

SAN JOSÉ SENIOR CITIZENS COMMISSION

BY-LAWS **Issued October 10, 1991**

Revision #11, As amended on May 14, 2009

1. PURPOSE

The primary purpose of the Senior Citizens Commission of San José is to study, review, evaluate and make recommendations to the San José City Council relative to any and all matters affecting older adults in the City, including without being limited thereto, health, safety, welfare, education, employment, housing, transportation and recreation; and to make such studies and submit to the Council such reports or recommendations respecting matters affecting older adults, including without limitations those here-in-above provided, as the Council may from time to time request. The secondary purpose is to study, review evaluate and make recommendations to any other governmental body, agency or entity relative to any and all matters affecting older adults.

2. OFFICE

The office of the Senior Citizens Commission of San José shall be at the San José Office on Aging (located in the Almaden Winery Community Center, 5730 Chambertin Drive San Jose 95118).

3. MEETINGS

a. Regular Meetings:

The Senior Citizens Commission shall meet in regular session each month, except the month of July. Meetings of the Senior Commission shall normally be held at the San José Office on Aging unless otherwise determined by a special request of the community or a senior commissioner.

b. Special Meetings:

Special meetings may be called by the Chairperson or upon the request of at least three (3) Commissioners to the Chair. Commissioners may be notified at the regular Commission meetings or by written notice delivered by hand or e-mail to Commissioners

not less than two (4) calendar days prior to the meeting, or no less than seven (7) days prior to the regular meeting

c. Quorum:

A quorum shall consist of a majority of the filled and vacant seats of the Commission. Motions shall be passed by a majority vote of Commissioners at any meeting where a quorum is present.

d. Conduct of Business/Open Meetings:

The most current edition of Robert's Rules of Order shall be used to conduct all Commission and Committee business. All Commission meetings shall observe the provisions of the Brown Act, San Jose City's Municipal Code and any applicable City Council Policies as interpreted by the San Jose City Attorney. The Vice Chair shall serve as parliamentarian and shall have the final decision regarding questions of interpretation related to Robert's Rules of Order.

e. Annual Retreat

The Senior Commission shall convene an Annual Retreat each year, which will be scheduled in lieu of the regular Commission meeting for that month.

f. Attendance Requirement

The San Jose Municipal Code, Section 2.08.060 provides details of attendance requirements for commissioners and states: a member of any commission shall be deemed to have automatically resigned from office if:

The commission has more than four regular meetings in any calendar year, and the member has unexcused absences from either three consecutive regular meetings or more than 20% of the total number of regular meetings in any calendar year (3 meetings in the case of the senior commission).

Furthermore, the following shall be considered an excused absence: 1) an absence due to illness of the member, or illness or death of a member's spouse, parent, child, brother or sister; or 2) an absence because a member is away on authorized commission business.

Within a reasonable period, but not exceeding ten days after a member has been deemed to have resigned pursuant to this section, the Secretary of the Commission shall notify the city clerk of the vacancy and the city clerk shall thereupon notify the commissioner that the commissioner is deemed to have resigned pursuant to this section. The city clerk shall simultaneously notify the city council that the vacancy exists as a result of the automatic resignation.

A commissioner shall be deemed absent from a meeting if the member fails to be in attendance for at least one-half of the duration of a regular meeting (1.5 hours).

A commissioner whose seat has become vacant by virtue of the above provisions may be reappointed to his or her former office for the balance of the commissioner's unexpired term if the council finds there was a good excuse for the commissioner's absence from meetings or finds the reappointment will be in the best interests of the city.

In the event of reappointment, the previous unexcused absences of the reappointed member shall not be considered in determining any future resignation of the commissioner.

The Office on Aging requires that commissioners contact the Secretary of the commission if they will not be attending the monthly commission meeting.

4. OFFICERS

The officers of the Senior Citizens Commission shall be Chairperson and Vice Chairperson.

- a. The officers of the Senior Citizens Commission shall be elected by the members of the Commission annually during the June meeting to serve for one (1) year. No officer may serve more than two (2) consecutive terms in the same office.
- b. The Senior Citizens Commission may appoint such other officers from time to time as business may require.

