

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-10

Urgent Routine

AGENDA DATE April 3, 2012

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt a Resolution Authorizing the Formation of the Veterans Advisory Commission and Approval of Commission By-Laws

STAFF RECOMMENDATIONS:

1. Adopt the resolution authorizing the formation of the Veterans Advisory Commission.
2. Approve the Veterans Advisory Commission By-laws.

FISCAL IMPACT:

There will be minimal costs associated with the start-up of the Veterans Advisory Commission. The Aging and Veterans Services Department's Fiscal Year 2011-2012 Adopted Final Budget included \$332,305 for the Veterans Services Division.

BOARD ACTION AS FOLLOWS:

No. 2012-149

On motion of Supervisor Withrow, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, De Martini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. BD-85-1

DISCUSSION:

On August 17, 2004, representatives from local veterans' organizations addressed the Board of Supervisors requesting assistance in the development of new facilities to serve the needs of those who have served in the nation's armed forces. The Board directed staff from the Chief Executive Office, (CEO) and the Veterans Service Office (VSO) to work with these local veteran organizations to identify potential options that might address their facility needs. Currently there are approximately 35,000 veterans in Stanislaus County.

On October 11, 2005, the Board approved the County-wide Veterans Memorial District and Facilities Master Plan, supported the Stanislaus County Veterans Memorial District Committee to proceed with collecting signatures for the formation and election of District Officers and directed staff to return to the Board upon the collection of the required number of valid signatures needed to qualify for the ballot process.

On February 3, 2012, local veterans' organizations presented the required number of validated signatures to the Clerk-Recorder required by law to proceed with the formation of the district. On February 14, 2012 the Board of Supervisors accepted the Clerk-Recorder's Certified Statement of the results of the petition and set a public hearing on March 6, 2012 at 9:10 a.m. to consider the matter. On March 6, 2012, at the conclusion of the public hearing, the Board of Supervisors ordered a special election to vote on the formation of the district and to elect the members of the first board of directors, and directed the County Elections Official to place the measure on the June 5, 2012 Presidential Primary election ballot.

On March 9, 2012, the veterans' organizations that sponsored the petition for the Memorial District presented a letter to the Chief Executive Officer requesting the Board of Supervisors withdraw the order for the special election to form a Veterans Memorial District and instead, requested that a local Stanislaus County Veterans Advisory Commission be created. After meeting with staff from the Chief Executive Office and County Counsel, the group felt that the formation of the district would be a tremendous financial burden on the citizens of Stanislaus County. The advisory commission would provide a way to advise the Board of Supervisors and staff on matters pertaining to veterans and facilitate the continued discussions regarding veterans' facility needs.

On March 13, 2012, the Board of Supervisors rescinded prior approval and withdrew the order to hold a special election on the formation of the district and election of the members of the board of directors, adopted an order pursuant to Military and Veterans Code section 1178 abandoning the creation of the proposed district, and directed staff to work with the Veterans organizations and return to the Board of Supervisors with suggestions on how the county may

assist in establishing their goal of creating a more formal organization as well as identifying facility needs.

On March 29, 2012, staff met with members of the veterans organizations that sponsored the petition to discuss the formation of the Veterans Advisory Commission. Based upon these discussions, staff is recommending that the Board adopt the resolution (Attachment A) authorizing the formation of the Veterans Advisory Committee, to include the following:

Purpose of the Veterans Advisory Commission

Commissioners will represent all veterans in Stanislaus County by advising the Board of Supervisors and County staff generally on matters pertaining to veterans, hold informal public meetings, provide the public with information and receive comments relative to veterans' issues.

Membership

Seven commissioners appointed by the Board of Supervisors; one from each Supervisorial District and two Public At-large representatives appointed by the Chair and Vice Chair of the Board of Supervisors. Commissioners must be a resident of Stanislaus County and an honorably discharged veteran of the armed forces of the United States of America.

Term

Regular members of the Veterans Advisory Commission shall be appointed by the Board of Supervisors for a term of two years. Four of the original seven members shall serve a single one-year initial term, after which the standard two-year term will apply. At-large members of the Veterans Advisory Commission shall be appointed for a term of one year, and shall be nominated by the Chairman and Vice-Chairman of the Board of Supervisors. Approval of each member shall be by a majority vote of the Board of Supervisors. Vacancies shall be filled by appointment for the unexpired portion of the term. Commission members are subject to a limit of six consecutive years of service on the Commission. Former members of the Commission who have termed out may be reappointed to a vacant seat if two years have passed since the expiration of their final term.

