

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

March 12, 2024

**FROM**

**SHARON NEVINS, Director, Department of Aging and Adult Services – Public Guardian**

**SUBJECT**

San Bernardino County Senior Affairs Commission Bylaws

**RECOMMENDATION(S)**

Approve the Bylaws for the Senior Affairs Commission.  
(Presenter: Sharon Nevins, Director, 891-3917)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Improve County Government Operations.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not impact Discretionary General Funding (Net County Cost), as there is no cost associated with the bylaws.

**BACKGROUND INFORMATION**

The Department of Aging and Adult Services – Public Guardian (DAAS-PG) is San Bernardino County's designated Area Agency on Aging (AAA). This qualifies the department to receive Older Americans Act funding to provide services and programs such as Senior Information and Assistance, Older Californian Nutrition Program, Family Caregiver Support Program, and senior supportive services (e.g., transportation and legal assistance).

The Senior Affairs Commission (SAC) is a mandated and integral part of the AAA. It is a public-facing commission of the San Bernardino County Board of Supervisors (Board) and serves as the Advisory Council to the local AAA, Public Service Area – 20. The Board established the SAC on July 2, 1973, under Ordinance No. 1827. The applicable provisions relating to the SAC, as amended, are contained in Chapter 33 of Division 2 of Title 1 of the San Bernardino County Code (County Code), sections 12.3301 through 12.3309.

As an advisory body, the SAC may make recommendations to the Board and DAAS-PG Director on policy matters related to the needs of older adults, individuals with disabilities, their families and caretakers, and the services available. Per County Code §12.3306, Board approval is required to validate and implement the SAC Bylaws.

The SAC has long operated under the assumption there was a set of approved bylaws. These bylaws have undergone several revisions since 2003. The SAC developed a bylaws sub-committee to review the various revisions and recommend a version to move forward for approval. These bylaws formalize the details of how the SAC performs, which are consistent

**San Bernardino County Senior Affairs Commission Bylaws  
March 12, 2024**

with the County Ordinance. The bylaws can be amended by the SAC at any time with an affirmative vote of a simple majority of those present or a quorum. Any amendments to the bylaws approved by the SAC must be in accordance with the County Ordinance, approved as to legal form by County Counsel, and taken to the Board for approval before becoming effective. The submitted bylaws have been approved by County Counsel as to legal form on February 14, 2024, approved by the SAC on February 15, 2023, and are recommended for consideration and approval by the Board.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jacqueline Carey-Wilson, Deputy County Counsel, 387-5455) on March 6, 2024; Finance (John Hallen, Administrative Analyst, 388-0208) on February 14, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on February 15, 2024.

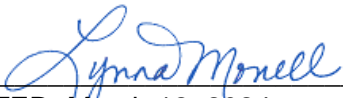
**San Bernardino County Senior Affairs Commission Bylaws**  
**March 12, 2024**

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Jesse Armendarez  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: March 12, 2024



cc: File - Aging & Adult Services w/attach  
CCM 03/14/2024





SAN BERNARDINO COUNTY  
SENIOR AFFAIRS COMMISSION  
DEPARTMENT OF AGING AND ADULT SERVICES  
PUBLIC SERVICE AREA – 20

**SENIOR AFFAIRS COMMISSION BYLAWS**

TABLE OF CONTENTS

ARTICLE I.	NAME
ARTICLE II.	MANDATE
ARTICLE III.	RESPONSIBILITIES
ARTICLE IV.	MEMBERSHIP
ARTICLE V.	CONFLICT OF INTEREST
ARTICLE VI.	OFFICERS
ARTICLE VII.	ELECTIONS
ARTICLE VIII.	MEETINGS
ARTICLE IX.	VOTING
ARTICLE X.	COMMITTEES
ARTICLE XI.	AMENDMENTS
ARTICLE XII.	REPRESENTATION
ARTICLE XIII.	REIMBURSEMENT TO COMMISSIONERS
ARTICLE XIV.	REVIEW
ARTICLE XV.	PARLIMENTARY AUTHORITY

## **ARTICLE I.**

### **NAME**

The name of this organization shall be the Senior Affairs Commission of San Bernardino County, hereinafter referred to in these Bylaws as "SAC" or "Commission."

