



County of _____
 Community Action Agency
DELINEATION OF POWERS
BETWEEN GOVERNING BOARD AND COMMUNITY ACTION COMMISSION

Revised 10/20/97

It is the desire of the Board of Supervisors of the County of _____ in their capacity as the Governing Board of the Community Action Agency (CAA), to maintain relationships with the Community Action Commission (and other organizational elements of the CAA and community), which are harmonious and most conducive to effective performance of the Community Action Program in _____ County. The following delineation of powers between the Governing Board and the Community Action Commission recognizes that certain responsibilities exist which the Governing Board cannot delegate under the terms of Senate Bill ____ and the _____ Administrative Code relating to the Community Services Block Grant. This specifically includes responsibility for proper use of funds and the continued viability of the program of the CAA.

I. POWERS OF THE GOVERNING BOARD:

The Governing Board, within the framework of SB _____ and CSBG regulations and other applicable funding sources will:

- A. Approve fiscal policies, program applications and proposals, budgets and reports per Sections _____.
- B. Approve all program plans and priorities per Section _____ of the CSBG Regulations.
- C. Select the Director
- D. Direct the CAA to undergo annual audits
- E. Approve the By-Laws for the Community Action Commission per Section _____ of Government Code.
- F. Retain authority to expand or contract, to alter or amend any of the powers or responsibilities delegated to the Community Action Commission.

II. POWERS OF THE COMMUNITY ACTION COMMISSIONS:

The Community Action Commission shall have the following duties and responsibilities:

- A. Make recommendations to the Governing Board concerning the exercise of any of the Board's powers.
- B. Supervise all programs, administrative and financial policies and procedures adopted by the governing officials for the implementation and conduct of programs by the DCA.
- C. Supervise adherence to all policies and standards of the Department of Community Services and Development.

- D. Assist the Governing Board on the selection and evaluation of the Director.
- E. Select its own officers, executive committee and/or other committees in accordance with the By-Laws of the Community Action Commission.

The governing Board will give the Community Action Commission sufficient notice of any action that it deem appropriate in order to allow the Community Action Commission an opportunity to advise.

The Community Action Commission will make recommendations will make recommendations to the Board in a timely manner on Community action matters requiring action by the Board.

The Governing Board will provide for direct communication with the Community Action Commission.

The Community Action Commission shall be a continuous and effective mechanism for securing community involvement in community programs.

With regards to Commission membership, the Community Action Commission will report to the Board of Supervisors.

- A. Public sector representative designed by their respective cities.
- B. Low-income sector representatives following elections.
- C. Private sector representatives designated by their respective organizations.

These reports will be made at the Joint Meeting held annually.

The term “supervise” in part II, items B and C above shall be defined as the delegation of the authority to periodically review, investigate and evaluate the adherence of the staff of the DCA and sub-contractors (i.e. delegate agencies) to the policies and procedures established by the Department of Community Services and Development and by the Board of Supervisors of the County of _____ for the implementation of the Community Action Program. It is recognized that authority for the day-to-day supervision of the DCA and Community Action Program is vested in the Executive Director of the DCA; however, the Community Action Commission may request that the Director provide them with timely and detailed reports on the implementation and administration of the Community Action Program in _____ County.

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Sec. 27-40. Statement of policy.

It is the public policy of the County to promote programs to create an awareness of poverty; promote coordination among private and public agencies concerned with poverty; promote better use of existing resources and develop leadership among poor citizens to solve community problems; and develop broad community strategies to attack the basic causes of poverty. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 15; 1997 L.M.C., ch. 25, §1.)

Sec. 27-41. Creation and organization.

(a) *Established; purpose.* There is a Community Action Agency within the Executive branch of the County government. The Agency creates and maintains community action programs to encourage the use of public and private resources to enable low-income people to become self-sufficient; to reduce poverty in the County; to involve the low-income population in developing and carrying out anti-poverty programs in the County; and to make government more responsive to the needs of low-income people.

(b) *Governing board and staff.* The community action agency consists of:

- (1) the Community Action Board; and
- (2) merit system employees of the County government, including an executive director and other staff necessary to assist the Board. The Board generally directs and supervises the staff.

(c) *Board-Composition; membership.*

- (1) The Community Action Board consists of not more than 39 nor less than 27 members.
- (2) At least one-third of the members must be representatives of low-income persons in the county, and one-third must be public officials or their representatives. The balance of the Board must be composed of officials or members of business, industry, labor, religious, private welfare, private education, minority, civic, and other major private organizations interested in activities of the agency.

