



Board of Supervisors COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 11, 2013

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: Julieta Martinez PHONE: (559) 636-5000

SUBJECT: Amendments to the Youth Commission Bylaws

REQUEST(S):

That the Board of Supervisors:
Approve amendments to the Tulare County Youth Commission Bylaws.

SUMMARY:

The Tulare County Youth Commission was formed in 2008 and is charged by the Tulare County Board of Supervisors in resolution number 2008-0266 to hold meeting as determined to be necessary by the members. The commission can adopt all necessary rules governing the transactions of business at its meetings and the other affairs of the Youth Commission.

The Youth Commission is in charge of receiving, reviewing, and recommending Step Up Youth Activities Grant Program awards to the Tulare County Board of Supervisors. They receive two presentations a year from grant recipients to ensure proper use of funding and review the efficacy of the Step Up Youth Activities Grant Program.

The original bylaws of the Youth Commission were adopted on September 15, 2008. These bylaws were recently reviewed by an Ad Hoc Committee consisting of three Youth Commission members. Changes to the bylaws were suggested and brought before the Youth Commission on March 18, 2013. The revisions to the bylaws were approved by a unanimous vote.

SUBJECT: Amendments to the Youth Commission Bylaws

DATE: June 11, 2013

The amendments presented to the Board of Supervisors in this agenda item are slight changes that the Youth Commission feels will improve their overall function and purpose.

Recommended changes to the bylaws are as follows:

- Include a mission statement
- Eliminate term limit
- Remove time frame for presentations to Board of Supervisors
- Time and place of meetings will be decided at the Annual Reorganization Meeting
- In response to several concerns with absences, the Commission added a clause that states "the Commission may declare vacant the position of an appointment member who fails to attend a minimum of 2/3 of the meetings held in a calendar year without good and sufficient reason as determined by a majority vote of the Commission."
- Applications to the Youth Commission must be recommended by members and approved by the Board of Supervisors.
- Youth Commission members can be asked to participate in assignments outside of the regularly scheduled calendar meetings.

FISCAL IMPACT/FINANCING:

N/A

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Approve amendments to the Tulare County Youth Commission Bylaws is linked to Strategic Initiative 4: Organizational Performance – Continuously improve organizational effectiveness and fiscal stability.

ADMINISTRATIVE SIGN-OFF:

Julieta Martinez
Board Representative

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

Attachment(s)

Exhibit A – Revised Youth Commission Bylaws

Exhibit “A” Revised Youth Commission Bylaws

Tulare County Youth Commission Bylaws

Adopted March 18, 2013

MISSION

The Tulare County Youth Commission makes recommendations to the Tulare County Board of Supervisors regarding Step Up Grant Funding for at risk youth.

A. TIME AND PLACE OF MEETINGS

1. Meetings to be Public.

All regular and emergency meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq as amended from time to time (herein referred to as the “Brown Act”).

2. Public Comment during Regular Meetings.

The Youth Commission shall accept public comment on any matter within its jurisdiction during its regular meetings at the time set on the agenda for public comment and on any specific item on its agenda at the time the Youth Commission takes up such matter in accordance with the Brown Act. The Youth Commission hereby adopts the following regulations for public comment at its regular meetings:

a. A period of time, herein called the “Public Comment Period”, for the public to comment on matters within the jurisdiction of the Youth Commission shall be posted on each agenda of a regular meeting. A total of fifteen minutes shall be allotted for the Public Comment Period. During that period, comments will be received in accordance with the following:

- i. Subject to the discretion of the presiding officer set forth herein, each member of the public shall have up to three (3) minutes to address the Youth Commission. The presiding officer may grant additional time or, if it appears that all members of the public desiring to comment cannot comment within the allotted times, the presiding officer may shorten the individual comment time or extend the Public Comment Period.

