By Laws
Kern County Commission on Aging

PREAMBLE

The Kern County Commission on Aging (hereinafter referred to as the “Commission”) was established by the Kern County Board of Supervisors by Resolution No. 74-335, adopted June 18, 1974. The Commission was created in order to provide an organized approach to the problems of aging and the aged in Kern County. The Commission also serves as the advisory council to the Area Agency on Aging for Planning and Services Area 33 (Kern County). The Board of Supervisors has amended the organizational structure of the Commission in order for it to better perform its duties. The powers, responsibilities and organizational structure of the Commission are described in Resolution No. 811104, adopted by the Board of Supervisors on May 26, 1981, and supplemented by these Bylaws.
ARTICLE I
Establishment of Commission on Aging

Pursuant to the authority granted under California Government Code Section 31000.1 and California Welfare and Institutions Code Section 9000 et seq., and in order to ensure participation by older persons in the planning and operation of Federal, State and local programs and services that may affect them, the establishment of the Kern County Commission on Aging is hereby reaffirmed. The organization, duties and responsibilities of the Commission shall be as provided for in these By-Laws and any amendments thereto.

ARTICLE II
BYLAWS

General Members

A. The Kern County Commission on Aging shall be composed of at least fifteen (15) and not more than twenty-five (25) general members. The Board of Supervisors of the County of Kern shall appoint at least five (5) and not more than ten (10) general members from the public; selected in such a manner that to the greatest extent practicable, each Supervisorial district shall be equally represented on the Commission. Each agency providing nutrition and/or social services to the aged pursuant to a contract with the County of Kern (hereinafter referred to as “service providers”) shall appoint general members should there, at any time, be more than fifteen (15) service providers in Kern County. To the greatest extent practicable the number of general members appointed by the Board of Supervisors shall not exceed the number of general members appointed by service providers.

B. The two persons representing Kern County in the California Senior Legislature shall be General voting Members by virtue of their Office.

C. General members shall be selected and appointed by the Board of Supervisors, service providers, and the Director of the Kern County Aging and Adult Services
Department with the approval of the Commission Executive Committee. This will occur at an Executive Commission on Aging meeting with a majority vote. The composition of the general membership of the Commission shall be as follows.

1) The number of general members shall, to the extent possible, reflect the geographic, racial, economic and social complexion of Kern County, with particular emphasis on Hispanic individuals to meet the ethnic composition of the community;

2) Eighty percent (80%) of the general membership is to be persons sixty (60) years of age or older;

3) Consist of older persons with the greatest economic or social needs;

4) Consist of older persons who are participants in programs operated pursuant to the Older Americans Act; and

5) Consist of at least one (1) member who represents the interests of the disabled.

D. General members shall serve two-year terms.

E. General members may be removed at any time by the agency that appointed them for non-attendance or other good cause.
ARTICLE III
Ex-Officio Members

The following officers (or their designated representatives) shall serve as non-voting ex-officio members of the Commission:

1) Kern County Department of Human Services Director

2) Kern County Public Health Officer

3) Kern County Veterans Services Director

4) Kern County Parks and Recreation Director

5) Kern County Employers’ Training Resource Executive Director

6) Kern County Community Development Director

7) Kern County Mental Health Director

8) Honorary Members – to be selected by the Commission on Aging to reflect the past and present support of the Commission.
ARTICLE IV
Duties and Responsibilities of the Commission

The Commission shall be the advisory council to the Area Agency on Aging for Planning and Service Area No. 33 (Kern County). As the advisory council to the Area Agency on Aging, the Commission shall perform those duties set forth in Section 9402 of the California Welfare and Institutions Code. Those duties require the Commission to:

1) 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;

2) 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;

3) Inform local senior advocates and organizations on specific legislation pending before local, State and federal government;

4) Disseminate information of interest and concern to older persons;

5) Be actively involved in the development, implementation and monitoring of the area plan;

6) Beginning April 2006, hold a quadrennial (every 4 years) area-wide meeting of senior advocates and organizations and elect delegates for the state-wide legislative meeting of senior advocates;

7) Hold public hearing on area plans; and
8) Annually prepare a report containing recommendations to improve the lives of older persons, and a summary of its activities for the previous year.

9) The Commission shall also advise the Board of Supervisors on matters relating to aging and the aged and perform other appropriate duties as may, from time to time, be requested by the Board of Supervisors or required by federal or State law or local ordinance, regulation or resolution.

