



Alameda County Advisory Commission on Aging

Effectiveness Committee

Wednesday, January 4, 2022

1:30 PM – 2:30 PM

Zoom Video Conference Call

Please join Advisory Commission on Aging meeting from your computer, tablet, or smartphone.

Join Meeting:

<https://us06web.zoom.us/j/85381926779?pwd=VWEzSIVNRUM5K1ZYT2p1UXZEbEFDZz09>

Dial-in Option:

1-669-900-6833 US (San Jose)

Meeting ID: 853 8192 6779

Passcode: 809034

Find your local number: <https://us06web.zoom.us/j/85381926779>

Public participation at Commission meetings is encouraged. We request that individuals limit their comments on any single item on the agenda to two minutes. The chosen spokesperson for a group may speak for four minutes.

Time	Item	Material to Include	Presenter
1:30 – 1:31	Call to Order/Roll Call/ Findings to Continue Meeting by Teleconference Re: AB361, BOS 9/28/21 Item 28.1*		Watters
1:31 – 1:33	Review Agenda		Watters
1:33 – 1:35	Approve Minutes		Watters
1:35 – 1:45	Consider ACA Charter	Discussion Paper: ACA Charter	Watters
1:45 – 2:00	The Year 2022 Report	Discussion paper: Year 2022 Report	Watters
2:00 – 2:05	Define procedure for ACA bylaws comments review	Proposed procedure	Watters
2:05 – 2:10	Define procedure for tracking ACA Open Business	Action Log	Watters
2:10 – 2:30	Review and approve committee plan	Effectiveness Committee Plan	Watters
2:30	Adjourn		

Note: The next Commission meeting will be Wednesday, February 1, 2023, meeting. Please check the [Advisory Commission of Aging](#) webpage for more information.

Notes

*** AGENDA ITEM - Findings to Continue Meeting by Teleconference.**

Staff Recommendation: Find that 1) the Advisory Commission on Aging has reconsidered the circumstances of the state of emergency, and 2) state or local officials continue to impose or recommend measures to promote social distancing. This recommendation follows the 09/28/2021 County Board of Supervisors' adoption of the Health Care Services Agency Director's recommendation that the Board implement social distancing for its meetings. For the same reasons, the same rationale applies for the meetings of the Advisory Commission on Aging and its committees.

Alameda County Advisory Commission on Aging

Discussion Paper

Advisory Commission on Aging Charter, 8/15/2022

Summary

The challenge for the Effectiveness Committee is to agree on a purview that allows setting specific objectives and plans that achieve the expectations of those government units that have defined and sanctioned ACA. From the Federal, the California, the County governments to the AAA organizational unit, to the SSA/AAA management staff the spectrum of assigned or assumed purviews is quite broad.

A review of commission mandates as defined in authorizing laws and codes reveals a charter that is expansive and comprehensive in its intent, and in no way restrictive.

The Effectiveness Committee accepts the broader scope. We also are desirous of following the thinking behind No Wrong Door (NWD). Having rigidly constrained commissions creates bureaucratic silos, with the inevitable result that some things...persons, ideas, opportunities...fall through the cracks. We conclude it is ACA's responsibility to concern itself with all aspects of senior life, and to reach out to other commissions. We cannot break down the silos, but we can help integrate and coordinate, seeking synergy and cooperation.

These conclusions have guided us in setting the objectives in the newly proposed bylaws.

Issues

The Advisory Commission on Aging is defined in several documents and websites. The ACA purview is open to question depending on which document is used. It also depends on the definition of exactly who ACA is chartered to advise and exactly on whose behalf. In order to set realistic objectives ACA must fully understand its charter.

ACA Discussion

This discussion is divided into two sections:

- **Guiding Conclusions:** conclusions drawn that were used to set ACA objectives.
- **Charter Documents:** background/reference material on ACA's charter to advise and inform.

