

DONALD M. RAINS, Clerk of the Board

By Erlene Jones  
Deputy Clerk

Prepared by:

Alice K. O'Neill *upon*

Reviewed by:

Beverly Mile *ham*

Submitted by:

Phyllis Perez

TRANSMITTAL MEMORANDUM

BOARDS AND COMMISSIONS

44  
DATE: October 22, 1987

TO: BOARD OF SUPERVISORS

FROM: SANTA CLARA COUNTY YOUTH COMMISSION

SUBJECT: YOUTH COMMISSION BY-LAWS REVISION

A. RECOMMENDED ACTION

Adopt revised By-Laws of the Santa Clara County Youth Commission.

B. FISCAL IMPLICATIONS

None.

C. REASONS FOR RECOMMENDATION

The Youth Commission By-Laws were revised to clarify uncertain language and to reflect current procedures. The following changes were made: 1) the order of business at Commission meetings is stated in the revised By-Laws; 2) the specific circumstances under which action may be taken on items not posted on the agenda is set forth; 3) the rule requiring concurrence of a majority of the entire membership for action of the Commission is stated; and 4) a limitation that no member shall serve in the same office for more than two consecutive years is added. Change 4 was added because Commissioners were preparing to elect a Chairperson and Vice-Chairperson and the existing By-Laws were unclear regarding re-election of existing officers.

D. BACKGROUND

The Youth Commission recently consulted the existing By-Laws to ascertain whether the Chairperson and Vice-Chairperson could serve another term of office. At this time the language of the Youth Commission By-Laws was found to be unclear. An informal committee of Youth Commissioners visited County Counsel for the purpose of amending the existing By-Laws. Revised By-Laws were drafted and approved by the Youth Commission and County Counsel.

E. CONSEQUENCES OF NEGATIVE ACTION

The language of the By-Laws would remain unclear and confuse present and future Commission members.

F. SUPPORTING MATERIAL ATTACHED

Copy of the original By-Laws and copy of the revised By-Laws.

G. STEPS FOLLOWING APPROVAL

Original to the Documents Library with copies to the Clerk, Board of Supervisors and to the Secretary of the Youth Commission.

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SECRETARY TO YOUTH COMMISSION 11/17/87

Revised

BY-LAWS  
SANTA CLARA COUNTY YOUTH COMMISSION

ARTICLE 1.  
Name

Section 1. The name of this organization is the Santa Clara County Youth Commission (hereinafter referred to as "the Commission").

ARTICLE 2.  
Membership

Section 1. The membership of the Commission shall be composed and the members appointed in the manner prescribed by County Ordinance No. NS 300.212, Section A6-81.

Section 2. The members of the commission shall be appointed for three years.

Section 3. A vacancy shall exist if a member misses three consecutive regular commission meetings without an excuse. In such cases, the recommending or nominating jurisdiction shall be notified and requested to nominate a replacement. Notice of such nomination shall be made in writing to the Chair of the Board of Supervisors.

ARTICLE 3.  
Purpose

Section 1. The purposes of the commission are:

(a) To consult and advise the Board of Supervisors in youth-oriented areas such as, but not limited to, education, career preparation, recreation, legal rights, crisis intervention centers, health education, youth input in government, the juvenile justice system, employment programs, and communication systems for youth.

ADOPTED BY THE BOARD OF SUPERVISORS  
OF SANTA CLARA COUNTY NOV 3 1987  
DONALD M. RAINS, CLERK OF THE BOARD  
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(b) To appoint ex-officio representatives to work as a liason with County organizations and agencies that directly affect youth.

(c) To appoint an ex-officio, non-voting representative to cooperate and communicate ideas in the overlying areas concerning youth to the Juvenile Justice and Delinquency Prevention Commission, Child Advocacy and Delinquency Prevention Commission and the Human Relations Commission.

(d) To consult and cooperate with local youth commissions and other public and private organizations, agencies and businesses.

(e) To conduct public hearings within the scope and function of the commission.

(f) To render to the Board of Supervisors, at least once each calendar year, a report of its activities.

