



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Community Services  
**Department No.:** 057  
**For Agenda Of:** June 4, 2013  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Dept. Director Herman Parker, Director of Community Services (805) 568-2467  
Contact Info: Dinah Lockhart, Deputy Director of HCD (805) 568-3523  
**SUBJECT:** **Approval of Amendments to the Human Services Commission Bylaws**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

N/A

**Other Concurrence:** N/A

**Recommended Actions:**

That the Board of Supervisors:

- 1) Approve the amendments to the County of Santa Barbara Human Services Commission Bylaws (Attachment C); and
- 2) Determine that the Board's approval of the amendments to the Bylaws does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) as the action involves administrative activities of governments which will not result in a direct or indirect physical change in the environment, and direct staff to file the attached CEQA Notice of Exemption (Attachment D).

**Summary Text:**

The Human Services Commission's Bylaws were adopted by the Commission in 2006 and approved by the Board in 2007. The Human Services Commission proposes amendments to the Bylaws, which include items such as the terms of service and duties of Commissioners, creation of consistency in language and form, and headings and subheadings for reading convenience. The Human Services Commission has approved the amended Bylaws. The Bylaws will become effective upon the Board's approval.

**Background:**

History of the Human Services Commission: The Board established the Human Services Commission in 1977 to oversee the distribution of Federal Revenue Sharing funds to nonprofit organizations and to monitor their performance in the provision of services. Although the Federal Revenue Sharing program has ended, the Board has continued the Human Services Commission to make recommendations regarding the distribution of the following funds: Human Services Fund (County General Fund); Children's Trust Fund (birth certificate fees); Child Abuse Prevention, Intervention, and Treatment Fund (State funds); Community-Based Child Abuse Prevention Fund (Federal funds); Community Development Block Grant (CDGB) Public Services funds (Federal funds); and, Emergency Solutions Grants funds (Federal Funds).

Human Services Commission Bylaws: The Human Services Commission operates under Bylaws approved by the Commission, County Counsel, and the Board. Article X of the existing Human Services Commission Bylaws adopted in 2007 states that: 1) the Bylaws may be amended or repealed by a two-thirds majority vote of those present at a regular or special meeting of the Commission; 2) proposed amendments must be provided in writing to every member of the Commission at least seven (7) days in advance of the meeting; and 3) amendments shall become effective upon approval by County Counsel and the Board.

After extensive work by a special purpose Bylaws Revision Committee of the Human Services Commission and review by the entire Commission, proposed amended Bylaws were provided to each Commission member on January 9, 2012. At the February 2, 2012 meeting, the Commission approved the amended Bylaws by unanimous vote. The Board's approval of the Commission's amended Bylaws is requested to meet the remaining requirement for these Bylaws to become effective.

Most of the proposed amendments are minor and provide increased detail regarding the duties of Commissioners, create consistency in language and form, and include headings and subheadings for reading convenience. Proposed non-minor amendments are outlined in the table below.

ARTICLE/ TOPIC	CURRENT BYLAWS	AMENDED BYLAWS	RATIONALE/COMMENTS
Article V. Term of Service For Commissioners	1. "... Members' terms shall be three (3) years commencing on July 1 <sup>st</sup> and expiring on June 30 <sup>th</sup> of the third year. No member shall serve more than two (2) full, consecutive terms, plus any unexpired term to which appointed. If a member reaches the term limit, reappointment may occur after an absence of one year. Members whose terms expire, and whose position has not been refilled by the Board, shall have the option to continue to serve until the Board makes a new appointment or reappointment to the Commission...."	A. "... Commencing on the effective date of these Bylaws, newly appointed Commissioners' terms shall be three (3) years beginning on the date of appointment by the Board of Supervisors and expiring three years from that date. No Commissioner shall serve more than two (2) full, consecutive terms. If a Commissioner reaches the term limit, reappointment to the Commission may occur after an absence of one year. Notwithstanding the above, Commissioners whose terms expire, and whose position has not been refilled by the Board, shall have the option to continue to serve until the Board makes a new appointment or reappointment to the Commission...."	The amended Bylaws define the term of office for Commissioners to a simple three-year term that commences on the date of appointment, with eligibility to serve a second three year term. The definition of members' terms in the current bylaws has created confusion among Commissioners, staff to the Board of Supervisors, and the Clerk of the Board regarding when a Commissioner is no longer eligible to serve; further, the current definition creates disparities in the length of time individual Commissioners are eligible to serve, depending on when they were appointed and whether the appointment occurred during an "unexpired term" or during an actual vacancy.
Article VII. Terms for Officers of the Commission	1. "... No two officers shall be members representing the same supervisorial district." 2. "... Terms of officers shall be for one (1) year commencing July 1 of each year." 5. "... A member may not serve more than two (2) full consecutive terms in any one elected office."	B. "... Terms of officers shall be for one (1) year commencing July 1 of each year. A Commissioner may not serve more than two (2) full consecutive terms in any one elected office, provided, however, that a Commissioner may serve again in a previously held office after a one year break from holding that office."	The amended bylaws allow for a Commissioner who has served two consecutive years in one office to serve again in that office after a break of one year. At times the Commission has wanted to re-elect a Commissioner to office, or to elect two officers from the same supervisorial district, but could not do so under the current bylaws.

ARTICLE/ TOPIC	CURRENT BYLAWS	AMENDED BYLAWS	RATIONALE/COMMENTS
Article VIII. Committees	Part A., Section 4.C. The Nominating Committee meets, takes applications for office and presents a slate that consists of all eligible candidates for each office.	The Nominating Committee is eliminated as a standing committee of the Commission.	The need for a formal Nominating Committee no longer exists because the Commission has adopted a new procedure for election of officers. Commission staff collects applications from all Commissioners who offer to serve as an officer. Staff then distributes these applications to the other Commissioners for their consideration prior to the election. All Commissioners who have applied to serve as an officer are included on the slate at the time of the election of officers.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Approval of the Bylaws amendments will not result in any additional General Fund contribution or use of A87 Plan overhead services.

**Special Instructions:**

Please send a certified copy of the Minute Order to Susan Foley, Housing Specialist II, Community Services Department

**Attachments:**

Attachment A - Current Bylaws

Attachment B - Marked version of proposed amended Bylaws

Attachment C - Unmarked version of proposed amended Bylaws

Attachment D - CEQA Notice of Exemption

**Authored by:**

Nancy J. Madsen