Guiding Conclusions

The challenge for the Effectiveness Committee is to agree on a purview that allows setting specific objectives and plans to achieve the expectations of those government units that have defined ACA. From the Federal, the California, the County governments to the AAA organizational unit, to the SSA/AAA management staff the spectrum of assigned or assumed purviews is quite broad. At one end is a scope limited to only what the AAA organizational unit and its management is specifically involved in. At the other end is a vision of a council whose purview is seniors...regardless of government organizations or other silos.

It is interesting to note in reviewing the charter documents that are presented below, working with AAA is always specified as a responsibility but never as a limitation; that is, working with AAA is not the only responsibility of ACA. Likewise, the responsibilities identified and nowhere stated as limiting or restrictive.

The Effectiveness Committee accepts the broader scope. We also are desirous of following the thinking behind No Wrong Door (NWD). Having commissions (Alameda County has 102 listed on their website) creates silos, with the inevitable result that some things...persons, ideas, opportunities...fall through the cracks. We feel it is ACA's responsibility to reach out to other commissions. We cannot break down the silos, but we can help integrate and coordinate.

These conclusions have guided us in setting the objectives in the newly published bylaws.

Charter Documents

Following are excerpts from cited documents and websites. Some highlighting has been added for emphasis of salient points.

OLDER AMERICANS ACT: TITLE III REGULATIONS

Sec. 1321.57 Area agency advisory council.

(a) Functions of council. The area agency shall establish an advisory council. The council shall carry out advisory functions which further the area agency's mission of developing and coordinating community-based systems of services for all older persons in the planning and service area. The council shall advise the agency relative to:

- (1) Developing and administering the area plan;
- (2) Conducting public hearings;
- (3) Representing the interest of older persons; and
- (4) Reviewing and commenting on all community policies, programs and actions which affect older persons with the intent of assuring maximum coordination and responsiveness to older persons.

(b) Composition of council. The council shall include individuals and representatives of community organizations who will help to enhance the leadership role of the area agency in developing community-based systems of services. The advisory council shall be made up of:

- (1) More than 50 percent older persons, including minority individuals who are participants or who are eligible to participate in programs under this part;
- (2) Representatives of older persons;
- (3) Representatives of health care provider organizations, including providers of veterans' health care (if appropriate);
- (4) Representatives of supportive services providers organizations;
- (5) Persons with leadership experience in the private and voluntary sectors;
- (6) Local elected officials; and
- (7) The general public.

(c) Review by advisory council. The area agency shall submit the area plan and amendments for review and comment to the advisory council before it is transmitted to the State agency for approval.

Federal Social Security Act (Website: <https://www.law.cornell.edu/cfr/text/45/1321.57>)

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- (1) Developing and administering the area plan;**
- (2) Conducting public hearings;**
- (3) Representing the interest of older persons; and**

(4) Reviewing and commenting on all community policies, programs and actions which affect older persons with the intent of assuring maximum coordination and responsiveness to older persons.

From Mello–Granlund Older Californians Act

9400 (c) Each area agency on aging shall maintain a professional staff that is supplemented by volunteers, governed by a board of directors or elected officials, and whose activities are reviewed by an advisory council consisting primarily of older individuals from the community.

9402. **The Legislature hereby declares and recognizes each area agency on aging advisory council as a principal advocate body on behalf of older individuals within a planning and service area. Area agency on aging advisory councils shall operate in conformance with applicable federal requirements. The local advisory councils shall meet regularly and provide advice and consultation on issues affecting the provision of services provided locally to older individuals.**

9403. To the extent provided for in paragraph (2) of subdivision (a) of Section 18773 of the Revenue and Taxation Code, the Legislature hereby recognizes the Area Agency on Aging Advisory Council of California, comprised of the chairs of the local advisory councils.

County Admin Code

Chapter 2.72 – ADVISORY COMMISSION ON AGING

Sections:

2.72.010 - Recognition.

There is in the county an advisory commission on aging, hereinafter in this chapter referred to as the commission.

2.72.020 - Commission membership.