(g) To recommend to the Board of Supervisors necessary procedures, programs or legislation to promote the concerns of youth.

(h) Subject to the approval of the County Executive, to request of any County department information, services, facilities, and any other assistance for the purposes of furthering the objectives of the commission.

#### ARTICLE 4. Organization

Section 1. The officers of this commission shall be a Chairperson and a Vice Chairperson, both of whom shall be members of the Commission. The officers shall be elected as soon as practicable, following the first day of July each year. Officers elected pursuant to Section 506 of the County Charter shall hold office for one year until re-elected or their successors are elected and assume office. No member shall serve in the same office for more than two consecutive years.

- Section 2. Regular meetings of the Commission shall be held on the fourth Monday of each month at 7:00 p.m. in the County Government Center, or as otherwise designated. In the event that a regular meeting day falls on a holiday, the following Monday becomes the Commission's regular meeting time.
- Section 3. No less than seven calendar days before each regular meeting of the Commission the Chairperson or Secretary shall mail a copy of the agenda and support material for that meeting to each member of the commission. No action shall be taken on any item not appearing on the posted agenda. However, the Commission may take action on items of business not appearing on the posted agenda under any of the following conditions:
- (a) Upon a determination by a majority vote that an emergency situation exists, as defined by Government Code §54956.5.
  - (b) Upon a determination by a two-thirds vote of the Commission, or, if less than two thirds of the members are present, a unanimous vote of those members present, that the need to take action arose subsequent to the posting of the agenda as required by Government Code Section 54954.2(a).
  - (c) The item was posted pursuant to Government Code §54954.2(a) for a prior meeting of the Commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.
- Section 4. Proper public notice is to be given for all meetings and adjourned meetings.
- Section 5. Special meetings of the Commission may be called by the Chairperson, or by a majority of the membership, at any time by giving proper public notice. Only announced agenda items may be considered at a special meeting.
- Section 6. Any regular or special meeting may be adjourned for cause, in good faith, when necessary for the expeditious transaction of business.

Section 7. Majority of the members shall constitute a quorum for the purpose of conducting its business and exercising its powers for all other purposes. No action of the Commission shall be valid unless at least a majority of the entire membership concurs therein.

Section 8. The voting on all matters may be by voice vote, except that the election of officers (excluding those elected pro tempore) shall be by secret ballot, and providing that a roll call vote may be called at the direction of the Chairperson or upon request by any member of the Commission. A roll call vote shall be recorded showing those voting Aye, No, Abstain, or Absent. No member shall be permitted to vote on a question unless present. Proxies shall not be permitted.

Section 9. The order of business at all meetings of the Commission shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Correspondence
5. Chairperson's Report
6. Public Presentations
7. Old Business
8. New Business
9. Announcements
10. Miscellaneous
11. Adjournment

Section 10. Meetings shall be conducted in accordance with Roberts Rules of Order except where preempted by these rules, the County Charter, or Sections A6-80 through A6-86 of the County Ordinance Code.

Section 11. The Chairperson shall preside at all meetings of the Commission. He/She shall sign all resolutions and other instruments made or promulgated by the Commission and shall perform such other duties as the Commission may prescribe. The Chairperson shall have the right to appoint sub-committees. He/she shall be an ex-officio member of all sub-committees.

- Section 12. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties until such time as a new Chairperson is elected by the Commission.
- Section 13. Should the office of Chairperson or Vice Chairperson become vacant during the term of such office, the Commission shall elect a successor from its membership at the earliest meeting at which such election would be practicable, and such election shall be for the unexpired term of such office.
- Section 14. In the event the Chairperson or the Vice Chairperson are both absent from a meeting, the Commission may elect a Chairperson Pro Tempore to preside over the meeting.
- Section 15. Discussion of any particular matter by either Commission members or by any member of the general public may be limited, at the discretion of the Chairperson, to such length of time as the Chairperson may deem reasonable under the circumstances.
- Section 16. From time to time special purpose sub-committees may be created for limited terms to perform functions which cannot, in the judgment of the Commission, be performed at a regular meeting. Resource persons not members of the Commission may be included in sub-committees. At least three members and not more than five members of the Commission shall serve on each ad hoc sub-committee. The authority of decisions as to ad hoc sub-committee reports to the Commission rests entirely with those sub-committee members who are also members of the Commission. However, dissenting opinions may be submitted. No action or recommendation of any ad hoc sub-committee is representative or binding on the Commission as a whole until voted on in regular session and passed by a majority.
- Section 17. The Clerk of the Board of Supervisors shall be ex-officio secretary of the Commission and shall be responsible for providing secretarial assistance to the Commission.