- c. Any officer of the Senior Citizens Commission may be removed from the position as officer by a majority vote at any regular meeting or special meeting of the Senior Citizens Commission.
- d. The Chairperson shall preside at all meetings of the Commission and shall perform his/her duties in accordance with the law, the City Charter of San Jose, these by-laws, and Robert's Rules of Order. The Chair shall be an ex-officio member of all committees except for the Nominating Committee. A member of the Senior Commission may be appointed by the Chair as an ex-officio member of all committees except for the Nominating Committee.
- e. In the absence of the Chairperson, the Vice-Chairperson shall perform all the duties of the Chairperson as outlined in 4(d) above. In the absence of the Chair and Vice Chair, any member may call a meeting to order and a Chair Pro Tem may be elected. Other Commissioners may represent the Commission in the community when authorized to do so by the commission or when conveying an official position of the commission.
- f. In the event that the Chairperson resigns from the Commission and/or the position of Chair, the Vice Chair shall ascend to the position of Chairperson. The Nominations Committee will be reconvened to nominate potential candidates and an election shall be held to select a Vice Chair for the remainder of the term.

5. COMMISSIONER EMERITUS

- a. A Member of the Senior Citizens Commission may be awarded the honor of Senior Commissioner Emeritus at the end of that commissioner's term of office. To be eligible for this honor, a commissioner shall have been responsible for unique, extraordinary, direct, and realized contribution(s) to San Jose seniors, above and beyond the duties and responsibilities required of each commissioner. This award shall be considered to be an extraordinary honor from a commissioner's peers, and shall not necessarily be awarded annually.

- b. The Nominations Committee shall consider the qualifications of all commissioners completing their term of office by reviewing the criteria listed in the By-laws above. If the committee decides to put forth a nomination it will be agendized for a vote at the June commission meeting. A two-thirds majority vote is required to confirm the nomination as a Commissioner Emeritus.
- c. The title of Commissioner Emeritus is an honorary award and confers no specific rights upon the honoree; however, a Commissioner Emeritus may serve as a community member on Commission Committees and/or represent the Commission in the community at the request of the Chairperson. A Commissioner Emeritus may not make motions or vote at Commission meetings unless the person is a regular member of the Commission.
- d. An active Commissioner Emeritus shall attend a minimum of two (2) regularly scheduled Senior Citizens Committee meetings annually. In the absence of this attendance, Commission Emeriti will, at the recommendation of the Nominations Committee be deemed Inactive.

6. LIAISONS

The Chairperson of the Senior Citizen's Commission, with the assistance of the Executive Committee and staff, shall appoint liaisons to other City Commissions and/or Committees, as well as outside agencies.

- a. Liaisons to other City Commissions and/or Committees shall be appointed upon the request of that Commission or Committee or outside agency.
- b. Liaisons from other City Commissions and/or Committees as well as outside agencies shall be encouraged. The Commission shall request other groups to appoint such liaisons if the Commission determines it is warranted.
- c. A Special Liaison to the City shall be appointed by the Chair, with the assistance of the Executive Committee.

7. RELATIONSHIP TO THE OFFICE ON AGING

The primary role of the Senior Citizens Commission in its relationship to the Office on Aging is as an advisory body. The Commission shall hear monthly reports from the Office on Aging staff regarding their activities in providing services to the aged of San José.

The Commission may serve as an advisory body to staff actions and studies and participate as an active partner in the planning of Office on Aging programs.

The Commission may recommend policy to and/or review policies recommended by staff.

The Commission may request staff to prepare studies, as needed, to be reviewed by the Commission prior to recommendations to City Council.

The Office on Aging staff shall bring issues of possible interest to the attention of the Commission from time to time. Staff shall keep Commissioners informed of such issues as appropriate. Staff may occasionally recommend that the Chairperson convene a special meeting.

8. PRINCIPAL ACTIVITIES

The principal activities of the Senior Citizens Commission shall include but not be limited to:

- a. Solicit input on designated topics and issues from senior citizens who are residents of San José, and other members of the public.
- b. Seek and review studies and information provided by fellow Commissioners, the public and/or staff for recommendation to the City Council or other governmental bodies, agencies or entities.
- c. Develop and present recommendation to the City Council or other governmental bodies, agencies or entities.

- d. Develop and present recommendations to the Office on Aging staff.
- e. Participate in planning activities of the Office on Aging.