The San Bernardino County Board of Supervisors established the SAC on July 2, 1973, under Ordinance No. 1827. The applicable provisions relating to the SAC, as amended, are contained in Chapter 33 of Division 2 of Title 1 of the San Bernardino County Code ("County Code"), sections 12.3301 through 12.3309.

## **ARTICLE II.**

### **MANDATE**

The SAC, mandated as an integral part of the Area Agency on Aging, advises and provides information to the County of San Bernardino Board of Supervisors and the Area Agency on Aging, hereinafter referred to as Department of Aging and Adult Services. The term Department of Aging and Adult Services ("DAAS"), as used in these Bylaws, shall be synonymous with the definition of Area Agency on Aging as used in federal and state mandates.

## **ARTICLE III.**

### **RESPONSIBILITIES**

The SAC shall have the following responsibilities:

- (a) Serve as adviser to the Area Agency on Aging;
- (b) Act as an independent advocate for older persons, taking positions on matters pertaining to federal, state and local

policies, programs and procedures, and any legislation affecting older persons;

- (c) Actively seek advice from community councils on aging, senior advocacy organizations, local aging commissions, elected officials, and the general public for the purpose of advocating for and making formal presentations on issues of concern to older persons. No commission member is to speak for the supervisors or espouse policies or positions contrary to those of the Board of Supervisors pursuant to Section 12.3306 of the County Code;
- (d) Inform local senior advocates and organizations on specific legislation pending before local, state, and federal governments;
- (e) Disseminate information of interest and concern to older persons;
- (f) Be actively involved in the development, implementation, and monitoring of the area plan;
- (g) Hold public meetings on the Area Plans with no less than thirty (30) days notification to the public and the aging constituency regarding dates, time and location. Such notification shall contain understandable descriptions of the Area Agency on Aging and community-level plans in order to promote informed input; and
- (h) Participate in the preparation of an annual report that gives its recommendations to improve the lives of older persons, and a summary of its activities for the previous year. The report shall be made available to the Area Agency on Aging, the California Department on Aging, the California Commission on Aging, and, as far as resources permit, to all other interested parties that seek a copy of the report.

## **ARTICLE IV.**

### **MEMBERSHIP**

#### **Section 1. Membership**

Membership in the SAC shall be in accordance with the applicable provisions of the County Code.

- (a) Appointed Members. Each supervisor shall appoint two (2) commissioners to represent his/her district. In addition, the Chair of the Board of Supervisors shall appoint two (2) members-at-large.
- (b) Professional Members. At the recommendation of the Director of DAAS, the Board of Supervisors may appoint up to two (2) commissioners having relevant professional experience in fields including, but not limited to: gerontology, social work, education, banking, or financial management.
- (c) Representative Members. The chairs of the Regional Council on Aging or a designated member shall serve on the Commission. In the event one (1) or more of the chairs of the Regional Council on Aging is already a member of the Commission, he/she may continue to serve in the position of his/her choice. The Regional Council on Aging shall designate a representative in the event the chair elects to serve on the Commission in another position. In no circumstances will any member occupy more than one (1) seat on the Commission.

#### **Section 2. Term of Office**

- (a) Appointed Members. The term of office of appointed members shall be coterminous with the office of the appointing supervisor. The term of office of the appointed members-at-large shall be coterminous with the office of the appointing Chair of the Board. The initial terms of the



appointed members shall be for two (2) or four (4) years as determined by the Board of Supervisors at the time of appointment to allow for staggered terms within each district and for the members at large.

(b) Professional Members. The term of office for professional members shall be four (4) years.

(c) Representative Members. The term of office for representative members shall be coterminous with the term of office for the chairs of the Regional Council on Aging.

(d) Conditions of Term of Office

(1) Consecutive Terms

(i) Appointed Members. No appointed commissioner shall serve more than two (2) consecutive terms unless specifically permitted by the Board of Supervisors because of unusual circumstances.

(ii) Professional Members. No professional member shall serve more than two (2) consecutive terms unless specifically permitted by the Board of Supervisors because of unusual circumstances.