SANTA CLARA COUNTY YOUTH COMMISSION

BYLAWS

1. ESTABLISHMENT OF COMMISSION

The Santa Clara County Youth Commission was established by Ordinance No. NS 300.212 dated July 8, 1975 to encourage the participation of youth in the governmental process, especially in those areas which directly affect youth.

It has the authority to initiate studies and investigations, develop and recommend programs, disseminate information, seek to resolve complaints, hold public hearings, and to take other actions to accomplish its purposes. It is the official body to which the Board of Supervisors will refer for study and recommendation matters relating to youth.

2. MEMBERSHIP

(a) The Commission consists of fifteen (15) members allocated equally among the five (5) supervisorial districts and nominated and appointed pursuant to sections A5-37 and A5-38. Ten (10) of the fifteen (15) members of the Commission shall be under twenty-one (21) years of age at the time of appointment to the Commission. The remaining five (5) members shall be over twenty-one (21) years of age. The composition of the Commission shall try to achieve a representative cross section of the population of the county as to sex, race and economic background.

(b) A vacancy shall exist whenever a Commissioner fails to attend more than three (3) consecutive regular meetings of the Commission without good cause entered on the minutes.

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(c) The resignation of a Commissioner shall be in writing and shall be filed with the Clerk of the Board of Supervisors.

(d) Before any Commissioner enters on the duties of his or her office, he or she shall take the oath of office as required by Article XX, Section 3, of the California Constitution. A certified copy of the oath shall be filed in the office of the County Clerk.

### 3. ELECTION OF OFFICERS - POWERS AND DUTIES

(a) The officers of the Commission shall be a Chairperson and a Vice-Chairperson. These officers shall be elected from the membership of the Commission at the first regular Commission meeting in July. They shall hold office for one year until re-elected or their successors are elected. No member shall serve in the same office for more than one consecutive year but Commissioners may serve as officers for two years of their three year terms.

(b) The Chairperson, when present, shall preside at all meetings of the Commission, shall sign all resolutions, reports and other documents adopted by the Commission and shall make appointments to authorized committees of the Commission. All appointments shall be ratified by the Commission.

(c) The Vice-Chairperson shall have all the powers and duties of the Chairperson during the absence, or inability to act, of the Chairperson. In the absence of the Chairperson or Vice-Chairperson, the remaining members shall appoint one of their members to act as Chairperson Pro Tempore.

(d) When the office of Chairperson becomes vacant during the term of such office, the Vice-Chairperson shall become Chairperson and the Commission shall elect a successor for Vice-Chairperson from its membership



at the earliest meeting at which such an election is practicable. Such election shall be for the unexpired term of such office.

(e) Election of officers shall be conducted by secret ballot. The election of each office shall be conducted separately. The Chairperson shall open nominations and each nomination for office shall require a second. There will be no limit as to the number of nominees. Upon motion, subject to Robert's Rules of Order, the Chairperson shall close the nominations, whereupon each nominee shall be given a maximum of five minutes for an election speech. Each nominee has the option to have another Commissioner speak in their behalf. Election to office shall require a majority (fifty-one per cent) of the Commission or at least eight votes. In the event of a tie, the two nominees with the most votes shall have a run-off election if their votes total at least a majority of the Commission (eight votes). If the total of the votes of the two leading contenders do not total at least eight votes, a run-off shall take place and all original nominees shall be included and each candidate or designee shall have an additional minute to promote his/her candidacy. In the event of a tie for second place, a run-off shall be held between the top three contenders.