9. COMMITTEES

Committees shall research, analyze and recommend actions to the full Senior Citizens Commission regarding any issues involving San José's older adults.

a. Executive Committee

The Executive Committee shall be composed of the Commission Chairperson, Vice Chairperson, Health and Safety Chairperson, Housing and Human Services Chairperson and Office on Aging staff. The immediate Past Commission Chairperson shall be a member of the Executive Committee if still a Commission member. This committee shall meet monthly on a regularly scheduled basis to meet their responsibility for Agenda review, subject to proper posting of notice of the meeting as required under the California open meetings act, "the Brown Act".

b. Appointment to Committees:

The chairperson of the Senior Citizens Commission, with the assistance of the Executive Committee and staff, shall appoint a Health and Safety Committee and a Housing and Human Services Committee annually.

All commissioners will be assigned in equal numbers as far as possible to the two committees. Each Commissioner shall serve on at least one committee. A simple quorum shall be needed to conduct business.

c. Committee Meetings:

Committees shall meet monthly on a regularly scheduled basis. Additional meetings for special purposes may be held when appropriate.

d. Non-Commissioner Membership on Committees:

The San José Municipal Code, Section 2.08 provides for the membership of community members who are not commissioners on Commission committees. The number of such non-commissioner committee members shall not exceed three (3) per committee. Non-commissioner committee members shall be appointed by the Chairperson of the Commission with the assistance of the Executive Committee and with the consent of the committee to which they shall be appointed. Non-commissioner members shall serve at the pleasure of the Commission and for such time as is deemed helpful or needed by the Commission. Non-commissioner committee members shall have full voting rights with Commission members at committee meetings only.

e. Resource Persons:

The committees may invite community members who are experts in various aging and/or human services fields to serve as committee resource persons. These resource persons could be called upon to inform the committees, when appropriate, on key issues. They would not be committee members.

f. Quorum

The quorum for the above committee meetings shall consist of a simple majority.

g. Nominations Committee:

The Nominations Committee shall be elected at the April Senior Citizens Commission meeting and the committee Chairperson shall be elected from within the committee. Said committee shall consist of five (5) Commissioners, excluding the Chairperson and Vice Chairperson. A quorum shall consist of three (3) Commissioners.

The committee shall be responsible for the nomination of a slate of officers for the following year and shall present such a slate at the June Commission Meeting. Members of the Nominations Committee are not barred from becoming nominees for office themselves. At the June meeting, nominations from the floor may be made provided the consent of the nominee shall have been secured. Nominations shall be closed at the June meeting, and the Commission shall vote on the

nominated officers at the June Commission meeting by a show of hands. Voting shall not be done by secret ballot.

Any Senior Citizens' Commissioner who wishes to self-nominate may submit his or her name to the Nominating Committee and their name shall be included on the slate.

The Nominations Committee shall also meet to nominate a Chairperson or Vice Chairperson in the event that the incumbent Chairperson or Vice Chairperson vacates his or her office prior to the completion of his or her term.

This committee shall also be responsible for reviewing all Commissioners whose terms are expiring, for Senior Commissioner Emeritus status. The Criteria and Process to Emeritus status are described in Section 5 above.

h. Health and Safety Committee:

This committee shall work to help ensure that current levels of health services to San José seniors are being maintained and shall hear reports and identify providers to be monitored.

This committee shall help to ensure the development of needed health and safety service levels in the community and shall include but not be limited to: in-home support services; health services; substance abuse; nursing home services; transportation; and public safety issues.

i. Housing and Human Services Committee:

This committee shall monitor current housing services and resources. It shall identify factors to be monitored. It shall hear reports on service delivery and shall advocate to the Commission the development of services and facilities to meet levels of needs.

Included in this committee's responsibilities shall be other services such as senior centers, meal programs, social services, etc.

10. BY-LAWS AMENDMENTS

- a. All proposals must be submitted in writing to the Chairperson or staff, agendized at the next Commission meeting, and mailed with the Agenda.

- b. Commissioners shall study and/or discuss the proposed amendments as submitted.

- c. Adoption of proposed by-law amendments shall require a two-thirds majority vote.

- d. Amendments to these By-Laws shall become effective (immediately) upon adoption by the Commission, unless otherwise provided in the amendment.