



INLAND
EMPIRE
HIV
PLANNING
COUNCIL

351 N. Mt. View Ave • San Bernardino, CA 92415-0010
(909) 693-0750
Website: www.iehpc.org

Riverside/San Bernardino California Transitional Grant Area

Cameron Kaiser, MD
County Health Officer Co-Chair

Shelia Cromwell-Nieve
Community Co-Chair

Bylaws Committee

Thursday, January 5, 2017
9:30am-10:30am

Meeting Location

San Bernardino County Public Health
351 N. Mt. View
Planning Council Conference Room, B15
San Bernardino, CA 92415
(909) 693-0750

Teleconferencing Location

Desert AIDS Project
1695 N. Sunrise Way
Palm Springs, CA 92262
(760) 323-2118

These facilities are in compliance with the Americans with Disabilities Act of 1992.

Agenda

9:30am	1. Call to Order <ul style="list-style-type: none"> ▪ Roll Call* ▪ Introductions 	G. French
	2. Approval of Agenda² 2.1 Approve January 5, 2017 Agenda	G. French
	3. Approval of Minutes² 3.1 Minutes of 12.8.16 committee meeting	G. French
	4. Old Business² 4.1 None	Committee Members
	5. New Business 5.1 Review and Revise PC Bylaws^	
	6. Public Comments¹	Members of the Public
	7. Members Privilege	PC Members
	8. Review of Action Item	PC Staff
	9. Agenda Setting for Next Meeting TBD HIV Planning Council Conference Room	PC Members/ G. French

10. Roll Call*

PC Staff

10.30am

11. Adjournment

G. French

¹ Public Comments: Any member of the public may address this meeting on items of interest that relate to the Ryan White CARE Act by completing a speaker slip to indicate their interest in addressing the Planning Council. A three-minute limitation will normally apply to each member of the public who wishes to comment, unless waived by the Chair.

² The agenda item may consist of a discussion and a vote. Public comments can be made prior to each Planning Council vote.

* Members must be present at both roll calls to receive credit for meeting attendance.

** Copies can be obtained at the I.E.H.P.C. office and will be available at the meeting.

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Bylaws Committee

Thursday, December 8, 2016

10:00 – 12:00pm

Meeting Location

San Bernardino County Public Health

351 N. Mt. View

Planning Council Conference Room, B15

San Bernardino, CA 92415

(909) 693-0750

These facilities are in compliance with the Americans with Disabilities Act of 1992.

Minutes

Members: A. Jacobson, C. Smith, D. Huntsman, G. French, L. White, S. Cromwell-Nieve, V. Manual Perez

Staff: A. Fox

Public: T. Evans (pending BOS Approval), B. Contreras, J. Romo (pending BOS Approval)

10:00am	1. Call to Order <ul style="list-style-type: none"> ▪ Roll Call* ▪ Introductions 	G. French
	2. Public Comments¹ <p style="text-align: center;">NONE</p>	Members of the Public
	3. Members Privilege <p style="text-align: center;">NONE</p>	PC Members
	4. Approval of Agenda² 4.1 Approve December 8, 2016 Agenda There was a motion to approve the December 8, 2016 agenda. M/S/C: V. Perez, D. Huntsman – No Abstentions	G. French
	5. Approval of Minutes² 5.1 Minutes of 10.6.16 committee meeting There was a motion to approve the 10.6.16 Minutes. M/S/C: V. Perez, D. Huntsman. No Abstentions	G. French
	6. Old Business² 6.1 None	Committee Members
	7. New Business 7.1 Review and Revise PC Bylaws ^ Committee discussed Article IV, Section 1A the community co-chair eligibility in the bylaws. There was a	

motion to remove affiliated and aligned from the bylaws with input and review from County Counsel. M/S/C: L. White, V. Perez. (*C. Smith, V. Perez, L. White voted yes. D. Huntsman, A. Jacobson Voted No.*)

The committee reviewed and discussed Abstain Votes in Article VI, Section 7 in the bylaws. Council staff share the definition of Abstain votes it reads "Do Abstain Votes Count? - On the other hand, if the vote required is a majority or two thirds of the members present, or a majority or two thirds of the entire membership, an abstention will have the same effect as a "no" vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote."

