

County Of San Diego
Health and Human Services Agency (HHSA)

Chapter: Office of Strategy and Innovation

SUBJECT: ADVISORY BOARDS

NO: HHSA-E-7
PAGE: 1 of 6
DATE: April 12, 2013

REFERENCE: Board of Supervisors Policies A-74 and A-72

PURPOSE:

To provide direction and organizational procedures for Advisory Board Agency support staff and to ensure that the HHSA Advisory Boards established by the Board of Supervisors and all additional (informal) advisory bodies are in compliance with the County of San Diego policies and procedures related to Advisory Boards and Commissions.

BACKGROUND:

Citizen advisory boards (Advisory Board) are charged with advising the Board of Supervisors on policies the Board establishes. The Director of the Health and Human Services Agency is required to provide staff support for advisory boards that have been established to advise on issues directly related to Agency programs, policies, and issues.

Support staff shall assist in maximizing the effectiveness of their Advisory Board by providing education on the mandate of the board and how to provide appropriate input to the Board of Supervisors (BOS), and by managing the administrative responsibilities that are required of all County Boards and Commissions.

POLICY:

A. It is the policy of HHSA that Agency Advisory Board support staff will:

1. Consist of, at minimum, a senior manager and clerical support that shall have as their responsibility ensuring that they, their board, and their practices adhere to Board of Supervisors Policy A-74 and A-72 and this policy. Exceptions to this policy will be approved by the responsible Executive.
2. Be familiar with federal, State, and County law, authority, and by-laws, and requirements related to the establishment and responsibility of the board they staff.
3. Ensure the advisory board is familiar with the Board of Supervisors' span of control as it relates to local law, authority and requirements.
4. Ensure that the advisory board is familiar with policy directing communications to the Board of Supervisors and the Chief Administrative Officer (CAO), as contained in Board Policy A-74, Citizen Participation in County Boards, Commissions and Committees.

B. It is the policy of HHSA that informal advisory bodies will be responsive to procedures in section B. *Communications from Advisory Boards and Informal Advisory Bodies*, below.

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PROCEDURES:

A. Advisory Board Adherence to Policies, and Administrative Communications

- 1) The senior manager shall provide each newly appointed advisory board member with a new member orientation or information packet prior to their first meeting, to include, at minimum, a copy of the County Board policies A-74 and A-72, policy HHSA-E-7, authorizing document(s), by-laws, and minutes from the last 3 meetings.
- 2) Information included in A.1, above shall be made available for others who seek current information about the advisory board.
- 3) Support staff shall make certain that advisory board members complete as applicable/required:
 - a) State mandated ethics training
 - b) Incompatible and Non-Profit Incompatible Activities, Form #519
 - c) Statement of Economic Interest, Form 700
(http://www.sdcountry.ca.gov/cob/conflict_interest/)
- 4) The Fact Sheet and Member Roster provided on the COB website are to be reviewed for accuracy and updated accordingly at least annually.
- 5) The senior manager is to complete an "HHSA Advisory Board/Committee Annual Review" form and submit it to the Office of Strategy and Innovation in May of each year.
- 6) Support staff shall maintain and update an Advisory Board website that is monitored to provide:
 - a) Advisory Board Overview /COB Fact Sheet
 - b) Agendas - current fiscal year
 - c) Approving documents
 - d) Board by-laws
 - e) County Board policies A-74 and A-72
 - f) HHSA policy HHSA-E-7
 - g) Meeting location, date and time
 - h) Membership Roster
 - i) Minutes - approved in the current Fiscal Year's meetings

B. Communications from Advisory Boards and Informal Advisory Bodies

Support staff will make advisory board members aware of County policies and procedures and/or laws that are applicable to the issue being communicated to the Board of

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Supervisors, CAO, or Agency Director. These procedures also apply to informal advisory bodies.

