

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
APPROVING AMENDMENT OF THE SENIOR ADVISORY COMMISSION BYLAWS**

WHEREAS, the Senior Advisory Commission serves as an advisory body to the City Council on matters pertaining to recreation, leisure, and nutrition services for the Senior Citizens of Milpitas.

WHEREAS, at the August 26, 2014 Senior Advisory Commission meeting, the Commission approved amendments to the current Bylaws subject to City Council approval; and

WHEREAS, the proposed Bylaws amendment includes clarification on volunteer hours expected from commissioners, elimination of the role of Treasurer (which is currently handled by staff or Vice-Chair) and general language updates, as set forth in Exhibit A attached hereto.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby approves the amendment to the Senior Advisory Commission Bylaws as set forth in the attached Exhibit A.

PASSED AND ADOPTED this ____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

EXHIBIT A
CITY OF MILPITAS
SENIOR ADVISORY COMMISSION
BYLAWS

The Senior Advisory Commission was established by the Milpitas City Council on April 20, 1993.

Section 1. Purpose

The City of Milpitas recognizes senior citizens as an important and viable section of the total community, and that this portion of the community is entitled to the same opportunities as other age groups. Therefore, the City of Milpitas will provide a place and opportunity for senior citizens to meet together and pursue mutual interests, receive services, and take part in activities that will encourage their involvement in and with the community.

The Senior Advisory Commission will serve as an active advisory group to the City Council. This Commission will advise the staff and Council on planning and organizing various activities that provide meaningful recreational, social, educational and health services to the community's senior citizens. The Senior Advisory Commission will strive to be a channel of communication between staff, senior citizens and the community. They will take an active part in supporting the program through involvement and development of programs and fund raising to provide for these programs. They will provide the assessment of current and future needs of the older population in our community for the purpose of program planning.

Section 2. Membership

The Senior Advisory Commission shall consist of nine (9) senior representatives and two (2) alternate senior representatives who are Milpitas residents or residents within the boundaries of the Milpitas Unified School District, members of the Milpitas Senior Center at the time of appointment and are attuned to the needs of the senior citizens. In addition, the City Council may appoint a Council liaison to serve on the Senior Advisory Commission in a non-voting capacity.

Of the nine seats on the Senior Advisory Commission, the following selection processes will be followed:

1. Nine seats and the two alternates will be appointed by the Mayor and approved by the City Council.

Section 3. Term of Office & Removal

The term of office for Senior Advisory Commission members and alternates is two years or until reappointed or a successor is appointed. Members and alternates are expected to attend all meetings and should expect to volunteer a minimum of 36 hours per year, outside of regular commission meetings on Senior Advisory Commission projects or Senior Center activities/events. When any member or alternate has three or more unexcused absences in a 12-month period, the Commission shall forward this information to the City Council for review and possible removal of the member or alternate from the Commission. Any member or alternate of the Senior Advisory Commission may be removed from office by a majority vote of the City Council at a regularly scheduled Council meeting.

Members and alternates may apply for reappointment by submitting a letter or e-mail of interest to the Mayor with a copy to the Commission Chair one month prior to the expiration of his/her term of office. Any member or alternate of the Commission who wishes to resign should submit a letter of resignation or email to the Mayor with a copy to the Commission Chair.

Section 4. Vacancies

Vacancies will be filled for the unexpired portion of the term by the Mayor with the approval of the City Council.

Section 5. Officers

A Chair and Vice Chair ~~and Treasurer~~ will be selected annually at the first meeting of the calendar year from the appointed members for a term of one year. The Chair will call for meetings and preside over all sessions. In the absence of the Chair and Vice Chair, the member with longest continuous service on the Commission will preside. ~~The Treasurer shall receive and keep an accurate account of all monies.~~

Section 6. Meetings

The Senior Advisory Commission shall hold meetings the fourth Tuesday of even months (February, April, June, August, October, and December) at 1:30 p.m. at the Milpitas City Hall or a designated location. All meetings shall be open to the public. Should a scheduled meeting occur on a holiday, said meeting will be deferred to the same day of the following week or to a date agreed upon by a majority of the Commission. Special meetings may be called by majority vote, the Chair, or the City Council. Notice of any special meeting shall be given as required by law. Except as other provided by these Bylaws, the Commission will follow the latest edition of Robert's Rules of Order for the orderly conduct of meetings.

Section 7. Quorum

Any ~~six (6)~~ five (5) members shall constitute a quorum for the transaction of business.

Section 8. Voting and Seating of Alternates

Voting authority is extended to the nine (9) regular members. An alternate member shall vote only if seated in the absence of a regular member. In the event that a regular member is absent, alternate members shall be seated in order of their alternate position. If a member arrives after an alternate has been seated, the alternate shall remain as the voting member until the end of the meeting.

Section 9. Duties of Commission to be Advisory Only

It is intended that the Commission shall be an advisory body to the City Council. Nothing herein contained shall be construed as a limitation on the power of the City Council or the administrative staff of the City in their supervision or authority over property or personnel under their jurisdictions.

Section 10. Subcommittees

- A. Other committees within the Milpitas Senior Center will be subcommittees of the Senior Advisory Commission. The Senior Advisory Commission may appoint such subcommittees, with at least one Senior Advisory Commission member on the subcommittee.
- B. All funds of subcommittees will be deposited into the Senior Advisory Commission's account. No subcommittees will have separate accounts. Funds for each subcommittee will be earmarked for those committees in the Senior Advisory Commission's account.

Section 11. Finances

- A. ~~The Commission's Treasurer or Chair~~ City Staff and the Commission Chair shall review and approve the ~~monthly~~ Commission's bi-monthly financial report for accuracy to provide for oversight before the report is submitted to the full Commission for final approval.
- B. All Commission expenditures ~~over \$100.00~~ shall be approved by the Commission's ~~Treasurer or the Expenditure receipts over \$100 shall be signed by the Commission Chair~~ and the City's Recreation Services Supervisor or Recreation Services Manager. Expenditure receipts less than \$100 shall be signed by Recreation Services Supervisor or Recreation Services Manager.
- ~~C. All Commission expenditures \$100.00 or less shall be approved by the Recreation Services Supervisor or Recreation Services Manager.~~
- C. Monies collected for the Senior Advisory Commission and subcommittees for their programs and fundraisers shall be deposited daily and financial records maintained in the Senior Center and the Finance Department.

Section 12. Budget

The Senior Advisory Commission budget will be prepared on a fiscal year basis for review at the June meeting.

Section 13. Assistance of Staff

The City Manager of the City of Milpitas or his/her designee shall provide the Senior Advisory Commission with ~~such~~ information and staff assistance at the Senior Advisory Commission's may

~~from time to time~~ request, subject to the limitations imposed by the City Council. The staff member designated by the City Manager shall attend meetings of the Senior Advisory Commission and submit such reports as said Senior Advisory Commission may request and as deemed necessary or desirable, subject to limitations imposed by the City Council.

Section 14. Amendments

These Bylaws and operating procedures may be amended by simple majority of those voting at any legal Senior Advisory Commission meeting, subject to approval by the City Council.

PASSED AND ADOPTED by the Senior Advisory Commission, the 19th day of February, 2002.

PASSED AND ADOPTED by the Milpitas City Council on the 19th day of August, 2003.

PASSED AND ADOPTED by the Senior Advisory Commission, the 28th day of December, 2004.

PASSED AND ADOPTED by the Milpitas City Council on the 19th day of April, 2005.

PASSED AND ADOPTED by the Milpitas City Council on the 2nd day of June, 2009.

PASSED AND ADOPTED by the Milpitas City Council on the 3rd day of February, 2015.