#### 4. MEETINGS OF THE COMMISSION

(a) All meetings of the Commission shall be open to the public. The Commission shall hold regular monthly meetings with notice to be posted for the public in a conspicuous place.

(b) Special meetings of the Commission may be called by order of the Chairperson, or by three or more of the members of the Commission, by delivering personally or by mail written notice to each member of the Commission and to each local newspaper of general circulation, radio or

television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified therein. The notice shall specify the time and place of the special meeting and the business to be transacted thereat, and no other business shall be considered at such meeting.

5. QUORUM - VOTES REQUIRED

(a) The presence of a majority of the members of the Commission shall constitute a quorum.

(b) When a quorum is present, the adoption of any motion shall require the concurrence of a majority of the membership.

(c) No member shall be permitted to vote on a question unless present. Proxies shall not be permitted.

6. COMMISSION AGENDA

The Chairperson shall prepare the agenda for the Commission. Commissioners placing items on the agenda of any regular meeting shall file them with the Secretary of the Commission by noon Monday the week before the scheduled meeting.

7. COMMITTEES

The members of a committee created by the Commission shall be appointed by the Chairperson. Any committee shall be composed only of Commission members, and no committee shall consist of less than three (3) or more than five (5) members.

8. PUBLIC HEARINGS

Unless otherwise ordered by the Commission, public hearings shall be held at the times and in the place set for regular meetings of the Commission.

Notice of such hearings shall be given personally or by mail to the parties in interest at least forty-eight (48) hours in advance thereof. Within the discretion of the Commission, a continuance of a hearing and an extension of time to appear may be granted upon the request of a party or of a necessary witness.

9. AMENDMENTS TO BYLAWS

(a) These Bylaws may be amended at any meeting of the Commission provided written notice has been given to each Commissioner at least seven (7) calendar days prior to the meeting. The notice shall identify the section or sections of the Bylaws proposed to be amended and shall set forth the text of said section or sections as proposed to be amended. If the proposed amendment consists of the addition of one or more sections, the complete text thereof shall be set forth in the notice. Any proposed amendment may be further amended at such meeting without further notice and thereafter adopted at such meeting as modified.

(b) Amendments of the Bylaws shall require the affirmative vote of a two-thirds majority of the members of the Commission and approval of the Board of Supervisors.

10. RULES OF ORDER

Except as provided in these Bylaws, meetings, hearings and other business of the Commission shall be conducted in accordance with Robert's Rules of Order, latest edition.

ADOPTED BY THE SANTA CLARA COUNTY YOUTH COMMISSION - February 23, 1976.

SANTA CLARA COUNTY YOUTH COMMISSION

BYLAWS

PROVISO

1. MEMBERSHIP

The terms of the first appointees shall be staggered so that the terms of five (5) Commissioners shall expire on July 1, 1976, five (5) shall expire on July 1, 1977, and five (5) shall expire on July 1, 1978.

2. ELECTION OF OFFICERS - POWERS AND DUTIES

The first officers may be elected prior to July 1, 1976 and shall serve until the first regular meeting after July 1, 1977.

ADOPTED BY THE SANTA CLARA COUNTY YOUTH COMMISSION - February 23, 1976.

TUESDAY, JANUARY 14, 1997

Supervisor Beall concludes by speaking of efforts to maintain the County's credit rating and financial position through fiscal restraint and hard work.

On Board consensus, it is ordered that the meeting be adjourned in honor and memory of Ed Lewis, longtime Alum Rock School District  
<SC> educator and administrator; and, that a letter of condolence be forwarded to the Lewis family.

On order of the Chairperson, there being no objection, the meeting is adjourned at 11:57 a.m. to an open session on Monday, January 27, 1997 at 1:30 p.m., in the Tenth Floor Conference Room, County Government Center, 70 West Hedding Street, San Jose, to publicly announce the issues to be discussed in closed session, subsequently adjourning to said closed session.

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James T. Beall, Jr., Chairperson  
Board of Supervisors

ATTEST: PHYLLIS PEREZ, Clerk  
Board of Supervisors

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