

CITY OF SAN ANTONIO
DEPARTMENT OF HUMAN SERVICES

**COMMUNITY ACTION ADVISORY BOARD
BY-LAWS**

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Ordinance No. _____

**CITY OF SAN ANTONIO
DEPARTMENT OF HUMAN SERVICES**

**COMMUNITY ACTION ADVISORY BOARD
BY-LAWS**

The City Council of the City of San Antonio (“City”) is the governing board for the Bexar County Community Action Agency (“CAA”). City Council has designated, through its Department of Human Services (“DHS”), a Community Action Advisory Board (“CAAB”) to serve in an advisory capacity to assist the City Council in its role as the governing body for the CAA. These bylaws are intended to comply with the rules and regulations of the federal CSBG Act (see the U.S. Code, Title 42, Chapter 106) and the Texas CSBG Act (see the Texas Administrative Code, Title 10, Part I, Chapter 6, Subchapter B); any provision in question shall be read in compliance with federal and state laws and regulations. This CAAB will incorporate the following:

ARTICLE 1 **RESPONSIBILITIES OF THE CAAB.**

The CAAB and its members will:

- A. In an advisory role to the City Council, oversee the extent and the quality of participation of the poor, and services to the poor.
- B. In an advisory role to City Council, oversee key responsibilities regarding the Head Start Policy Council of the City’s Head Start Program for its benefit and effective governance.
- C. Maintain regular attendance of board and committee meetings.
- D. Carefully review all materials provided to it.
- E. Review the programs, budgets and services of the CSBG program.
- F. Receive and review other reports, including but not limited to funding proposals, financial reports, progress reports, policy modifications, and community assessments.
- G. Assure that it and the CAA continues to:
 - i. Assess and respond to the causes and conditions of poverty;
 - ii. Represent and take into account the diversity of the CAA area; and
 - iii. Remain administratively and fiscally sound.

- H. Oversee any other duties or responsibilities City Council may confer.

ARTICLE II **COMPOSITION AND TERMS OF OFFICE.**

Section 1

The CAAB will be composed of fifteen (15) members:

- A. Five (5) elected Public Officials, or their appointees
- B. Five (5) Representatives of Low-Income Individuals and Families
- C. Five (5) Representatives of Private Organizations
“Representatives of Private Organizations” is defined as members of business, industry, labor, religious, welfare, education, or major groups and interests in the community.

Section 2

Term Limits.

- A. Public Officials serve at the pleasure of the designating official: the Mayor or County Judge. Public officials or their appointees serve until replaced.
- B. Elected Low-Income Representatives serve a term of two (2) years.
- C. Private Organizations (and their appointed representative) serve a term of two (2) years and are selected on the alternate year of the Low-Income Representatives.
- D. Representatives of Low-Income Individuals and Private Organizations may serve up to two (2) consecutive two-year terms. After serving four (4) consecutive years, neither the member nor organization may serve on the CAAB for at least one (1) two-year term.

ARTICLE III **ELIGIBILITY FOR MEMBERSHIP.**

Section 1

Election/Selection of CAAB members:

- A. **Public Officials** serving on the CAAB are appointed by the respective governmental body.
- B. **Low-Income Representatives** must:
 - 1. Be at least 18 years of age at the start of the term,
 - 2. Be a resident of the designated geographic area for which elected, and
 - 3. File an application with the Office of the City Clerk.

Elections of Low-Income Representatives must be held

publicly, in accordance with the “CAAB Election Document,” on file with DHS.

Voters need not be registered, but must be eighteen (18) years of age and produce proof of residence within the boundaries of the designated geographic area for which voting.

- C. **Private Organizations** are selected by open ballot by the seated Public Officials and Low-Income Representatives, and in accordance with the process described in the CAAB Election Document. The Representatives for Private Organizations are selected by the organization they represent.

Section 2

Conflicts of Interest.

- A. No CAAB member may participate in the selection, award, or administration of a subcontract supported by CSBG funds if any of the following have a financial interest in the firm or person selected to perform a subcontract:
 - i. The board member
 - ii. Any member of his/her immediate family
 - iii. The board member’s partner
 - iv. Any organization which employs or is about to employ any of the above (in numbers 1-3)
- B. No employee of the City or of the Texas Department of Housing and Community Affairs (“TDHCA”) may serve on the CAAB.
- C. No CAAB member may be employed by the City or the TDHCA for 12 months after CAAB service.
- D. All CAAB members must receive orientation within ninety (90) days of appointment/election, and must comply with the City’s Code of Ethics, for which CAAB members will receive annual training.

ARTICLE IV

MEETINGS AND VOTING.

Section 1

The CAAB will schedule regular meetings for the business of the CAAB. The Chair, designated Chair Pro Tem, or the Executive Committee may cancel or postpone a meeting, granted that a minimum of five (5) meetings are held each year.

Section 2

All meetings must be “open” meetings and in accordance with the Texas Open Meetings Act, except for matters that may be discussed in executive session pursuant to the Act.

Section 3

Quorum. At any meeting or committee of the CAAB, a quorum must be present, consisting of at least fifty-one percent (51%) of the

CAAB or the committee membership. For purposes of determining a quorum, vacant positions are not counted.

Section 4 **Voting.** Each member of the CAAB will have one (1) vote. A motion may be adopted only if a majority of the votes *cast* are in favor of the motion. Voting by proxy and cumulative voting are not allowed.

