

ORDINANCE 9715 (NEW SERIES)

AN ORDINANCE AMENDING SECTIONS OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO HEALTH AND HUMAN SERVICES AGENCY ADVISORY BOARDS

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

Section 1. The Board of Supervisors finds and determines that there is a need to amend the membership composition requirements of two committees; change the name of one committee; delete a restriction on membership composition to facilitate compliance with federal law; and to make other technical changes.

Section 2. Section 82.3 of the San Diego County Administrative Code - Article IIIa is hereby amended to read as follows:

SEC. 82.3. NOMINATION AND APPOINTMENT.~~(a) — Each member of the Board of Supervisors shall nominate and recommend to the Board of Supervisors individuals for appointment to two (2) positions on the Council. The County-wide Nutrition Council shall appoint one (1) member to the Council. The Council on Minority Aging shall appoint one (1) member. The Retired and Senior Volunteer Program (RSVP) Advisory Council shall appoint one (1) member to the Council. The Advisory Council shall appoint up to seventeen (17) members to the Council, including six (6) members to represent service providers serving elderly from each of the six (6) regions established by the Health and Human Services Agency. Other appointments shall include representatives of health care provider organizations, including providers of veterans' health care; representatives of supportive services providers organizations; persons with leadership experience in the private and voluntary sectors; local elected officials; and the general public.~~

~~(b) — Appointments of the ten (10) Council members appointed by the Board of Supervisors shall be made by a majority vote of the Board at an open public meeting. The Advisory Council shall participate in the appointment process by recommending qualified persons for appointment by the Board.~~

~~(c) — Appointments to the Council shall be made in such a manner so as to assure that all prevailing Federal, State and local laws, regulations and policies are met relative to Council composition. In forwarding recommendations to the Board for appointment to vacancies, and in making appointments the Council shall insure that all such composition recommendations and appointments are used to balance the Council's composition grid.~~

~~(d) — As laws, regulations and policies relative to Council composition are changed, the Council's by laws shall be revised to incorporate said changes.~~

(a) Each member of the Board of Supervisors shall nominate and recommend to the Board of Supervisors two (2) individuals for appointment to the Advisory Council. Appointments shall be made by majority vote of the Board of Supervisors at an open

public meeting. The Advisory Council shall participate in the appointment process by recommending qualified persons for appointment by the Board.

(b) Appointments to the Council shall be made in such a manner so as to assure that all prevailing federal, state, and local laws, regulations and policies are met relative to council composition. In forwarding recommendations to the Board for appointment to vacancies, and in making appointments, the Council shall try to insure that all such recommendations and appointments are used to balance the Council composition grid.

(c) Persons from other county “senior and disabled” organizations or groups whose knowledge and experience would provide understanding and judgment should also be members of the Advisory Council. Such as:

- IHSS – In Home Supportive Services
- RSVP – Retired Senior Volunteer Program
- ADHC – Adult Day Health Care
- Countywide Nutrition Council
- Service providers from various regions of the county
- Providers of Veteran’s Health Care
- Minority Individuals
- Older Persons residing in Rural Areas

Section 3. Section 82.4 of the San Diego County Administrative Code - Article IIIa 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.

(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 appointed such member 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 shall 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 ~~thirtyninety~~ (390) days and, subject to the provisions of this Article, shall be filled for the balance of the unexpired term.

Section 4. Section 82.5 of the San Diego County Administrative Code - Article IIIa 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 ~~sole~~ official spokesperson for the Advisory Council.

(b) The officers shall serve a term of one (1) year beginning on February 1 and ending on January 31. 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. Any exception to these rules requires a month advance written notice before the vote and a two-thirds vote.

Section 5. Section 82.14 of the San Diego County Administrative Code - Article IIIa is hereby amended to read as follows:

SEC. 82.14. EXCLUSIONS; CONFLICT OF INTEREST.

(a) An employee of the County shall not serve on the Advisory Council, unless such employee is also a local elected official, or unless specifically permitted by statute.

~~(b) No person shall be appointed to the Advisory Council who is an employee of any agency or organization that contracts with the County through Aging and Independence Services.~~

(eb) Any member of the Advisory Council shall act in conformity with the requirements of section 1090 et seq of the Government Code.

Section 6. Section 300 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300. SAN DIEGO COUNTY FOSTER ~~AND RELATIVE~~ CARE SERVICES COMMITTEE.

There is hereby created and established the San Diego County Foster ~~and Relative~~ Care Services Committee. This Committee is established to advise the Health and Human Services Agency on issues, problems and policies affecting foster parents and ~~relative caregivers~~ placements.

Section 7. Section 300.1 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.1. MEMBERSHIP AND SELECTION.

The Committee shall consist of twenty-~~three~~four (23~~4~~) members. Members shall be nominated by the organizations listed below, and the nominations submitted to the Committee's Membership Subcommittee for consideration in accordance with section 300.6 of this Code. The Director of the Health and Human Services Agency shall concur with the appointment from the following organizations:

- (98) Representing Foster Parent Associations
 - ~~(52)~~ San Diego County Foster Parent Association
 - (2) North County Foster Parent Association
 - (2) Latino Foster Parent Associations
 - (2) Central Foster Parent Association
- ~~(42)~~ Representing Foster Care Education and Training Program
- ~~(1) Representing Group Home Association~~
- (1) Representing Association of Foster Family Agencies and Group Homes
- ~~(1) Representing Relative Caregiver Organizations~~
- (1) Representing the Regional Center
- (1) Representing the Probation Department
- (78) Representing the Health and Human Services Agency
 - ~~(67)~~ Children's Welfare Services
 - (1) Mental Health/Public Health

- (1) ~~Representing the Juvenile Court~~ Other Community Based Organization
- (1) Representing Education K-12
- (1) Representing Foster Youth Organization

All members shall be voting members of the Committee.