(2) Vacancies and Removals. The unexpired term for vacancies on the Commission, from whatever cause, except temporary vacancies as hereinafter provided, shall be filled as follows:

(i) Appointed Members. Vacancies shall be filled by the appointing supervisor. Any appointed member may be removed from the Commission prior to the expiration of his/her term at the pleasure of the appointing supervisor.

- (ii) Professional Members. Vacancies shall be filled by the Board of Supervisors using recommendations from the Director of DAAS. Any professional member may be removed from the Commission by the Board of Supervisors or by a two-thirds majority vote of the commissioners present at a regularly scheduled meeting of the Commission after having announced such intent at the previous meeting.
  - (iii) Representative Members. Any member designated by a chair of the Regional Council on Aging may be removed from the Commission prior to the expiration of his/her term at the pleasure of the appropriate Council on Aging or by a two thirds vote of the Commission.
- (3) Temporary Vacancies. A member of the Commission may be granted a leave of absence by the source of the seat and a temporary vacancy shall thereupon exist for a period of such leave of absence. During the period of such temporary vacancy, the supervisor concerned or the selecting authority may fill such vacancy by a temporary appointment to said Commission, provided, however, that the period of such temporary appointment shall not exceed the period of the regularly appointed term.
- (4) Automatic Termination of Appointment. The appointment of any member of the Commission who has been absent from three (3) consecutive regular or special meetings, or fifty percent (50%) of such meetings in a twelve (12) month period, and who has failed to notify the Commission, prior to or as soon thereafter as possible, concerning such absence(s), shall automatically terminate as

hereinafter set forth. The Director of DAAS shall report the attendance record of each member of said Commission to the Clerk of the Board of Supervisors at the end of each six (6) month period. The first report is to be made on the first day of the sixth month following adoption of Section 12.3303 of the County Code. The appointment of any member who was absent without notice, as defined above, as shown on said attendance report, shall be terminated effective the date said report is filed with the Clerk of the Board of Supervisors.

- (5) The Clerk of the Board of Supervisors shall notify any member whose appointment has automatically terminated and report to the supervisor or the selecting authority concerned that a vacancy exists on said Commission and that an appointment should be made for the unexpired term.

## **ARTICLE V.**

### **CONFLICT OF INTEREST**

- (a) Any member of the Commission, who has either a real or perceived financial interest in any issue, agency, or organization, shall publicly disclose such interest, and if required, disqualify himself/herself prior to discussions or voting to recommend award of financial contracts.
- (b) When the Senior Affairs Commission takes a position on an issue, no member, in the capacity of a commissioner, shall publicly support a contrary position.

## ARTICLE VI.

### OFFICERS

- (a) The officers of the Commission shall be a Chair, Vice-Chair, and Secretary.
- (b) Qualifications. Any voting member may be elected to serve as an officer.
- (c) Terms of Office. Each officer shall be elected to hold office for a term of two (2) years or until he/she resigns, is removed from office by action of the Commission, or his/her successor is elected. No member shall serve more than two (2) consecutive terms in the same office.
- (d) Removal. Any elected officer may be removed from office either with or without cause by a two-thirds (2/3's) majority vote of Commission members at a regularly scheduled meeting after notification at a previously scheduled meeting of intent to remove.
- (e) Resignation. Any elected officer may resign at any time by giving written notice to the Commission. The resignation shall be presented at the next regularly scheduled meeting of the Commission.
- (f) Vacancies. Any vacancy of any office shall be filled by the majority vote of the Commission. In the event of a vacancy in any office other than that of the Chair, such vacancy may be filled temporarily by appointment by the Chair until such time as the Commission shall fill the vacancy.

## ARTICLE VII.

### ELECTIONS

- (a) The Nominating Committee Chairperson shall be appointed by the Chairperson of the Commission during the month of October of each odd numbered calendar year.
- (b) The Committee shall be composed of three (3) members. The two (2) additional members shall be selected by the Committee Chairperson.
- (c) The slate of officers shall be submitted to the Commission at its regularly scheduled November meeting.
- (d) No member of the committee may be named as a candidate on the slate of officers.
- (e) Prior to placing a Commissioner's name on the slate of officers, the nominating committee shall secure the consent of the proposed nominee.
- (f) Elections will be held in December with officers taking their respective seats effective January 1st of each even numbered calendar year.
- (g) The Chairperson of the Nominating Committee shall conduct the election.
  - (1) Nominations from the floor may be made at the Commission meeting with the consent of the Commissioner being nominated.
  - (2) Elections shall be by ballot unless there is only one (1) candidate for an office, in which case, the vote can be by acclamation with a motion from the floor and duly seconded.

