

**EL DORADO COUNTY IHSS PUBLIC AUTHORITY
AGENDA ITEM TRANSMITTAL**

**Meeting of
January 9, 2007**

AGENDA TITLE: In-Home Supportive Services (IHSS) Advisory Committee Membership and By-Laws Amendment

DEPARTMENT: Human Services (CS)

DEPT SIGNOFF:

CAO USE ONLY: 12/13

CONTACT: John Litwinovich

John Litwinovich

D. Laura Schwartz

DATE: 12/12/2006

PHONE: 6163

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

Department of Human Services, Community Services Division, recommends that the Board:

1. Convene the In-Home Supportive Services (IHSS) Public Authority Board.
2. Acknowledge the resignations of Claudia Lowe, Community Representative, and Jack Podsedly, Provider Representative, from the IHSS Advisory Committee and send letters acknowledging their respective contributions to the Committee.
3. Approve an amendment to the IHSS Advisory Committee By-Laws to grant an exception to officer terms if membership drops below 5 members.

CAO RECOMMENDATIONS: *Recommend approval. Laura A. Hill*
12/13/06

Financial impact? () Yes (X) No

Funding Source: () Gen Fund (X) Other

BUDGET SUMMARY:

Total Est. Cost _____
Funding
 Budgeted _____
 New Funding _____
 Savings* _____
 Other _____
 Total Funding _____
Change in Net County Cost _____

Other:

CAO Office Use Only:

4/5's Vote Required () Yes (X) No
 Change in Policy () Yes (X) No
 New Personnel () Yes (X) No

CONCURRENCES:

Risk Management _____
 County Counsel _____
 Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

Rev. 5:04 ISKW001 Agenda

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



EL DORADO COUNTY
DEPARTMENT OF HUMAN SERVICES
John Litwinovich
Director

December 12, 2006

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, California 95667

Members of the Board:

Title: In-Home Supportive Services (IHSS) Advisory Committee Membership and By-Laws Amendment

Recommendations:

Department of Human Services, Community Services Division, recommends that the Board:

1. Convene the In-Home Supportive Services (IHSS) Public Authority Board.
2. Acknowledge the resignations of Claudia Lowe, Community Representative, and Jack Podsedly, Provider Representative, from the IHSS Advisory Committee and send letters acknowledging their respective contributions to the Committee.
3. Approve an amendment to the IHSS Advisory Committee By-Laws to grant an exception to officer terms if membership drops below 5 members.

Reasons for Recommendations:

The IHSS Advisory Committee was established as an independent advisory committee by Ordinance No. 4612 on September 24, 2002. The purpose of the Advisory Committee is to provide advice to the Governing Board, the IHSS Public Authority, the Department of Human Services and other involved agencies about IHSS and make recommendations to improve services.

The IHSS Public Authority has received resignations from Claudia Lowe, Community Representative, and Jack Podsedly, Provider Representative. The staff wishes that letters be sent to acknowledge and thank Ms. Lowe and Mr. Podsedly for their service on the IHSS Advisory Committee. Seven designated committee seats remain vacant. The IHSS Public Authority will continue to recruit additional members and will bring those names forward for appointment by the Governing Board.

The IHSS Advisory Committee by-laws were adopted by the Board on January 6, 2004 and amended on October 26, 2004. Out of the possible 11 appointed members, only four (4) designations are currently filled. The proposed by-laws amendment includes an exception to officer terms if membership drops below five (5) members, deletes the term of appointment restrictions for provider representatives and clarifies the purpose of the committee. Removed language is ~~lined out~~, and new language is underlined. A copy of the proposed by-laws amendment is on file with the Board Clerk.

Fiscal Impact: None

Net County Cost: None.

Action to be Taken Following Approval:

Board Clerk to send letter to resigning members Claudia Lowe and Jack Podsedly. Department to provide Board Clerk with IHSS Advisory Committee member addresses.

Sincerely,

John Litwinovich
Director, Department of Human Services

**El Dorado County
In-Home Supportive Services
Advisory Committee**

By-Laws

I. Name and Authority

A. Name

The name of this advisory committee shall be El Dorado County In-Home Supportive Services Advisory Committee, herein referred to as COMMITTEE.

B. Authority

The COMMITTEE has been established as an independent advisory committee by the El Dorado County Board of Supervisors by Ordinance No. 4612, dated September 24, 2002, adding Chapter 8.76 to Title 8 of the Code of the County of El Dorado ("the Ordinance"), under the statutory authority of the Welfare and Institutions Code 12301.6, to create an advisory committee for In-Home Supportive Services (IHSS) within the County.

II. Purpose

A. Purpose

To provide advice and make recommendations on the IHSS Public Authority to the Governing Board and administrative agency of the Public Authority. To serve in an advisory capacity regarding IHSS and the Public Authority to the County Board of Supervisors, the governing body of the Public Authority, IHSS Contractor(s) and any administrative body in the county that is related to the delivery and administration of IHSS.

B. Interaction with Statute and Ordinance

To the extent these by-laws are in any manner inconsistent with the Statute and/or the Ordinance, the Statute and/or Ordinance shall govern.

III. Membership

A. Composition of Committee

The COMMITTEE may be comprised of not more than 11 individuals (members). No less than 50 percent of the membership of the advisory committee shall be individuals who are current or past users of personal assistance services paid for through public or private funds or as recipients of services under this article.

