

COUNTY OF HIDALGO, TEXAS
COMMUNITY SERVICE AGENCY

**COMMUNITY ACTION
ADVISORY BOARD BY-LAWS**

Revised: January 8th, 2016

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**COUNTY OF HIDALGO TEXAS
COMMUNITY SERVICE AGENCY**

**COMMUNITY ACTION ADVISORY BOARD
BY-LAWS**

The County of Hidalgo, Texas, is the governing board for the Community Service (“CSA”) Agency (“CAA”), a non-profit organization. The County of Hidalgo has designated, by and through the CSA, a Community Action Advisory Board (“CAAB”) to serve in an advisory capacity to assist the Commissioners Court in its role as the governing body for the CSA. These bylaws are intended to comply with the rules and regulations promulgated under the federal CSBG Act (see the U.S. Code, Title 42, Chapter 106) and the Texas CSBG Act (see the Texas Administrative code, Part I, Chapter 5, Subchapters A & B); any provision in question shall be read in compliance with the federal and state laws and regulations.

The purpose of the CSA is to address the problems of the impoverished in the County of Hidalgo, by affording qualifying residents an opportunity to participate in available programs under the organization. This CAAB will incorporate the following:

ARTICLE I RESPONSIBILITIES OF THE CAAB

The CAAB and its members will:

- A. In an advisory role to the CSA, oversee the extent and the quality of participation of the poor and services to the poor.
- B. Maintain regular attendance of board and committee meetings.
- C. Exercise careful review of all materials provided by CSA.
- D. Review the programs, budgets and services of the CSBG program.
- E. Receive and review all other reports provided to it including but not limited to funding proposals, financial reports, progress reports, policy modifications, and community assessments.
- F. Assure that the CSA continues to:
 - 1. Assess and respond to the causes and conditions of poverty;
 - 2. Achieve anticipated family and community outcomes; and
 - 3. Remains administratively and fiscally sound.

G. Oversee any other duties or responsibilities the Commissioners Court may confer.

ARTICLE II

COMPOSITION AND TERMS OF OFFICE

Section 1

The CAAB will be composed of nine (9) members;

- A. Three (3) elected Public Officials or their designees.
- B. Three (3) Representatives of Low-Income Individuals and Families.
- C. Three (3) Representatives of Private Organizations.
 - 1. “Representatives of Private Organizations” is defined as members of business, industry, labor, religious, welfare, education, or major groups with an interest in the community.

Section 2

Term Limits.

- A. Public Officials shall be selected by CSA based on recommendations made by the CAAB, and shall be representatives from municipalities within the geographic boundaries of the County of Hidalgo. They shall serve a term of three (3) years.
- B. Elected Low-Income Representatives serve a term of three (3) years.
- C. Private Organizations (and their appointed representatives) serve a term of three (3) 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 three (3) consecutive two-year terms. After serving six (6) consecutive years, neither the member nor organization may serve on the CAAB for at least one (1) three-year term.

ARTICLE III

ELEGIBILITY FOR MEMBERSHIP

Section 1

Election/Selection of CAAB members:

- A. **Public Officials** serving on the CAAB are appointed by the CSA.
- 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 CSA.

Elections of Low-Income Representatives must be held publicly, in accordance with the “CSA/CAAB Election Document,” on file with CSA.

Voters need not be registered, but must be eighteen (18) years of age and produce proof of residence (Texas Driver’s License, or Light Bill) 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 CSA/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:
 - 1. The board member
 - 2. Any member of his/her immediate family
 - 3. The board member’s partner
 - 4. Any organization which employs or is about to employ any of the above (in numbers 1-3)
- B. No employee of the County of Hidalgo 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 County of Hidalgo or the TDHCA for 12 months after CAAB service.
- D. All CAAB members must receive orientation within thirty (30) days of appointment/election, and must comply with the National 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 CSA Executive Director or the CAAB Chair may cancel or postpone a meeting, granted that a minimum of six (6) 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 for which immediate action is required. Special Meetings may be called by the CSA Executive Director or the CAAB Chair. 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 preside.

ARTICLE V **OFFICERS**

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

A. Chair:

1. Presides at all meetings.
2. Is an *ex-officio* member of all committees.

B. Vice-Chair: Acts as Chair Pro Tempore in the absence of the Chair.

C. Secretary, with the assistance of CSA staff:

1. Prepares the agenda and notice.
2. Keeps written minutes, including a record of votes on all motions for each meeting.
3. Performs other duties directed by the Chair.
4. Acts as Chair Pro Tempore in the absence of the Chair and Vice-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 Tempore 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 may designate 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. Alternates for each Low-Income Representative will be the individual who receives the second-highest count of votes in the elections, 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

An alternate may only vote on the business presented to the CAAB 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:
 1. Public Official or his/her representative, the CAAB will recommend to the CSA and the Commissioners Court to select another public official to fill the seat.
 2. Low-Income Representative, the alternate will become the regular CAAB member for the remainder of the term.
 3. Representative of a Private Organization: The alternate selected by the Private Organization will become the regular CAAB member for the remainder of the term.
- 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 forfeiture of his/her seat.

After three (3) absences, the Secretary will mail a letter to the member indicating that the member may be dismissed for absenteeism by a two-thirds (2/3) vote at the next CAAB meeting, following an opportunity to speak on his/her own behalf.

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, the Public Official or Private Organization may be requested to replace their representative, upon a two-thirds (2/3) vote of approval by the voting CAAB members.

ARTICLE VIII

COMMITTEES

Section 1

The CAAB may establish any committees it considers necessary for carrying 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. The EC Member At-Large will also act as Chair Pro Tempore in the absence of the Chair and other designated Chairs Pro Tempore.

B. The CAAB may also establish “**special**” committees from time to time on an ad hoc basis for the purpose of reviewing and addressing particular issues and reporting on such issues to the full CAAB. An example of one such committee is a:

Grievance Committee: to review and investigate grievances, complaints, or other times 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, accordance with federal and state CSBG law, reimbursement of reasonable and necessary expenses incurred by a member in carrying out his/her duties may be allowed.

ARTICLE X

AMENDMENTS

Proposed amendments to these By-Laws may be made by members of the CAAB, Commissioner’s Court, or the Executive Director of CSA. Proposed amendments will then be recommended to the Commissioner’s Court only upon an affirmative vote of two-thirds of the CAAB member votes cast, and will only be implemented upon the approval of the Commissioner’s Court.