Section 5 “Special Meetings” of the CAAB may be called for the purpose of dealing with important matters that arise between regular meetings and which require immediate action. Special Meetings may be called by the Chair of the CAAB or, in the absence of the Chair, by the next designated Chair Pro Tem. Special Meetings must meet all notice requirements of the Open Meetings Act, unless qualifying as an “Emergency Meeting” under the Act.

Section 6 Meetings of the CAAB will be conducted in accordance with the most recent edition of Robert’s Rules of Order. Where these by-laws and Robert’s Rules of Order differ, these by-laws will control.

ARTICLE V **OFFICERS.**

Section 1 The officers, and related duties, of the CAAB will be as follows:

- A. **Chair:**
 - i. Presides at all meetings
 - ii. Is an ex-officio member of all committees
- B. **Vice-Chair:**
 - i. Acts as Chair Pro Tem in the absence of the Chair
 - ii. Performs other duties as directed by the Chair
- C. **Secretary**, with the assistance of City staff:
 - i. Prepares the agenda and notice
 - ii. Keeps written minutes, including a record of votes on all motions for each meeting
 - iii. Acts as Chair Pro Tem in the absence of the Chair and Vice-Chair
 - iv. Performs other duties directed by the Chair

Section 2 Officers will be elected annually no more than two meetings after the election of Low-Income Representatives or selection of Private Organizations.

Section 3 Any officer may be removed from office for cause by a two-thirds vote of the voting CAAB members.

Section 4 Upon completion of CAAB elections, the incumbent officers will retain their respective positions until the election of new officers. In the event that none of the officers return to the Board, the new Board

will select a Chair Pro Tem to preside over the election of new officers and subsequently relinquish control to the newly-elected Chair.

ARTICLE VI **ALTERNATES AND VACANCIES.**

Section 1

Each member will have one alternate.

- A. Public officials may select one permanent representative to serve in their place, or may designate an alternate if a permanent representative is not chosen.
- B. Low-Income Representative alternates will be the individual who receives the second-highest count of votes in the election, by designated geographic area. In the event that only one Low-Income Representative candidate ran for a designated area, a request for a waiver will be submitted to the State asking that the elected Low-Income Representative of that area select an alternate.
- C. Private organizations will select their own alternates.

Section 2

Alternates may participate in the discussion of business presented to the CAAB, but may only vote in the absence of the primary CAAB member for the area they represent.

Section 3

Alternates may not serve as an officer of the CAAB or on any committee.

Section 4

Vacancies.

- A. When a vacancy on the CAAB occurs for a:
 - i. Public Official or his/her representative: the CAAB will ask the designating official to select another public official to fill the seat.
 - ii. Low-Income Representative: the alternate will become the regular Board member for the remainder of the term.
 - iii. Representative of a Private Organization: The alternate selected by the Private Organization will become the regular Board member.
- B. The CAAB must fill all vacancies as soon as it is reasonably possible.

ARTICLE VII **ATTENDANCE & REMOVAL.**

Section 1

Attendance. A CAAB member who fails to attend three (3) consecutive regularly-scheduled meetings is subject to forfeit his/her seat by removal.

- A. After the three (3) absences, the Secretary will contact the member in writing, indicating that the member may be removed for absenteeism by a two-thirds (2/3^{rds}) vote at the next CAAB meeting. Prior to the vote, the member will have an opportunity to speak on his/her own behalf.
- B. “Absence” is defined as not attending a regularly-scheduled meeting without notifying City staff or an officer of the CAAB before the meeting.
- C. In the event of removal, the procedure for vacancies will be followed.

Section 2

Misconduct. Any misconduct by a CAAB member can be grounds for censure by the Chair. If the misconduct continues by a Representative of a Public Official or a Private Organization, upon a 2/3^{rds} vote of approval by the voting CAAB members, the Public Official or Private Organization may be requested to replace their representative.

ARTICLE VIII COMMITTEES.

Section 1

The CAAB may establish committees it considers necessary to carry out its business. The composition of these committees must fairly reflect the composition of the full Board. The CAAB will have one standing Executive Committee.

- A. **Executive Committee:** will consist of the Officers plus one member elected by the Board (the “EC Member At-Large”) and will discuss the agenda of the next CAAB meeting and report to the full CAAB on the actions it takes between meetings.
 - i. The EC Member At-Large will also act as Chair Pro Tem in the absence of the Chair and other designated Chairs Pro Tem.
- B. **Special Committees.** The CAAB may establish “special” committees from time to time on an ad hoc basis to review and address particular issues and report on such issues to the full CAAB. An example of one such committee is a:
 - i. **Grievance Committee:** to review and investigate grievances, complaints, or other items of concern made to the CAAB by a community or CAAB member relating to business of the CAAB or any delegate agency. The CAAB will then determine whether to refer such matters to DHS for further action.

Section 2 Committee size should be no less than three (3) and no more than five (5) members.

Section 3 No CAAB member may serve on more than two (2) committees.

Section 4 No CAAB member may chair more than one (1) committee.

Section 5 Any member of the CAAB may attend any committee to observe, but may not vote unless seated on the committee.

ARTICLE IX **COMPENSATION.**

CAAB members are not entitled to compensation for their service on the CAAB, although, in accordance with federal and state CSBG law, reimbursement of reasonable and necessary expenses incurred by a member in carrying out his /her duties is allowed.

ARTICLE X **AMENDMENTS.**

Proposed amendments to these By-Laws may be made by members of the CAAB, City Council, or the Director of DHS. Proposed amendments will then be recommended to the City Council only upon an affirmative vote of two-thirds of the CAAB member votes cast, and will only be implemented upon the approval of City Council and passage of a City ordinance.