**ARTICLE V**

**Staff Support and Reimbursement of Expenses**

The Aging and Adult Services Department shall provide clerical services and other staff assistance to the Commission as reasonably required.

The Director of the Aging and Adult Services Department or a staff person from that office designated by the Director shall serve as secretary of the Commission.

Commission members shall serve without compensation. General members shall, however, be reimbursed their actual and necessary expenses incurred while performing their official duties, in amounts not in excess of the reimbursement schedule applicable to employees of the County of Kern.

**ARTICLE VI**

**Officers, Committees, Meetings, Procedures, and Bylaws**

A. The Commission shall:

1) Establish its own rules and procedures;

2) Choose its own officers except the office of secretary who shall be the Director of the Aging and Adult Services Department or a staff person from that office designated by the Director.

3) Create and establish any necessary committees;
4) Schedule its own meetings, provided it meets at least ten (10) times a year within Kern County and that all meetings are open to the public; and

5) Adopt and amend its own bylaws, subject to the approval of the Board of Supervisors of Kern County.

B. Officers

1. The general members of the Commission shall elect a Chairperson, Vice-Chairperson and Parliamentarian. The Director of the Aging and Adult Services Department or his designate shall serve as Secretary of the Commission.

2. All officers, with the exception of the Secretary, shall serve for two years, July 1 through June 30. Elected officers shall continue to serve if necessary, until their elected successor is installed. The Nominating Committee shall present nominees for each office to the Commission at a regular meeting not less than four (4) weeks prior to the scheduled election date. The annual election of officers shall be held at the regularly scheduled June meeting.

C. CHAIRPERSON

1. The Chairperson shall have responsibility for the general supervision, direction and control of the business and affairs at Commission meetings. He/she shall preside at all meetings of the members, and shall have such other powers and duties as may be prescribed from time to time by vote of the Commission. The Chairperson shall be elected at the June meeting. No person may be elected to a full 24-month term of service to the Office on Chairperson more than twice in succession.

2. The Chairperson shall appoint all committee members and chairpersons to the approval of the general members.
3. While the Chairperson shall preside at all meetings and at all public hearings called by the Commission, he/she may select a Moderator to preside at public hearings when he/she deems it desirable and necessary. Such a Moderator need not be a member of the Commission.

4. The Chairperson may call special meetings as needed.

D. **VICE-CHAIRPERSON**

1. The Vice-Chairperson shall perform all the duties of the Chairperson and in so acting shall have all of the powers of the Chairperson (in the absence or disability of the Chairperson).

2. The Vice-Chairperson shall have such other powers and perform such other duties as may be prescribed from time to time by the Commission.

E. **SECRETARY**

1. The Secretary or a designated staff person shall keep a full and complete record of the proceedings of the Commission.

2. Shall send notices as may be necessary or proper.

3. Shall supervise the keeping of the records of the Commission.

4. Shall keep the minutes of all Commission meetings.

5. Shall file a copy thereof with the Clerk of the Kern County Board of Supervisors.

F. **PARLIAMENTARIAN**

1. The Parliamentarian shall rule on matters pertaining to parliamentary procedure, if any, when a ruling of the Chairperson is questioned.
2. Will use as a reference the text of Robert’s Rule of Order. The text will govern in all matters of order not specifically covered by these Bylaws or the Board of Supervisors Resolution establishing the Commission and identifying its powers and responsibility.

ARTICLE VII
COMMITTEES

A. The Chairperson shall appoint all Standing Committees and Special Committees subject to approval by a majority of the General Members present at a regular or special meeting of the Commission. Persons serving on Special Committees need not be members of the Commission.

B. The Standing Committees shall serve for two years: July 1 to June 30, which includes the Bylaws Committee, Executive Committee, and Nominating Committee. The other Standing Committees are as follows: Commissioner Appointment, Transportation, Employee Recognition, Volunteer Recognition, Long Term Care, Orientation, Senior Center Advisory, Sunshine, and IHSS Advisory. All other committees are Special Committees (i.e. Senior Day at the Fair/Senior Celebration).

1. THE EXECUTIVE COMMITTEE
   a. The Executive Committee shall consist of the Chairperson, Vice Chairperson, Parliamentarian, Immediate Past Chairperson and three (3) general members selected by the Chairperson.

   b. The Executive Committee will confer with and advise The Aging and Adult Services Department Director through regular meetings held at least bi-monthly and otherwise perform duties ordered by the Commission.