- 1) Proposed communications will be submitted in draft, with necessary background documentation to an Agency CAO Staff Officer. If communication is related to federal or State legislation the proposed communication will also be submitted to the Agency's Legislative Analysts.
- 2) The CAO Staff Officer or the Legislative Analyst will authorize submittal of a final document or return any comments, requests for clarification, and/or recommended action to support staff for resolution with the advisory board.
- 3) The final document, accompanied by appropriate documentation will be submitted by the appropriate Deputy Director, signed by the chairperson of the advisory board, to the Agency Director's Office.
- 4) Certain advisory boards have been specifically mandated to advise other legislators under the government codes or laws establishing them. These advisory boards may forward their recommendations per the requirements of their mandate with a copy to the Agency Director's Office.
- 5) Advisory board communications to the Board of Supervisors will be submitted by the Agency Director via the appropriate channels, noting the Agency's position relative to the advisory board recommendations, as appropriate. Note: Communications from informal advisory boards/committees will not be prepared for submission to the Board of Supervisors without the pre-approval of the Deputy Director and Agency Director.
- 6) Proposed amendments to advisory board's by-laws and/or ordinance must be reviewed and approved by County Counsel prior to being communicated via a board letter to the Board of Supervisors for approval.

C. Routine Communications

Support staff will make advisory board members aware of County policies and procedures that are applicable to the issue being communicated and the method of communication to the Board of Supervisors, CAO, or Agency Director. Communications subject to this procedure include, but are not limited to (These procedures also apply to informal advisory bodies.):

- 1) **Informational Reports to the Board** - Generally report the actions of the advisory board to meet their written goals and/or communicate the committee's perceptions of

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how citizen's needs are being met within their area of concern. These communications will be in writing and signed by the Chairperson of the advisory board. Informational copies will be provided to the Agency Director and the appropriate Deputy Director.

- 2) **Board of Supervisors Meeting Agenda and Other Related Processes** - Certain boards, committees and commissions may make a recommendation regarding a Board of Supervisors' Agenda item. The Advisory Board recommendation will reference the agenda item number and the recommended action being made by the Chief Administrative Officer.
- 3) **Communications Requiring Response from County Management Staff** - These communications will be in writing and signed by the Chairperson of the advisory board. At the discretion of the Chief Administrative Officer and the chair of the Board of Supervisors, the item may be docketed with the Board for its direction.
- 4) **Board Letters Generated by the Agency** - Board Letters on new programs, program changes, contractual actions (subject to review by an advisory board) or containing significant information about existing programs, shall include an advisory board statement.
- 5) **Comments on Legislation** - When an advisory board wishes to make a recommendation on pending legislation the advisory board recommendation will be submitted to the Agency Director, for submission to the Office of Strategy and Intergovernmental Affairs. The Agency will include a memo stating the Agency's position relative to the advisory board recommendation. The Office of Strategy and Intergovernmental Affairs will communicate the advisory board's recommendation to the Board of Supervisors and respond to the Agency and/or the advisory board, as appropriate.
- 6) **Informational Mailings to the Public** - Advisory Boards tasked with informing and educating the public may prepare informational mailings associated with their mandate. Board Policy M-2 – Legislative Advocacy – provides policy relating to advocacy on policy and non-policy issues, pending legislation, and written correspondence to legislators, other elected officials and policy makers. To ensure that planned mailings will not conflict with M-2, support staff will notify the HHSA Legislative Analysts in advance, to obtain the necessary clearance from the County Office of Strategy and Intergovernmental Affairs.