(d) *Appointment; term of office.*

(1) **Public Official Members.** The County Executive must appoint, subject to confirmation by the County Council, officials of the County government and other public agencies in the County, or voting representatives of the officials, to serve on the Board. The Executive must consider for appointment public officials recommended by the Board. The Executive (who is not subject to confirmation), or the Executive's designee, is a public member of the Board. Public-official members, or their representatives:

(A) collectively must comprise at least one-third of the membership of the Board; and

(B) serve at the pleasure of the Executive..

(2) (A) **Private Organization Members.** The County Executive must appoint, subject to confirmation by the County Council, representatives of the private organizations to serve on the Board. These members serve a 4-year term. In appointing members under this subparagraph, the Executive must consider individuals and organizations recommended by the Board. The terms of private organization members end October 1 of the appropriate year.

(B) **Alternates.** The County Executive may appoint, subject to confirmation by the County Council, an alternate for each private organization member to vote at meetings when the member is absent. The alternate serves for the same term as the member. The alternate succeeds to the position of the member for the balance of the unexpired term if the member resigns or fails to serve as specified in the bylaws.

(3) **Low-Income Representatives.**

(A) The County Executive must appoint, subject to confirmation by the County Council, members who represent low-income County residents. In making an appointment under this subparagraph, the Executive must consider the recommendation of the Community Action Board regarding a candidate selected by low-income County residents. Low-income representative members serve a term of 4 years. The Board must recommend to the County Executive an individual to fill any vacancy on the Board. The terms of all members representing low-income residents end October 1 of the appropriate year.

(B) The Board must establish a democratic procedure for low-income residents to select candidates for nomination, each of whom must live in a specific geographic area of the County. Individuals participating in the selection of a candidate must be at least 18 years old, reside in the specific geographic area of the County, and have income that does not exceed the limits established under subparagraph (D).

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(C) The County Executive may appoint, subject to confirmation by the County Council, an alternate for each low-income member. The alternate may vote at meetings in the absence of the member. The alternate serves for the same term as the member. The alternate must live in the area that the alternate represents. The alternate succeeds to the position of the member for the remainder of the unexpired term if the member resigns or fails to serve as specified in the Agency by-laws. If the alternate succeeds to the member's term, the County Executive may appoint, subject to confirmation by the County Council, a new alternate recommended by the Board.

(D) For each person nominated as a member or alternate member of the Board under this paragraph, the Executive must explain in writing to the Council how the nominee was selected by a democratic method designed to ensure that the nominee is representative of the poor in the area the nominee would represent.

(E) A low-income person, for the purpose of this article, is a person whose income does not exceed amounts established by the County Executive after considering the recommendations of the Board.

(4) Vacancies. Except as provided in paragraph (5), each member of the Board continues to serve after the member's term expires until the Council confirms a successor, who serves the remainder of the member's term.

(5) A private-organization member or alternate selected under paragraph (2) or a low-income representative or alternate selected under paragraph (3) must not serve on the Board for more than 5 consecutive or 10 total years. A person's service on the Board includes service as either a member or alternate member of the Board.

(e) *Officers of the Board.* The officers of the Board are the chair, vice-chair, and secretary, elected annually by the Board according to procedures established by the Board. An alternate must not serve as an officer of the Board.

(f) *Compensation.* The members of the Board serve without compensation.

(g) *Meetings; quorum.* The Board holds meetings at regular intervals at least 6 times per year. A majority of the members of the Board is a quorum for conducting business. The Board may act on a majority vote of those present. The Board or its designated members

should meet from time to time with the County Executive, the County Council, and other public officials to promote the Board's functions.

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(h) *Nonpartisan nature.* The Community Action Agency must not participate in partisan political activities or sectarian activities. The Agency may advocate on behalf of, or discuss public issues affecting, low-income people. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 10; FY 1991 L.M.C., ch. 9, § 1; 1997, L.M.C., ch. 25, §1.)

Editor's note-1976 L.M.C., ch. 1, from which this article was derived, became effective September 9, 1975.

Sec. 27-42. General powers and duties of Board.