The committee reviewed three voting scenarios using Robert Rules of Order principles.

Scenario #1: A five-member board; it takes a majority of "yes" votes to pass:

two members vote "yes"

two members vote "no"

one abstains

Result: the matter does not pass because the abstention does not count as a vote and there was not a majority in favor.

Scenario #2: A seven-member council of a code city voting on the passage of an ordinance:

three "yes" votes

two "no" votes

two abstentions

Result: the ordinance does not pass because state law applicable to non charter code cities, RCW 35A.12.120, requires an affirmative vote of a majority of the whole membership of the council to pass an ordinance. The minimum number of "yes" votes that would be required is four in a city with a seven-member council, and an abstention under Robert's Rules does not count as a "yes" vote.

Scenario #3: A five-member board – basic rule that a majority of "yes" votes needed to pass:

two "yes" votes

one "no" vote

two abstentions

Result: the measure passes because it received an affirmative majority of a quorum. That is enough to pass unless there is a requirement in state law that an affirmative majority of the entire membership is required to enact the measure. (If this was a council in a code city voting on an ordinance, it would not pass because state law requires a majority of affirmative votes of the entire membership of the governing body to pass an ordinance.)

There was a motion to vote for scenario #1 that states that it takes a majority of yes votes to pass and that abstention votes do not count as a vote. M/S/C: A. Jacobson, C. Smith. No Abstentions

The committee also discussed Grievance verbiage in Article XI, Section 3. Who may file a Grievance? The committee agreed that the sentence should read as follows for clarity purposes and to stay consistent with the sections that followed. There was a motion to re-write the first sentence in Section 3 to read: Entities and individuals within the TGA who are directly affected by the outcome of a decision related to the Priority Setting and Resource Allocation policies and processes (“grievant”) are eligible to file a grievance. M/S/C: A. Jacobson, C. Smith – No Abstentions

The committee feels that it needs to look at discussing defining and developing grievance regarding issues outside of the Priority Setting and Resource Allocations process.

8. Public Comments¹

NONE

Members of the Public

9. Members Privilege

J. Romos stated that he attended the annual PCORI (Patient-Centered Outcomes Research Institute) meeting in Washington DC. He collected lots of materials/tools. He learned from the convention that because of what’s going on today that it is important that everyone to work together. PCORI has many projects like research, investigation and services. He will leave the resources gathered with Council staff.

G. French announced that the Center for Disease Control’s Clerical Directive Network is having a webinar A guide to improve patient safety and primary care. Wednesday, December 21, 2106. He also stated that the 2016 National Ryan Conference presentations are now available for download. He also announced that the HIV Prevention Justice Alliance they’re also hosting a webinar on Thursday, December 15th on the National HIV Strategy goal of reducing new infections on the monitoring progress toward that goal.

T. Evans announced that on Sunday that he would be receiving an award for outstanding work in the African American community in the Inland Empire. He says that he would send me the specifics.

G. French reminded every that your local congressman are doing different outreach activities during the Christmas season. Take this opportunity to contact them and talk about how great the Ryan White program is.

PC Members

10. Review of Action Item

Staff will:

1. Follow up with Manuals request for Counsel regarding HRSA consumer definition.
-

PC Staff

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2. **Send revisions to Grantee and County Counsel to review.**
 3. **Also noted that bylaws revisions will go out early to give members time to review.**
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-

11. Agenda Setting for Next Meeting PC Members/ G. French
 TBD
 HIV Planning Council Conference Room

12. Roll Call* PC Staff

12:11pm 13. Adjournment G. French

Public Comments: Any member of the public may address this meeting on items of interest that relate to the Ryan White CARE Act by completing a speaker slip to indicate their interest in addressing the Planning Council. A three-minute limitation will normally apply to each member of the public who wishes to comment, unless waived by the Chair.

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