## **ARTICLE VIII.**

### **MEETINGS**

SAC shall hold regularly scheduled monthly meetings at a time and place designated. Standing committees shall hold regularly scheduled meetings as approved by SAC. All meetings of the Commission, including without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act (Gov. Code §54950 et seq.).

- (b) Special meetings of the members of SAC, or its committees, may be called by the Chairperson, SAC Executive Committee or any SAC committee for any purpose at a time and place designated by the Committee Chair or a majority of the Commission in accordance with applicable laws.

## **ARTICLE IX.**

### **VOTING**

- (a) Each voting member present shall be entitled to only one vote on each item requiring a vote. Cumulative voting, proxy voting, or absentee ballot voting shall not be permitted.
- (b) One more than fifty percent of the members shall constitute a quorum and the affirmative vote of a simple majority of those present is required to take any action except as otherwise provided herein.
- (c) Restrictions. Commission members shall publicly disqualify themselves if there is a conflict of interest. See Article V.

## ARTICLE X.

### COMMITTEES

#### Section 1. Standing Committees

- (a) Standing committees of SAC shall be:
  - (1) Access
  - (2) Executive
  - (3) Healthy Aging
  - (4) Intergenerational
  - (5) Legislative
  - (6) Nutrition
- (b) Other committees of the Commission shall be established as required to effectively perform the Commission's duties and responsibilities.
- (c) The Chairperson of a standing committee shall be a commissioner, appointed by the Chairperson of the Commission. The standing committees of SAC shall be composed of commissioners who may be selected, invited, or indicate a desire to serve as members. All members are encouraged to serve on at least one (1) standing committee. The committee may select a Vice-Chairperson and any other officers as deemed necessary. The Commission Chairperson shall sit as an ex-officio member on all committees except the Nominating Committee.

#### Section 2. The Duties of the Standing Committees

- (a) Standing committees shall establish a process for developing, reviewing, and advising, the Commission, DAAS and other agencies or organizations on issues within its scope or expertise.
- (b) Standing committees shall provide coordination and leadership in its program area for recommending the development of new projects, improving existing services and identifying problems for the Commission and/or DAAS to address or resolve.
- (c) The agenda for standing committee meetings shall be prepared by the Chairperson, or designee, with the assistance of staff.
- (d) Each standing committee shall give consideration to any matters presented by a member of the committee, or referred to it by the Commission Chairperson, Executive Committee, Director of DAAS or staff.
- (e) The recommendations of the standing committees may be based on a consensus where such exists, or on the presentation of majority and minority points of view. The basis for consensus shall be determined by the committee.

### Section 3. Executive Committee

- (a) The Executive Committee membership shall be as follows:
  - (1) The Chairperson of the Commission shall chair the Executive Committee.
  - (2) The Vice-Chairperson of the Commission.
  - (3) The Secretary of the Commission.
  - (4) Standing Committee Chairpersons.



- (5) The Director of DAAS, or his/her designee.
- (b) The Duties of the Executive Committee are as follows:
- (1) To review, revise and approve, prior to distribution the agenda for the SAC meeting;
  - (2) As appropriate, recommend the establishment of committees (ad hoc or standing), by the Commission;
  - (3) Serve as the action point (for either decisive action or recommendation for last action), in the matter of excused/unexcused absences and/or unacceptable behavior by a commissioner; and
  - (4) Deliberate, act, or make recommendations to the next level of consideration regarding such matters brought before it by the Chairperson, any member of the committee, any commissioner, or the Director of DAAS.
- (c) The Duties of the Chairperson are as follows:
- (1) Preside at meetings of the SAC and Executive Committee, fill vacancies as provided by these Bylaws, serve as the primary communication link with the Director of DAAS and with the Board of Supervisors, and perform other duties as may from time to time be determined by the Commission or as may be required by law;
  - (2) Represent SAC at official functions;
  - (3) Attend national, state, and local functions related to SAC interests;
  - (4) Serve as ex-officio member of all committees, except the Nominating Committee;

