 20, 2018

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Patrick Hamblin PHONE: 636-4059		

**SUBJECT:** Adoption of the revised By-Laws of the Tulare County Animal Services Advisory Committee

**REQUEST(S):**

That the Board of Supervisors:

Adopt the revised by-laws of the Tulare County Animal Services Advisory Committee

**SUMMARY:**

In February 2016, the Board approved the By-Laws of the Tulare County Animal Services Advisory Committee, the first Animal Advisory Committee for Tulare County and a strong step in the direction of community engagement and transparency in Animal Services operations. The Advisory Committee held its first meeting in September of 2016 and meets the second Thursday of each month.

The Animal Services Advisory Committee revised the by-laws to better define the goals and direction of the Committee. These revised By-Laws were approved by the Advisory Committee on Feb. 8<sup>th</sup>. The Secretary position was defined as a Committee member and the members and alternates were updated to reflect the revised membership composition. The sub committees were updated to include those necessary for this Advisory Committee. The by-laws were updated with the assistance and review of County Counsel.

**SUBJECT:** Adoption of the revised By-Laws of the Tulare County Animal Services Advisory Committee

**DATE:** March 20, 2018


**FISCAL IMPACT/FINANCING:**

There is no fiscal impact associated with this item. There is no net County cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year plan includes the Organizational Performance initiative to continuously improve organizational effectiveness. The adoption of these revised By-Laws to the Tulare County Animal Services Advisory Committee increases the ability for our Agency to meet the needs of our community with respect to animal care and safety.

**ADMINISTRATIVE SIGN-OFF:**

  
DPO ROBERT STEWART  
Robert Stewart  
Director of Fiscal Operations

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s): By-Laws of the Tulare County Animal Services Advisory Committee

**Tulare County Health & Human Services Agency  
Animal Services Advisory Committee  
By-Laws**

**Approved by ASAC 2/8/18  
Ratified by Board of Supervisors \_\_\_\_\_**

**ARTICLE I**

**GENERAL PROVISIONS**

**Section 1: Name and Structure**

- A. The name of this committee shall be the Tulare County Animal Services Advisory Committee ("Advisory Committee").
- B. The Advisory Committee shall consist of nineteen (19) representatives.
- C. The recommendations and reports of all subcommittees shall be submitted to the Advisory Committee. The Advisory Committee shall determine the focus/topics for action subcommittees.
- D. Advisory Committee members shall be selected as outlined in Article II, "Membership."

**Section 2: Purpose and Responsibilities**

These by-laws govern the functions and duties, as well as the conduct of all meetings of, the Advisory Committee.

The purpose of the Advisory Committee is to advise and assist the Health and Human Services Agency, Animal Services Division ("Animal Services") on Animal Services' efforts to protect and enhance the quality of life for animals and residents of Tulare County, and report to the Tulare County Board of Supervisors ("Board of Supervisors") on a periodic basis. Any reporting to the Board of Supervisors will be at the discretion of the Health and Human Services Agency, Animal Services Division.

The responsibilities of the Advisory Committee shall include:

- A. Recommend processes for educating the community on animal care and responsible pet ownership.
- B. Serve as an advisor to the Tulare County Board of Supervisors on Animal related issues.
- C. Make recommendations for promoting public awareness of Animal Services.

- D. Recommend policies that enhance services provided by Animal Services.
- E. Develop and recommend methods to promote adoption of shelter animals.
- F. Develop and recommend methods to decrease the number of animals entering the shelter.
- G. Recommend ways to encourage volunteer participation at Animal Services.
- H. Make recommendations on strategies, goals, and funding resources.
- I. Assist in the production of written reports for presentation to the Board of Supervisors. Present an annual report to the Board of Supervisors.
- J. Such other policy advisory matters as requested by the Board of Supervisors, Health and Human Services Agency Director, or Animal Services Director.

**Section 3: Meetings**

- A. The Advisory Committee shall develop a schedule of regular meetings that shall be held at least quarterly. All meetings of the Advisory Committee shall be open and accessible to the public and posted in advance of the meeting. The date, time, and place shall be recorded in the minutes of the meetings.  