Section 8. Section 300.2 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.2. APPOINTMENTS.

Persons appointed to the Committee shall have demonstrated interest and experience in the needs of the foster ~~and relative~~ care community.

Section 9. Section 300.5 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.5. ORGANIZATION.

- (a) Officers: The Committee shall select from its membership a Chair and a Vice Chair. ~~(b) To review and make recommendations on issues pertaining to foster/relative parents and placement.~~
- ~~(c) To act as an open forum in the review of problems concerning foster/relative parents and placement.~~
- ~~(d) To recommend solutions and cost effective measures to alleviate problems and issues relating to foster/relative parents and placement as well as the foster care program.~~
- ~~(e) To improve communication and teamwork among the foster/relative parent community, the Health and Human Services Agency, other private placement agencies, educational systems and health care agencies.~~
- ~~(f) To perform such other duties as might be assigned to the Committee by the Director, Health and Human Services Agency.~~
- (b) Rules. The Committee shall prepare and adopt the necessary rules and regulations for the conduct of its business.
- (c) Quorum. A majority of members currently appointed to the Committee shall constitute a quorum. A majority of members in attendance shall be required to carry any motion or approval.
- (d) Minutes. The Committee shall keep written minutes of its meetings, a copy of which shall be filed with the office of the Director, Health and Human Services Agency.
- (e) Meetings. The Committee shall establish a regular meeting schedule and shall give public notice of the time and place of meetings in compliance with requirements of the Brown Act. All meetings of the Committee shall be open to the public and all persons shall be permitted to attend any meetings of the Committee.

Section 10. Section 300.6 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.6. ESTABLISHMENT OF SUBCOMMITTEES.

(a) Ad Hoc Subcommittees. The Committee may appoint subcommittees for the purposes of carrying out the functions and duties of the Committee. Any subcommittee appointed shall consist of not fewer than three members, including at least one voting Committee member. The actions and recommendations of subcommittees shall not be deemed the action of the Committee or its members.

(b) The Committee shall establish two standing subcommittees: the Membership Subcommittee and the Bylaws Subcommittee.

- (i) The Bylaws Subcommittee shall review the bylaws and recommend revision, if necessary, to the committee. It shall meet at least once annually.
- (ii) The Membership Subcommittee shall meet as necessary to request and accept nominations for new members as vacancies occur through attrition or expiration. The Membership Subcommittee shall convene no later than November of each year to prepare the slate for offices and members whose terms expire on December 31 of each year. The Membership Subcommittee shall present those names for acceptance at the Committee’s regular December meeting. The Membership Subcommittee shall request written nominations from the appointing authority or an executive officer of the organization that represents the member group. ~~With the exception of representatives of Relative Caregiver Organizations, there is one nomination organization for each designated member. The Committee shall choose by majority vote of the Committee a single nominee when nominations exceed the number of members allotted to Relative Caregiver Organizations. Relative Caregiver Organizations are defined as organizations created for purposes of providing support, training and information to relatives providing care to children placed by the County of San Diego.~~

(c) Volunteer and Consultant Services. The Committee shall engage the services of volunteer workers and consultants without salary as it may find necessary from time to time. Service of an individual as a volunteer worker or as a consultant shall not be considered service for or employment by the County.

Section 11. Section 300.7 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.7. COMPENSATION.

Members of the Committee shall serve without compensation except for mileage reimbursement for any foster parent association ~~and relative placement group~~ representatives administered in accordance with Administrative Code Article XXVIa, Section 484. The Committee may appoint a Foster Parent Liaison, and if so, may assume the cost of telephone bills incurred by the liaison in the course of duty.

Section 12. Section 300.8 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.8 DUTIES AND RESPONSIBILITIES.

The Committee shall have the following duties and responsibilities:

- (a) To review and make recommendations on policies and programs affecting foster/~~relative~~ parents and placement.
- (b) To review and make recommendations on issues pertaining to foster/~~relative~~ parents and placement.
- (c) To act as an open forum in the review of problems concerning foster/~~relative~~ parents and placement.
- (d) To recommend solutions and cost effective measures to alleviate problems and issues relating to foster/~~relative~~ parents and placement as well as the foster care program.
- (e) To improve communication and teamwork among the foster/~~relative~~ parent community, the Health and Human Services Agency, other private placement agencies, educational systems and health care agencies.
- (f) To perform such other duties as might be assigned to the Committee by the Director, Health and Human Services Agency.

Section 13. Section 300.10 of the San Diego County Administrative Code - Article XVII is hereby amended to read as follows:

SEC. 300.10. STAFF ASSISTANCE.

The Director, Health and Human Services Agency shall provide the necessary staff assistance to the Foster ~~and Relative~~ Care Services Committee.

Section 14. Effective Date.

This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after the date of adoption of this ordinance, a summary shall be published once with the names of those members voting for and against the same in the San Diego Commence a newspaper of general circulation published in San Diego County.

PASSED, APPROVED AND ADOPTED this 10th day of May 2005.