Meetings

Meetings will be held monthly. A regular meeting time and location shall be designated by the Commission Chair, and may be amended from time to time.

Approval to Adopt a Resolution Authorizing the Formation of the Veterans
Advisory Commission and Adoption of Commission By-Laws
Page 4

Upon approval of the formation of Veterans Advisory Commission, the Clerk of the Board will post the commission vacancies. Candidates for the commission will be returned to the Board for approval on May 8, 2012.

County staff will meet with the Commission or it's designated representative veterans to review the availability of potential facilities and veteran's needs by evaluating:

- 1) Existing locations used or available to veteran service groups throughout the Stanislaus County area. Current meeting locations were identified in a survey conducted in 2004 and will be updated, then geographically plotted for discussion.
- 2) Existing County facility sites and properties to determine if any County facilities may be well suited for dedicated use by veterans.
- 3) Short-term and long-term needs in terms of size, type, location and accessibility. These needs will be documented to serve as a guide in searching for other (non-County) facilities solutions.

Staff will return to the Commission to report the findings of this analysis. Depending on the outcome of the search for meeting facilities, staff will recommend further actions needed to secure long-term facilities for veterans use.

Staff is also recommending the adoption of the attached Veterans Advisory Commission by-laws (Attachment B).

POLICY ISSUE:

Approval of this request supports the Board's priorities of A Healthy Community and the Efficient Delivery of Public Services by providing a mechanism to support local veterans in our community in an efficient and effective manner.

STAFFING IMPACT:

Existing staff from the Chief Executive Office and Department of Aging and Veterans will provide support to the Veterans Advisory Commission.

CONTACT INFORMATION

Patricia Hill Thomas, Chief Operations Officer/Assistant Executive Officer
525-6333

ATTACHMENT B
FROM CLERK

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: April 3, 2012

2012-149

On motion of Supervisor Withrow Seconded by Supervisor Monteith
and approved by the following vote,
Ayes: Supervisors: Chiesa, Withrow, Monteith, DeMartini, and Chairman O'Brien
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # B-10

**RESOLUTION FOR THE FORMATION OF THE VETERANS ADVISORY COMMISSION
AND ADOPTION OF THE BY-LAWS**

Whereas, on March 13, 2012, the Board of Supervisors directed staff to work with veterans organizations to assist in establishing a more formal organization to represent veterans; and,


Whereas, the Veterans Advisory Commission will advise the Board of Supervisors on matters pertaining to veterans; and,

Whereas, the members of this commission will represent all veterans in Stanislaus County by advising the Board of Supervisors and County staff generally on matters pertaining to veterans, hold informal public meetings, provide the public with information and receive comments relative to veterans' issues; and,

Whereas, members of the Veterans Advisory Commission must be a resident of Stanislaus County and an honorably discharged veteran of the armed forces of the United States of America.

Now, Therefore Be It Resolved, that the Stanislaus Board of Supervisors does hereby create the Veterans Advisory Commission composed of seven commissioners appointed by the Board of Supervisors; one from each Supervisorial District, and two At-Large representatives appointed by the Chairman and Vice Chairman of the Board of Supervisors.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California



File No. BD-85-1



**STANISLAUS COUNTY
VETERANS ADVISORY COMMISSION**

BYLAWS

ARTICLE I

Name

The name of this body shall be the Stanislaus County Veterans Advisory Commission. Wherever the term "Commission" is used in these Bylaws, it shall mean the Stanislaus Veterans Advisory Commission.

ARTICLE II

Authority

The authority of the formation and operation of this Commission is set forth by the Stanislaus County Board of Supervisors' Resolution #2012-XX dated April 3, 2012.

ARTICLE III

Purpose

The purpose of this Commission shall be to represent all veterans in Stanislaus County by advising the Board of Supervisors and County staff generally on matters pertaining to veterans, hold informal public meetings, provide the public with information and receive comments relative to veterans' issues.

