

Meeting Date: 12/11/18 (10)

ORDINANCE NO. 10581 (N.S.)

AN ORDINANCE AMENDING ARTICLE IIIa SECTIONS 82.1, 82.4, 82.5, 82.7, 82.8, AND 82.9 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE ADVISORY COUNCIL FOR AGING AND INDEPENDENCE SERVICES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 82.1 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC 82.1 PURPOSE AND FUNCTIONS

The Advisory Council is established to:

(a) Advise and assist Aging and Independence Services, the Health and Human Services Agency, the Chief Administrative Officer and the Board of Supervisors in the preparation, development, and evaluation of County programs, procedures, budget and policies in accordance with the duties and responsibilities defined in the Older Americans Act. This Council is not empowered by establishing authority, ordinance or policy to render decisions of any kind on behalf of the County of San Diego or its appointed or elected officials. The Advisory Council will not endorse or support any political activity or candidate for elective office.

(b) Encourage and facilitate public participation in Aging and Independence Services and participate in the development of the Aging and Independence Services policy in order to insure inclusion of citizens' perspectives. The Advisory Council shall carry out advisory functions which further Aging and Independence Services' mission of developing and coordinating community-based systems of services for all older persons in the Area Agency on Aging planning and service area. The Council shall advise Aging and Independence Services relative to developing and administering the Area Agency on Aging area plan; conducting public hearings; representing the interest of older persons; and reviewing and commenting on all community policies, programs and actions which affect older persons with the intent of assuring maximum coordination and responsiveness to older persons.

Section 2. Section 82.4 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 82.4 TERM- VACANCIES

(a) (1) The term of the members of the Advisory Council nominated by members of the Board of Supervisors shall run concurrently with the term of the member of the Board of Supervisors who nominated said Advisory Council members. The terms of members nominated by the members of the Board of Supervisors shall expire on the day of the expiration of the term of the nominating member of the Board of Supervisors or at such time as said Supervisor ceases to hold office, whichever first occurs. The reelection of a member of the Board of Supervisors for a succeeding term shall not automatically extend the term of any member of the Advisory Council.

Meeting Date: 12/11/18 (10)

(2) The term of every other member of the Advisory Council shall be four (4) years, except that each member may be removed from the Advisory Council by the organizations which the member represents prior to the expiration of the term.

(3) No member of the Advisory Council may serve for more than two (2) consecutive terms, regardless of appointing authority. After a continuous two (2) year non-membership period, a person can again be appointed to serve on the Advisory Council. For purposes of this limitation, a term shall include any appointment to fill a vacancy for one-half or more of a term.

(4) Any member whose term has expired hereunder may continue to discharge the duties as a member until a successor has been appointed and qualified.

(b) Vacancies in any position created by resignation or removal shall be filled in the same manner as that position was originally filled. Vacancies shall be filled within ninety (90) days and, subject to the provisions of this Article, shall be filled for the balance of the unexpired term.

Section 3. Section 82.5 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 82.5. OFFICERS

(a) The Advisory Council in an open public meeting shall annually elect a chair and a vice chair from among its members. The chair provides general supervisory guidance to the advisory committee and presides over its meetings. The chair assigns coordinating duties to the vice chair, as necessary. The chair is the official spokesperson for the Advisory Council.

(b) The officers shall serve a term of one (1) year beginning on September 1 and ending on August 31. Any exception to this requires a two-thirds vote of the Council preceded by a written notice issued one month in advance. No member shall hold more than one office at a time, and no member shall be eligible to serve more than two consecutive terms in the same office.

Section 4. Section 82.7 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 82.7. RULES

The Advisory Council may prepare and adopt such rules and regulations for the internal government of its business as it may deem necessary or advisable, all subject to the approval by the Board of Supervisors.

Section 5. Section 82.8 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 82.8. REQUIRED MEETINGS

The Advisory Council may designate in its rules a time and place for its regular meetings. For any member who has three (3) unexcused absences for any reason during the Council's annual calendar the seat of any member not appointed by a County Supervisor becomes vacant. The Membership Committee reserves the right to evaluate any extenuating set of circumstances and consider a recommendation to the Council that it waive the declaration of vacancy requirement.

Meeting Date: 12/11/18 (10)

Section 6. Section 82.9 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 82.9. QUORUM

One-half of the persons who are members at any given time, plus one, shall constitute a quorum.

Section 4. Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY

COUNTY COUNSEL

By: Kyle Sand, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 11th day of December, 2018.



KRISTIN GASPAR
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Horn
ABSENT: Roberts

ATTEST my hand and the seal of the Board of Supervisors this 11th day of December, 2018.

DAVID HALL
Clerk of the Board of Supervisors

By 
Joana Santiago, Deputy



Ordinance No.: 10581 (N.S.)
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