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Exceptions

- 1) Legislative Policies (M-Policies) and Proposals initiated by the Chief Administrative Officer - These policies and proposals are not required to have an advisory board statement, but input may be sought from the various advisory groups as deemed necessary by the CAO.
- 2) Budget Review - Advisory boards having budget review responsibilities as a specific requirement of their establishing authority shall review the annual departmental budget and provide timely written comments prior to the public budget hearing. These comments will be directed to the Agency Director, with a copy to the Agency Finance Officer.
- 3) Agendas and Minutes - In accordance with the Brown Act, notices of Advisory board meeting and minutes shall be filed with the Clerk of the Board of Supervisors for advance posting and for the Communication Received for the Board of Supervisors Official Records.
 - a) All meeting agendas shall include information and a contact person for any person needing disability-related modifications in order to participate in the meeting.
 - b) Advisory board staff shall send copies of the meeting minutes to each member of the Board of Supervisors.
- 4) Changes to Membership - The office of the Clerk of the Board of Supervisors shall be advised in writing of any changes to the membership, such as resignations, etc. by advisory board staff

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ATTACHMENTS:

- AB-1, "HHSA Advisory Board/Committee Annual Review" Form
- AB-2, By-Laws Review Form
- AB-3, Incompatible and Non-Profit Incompatible Activities, form #519
- AB-4, State Mandated Ethics Training

EXHIBITS:

- [Board of Supervisor Policy A-74](#), "Citizen Participation in County Boards, Commissions and Committees"
- [Board of Supervisor Policy A-72](#), "Board of Supervisors' Agenda and Related Processes"

QUESTIONS/INFORMATION: TBD, Executive Office

SUNSET DATE: This policy will be reviewed for continuance by April 12, 2015.

Approved: _____


DEAN ARABATZIS
Chief of Operations

BOARD:					
Name					
Meeting Schedule					
Meeting Location					
CHAIR:					
Name					
Email					
Mailing Address					
Phone				Fax	
ASSIGNED STAFF:					
Sr. Manager				Phone	Mail Stop
Support Staff				Phone	Mail Stop
Alternate Contact(s)					

	Statement	Date Completed	Expected Date of Completion
1.	All advisory board members are in compliance with their responsibilities as described in County Policy A-74, <i>Citizen Participation in County Boards, Commissions and Committees, Section C, Committee and Committee Member Responsibilities</i> .		
2.	All meeting notices, agendas, and minutes are provided to the advisory board members, the public, and the Clerk of the Board (COB) of Supervisors in support of the Brown Act and as stated in A-74, Section C9, <i>Minutes</i> .		
3.	All applicable advisory board members have completed their mandated bi-annual Ethics Training, as stated the County Counsel memo sent January 30, 2012. The COB has been notified and a copy is on file with assigned staff.		
4.	All membership vacancies are filled in accordance with A-74, Section D, <i>Appointments to Committees/Vacancies Process</i> .		
5.	All NEW advisory board members have received orientation and required documents in accordance with A-74, Section E5, <i>Orientation</i> .		
6.	The advisory board By-Laws have been reviewed and contain the sections and information described in A-74, Section E6, <i>By-laws of Citizen Advisory Committees</i> .		
7.	The current By-Laws were approved by County Council on: [insert approval date] , and accepted by the Board of Supervisors on: [insert date] , as stated in A-74, Section E6, <i>By-laws of Citizen Advisory Committees</i> .		
8.	The information on the COB website has been reviewed for accuracy within the last 12 months as stated in HHSA Policy E-7, <i>Advisory Boards</i> .		
9.	In order to ensure compliance, the assigned Sr. Manager and support staff has reviewed the documents that established authority for their Advisory Board, and relevant policies such as County Policy A-74 and HHSA Policy E-7, within the last 12 months.		
10.	The advisory board was selected by the COB for Sunset Review for FY 12/13 in accordance with Policy A-74, Section G, <i>Sunset Review of Citizen Committees</i> .		[] N/A

Assigned Sr. Manager

Date

Executive

Date

**HEALTH AND HUMAN SERVICES
ADVISORY BOARDS AND COMMISSIONS
BY-LAWS FORM/CHECKLIST**

This form, with language per Board of Supervisor, Policy A-74, "Citizen Participation in County Boards, Commissions and Committees", Section E, 6, By-laws of Citizen Advisory Committees, may be used as a check list to ensure that by-laws include the required elements.