1. The COMMITTEE shall consist of the following- representatives:
 - Two (2) Representatives that are current or past providers of private or IHSS homecare services, and
 - Three (3) community members, preferably appointed to this Committee as representatives of community based organizations.
 - Six (6) Representatives that are current or past recipients of private or IHSS homecare services.
2. Prior to the appointment of members to the COMMITTEE, the Governing Board shall solicit recommendations for qualified members through a fair and open process that includes the provision of reasonable written notice to, and reasonable response time by, members of the general public and interested persons and organizations.
3. No more than one member of a family shall serve on the COMMITTEE at the same time. Also a provider and recipient pair (employer/employee relationship) cannot both serve on the COMMITTEE at the same time.
4. Individuals who are representatives of the IHSS Public Authority or officials of the provider labor organization are not eligible to be members of the COMMITTEE.
5. Members must reside within El Dorado County.

B. Term of Appointment

1. Members shall be appointed by the governing board to two (2) year terms. When a vacancy occurs, the appointed replacement will serve the remainder of the member's term.
- ~~2. Because of the large number of interested providers and the limited number of provider positions available, no provider may serve more than two (2) consecutive terms within a three-year period.~~

C. Membership Leave of Absence

The COMMITTEE Chair may grant a member a leave of absence, not to exceed three consecutive regular monthly COMMITTEE meetings. To grant such a leave, the Chair shall announce it at a regular monthly meeting. The leave may become effective at the meeting at which it is announced.

D. End of Term

1. Each member of the COMMITTEE shall serve at the pleasure of the Governing Board and may be removed during the member's term at the will of the Board.

E. Recommendation for Replacement of Members

The COMMITTEE, by an affirmative vote of at least 50% of the confirmed members may recommend to the Governing Board, replacement of a COMMITTEE member if he/she:

1. Has been neglectful of duties including, but not limited to failure to attend three consecutive COMMITTEE meetings without a leave of absence within a 12 month period; or
2. No longer satisfies the requirements necessary to represent the constituency he/she was appointed to serve as set forth in the Ordinance.

IV. Officers

A. Election of Officers

1. There shall be a Chair and a Vice Chair. The Chairperson shall preside at all meetings. The Vice Chairperson serves as the chairperson when the chairperson is absent or unable to serve and assists the chairperson in all aspects of the chairperson's position.
2. The COMMITTEE shall annually elect officers from among its members, each of whom shall have the authority to perform duties consistent with the Statute and the Ordinance as set forth in the By-laws. Each officer shall serve for a term of one year. If an officer is unable to complete their term, a replacement will be appointed by the members to complete the term. If the Chair misses two (2) consecutive meetings, without pre-notification of their absence, the Committee may appoint a new Chair.
3. No officer may serve for more than two (2) consecutive one-year terms. An exception may be granted if committee membership drops below five (5) members, in which case the Committee may extend the term of the current officer(s) by one or more one-year terms until such time as committee membership exceeds five (5) members. Once membership exceeds five (5) members, each extended one-year term shall be served through completion.
4. The Chair shall be elected during the last meeting of each year. The term shall become effective at the first meeting of the new year.

V. Expenses

COMMITTEE members may be reimbursed for mileage according to the County travel reimbursement policies and procedures. Members are eligible to receive \$10.00 for each scheduled COMMITTEE meeting attended, either in person or via tele/video conferencing.

VI. Meetings

- A. Meetings shall be public and shall be held monthly on a regular day at the locations and times designated by the COMMITTEE or as otherwise determined by the COMMITTEE. Should the regular meeting day fall on a holiday, the meeting shall take place the same designated day the following week.
- B. Special meetings may be called by the Chair of the COMMITTEE or the Manager of the Public Authority with at least 24-hour notice.
- C. The COMMITTEE is subject to the Ralph M. Brown Act. Meeting agendas shall be posted where the public has access. There shall be an opportunity for the public to speak, and minutes will be available to the public on request.
- D. Adequate notice of regular Committee meetings shall be disseminated through the use of local media, with the agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, with at least 72 hours in advance of the meeting. Any member of the public may speak on any agenda item or, upon prior notice to the Chairperson, on an item not on the agenda.
- E. Each member shall be expected to attend regular meetings and shall, in the event of an unavoidable absence, notify the Public Authority, Chairperson or Vice Chairperson of absences. Excessive unexcused absences, without notification, within one calendar year may be cause for termination and replacement.

VI. Quorum

At least 50% of the confirmed members shall constitute a quorum and is necessary for business to be conducted during a regular meeting of the COMMITTEE.

VII. Special Work Groups and Public Representation

- A. Ad Hoc work groups or task forces will be designated to perform specific functions as may be necessary.
- B. No member of the COMMITTEE shall represent their personal view as that of the COMMITTEE. This section does not prevent an individual COMMITTEE member from attending any function or meeting and discussing their personal views as long as the individual member makes it clear that they are not representing the COMMITTEE.

VII. Voting

Each member of the COMMITTEE shall be a voting member. All formal business of the COMMITTEE shall be conducted by motion and recorded in the minutes. A majority vote of the membership of a regular and/or special meeting is required to pass a motion. All votes taken during a teleconferenced or video-conferenced meeting shall be by roll call.

IX. Amendments to the By-laws

- A. Recommendations for changes to the by-laws must be approved by a two-thirds vote of the members present at a regularly scheduled meeting, with a quorum in attendance, or at a meeting specially called for the purpose of amending these by-laws with a quorum in attendance.
- B. No recommendations to the Governing Board for amendments to these by-laws may be made without prior notice in writing, either mailed or given in person to all members of the COMMITTEE.
- C. All such amendments shall be subject to the approval by the Governing Board.

Approved by:

IHSS Advisory Committee on November 13, 2003.

Revised on September 13, 2004.

Revised on November 13, 2006.

Adopted by:

IHSS Public Authority Board on January 6, 2004.

Amended on ~~10/26/2004~~ October 26, 2004.

Amended on January 9, 2007.