The commission consists of twenty-one (21) members who shall serve on the commission for a fixed term of four years.

A. The board of supervisors appoints ten commissioners. Each term will expire and commence according to the current schedule of appointments. Each member of the board nominates two commissioners.

B. The Alameda County mayors' conference appoints eight commissioners evenly divided between north and south county cities. The terms of the two existing positions will expire and commence according to the current schedule of appointments. The six additional positions shall have terms each two of which shall initially expire on June 30, 1983, June 30, 1984, and June 30, 1985, respectively.

C. For a total of three commissioners, each of the three nutrition project councils appoints one commissioner. These appointments shall first be made upon the expiration of the terms of the two existing positions presently filled by the health care services agency and social services commission. In the interim, one commissioner will continue to be appointed by the three councils on an annual rotating basis.

D. The department on aging will provide pertinent information to the appointing bodies regarding the characteristics of the commission's membership so that broad representation and specific compliance with the Older Californians Acts may be taken into consideration in future appointments. All appointments shall be processed through the clerk of the board of supervisors.

2.72.030 - Membership composition.

The commission will consist of representatives of program participants and the general public, including low income and minority older persons at least in proportion to the number of minority older persons in the area. Furthermore, at least one-half of the membership of the commission shall be made up of actual consumers of services under the county's area plan for programs on aging.

2.72.040 - Chairperson.

The commission shall annually select one of its members to serve as chairperson, who shall preside at the meetings of the commission, and one of its members as vice-chairperson, who shall preside in the absence of the chairperson.

2.72.050 - Advisory commission on aging—Meetings.

The commission shall meet at least ten times a year. The commission shall encourage public attendance.

2.72.060 - Quorum.

A majority of the members currently appointed to the commission shall constitute a quorum.

2.72.070 - Rules and regulations.

The commission shall adopt rules and regulations for the conduct of its business which rules and regulations shall be published and made available to the public.

2.72.080 - Staffing.

The human relations department shall provide staff for the commission.

2.72.090 - Duties.

The commission shall advise and assist the board of supervisors on all matters relating to the development and administration of the county's area plan for programs on aging under Title III of the Older Americans Act of 1965 and the operations conducted thereunder. The commission shall also carry out those duties and responsibilities assigned to it by the terms of the area plan, insofar as those duties and responsibilities are consistent with the Older Americans Act of 1965.

2.72.100 - Members' terms.

Each member shall be appointed for a four-year term and shall serve until his or her successor is appointed and qualified, except that the board of supervisors shall initially stagger the terms as follows:

A. Four of the members' terms shall be for one year, four shall be for two years, four shall be for three years, and five shall be for four years from the date of passage of the ordinance codified in this section.

B. The board of supervisors shall determine by lot which members are to have the one, two, three and four year terms.

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C. After the expiration of these initial terms, all subsequent terms shall be for four years. A person appointed to fill any vacancy shall serve for the unexpired term of the person he or she succeeds.

California Master Plan on Aging

GOAL ONE: HOUSING FOR ALL STAGES & AGES

We will live where we choose as we age in communities that are age-, disability-, and dementia-friendly and climate- and disaster-ready.

GOAL TWO: HEALTH REIMAGINED

We will have access to the services we need to live at home in our communities and to optimize our health and quality of life.

GOAL THREE: INCLUSION & EQUITY, NOT ISOLATION

We will have lifelong opportunities for work, volunteering, engagement, and leadership and will be protected from isolation, discrimination, abuse, neglect, and exploitation.

GOAL FOUR: CAREGIVING THAT WORKS

We will be prepared for and supported through the rewards and challenges of caring for aging loved ones.

GOAL FIVE: AFFORDING AGING

We will have economic security for as long as we live.

County Boards, Commissions, and Committees Website

TYPE

Regular

OBJECTIVE

To act as an independent advocate for older persons as mandated by the Older Americans Act, and the Mello-Granlund Older Californians Act by taking positions on matters pertaining to federal, state and local policies, programs and procedures, and any legislation affecting older persons.