To accomplish the purposes for which the Community Action Agency is established, the Community Action Board may:

- (a) Make recommendations on the initiation and development of the community action program;
- (b) Recommend to the county executive an annual budget to support the community action program and develop grant applications in support thereof;
- (c) Decide changes in the community action program within the limits of the annual budget;
- (d) Recommend expenditures within available appropriations or budgetary allocations for the community action program;
- (e) Recommend transfers between and within programs within available appropriations or budgetary allocations;
- (f) Give general advice on the administration of projects carried out in implementation of the community action program;
- (g) Accept, use and account for contributions of property and services from organizations or individuals for purposes consistent with the community action program;
- (h) Participate in recruiting and screening candidates for the position of executive director; and recommend a candidate or candidates for executive director; participate in the performance evaluation of or any personnel actions concerning the executive director;
- (i) Recommend the type and number of personnel required to staff the organization and carry out approved projects;

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- (j) Adopt, amend and repeal bylaws, and adopt regulations under method (2) of section 2A- 15 of this Code governing the manner in which its activities may be conducted and the powers vested in it may be exercised;
- (k) Provide advice and recommendations to the county executive, county council and other public and private agencies;
- (l) Establish communications with the community concerning programs and policies affecting low-income persons;
- (m) Perform all lawful actions as may be necessary or appropriate to achieve the purposes for which the community action agency is established, including the selection of low-income representatives;
- (n) Carry out such operations as the county government may specifically authorize or provide. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 15; 1984 L.M.C., ch. 24, § 30; 1997, L.M.C., ch. 25, §1.)

Sec. 27-43. Committees and advisers.

- (a) The Board must establish an executive committee and other subcommittees necessary to assist in performing the functions of the Board.
- (b) The chair of the Board may appoint a person to advise the Board from public agencies not represented on the Board or from interested citizens in the county. An adviser may participate in meetings of the Board and the executive committee but is not entitled to vote. An advisers may serve as a member of a subcommittee and vote at subcommittee meetings. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 15; 1997, L.M.C., ch. 25, §1.)

Sec. 27-44. Authority of executive director.

The executive director may, after considering the Community Action Board's recommendations:

- (a) recommend to the Chief Administrative Officer appointment of Agency staff;
and
- (b) authorize the expenditure of funds. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 15; 1997, L.M.C., ch. 25, §1.)

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Sec. 27-45. Reports.

The Community Action Board annually must report to the County Executive, the County Council, and the public on the Board's activities . (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, §15; 1997, L.M.C., ch. 25, §1.)

Sec. 27-46. Repeal of current resolution.

Resolution No. 6-1332, dated June 18, 1968, the current resolution establishing the community action committee, is hereby rescinded, and any section therein inconsistent with this article is hereby declared null and of no effect or force. (1976 L.M.C., ch. 1, § 1; 1977 L.M.C., ch. 28, § 10; 1977 L.M.C., ch. 30, § 15.)



SAN JOAQUIN COUNTY
BOARDS, COMMISSIONS & COMMITTEES
COMMITTEE FACT SHEET

NAME:	COMMUNITY ACTION BOARD
COMPENSATION:	None.
LEGAL AUTHORITY:	California Government Code, Section 12751; U.S. Code Title 42 – The Public Health and Welfare, Chapter 106 – Community Services Block Grant Program, Section 9910; Tripartite Boards, Board Order B-08-735 dated July 15, 2008 amending Bylaws.
MEMBERSHIP, QUALIFICATIONS, & RESIDENCY REQUIREMENTS:	Must be a resident of San Joaquin County. 15 Members: 5 Supervisors or their representatives 5 Elected representatives of the poor 5 Private organizations
TERM:	4 Year Terms. <ul style="list-style-type: none">• To fully participate in the development, planning, implementation and evaluation of the activities that serves the low-income communities of the Community Action Agency (CAA).• To lead in the creation and delivery of services that improves the quality of life for our community.• To provide input to the Board of Supervisors regarding the development, planning, implementation and evaluation of the activities that serves the low-income communities of the CAA.• To evaluate the level of participation of the poor and the low-income communities of the CAA's programs.• To recommend programming to better meet the needs of the poor and the low-income communities in the CAA programs.• To adopt procedures to provide a continuing and effective mechanism for securing broad community involvement in programs assisted under this Act and that all groups or elements represented on those boards have a full and fair opportunity to participate in decisions affecting those programs.

**MEETING DATE
& LOCATION:**

Meetings are quarterly, the 1st Wednesday of February, May, August, and November at 5:30 p.m., various locations.

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Department of Health and Human Services – Organizational Overview