Cancellation of meetings shall be in writing if sufficient time is available to notify the members. Should the meeting be cancelled within five (5) days of the scheduled meeting date, an Animal Services staff member shall telephone each member and advise him/her of the cancellation.
- B. All meetings of the Advisory Committee shall be scheduled, called, noticed, and conducted in accordance with the provisions of the Ralph M. Brown Act (Brown Act) (commencing with Section 54950 of the Government Code). In matters of parliamentary procedures not covered in the Brown Act or these bylaws, the latest edition of Robert's Rules of Order shall prevail.
- C. A written agenda stating the date and hour of each meeting shall be emailed by Animal Services Staff to each Advisory Committee member not less than five days before each meeting.
- D. Special or emergency meetings may be called for any purpose at any time by any Officer, or set by a majority of the members in a regular meeting. Notice of the time and place of the meeting must meet the requirements of the Brown Act.
- E. The Advisory Committee shall hold meetings at such place in the County of Tulare, as may be designated in the notice of meeting.

- F. Each voting member shall be entitled to one vote on each matter submitted to a vote of the Advisory Committee. Fifty percent plus one (50% +1) of the active members shall constitute a quorum. Actionable items are decided by majority vote. A majority is defined as 50% + 1 of the members present and voting.
- G. A majority of the members present, whether or not a quorum is present, may adjourn any meeting.

## ARTICLE II

### MEMBERSHIP

**Section 1:** Membership of the Advisory Committee shall be in accordance with the following:

- A. Members of the Advisory Committee must reside or work in Tulare County.
- B. Potential members shall be recruited through a public notice process that shall include advertising in local newspapers and or other media outlets. Potential members shall complete an application.
  - 1. Absent a Membership Subcommittee, duly established in accordance with Article IV, Section 2(C): Applications will be screened by the Animal Services Director or his/her designee. Qualifying applications will be forwarded for review by the Board of Supervisors and staff through their normal process. Each Supervisor will select one representative from their district. If there are no applicants from the Supervisor's district, the Supervisor may identify and appoint a representative. The Board as a whole will vote on all appointments. The Board of Supervisors may seek nominations for Committee members from the existing Advisory Committee members.
  - 2. After establishment of a Membership Subcommittee, duly established in accordance with Article IV, Section 2(C): After any desired screening by the Animal Services Director or his/her designee, the applications will be forwarded to the Membership Subcommittee for processing in accordance with Article IV, Section 2(C)(2). Subcommittee recommendations will be forwarded to the Board of Supervisors (through Animal Services staff) for review and approval through the Board's normal process.
- C. Membership shall be composed of:
  - The HHSA Agency Director or his/her designee; this shall be a voting member. This representative's alternate must be an employee of HHSA.

- One (1) Tulare County Resource Management Agency representative; this shall be a voting member. This representative's alternate must be an employee of RMA.
- One (1) Board of Supervisors representative (a current member of the Tulare County Board of Supervisors); this shall be a voting member. This representative's alternate may be another member of the Board of Supervisors or a member of Board of Supervisors' staff.
- Five (5) District Representatives: Five (5) members shall be appointed by the Board of Supervisors as district representatives (one each from five districts; each shall live or work in the district which he/she represents); each shall be a voting member.
- Six (6) At-Large Members; from any district; each shall be a voting member.
- Four (4) Partner Members; members from the following categories shall be selected to represent partners from the community; each shall be a voting member:
  - i. Veterinarians (1). This representative's alternate must be a Veterinarian.
  - ii. Rescue Groups (2)
  - iii. Kennel Operators (1)
- One (1) City Animal Services Representative; one (1) representative from any city's animal services division, officially designated by such, may become a member of the committee. This position will be held for a one year term, allowing each incorporated city within the County with its own animal services department or division an opportunity to serve a term on the Committee; this shall be a voting member. If the seated Animal Services Representative wishes to serve for an additional term, and there is no other City Animal Services applicant, they may apply for reappointment. This representative's alternate must be an employee of the same city's animal services division.

D. As vacancies occur, the Advisory Committee composition requirements as stated in Section 1(C) above shall be taken into consideration and filled as needed per those requirements. Seated members may apply for reappointment.

E. Each Advisory Committee member may appoint an Alternate member. The Alternate member need not meet the residency, employment, or other such qualification for the seat for which he/she shall serve as

alternate, except as specifically noted above, in Section 1(C). Alternate members shall have the rights and privileges of Advisory Committee membership except that they may not hold office and may vote only in the absence of the Committee member who appointed them. Alternate members must be approved by the Advisory Committee.

- F. With the exception of the City Animal Services Representative, members of the Advisory Committee shall serve for a term of three (3) years commencing on January 1st of the year they are appointed. The City Animal Services Representative shall serve for one (1) year allowing each city an opportunity to serve on the Advisory Committee. New members replacing a member who has not completed his or her term will serve for the remainder of that term, and then may be reappointed to a new 3 year term by the Board of Supervisors. There will be no term limits.