ARTICLE IV

Membership

- a. The composition of the Commission shall consist of seven appointed voting members, one from each Supervisorial District and two members from the public at-large.
- b. Members of the Commission shall be residents of Stanislaus County and honorably discharged veterans of the Armed Forces of the United States.
- c. Regular members of the Veterans Advisory Commission shall be appointed by the Board of Supervisors for a term of two years. Four of the original seven members shall serve a single one-year initial term, after which the standard two-year term will

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apply. At-large members of the Veterans Advisory Commission shall be appointed for a term of one year, and shall be nominated by the Chairman and Vice-Chairman of the Board of Supervisors. Approval of each member shall be by a majority vote of the Board of Supervisors. Vacancies shall be filled by appointment for the unexpired portion of the term. Commission members are subject to a limit of six consecutive years of service on the Commission. Former members of the Commission who have termed out may be reappointed to a vacant seat if two years have passed since the expiration of their final term.

- d. Members of the Commission shall serve without compensation.
- e. Members of the Commission shall acknowledge and adhere to all applicable County policies including but not limited to Non-Discrimination; Code of Ethics; Conflict of Interest; Harassment, Discrimination and Retaliation; and Political Activities.

ARTICLE V
Officers

- a. The Commission shall, at its regular meeting in July of each year, elect a Chair, Vice Chair, and Secretary. These persons shall serve for one year.
- b. The duties of the Chair are to preside over all Commission meetings.
- c. The duties of the Vice Chair are to assume the duties of the Chair when he/she is absent.
- d. The duties of the Secretary are to record and maintain the minutes and other records of the Commission, and to receive communications and correspondence addressed to the Commission.

ARTICLE VI
Meetings

- a. The Commission shall hold regular monthly meetings on a schedule to be established and announced by the Commission. A regular meeting time and location shall be designated by the Chair.
- b. The Commission may, through public notification, call for those special meetings it deems necessary.
- c. All special and regular meetings of this Commission shall comply with California Government Code Sections 54950 et seq (The Brown Act).

**ARTICLE VII
Committees**

There shall be such standing, special and ad hoc committees or task forces as the Chair shall appoint with the approval of the Commission.

**ARTICLE VIII
Parliamentary Rules**

- a. The meetings of the Commission shall be conducted in accordance with *Robert's Rules of Order* (Revised Edition) and the Brown Act.
- b. Four of the total voting membership at the time of the meeting shall constitute a quorum.
- c. A majority of the Commission members present and voting, provided there is a quorum, shall constitute the vote required for action.
- d. Members are expected to attend all meetings of the Commission. A member who is unable to attend a meeting shall give advance notice of his/her inability to attend to the Chair of the Commission.

**ARTICLE IX
Conflict of Interest**

- a. Commission members shall not make, participate in making, or in any way attempt to use their position to influence a decision in which he/she knows or has reason to know he/she has a financial interest. In all such cases, the affected member shall disclose their interest in the records of the Commission and shall refrain from participating in all discussions and votes concerning the matter in which they have a financial interest.
- b. As an advisory commission to the Stanislaus County Board of Supervisors, members shall refrain from using the Commission or their individual status as members of the Commission, to advocate for or support issues of personal interest.
- c. Commission members shall not use their status on the Commission to support political activities of any kind (this includes use of official County or Commission letterhead, that might imply official endorsement).

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Bylaws

- d. Commission members shall not use, promise, threaten or attempt to use their County position or official authority to influence the political actions of other County officers or employees or those seeking County employment.

ARTICLE X
Amendments

The Veterans Advisory Commission may amend its Bylaws in the following manner: (1) the amendment must be submitted in writing at the monthly meeting preceding the one at which it is to be voted upon, with a copy for each Commission member; (2) at the next monthly meeting the amendment shall be placed on the agenda, for discussion and vote; (3) adoption of the amendment shall be by a majority of the votes cast by the Commission, a quorum being present; and (4) upon approval by the Stanislaus County Board of Supervisors, the amendment will be considered adopted and the Bylaws amended.