- ii. Only comments pertaining to matters within the jurisdiction but not on the agenda of the Youth Commission or pertaining to items on the consent portion of the Youth Commission's agenda shall be allowed during the public comment period. Comments on other items on the agenda will not be allowed at this time except with the permission of the presiding officer.
 - iii. Subject to the option of the presiding officer, members of the public shall generally be permitted to comment on a first come first served basis. In order to determine the order of comment, an optional public comment sign-up sheet may be posted at the entrance to the Chambers. The optional sign-up sheet shall clearly state that the signing, registering or completion of the sign-up sheet is voluntary and that all persons may attend the meeting regardless of whether a person signs in.
 - iv. In addressing the Youth Commission, the members of the public shall follow the protocol set out in Section 8 below.
- b. Public comment on specific items not on the consent portion of the agenda shall be permitted at the time the Youth Commission takes up such item for consideration unless the presiding officer gives permission for public comments on this item to be made during the Public Comment Period. Public comments on specific items not on the consent portion of the calendar will be received in accordance with the following:
 - i. Members of the public shall be permitted to comment in the order determined by the presiding officer.
 - ii. Members of the public shall have up to three (3) minutes to address the Youth Commission unless additional time is granted by the presiding officer. If it appears that all members of the public desiring to comment cannot comment within the allotted times without disrupting the Youth Commission's agenda, the presiding officer shall have the option to shorten the individual comment time.
 - iii. In addressing the Youth Commission, members of the public shall follow the protocol set out in Section 8 below.

3. Public Comment during Emergency meetings.

In accordance with the Brown Act, there will be a separate Public Comment Period during special meetings and no comments will be allowed on matters within the Youth Commission's jurisdiction unless the matter is listed as an agenda item. Members of the public will be allowed to comment on specific items on the agenda in accordance with protocols set out in Section 2(b) above. Every notice for an emergency meeting shall provide an opportunity for members of the public to directly address the Youth Commission concerning any item that has been described in the notice for the meeting. Public comments shall take place prior to or during consideration of the item. There will not be a separate Public Comment Period during emergency meetings, and no comments will be allowed on any matters or items within the Youth Commission's jurisdiction that are not mentioned in the notice of the emergency meeting.

B. COMMISSION AGENDA

4. Agenda Items.

Items will only be placed on the Youth Commission's agenda at the direction of the presiding officer or his/her alternate pursuant to a request by a Youth Commission member or County staff person. Except as otherwise allowed by law, no resolution or item shall be brought before the Youth Commission for action at a regular meeting without having prior been placed upon a written agenda or agenda addendum furnished to each member of the Youth Commission and posted seventy-two hours prior to such regular meeting.

5. Preparation of Agenda.

Not later than seventy-two hours prior to any regular meeting, or at such earlier time as the Chairman may, from time to time, specify, the County Youth Commission Staff shall prepare and furnish to each member of the Youth Commission, the County Counsel, and to such other persons as the Youth Commission shall designate, a written agenda and, if necessary, agenda addendum for such regular meeting. Such agenda and any agenda addendum shall also be available to the press and the public prior to the meeting as provided by law.

6. Posting of Agenda.

Not later than seventy-two hours prior to any regular meeting, the agenda and any agenda addendum shall be posted at the public notice board on the outside of the County Administrative Office Building, 2800 West Burrel in Visalia, California.

7. Off Agenda Items.

No action may be taken on any item not appearing on the posted agenda except as follows:

a. Urgent Matter - Upon a determination by a majority vote of the members of the body present at the meeting of the Youth Commission, that there is a need to take immediate action and the need for action came to the attention of the Youth Commission subsequent to the posting of the agenda. Two conditions that must be met in order for this exception to apply: (1) there is a need to take immediate action on the matter (as oppose to waiting until the next regular scheduled meeting or a special meeting, and (2) the need for immediate action came to the attention of the Commission subsequent to the agenda being posted. (Government Code Section 54954.2(b)(2).)