- (5) Appoint chairs of all SAC committees and may appoint a parliamentarian;
  - (6) Review and sign all SAC outgoing correspondence; and
  - (7) Perform other tasks as necessary that are within the purview of SAC.
- (d) The Duties of the Vice-Chairperson are as follows:
- (1) In the absence or incapacity of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson; and
  - (2) The Vice-Chairperson shall have other powers and perform such duties as may be required by law, the Chairperson or by the Commission.
- (e) The Duties of the Secretary are as follows:
- (1) Ensure that notices of SAC and SAC committee meetings are properly posted according to applicable laws;
  - (2) Monitor and maintain SAC attendance, and notify the Chairperson of those persons exceeding attendance absence limits; and
  - (3) Perform all duties generally incident to the office of Secretary and such other duties as may be required by law or which may be assigned to him/her by the Chairperson or the Commission.

#### Section 4. The Budget Committee

- (a) The Budget Committee shall be a sub-committee of the Executive Committee.

- (1) The Chairperson of SAC shall appoint the members.
- (2) The duties of the Budget Committee are as follows:
  - (i) Approve or disapprove expenses as indicated by SAC policies; and
  - (ii) Verify attendance at SAC meetings as charged for on the mileage form, by checking the sign in rosters.

#### Section 5. The Bylaws Committee

- (a) The Bylaws Committee will be a composite of those commissioners expressing a desire to work on the Bylaws for revising and updating necessary articles and sections.
- (b) The Chairperson of SAC shall serve as Chairperson of the Bylaws Committee. The Director of DAAS or his/her designee will be a member of this committee as an advisor.

### **ARTICLE XI.**

#### AMENDMENTS

- (a) These Bylaws may be amended at any time by a two-thirds (2/3's) affirmative vote of the members present at a regularly scheduled meeting of SAC, provided such amendments are consistent with the applicable provisions in the County Code.
- (b) Proposed amendments shall be submitted to all members prior to the meeting in accordance with applicable laws.

### **ARTICLE XII**

## REPRESENTATION

- (a) A representative of SAC may be appointed by the Chairperson, or selected by a majority of members present, to attend designated functions.
- (b) No member shall use SAC for personal gain; nor shall any member have the authority, or right to send letters, use the logo or name on personal stationery, or issue or make public statements in the name of SAC without approval.
- (c) When a representative is sent to a specific function where votes are required, the representative shall act in a manner known to be consistent with SAC positions on those issues.
- (d) If a member wishes to speak out on an issue and is not in agreement with the position of SAC, he/she may do so upon stating the opinion is strictly personal and does not reflect that of SAC.

## **ARTICLE XIII.**

### REIMBURSEMENT TO COMMISSIONERS

- (a) Commissioners shall serve without compensation, but may be permitted their necessary mileage to attend regularly scheduled monthly meetings in accordance with the applicable travel provisions of the County Code, and other such fees and expenses as may be approved by the Board of Supervisors, the Budget Committee, and the Director of DAAS.
- (b) Request for qualifying expenses shall be provided to the Budget Committee as early as possible for prior approval.
- (c) Reimbursement requests shall be provided to the Budget Committee.

- (d) A copy of the sign-in sheet where appropriate will be provided after each scheduled meeting to the Chairperson of the Budget Committee.

## **ARTICLE XIV**

### REVIEW

- (a) Each SAC committee in coordination with assigned staff shall establish the goals and objectives. Goals and objectives once established shall be submitted to the Executive Committee on a quarterly basis.
- (b) SAC, utilizing committee reports, shall submit a report to the Director of DAAS and the Board of Supervisors reflecting the accomplishments of SAC in achieving its goals and objectives during the current year. This report shall be submitted by SAC to the Director of DAAS no later than the last business day of June.
- (c) Each SAC committee chair shall report monthly on committee activities and/or achievements.

## **ARTICLE XV.**

### PARLIAMENTARY AUTHORITY

When not in conflict with these Bylaws or any other special rules SAC may adopt; the current edition of Robert's Rules of Order, Newly Revised shall govern.