By-Laws (Y/N)	Each advisory committee will prepare By-laws, which must be approved by County Counsel and accepted by the Board of Supervisors. By-laws of advisory committees shall contain the following sections and information (exceptions may be made to cover unique situations).
	Article 1 - Purpose and Authority
	Section A - Indicate the establishing authority for the committee such as State Code, Ordinance, (County Administrative Code Article, Section), Board Resolution dated, Board Order dated, or Joint Powers Agreement dated.
	Section B - The purpose of the group as set forth in the establishing authority or reference the section of the Administrative Code.
	Section C - The advisory committee is a non-partisan, non-sectarian, non-profit making organization. It does not take part officially in, nor does it lend its influence to any political issues.
	Section D - Advisory committees are advisory to <list department(s)>, the Chief Administrative Officer and the Board of Supervisors only. The advisory committee is not empowered by ordinance, establishing authority or policy to render a decision of any kind on behalf of the County of San Diego or its appointed or elected officials.
	Article 2 - Membership and Term of Office
	Section A - Membership as set forth in the establishing authority or by referencing the Administrative Code Section.
	Section B - The advisory committee is limited to <number> members in accordance with the establishing authority.
	Section C - Term of office as set forth in the establishing authority.
	Section D - Method for filling vacancies as set forth in the establishing authority.
	Article 3 - Duties
	Outline the duties of the advisory committee as set forth in the establishing authority, or by referencing the Administrative Code Section.

**HEALTH AND HUMAN SERVICES
ADVISORY BOARDS AND COMMISSIONS
BY-LAWS FORM/CHECKLIST**

By-Laws (Y/N)	Each advisory committee will prepare By-laws, which must be approved by County Counsel and accepted by the Board of Supervisors. By-laws of advisory committees shall contain the following sections and information (exceptions may be made to cover unique situations).
	Article 4 - Officers
	Section A - The election of officers is a responsibility of the advisory committee membership and is governed in accordance with the establishing authority. If not addressed in the establishing authority, the following Sections B through F are in force.
	Section B - The advisory committee annually elects from its members the following officers: Chairperson and Vice-Chairperson (Co-officers may be elected, if deemed necessary). A Secretary may be elected if none is otherwise available to the advisory committee.
	Section C - If an office is vacated, the Chairperson will temporarily appoint a member of the advisory committee to fill the vacancy until a new officer is elected. Such election shall be held within 30 days of the vacancy.
	Section D - The Chairperson provides general supervisory guidance to the advisory committee and presides over its meetings. The Chairperson assigns coordinating duties to the Vice Chairperson as necessary. The Chairperson is the sole official spokesperson for the advisory committee unless this responsibility is delegated in writing.
	Section E - In the absence of the Chairperson, the Vice Chairperson assumes the duties and responsibilities of that office.
	Section F - The Secretary, or assigned staff, records the minutes of all advisory committee meetings and handles committee correspondence. The Secretary keeps the roll, certifies the presence of a quorum, maintains a list of all active representatives, and keeps records of actions as they occur at each meeting. It is the responsibility of the County staff assigned to the advisory committee to assure that posting of meeting notices in a publicly accessible place for 72 hours prior to the committee meeting occurs, to keep a record of such posting, and to reproduce and distribute the advisory committee notices and minutes of all meetings.
	Article 5 - Subcommittees
	Section A - If formation of subcommittees is not addressed in the advisory committee establishing authority, then the following Sections II through V are in force.
	Section B - The advisory committee may select from its membership, subcommittee chairpersons and/or members to direct studies, conduct research or make recommendations on committee activities.