b. Emergency Matter - Upon a determination by a majority vote of the Youth Commission, or, if less than the full Youth Commission is present, a unanimous vote of those members present that an emergency situation exists. "Emergency situation" is defined as matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, and means any of the following which is determined by a majority of the members of the Youth Commission: (a) Work stoppage or other activity which severely impairs public health, safety, or both; (b) crippling disaster which severely impairs the public health, safety, or both. (Government Code Section 54956.5.)

c. The item had been previously posted as required for a meeting occurring not more than five (5) calendar days prior to the meeting and the item had been continued to this meeting.

d. Youth Commission referrals of items to staff for investigation and report to the Youth Commission are not deemed to be action by the Youth Commission which requires placement on the agenda; nor shall a direction to staff to place a matter of business on a future agenda.

C. CONDUCT OF MEETINGS

8. Manner of Addressing Youth Commission - Time Limit.

a. Protocol: Each person addressing the Youth Commission will be asked to give his/her name and address in an audible tone of voice for the record. As set out above, the presiding officer may limit the time of any person addressing the Youth Commission. All remarks shall be addressed to the Youth Commission as a body and not to any member thereof. No person, other than the Youth Commissioners, County staff, County Counsel and the person

having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Youth Commission, without the permission of the presiding officer. No question shall be asked of a Commissioner or member of the staff except through the presiding officer.

b. Protocol for Groups of Persons. Whenever any group of persons wishes to address the Commission on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Youth Commission and in case additional data or argument is to be presented at the time by another member of said group, to limit the number of persons so addressing the Youth Commission and the scope of their remarks so as to avoid unnecessary repetition.

D. DUTIES AND PRIVILEGES OF COMMISSION MEMBERS

9. Reporting Requirements

The Tulare County Youth Commission shall make regular reports to the Tulare County Board of Supervisors.

10. Annual Reorganization.

a. Election of Officers. At the first meeting of each fiscal year (July 1-June 30), the Commission shall select from its members a Chair, Vice-Chair and Secretary. If the Chair of the commission is absent from a meeting, the vice-chair shall serve as the presiding officer.

b. Time and Place of Meetings. At this time the Youth Commission will develop the annual calendar of time and place of scheduled meetings to be posted on the Step Up Website and made available to the public.

E. TERMS AND ATTENDANCE

11. Commissioners Terms

a. Terms. Commissioners shall be appointed to three-year terms. All applications must be recommended by the Youth Commission and approved by the Tulare County Board of Supervisors. Commissioner terms will expire on the 30th day of June at the end of their term. Youth Commissioners may reapply at the end of their term. Commissioners appointed to fill a vacant position will finish out the unexpired term. Appointments by the Tulare County Board of Supervisors will be made during the month prior to the expiration of the term of office.

b. Staggered Terms. Terms for members of the Tulare County Youth Commission shall be staggered. Each Supervisorial District shall have at least one representative from their district on the Youth Commission at all times. The Commissioners from District 1, Seat 1, District 2, Seat

2, District 5, Seat 1, and the Member at Large shall have a one year term that will expire on June 30, 2014. Thereafter, the term of office will be three year terms. The Commissioners from District 3, Seat 1, District 4, Seat 1, and District 5, Seat 2 shall have a two year term that will expire on June 30, 2015. Thereafter, the term of office will be three year terms. The Commissioners from District 1, Seat 2, District 2, Seat 1, District 3, Seat 2, and District 4, Seat 2 shall have a three year term that will expire on June 30, 2016. Thereafter, the term of office will be three year terms.

12. Youth Commission Attendance Policy

The Commission may declare vacant the position of an appointed member who fails to attend a minimum of 2/3 of the meetings held in a calendar year without good and sufficient reason as determined by a majority vote of the Commission.

Youth Commission members, who do not meet the Commission's attendance requirements, will be notified in writing of their proposed removal from the Commission. The Youth Commission Chair will recommend to the Youth Commission an action to terminate the individuals Youth Commission membership following a 30-day appeal period. The 30-day appeal period begins the day the Commission member receives verified notification of the proposed action.