ARTICLE XI
Vacancies

Vacancies on the Commission shall exist on the death, resignation or removal of any member, and whenever the number of authorized members is increased. The Commission members may declare vacant the seat of a Commission member who has missed three unexcused absences from the regular meeting dates, during any twelve month period, or has been declared of unsound mind by a final order of court, or has been convicted of a felony. Any member may resign effective upon giving written notice to the Chair of the Commission or the Stanislaus County Board of Supervisors, unless the notice specifies a later time for the effectiveness of such resignation.

Vacancies on the Commission may be filled by the Stanislaus County Board of Supervisors.

Veterans Advisory Commission



- On August 17, 2004, representatives from local veterans' organizations requested assistance in the development of new facilities to serve veterans needs.
- The Board directed staff from the Chief Executive Office, and the Veterans Service Office to work with these local veteran organizations to identify potential options that might address their facility needs.



- On October 11, 2005, the Board approved the County-wide Veterans Memorial District and Facilities Master Plan and supported the Stanislaus County Veterans Memorial District Committee to proceed with collecting signatures for the formation and election of District Officers.



- On February 3, 2012, local veterans organizations presented the required number of validated signatures to the Clerk-Recorder.
- On February 14, 2012 the Board of Supervisors accepted the Clerk-Recorder's Certified Statement of the results of the petition and set a public hearing on March 6, 2012 to consider the matter.



- On March 6, 2012 the Board of Supervisors ordered a special election to vote on the formation of the district and to elect the members of the first board of directors, and directed the County Elections Official to place the measure on the June 5, 2012 Presidential Primary election ballot.



- On March 9, 2012, the veterans' organizations that sponsored the petition for the Memorial District requested the Board of Supervisors withdraw the order for the special election to form a Veterans Memorial District and instead, requested a local Stanislaus County Veterans Advisory Commission be created.



- On March 13, 2012, the Board of Supervisors rescinded prior approval and withdrew the order to hold a special election on the formation of the district and election of the members of the board of directors and adopted an order pursuant to Military and Veterans Code section 1178 abandoning the creation of the proposed district.



- The Board also directed staff to work with the Veterans organizations to create a Veterans Advisory Commission.
- On March 29, 2012 staff met with members of various Veterans organizations.
- Staff is recommending the Board adopt the resolution authorizing the formation of the Veterans Advisory Commission, to include the following:



Purpose:

- Commissioners will represent all veterans in Stanislaus County by advising the Board of Supervisors and County staff generally on matters pertaining to veterans, hold informal public meetings, provide the public with information and receive comments relative to veterans' issues.



Membership Requirement

- Commissioners must be a resident of Stanislaus County and an honorably discharged veteran of the armed forces of the United States of America.



Membership

- Seven commissioners appointed by the Board of Supervisors.
- 5 Regular members; one from each Supervisorial District and 2 At-Large representatives nominated by the Chairman and Vice Chairman of the Board of Supervisors.



Term

- Regular members of the Veterans Advisory Commission shall be appointed by the Board of Supervisors for a term of two years.
- At-large members of the Veterans Advisory Commission shall be appointed for a term of one year.



- Commission members are subject to a limit of six consecutive years of service on the Commission.
- Former members of the Commission who have termed out may be reappointed to a vacant seat if two years have passed since the expiration of their final term.



Meetings

- Subject to the Brown Act, will be held monthly.
- A regular meeting time shall be designated by the Commission Chair.



- Upon approval of the formation of Veterans Advisory Commission, the Clerk of the Board will post the commission vacancies.
- Candidates for the commission will be returned to the Board for approval on May 8, 2012.



County staff will meet with the Commission or it's designated representatives to review the availability of potential facilities and veteran's needs by evaluating:

- Existing locations used or available to veteran service groups throughout the Stanislaus County area.



- Existing County facility sites and properties to determine if any County facilities may be well suited for dedicated use by veterans.
- Short-term and long-term needs in terms of size, type, location and accessibility.
- These needs will be documented to serve as a guide in searching for other (non-County) facilities solutions.



- Staff will return to the Board to report the findings of this analysis and to recommend further actions, if needed to secure long-term facilities for veterans use.



Never doubt that a small group of
thoughtful people could change the world.
Indeed, it's the only thing that ever has.

Margaret Mead

Staff Recommendations:

1. Adopt the resolution authorizing the formation of the Veterans Advisory Commission.
2. Approve the Veterans Advisory Commission by-laws.





Questions