The Board of Supervisors shall initially appoint a member to a greater or lesser term in order to ensure that the terms of the nineteen (19) members are staggered. For the purpose of staggering the three-year terms, the ten (10) members appointed for District Representatives and At Large Members shall be appointed for three years. The members appointed for HHS Agency Director, Resource Management Agency, Board of Supervisors Representative and Partners, respectively, will be appointed for two years. Cities shall be appointed for one year.

The Advisory Committee seats with two (2) year terms will convert to standard three year terms upon expiration of the first two (2) year term, thus allowing continued staggered terms.

## **Section 2: Vacancies**

- A. Events Causing. A vacancy shall exist on the occurrence of any of the following: (a) removal of a member by the Board of Supervisors; (b) death or resignation of a member, or (c) when a member of the Advisory Committee has three (3) consecutive absences that are not excused per Section 3 of this Article.
- B. Resignations. Any member may resign by giving written notice to the Chairperson or Secretary. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective.
- C. Filling Vacancies. Vacancies on the Advisory Committee shall be filled in the manner described in Section 1(B).

## **Section 3: Attendance**



- A. Members must attend the regular meetings. If a member is unable to attend a regular meeting, he/she shall so inform the Secretary. The Secretary shall have the absence noted as excused in the minutes. Advance notice of an absence is preferred, however absences may be excused retroactively by the Advisory Committee if the member was unable to provide advanced notice. Three (3) consecutive unexcused absences shall constitute resignation from the Advisory Committee, and the Board of Supervisors shall be notified that a vacancy has occurred.
- B. The following shall be cause for a recommendation to the Board of Supervisors for immediate termination of membership unless, an alternate member is fulfilling the attendance requirement:
  - 1. Three unexcused absences from regularly scheduled meetings in any 12-month period
  - 2. Five absences from regularly scheduled meetings in any 12-month period, excused or unexcused.

**Section 4: Removal**

- A. Members of the Advisory Committee serve at the pleasure of the Board of Supervisors and may be removed by a majority vote of the Board of Supervisors. The Advisory Committee shall have the right to recommend to the Board of Supervisors the removal of an Advisory Committee member upon a two-thirds (2/3) vote of the Advisory Committee.

**Section 5: Responsibilities of Membership**

- A. Members of the of the Advisory Committee are required to:
  - 1. Attend Advisory Committee and assigned subcommittee meetings.
  - 2. Abstain from voting on any issue in which there may exist a conflict of interest with any organization with which they are currently involved. If any member is unclear as to what might constitute a conflict of interest, the matter shall be referred to the Parliamentarian or brought before the Committee for a decision. Advisory Committee members are obligated by law to file annual Conflict of Interest Statements (Form 700).
  - 3. If requesting reimbursement for authorized expenses related to Advisory Committee membership, members must present all

receipts for travel, food, parking, and accommodations to staff in a timely manner, along with a completed volunteer claim form.

- B. Failure to perform the above-mentioned required activities shall generate a performance review by the Membership Committee. The Membership Committee shall make recommendations to the Advisory Committee for corrective action or, if necessary, for dismissal procedures.

**Section 6: Compensation**

- A. All members of the Advisory Committee shall serve without compensation, except that they may receive reimbursement for expenses incurred and for mileage and/or cost of transportation, as determined by the Board of Supervisors.

**ARTICLE III**

**OFFICERS**

**Section 1:** The Advisory Committee shall have the following officers:

- Chairperson – elected by Advisory Committee
- Vice-Chairperson – elected by Advisory Committee
- Secretary – elected by Advisory Committee
- Parliamentarian – appointed by the Chairperson

**Section 2: Duties of the Chairperson**

- A. Preside at all meetings of the Advisory Committee;
- B. Develop agendas for Advisory Committee meetings in conjunction with other members of the Committee (but less than a quorum);
- C. Inform the Advisory Committee actions and decisions;
- D. Perform other tasks as authorized by the Advisory Committee.

**Section 3: Duties of the Vice Chair**

- A. During the absence of the Chair, perform the duties and exercise the power of the Chair;
- B. Carry out other duties assigned by the Chair or Advisory Committee;

- C. Automatically become Chair and assume the full powers and authority of the Chair until the end of the term, should the position of Chair become vacant.

**Section 4: Duties of the Secretary**

- A. Review any minutes prepared by staff for accuracy.
- B. Carry out other duties assigned by the Chair or Advisory Committee;

**Section 5: Duties of the Parliamentarian**

- A. Give advice regarding parliamentary procedure to the Chair and other members when requested;
- B. Call the attention of the Chair to any error in proceedings that may affect the rights of any member or fail to comply with the Bylaws, the Governing Board directives, or Robert's Rules of Order.
- C. Review the Bylaws prior to the last meeting of each calendar year for changes that might need to be made and make recommendations regarding necessary action by the Advisory Committee.