The Commission member may appeal the recommendation to terminate his/her membership by writing a letter to the Youth Commission within the 30-day appeal period. The appeal will be considered by the Youth Commission and a decision communicated back to the individual within 30 days of receipt of the appeal.

13. Youth Commission Assignments

Youth Commission members will be expected to participate in assignments outside of the regularly scheduled calendar meetings. This may include but is not limited to technical assistance, program evaluation, site visits, and funding recommendations.

F. COMMISSION PROCEDURES

14. Voting.

a. Quorum. A quorum shall be six or more voting Youth Commissioners except as provided otherwise by state law, but fewer Commissioners may adjourn a meeting.

b. Abstention. It shall be the duty of each Commissioner present at a meeting of the Youth Commission to cast a vote “aye,” “nay,” or “abstain” unless excused from voting because:

1. Of a personal or pecuniary interest in the matter under consideration; or
2. The law otherwise declared participation to be a conflict of interest; or
3. They are disqualified by reason of absence from the hearing of a matter the decision on which under the law must be based upon findings supported by testimony and/or other evidence introduced in the proceeding.

If a Commissioner is excused from voting the abstention shall not be counted as either an “aye” or “nay” vote.

Nothing herein is intended to abrogate the judicially declared “rule of necessity” adopted in the State of California, pertaining to the duty of members of public legislative and administrative bodies to vote on matters which require their action.

c. Vote. Except as otherwise provided by state law, the concurring vote by the majority of the voting members present of the Youth Commission, as required by Government Code section 25005, will be necessary to adopt any resolution or motion or transact any business. A concurring vote by six members of the Youth Commission, as required by Government Code section 29120 et seq., will be necessary to adopt or change any budget allocation or reallocation.

15. Members of the Tulare County Youth Commission are eligible to receive a reimbursement for approved expenses. These expenses include mileage, conference participation and any item approved by the Chairman of the Tulare County Youth Commission and the Tulare County Administrative Office.

16. Modification of by-laws

These by-laws can be modified by a majority vote at any time by the Tulare County Youth Commission. The Tulare County Youth Commission operates under parliamentary procedure when conducting meetings.

15. Motions and Resolutions to be stated by Chair.

When a motion or resolution shall be made and seconded, it shall be stated by the chair before debate and voting.

16. Withdrawal of Motions.

A motion may not be withdrawn by the mover without consent of the second.

17. Motions Out of Order.

The Commission, by majority vote, may permit a member to introduce a resolution or motion out of the regular order of the agenda.

18. Motion to Adjourn - When Not in Order - When Debatable.

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion;
- b. When made as an interruption of a member speaking;
- c. When the previous question has been ordered;
- d. While a vote is being taken, a motion to adjourn is debatable only as to the time to

which the meeting is to be adjourned.

19. Reconsideration.

Once a vote has been taken the matter is final. Motions to reconsider are not provided for in these rules. Upon new information, an item may be reconsidered at a later meeting.

20. Procedure in Absence of Rule - Suspension of Rules.

In the absence of a rule to govern a point of procedure, a majority of the voting members present of the Youth Commission may agree to a temporary rule to govern the point of procedure. Except as otherwise provided by law, these rules or any one thereof may be suspended at any time for any specified period of time by majority vote of the Commission or may be changed or eliminated until further notice by amendment to this resolution.

The FOREGOING RESOLUTION was adopted upon motion of Commissioner Ruiz-Alvarez, seconded by Commissioner Caudill, at a regular meeting of the Youth Commission held on March 18, 2013 by the following vote:

AYES: Caudill, Warson, Lehmann, Cheney, Moore, Ruiz-Alvarez,
NOES:
ABSTAIN: None
ABSENT: Tucker, Robertson, Ashcraft, Taylor, Reynosa

ATTEST: SECRETARY

YOUTH COMMISSION OF THE COUNTY OF TULARE

By: _____