2. THE NOMINATING COMMITTEE
   a. The Nominating Committee shall consist of three (3) members appointed by the Chairperson prior to the April meeting.
b. One (1) individual shall be designated Chairperson.

c. The Committee will be charged with selecting and presenting a slate of officers from the body of Commissioners who have indicated their acceptance to the post if elected.

d. The slate will be presented at the May meeting, for the election which is to be held at the annual meeting in June.

e. The Chairperson will read the nominees to the membership for the election in June.

f. Nominations may be presented from the floor prior to and up to the Election Day.

g. Each person nominated must have two seconds and each nominee must state acceptance to the post for which nominated.

h. If the nominee is unable to be present at the June meeting, his/her nomination must be submitted in writing, witnessed by his/her seconds, and stating that if elected they will serve.

i. Each office will be voted in turn, and a defeated nominee may be nominated for any subsequent office by the procedures stated above.

j. Hearing no nominations from the floor, the slate presented is automatically elected and the Chairperson will so state.

ARTICLE VIII
MEETINGS
Meetings shall be conducted in accordance with Section 54950, et seq. of the California Government Code. Regular meetings shall be held on the third Monday of each month or on such other day of the month at a time and place to be designated by the Chairperson. Special meetings may be called by the
Chairperson or by a majority of the General Members provided written notice of such meetings and their agenda are delivered, personally or by mail, at least seventy-two (72) hours advance notice by telephone of any meeting to all General Members. The Commission shall meet at least ten (10) times a year.

ARTICLE IX
ATTENDANCE
All Commission members, who, by reason of illness, family illness or important personal reasons, are unable to attend an Advisory council or Committee meeting, shall report their absence. Absences not accounted for in the above manner will be reviewed by the Executive Committee for accountability. Arbitration of decisions concerning attendance shall go before the full Commission. After three (3) missed meetings, attendance will be reported to the appointing agency for consideration of a replacement.

ARTICLE X
VACANCY
A. A vacancy of any Commission Officer as a result of death, resignation, removal, disqualification or otherwise shall be filled by a special election at a regular meeting following notice to all General Members. The Chairperson or the Vice-Chairperson, in his absence, shall designate the Election Day to take place not later than the second regular meeting following the creation of the vacancy.

B. A vacancy of a General Member created by the death, resignation, removal, disqualification, or otherwise shall be filled after the required posting of “Notice of Vacancy,” by the entity responsible for the appointment of the person whose position is vacant.

ARTICLE XI
QUORUM AND VOTING POWERS
A majority of the General Members currently holding office must be present to constitute a quorum for the transaction of business. Each General Member shall have one vote and shall vote in person. Voting by proxy shall not be permitted.
ARTICLE XII
AGENDA

A. The Aging and Adult Services Department staff will prepare an agenda for all meetings. Items to be considered must be received by The Aging and Adult Services Department in writing at least eight (8) working days prior to the scheduled meeting.

B. The Chairperson will have the power to limit comment and discussion to those items appearing on the agenda. Further, the Chairperson may add, delete or rearrange agenda items when he or she deems such change desirable or necessary.

ARTICLE XIII
AMENDMENT TO BYLAWS OR BOARD RESOLUTIONS

A. An amendment to these Bylaws may be proposed to the Commission by a petition signed by three (3) members of the Commission and delivered to the Aging and Adult Services Department at least eight (8) working days prior to the next scheduled meeting. The Aging and Adult Services Department shall then place that item on the agenda under New Business of that scheduled meeting. The proposers shall then be called upon to explain the merits and reasons for the changes being proposed.

B. All amendments to these Bylaws shall require the naming of a Bylaws Committee consisting one commissioner appointed by the Chairperson to head the Bylaws Committee, and two additional commissioners selected by the commissioner appointed by the Chairman. In those instances where the Bylaws Committee is being named specifically due to a petition by three (3) members of the Commission, those members shall be named as an additional three (3) members of the Bylaws Committee.

C. Upon a two-thirds (2/3) majority vote of all the Commission members, the Commission may present to the Board of Supervisors for their approval amendments to the resolution affecting the Commission.
ARTICLE XIV
CONFLICT OF INTEREST
No member shall cast a vote, or participate in the discussion or deliberation leading up to a vote, on any matter which he or she has a financial interest.