**Section 6: Nomination and Election of Officers**

- A. The officers shall be elected by the Advisory Committee members at the first meeting of the calendar year and shall serve for one year. Officers shall be eligible for re-election.
- B. Election shall be by voice vote. Officers must be elected by majority vote of those present and voting.
- C. No member shall hold more than one office at a time.

**Section 7: Removal**

- A. The Chairperson or Vice-Chairperson may be removed from office and relieved of duties by 2/3 majority vote of the Advisory Committee.

**Section 8: Vacancy**

- A. Upon resignation or removal of the Chairperson, the Vice-Chairperson shall ascend to the office of the Chairperson. An election for the vacant office of the Vice-Chairperson shall be conducted.

**Section 9: Spokesperson for Advisory Committee**

- A. Unless designated otherwise by a majority vote of the Advisory Committee, the Chairperson and Vice-Chairperson shall be the only

official spokespersons representing the Advisory Committee to the Board of Supervisors, media, other interested parties and the general public.

## ARTICLE IV SUBCOMMITTEES

### **Section 1: Structure**

- A. The Advisory Committee shall from time to time establish and abolish such standing or action subcommittees as it deems necessary to carry out its work. No standing or action subcommittee may exercise the authority of the Advisory Committee.
- B. Advisory Committee members shall volunteer to serve on the standing or action subcommittee(s) of their choice. From the group of volunteers for each subcommittee, the Advisory Committee Chairperson shall appoint a Chair for the subcommittee.
- C. All subcommittee chairs shall be responsible reporting any attendance issues to the Membership Subcommittee, and shall designate the person to make a verbal report to the Advisory Committee.
- D. All subcommittees shall meet as needed to ensure necessary business is completed.
- E. For meeting purposes, a quorum shall consist of one-half plus one of the Subcommittee members.

### **Section 2: Action Subcommittees (Ad Hoc)**

- A. Action subcommittees shall be formed as needed to address topics that the Advisory Committee has chosen to review. However, there shall be no more than six action subcommittees at any given time.
- B. Provided they are ad hoc and comprised solely of less than a quorum of Advisory Committee members, Action Subcommittee meetings need not be publicly noticed or open to the public. Action subcommittees may consult with staff or members of the public on an as-needed basis.
- C. Membership Subcommittee
  - 1. A Membership Subcommittee shall be established on an as-

needed basis. It shall consist of three (3) Advisory Committee members.

2. The duties of the Membership Subcommittee shall be to organize recruitment of new members, screen member applications, make recommendations for membership to the Advisory Committee, and conduct orientation and/or arrange for mentoring of new members. It shall also be responsible for monitoring attendance at action subcommittee meetings and Advisory Committee meetings. The Membership Subcommittee shall make recommendations to the Committee when corrective actions or dismissals are in order.

## **ARTICLE V**

### **AMENDMENTS TO BYLAWS**

#### **Section 1: Procedures**

- A. Amendments to the bylaws may be submitted to the Advisory Committee by any committee member, by requesting that the matter be placed on the agenda for discussion and possible action any regular meeting.
- B. After discussion, the Advisory Committee may direct, by majority vote, the Parliamentarian, staff, or County Counsel to draft any proposed changes. If County Counsel is not drafting the amendments, staff must forward the drafted amendments to County Counsel for review and approval as to form. The item shall be placed back on agenda at a future meeting of the Advisory Committee for discussion and formal approval.
- C. An amendment requires a two-thirds vote of those present and voting.
- D. Once approved by the Advisory Committee, Animal Services staff will bring the amendment to the Board of Supervisors for final approval. The amended bylaws shall take effect as of the date of Board of Supervisors approval.

## **ARTICLE VI**

### **CONFLICT OF INTEREST**

#### **Section 1: Conflict of Interest**

A. The Advisory Committee and its members shall be subject to the conflict of interest rules applicable to the Board of Supervisors and the employees of the County, including, but not necessarily limited to the following, to the extent they are applicable:

- The California Political Reform Act of 1974, California Government Code §§ 87100 et seq., and the regulations of the Fair Political Practices Commission promulgated there under;
- The prohibition of contractual conflicts of interest set forth in California Government Code §§ 1090 et seq.;
- The prohibition of incompatible employment, activity or enterprise for compensation set forth in California Government Code §§ 1126 et seq.; and
- The common law rules against conflicts of interest.