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ADVISORY BOARDS AND COMMISSIONS
BY-LAWS FORM/CHECKLIST**

By-Laws (Y/N)	Each advisory committee will prepare By-laws, which must be approved by County Counsel and accepted by the Board of Supervisors. By-laws of advisory committees shall contain the following sections and information (exceptions may be made to cover unique situations).
	Section C - The purpose and scope of each subcommittee shall be outlined in writing.
	Section D - Each subcommittee chairperson shall be responsible for the keeping of records of all actions and reports of the subcommittee, and shall submit these actions and reports to the advisory committee on a regular basis. A subcommittee chairperson shall not act as spokesperson for the advisory committee unless authorized to do so in writing as set forth in Article 4, Section D, of these By-laws.
	Section E - A coordinating committee comprised of the chairpersons of the subcommittees may be formed to assemble information from each subcommittee for presentation to the advisory committee. The Chairperson or Vice-Chairperson shall act as the chairperson of the coordinating committee.
	Article 6 - Organization Procedures
	Section A - Robert's Rules of Order govern the operation of the advisory committee in all cases not covered by these by-laws. The advisory committee may formulate specific procedural rules of order to govern the conduct of its meetings.
	Section B - Any group voting is on the basis of one vote per person and no proxy, telephone or absentee voting is permitted.
	Section C - All meetings of the advisory committee and its subcommittee are open to the public to the extent required by the Ralph M. Brown Act. Meetings are to be held in accessible, public places. Notice of all advisory committee meetings shall be posted in a publicly accessible place for a period of 72 hours prior to the meeting (Special meetings require 24 hour notice). In addition, such notice will be mailed on request.
	Section D - If a quorum is not defined by the establishing authority, a majority of the members currently appointed shall constitute a quorum. No vote of advisory committee shall be considered as reflecting an official position of the advisory committee unless passed by a majority of its quorum present at the specific meeting where the vote was taken.

NAME: _____ TELEPHONE: _____

NAME OF BOARD, COMMITTEE OR COMMISSION _____

☐ **Statement of Incompatible Activities related to County Duties**

- ☐ I am currently engaged in, or plan to enter into, outside employment, business activity or enterprise which is related to my duties as a County Officer or employee or as a member of a County board, commission, committee or similar body, or which may be subject to review or approval by a County Officer or employee as follows:

Nature of business or activity

Employer (if applicable)

List duties performed:

Remarks:

For additional organizations or information, please include on separate page.

- ☐ I am NOT engaged in, or plan to enter into any activity in conflict with County duties as stated above.

Signature

Date

☐ **Statement of Membership in Nonprofit Organizations Funded by County – Form 519**

- ☐ I am currently an officer or member of the policy-making board of the following Nonprofit organization(s) funded by the County:

Name of Organization

Status in organization

Specific funding request (if applicable)

Organization or County Department

Department Head Initials



Please return completed form to:
Clerk of the Board of Supervisors
County Administration Center
1600 Pacific Highway, Room 402
San Diego, CA 92101-2471
(619) 531-5600

State Mandated Ethics Training

Government Code section 53234 and follow (AB1234) requires local agency officials who are eligible to receive compensation or reimbursement for expenses to take two hours of ethics training every two years.

Local agency officials who commence service before January 1, 2006 are required to take the training within one year. Thereafter, the officials must take two hours of ethics training every two years.

“Local agency official” includes, (a) the local government’s elected officials and (b) members of any legislative body of the local agency, who are eligible to receive compensation and/or reimbursement for expenses for service on the particular local legislative body. “Legislative body” means any decision making or advisory committee, commission, board, or other body of the local agency (i.e., the County) that is subject to the provisions of the Brown Act, Government Code, § 53234 (a), (b) and (c).

The law allows local agency officials to satisfy the ethics training requirement through one of the following three options:

1. In person training courses;
2. On-line training ; or
3. Self- study training (reading materials and taking a test)

On-line and self-study options, as well as other information about the required ethics training, are available at the Institute for Local Government’s website, <http://www.ca-ilg.org/ab1234compliance>. There is a fee associated with some of these training options. After the training is completed, a certification should be provided. The certification should be kept for the individual’s records and a copy must be sent to the Clerk of the Board of Supervisors.