ESTABLISHED

Jul 2, 1994

AUTHORITY

42 U.S.C. 3126 SEC 306 (a) (b) (G)Section 1321.57 Older American's Act (federal); County Admin Code section 2.72 (Title2 sec 72) (old sec 5-50) Resolution #154924 Bylaws amended 9/26/06 Ag, F21393, #22

AGENCY

Social Services Agency

LOCATION

6955 Foothill Blvd Suite #300 Oakland CA 94605 QIC: 24550

STAFF PERSON

Jennifer Stephens-Pierre Work: (510) 577-1966

TERM (SEATS)

4 years, and not to exceed 2 four-year terms. Appointments to fill vacancies shall serve for the unexpired term of the person

MEETINGS

Monthly, 2nd Monday, 9:30 a.m.

QUALIFICATIONS

Members shall be older individuals who are participants or who are eligible to participate in programs assisted under this Act, representatives of older individuals, local elected officials, and the general public, to advise continuously the area agency on all matters relating to the development of the area plan, the administration of the plan and operations conducted under the plan.

APPOINTMENTS

The Advisory Commission shall consist of 21 Commissioners, appointed in the following manner: Each member of the board nominates two commissioners, one being a low income and/or minority. 8 Commissioners shall be appointed by the Alameda County Mayors = Conference (4 from north county and 4 from south county). 3 additional Commissioners shall be appointed at large by the Board of Supervisors from any of the following: (1) representatives of the Nutrition Project Councils funded by the Area Agency on Aging; (2) unpaid volunteers who work with service providers who serve a thousand or more older citizens; or (3) volunteers from the general public who have demonstrated an interest in serving on the Commission. Recommendations for these three appointments will be made by the Commission and forwarded to the Board of Supervisors. Paid personnel of service providers who are funded by the Area Agency are excluded from membership. A person appointed to fill any vacancy shall serve for the unexpired term of the person he or she succeeds.

Website: www.alamedacountysocialservices.org/about-us/Adult-and-Aging-Services/advisory-commission-on-aging

The Alameda County Advisory Commission on Aging (ACA) advises and provides information to the Board of Supervisors and the Area Agency on Aging (AAA). The commission is made up of representatives concerned about the needs and interests of elders in Alameda County. The commission works in concert with the staff of the AAA to develop, plan, and administer, programs designed to assist elders and their caregivers in the county.

The ACA reviews requests for funding from local community-based organizations and provides recommendations for funding to the Board of Supervisors. The commission also reviews and recommends the AAA's countywide area plan and year-end reports. Each commissioner serves on one of the following committees: Health & Safety, Public Relations, Legislative Advocacy, or Aging and Disability Resource Connection (ADRC) Advisory.

Website: www.acgov.org/bc/aca/

Objective: To act as an independent advocate for older persons as mandated by the Older Americans Act, and the Mello-Granlund Older Californians Act by taking positions on matters pertaining to federal, state and local policies, programs and procedures, and any legislation affecting older persons.

Authority: 42 U.S.C. 3126 SEC 306 (a) (b) (G) Section 1321.57 Older American's Act (federal); County Admin Code section 2.72 (Title 2 sec 72) (old sec 5-50) Resolution #154924 Bylaws amended 9/26/06 Ag, F21393, #22

Website: National Association of Area Agencies on Aging (n4a)

Given the many overlapping responsibilities of boards of directors and advisory councils, most of the guidance provided here applies to both of these important groups.

Under the Older Americans Act, AAAs are directed to establish an Advisory Council. The Advisory Council is charged with furthering the agency's mission of developing and coordinating community-based systems of services for all older persons in the planning and service area. However, as the name suggests, the Council advises—it does not govern. For example, a government-based AAA may have an Advisory Council, but governance resides with the elected Board of Commissioners.

What are boards' and advisory councils' key responsibilities? Many experts have outlined the various duties, using slightly different terms. The essence of the role breaks down something like this:

1. Governance (legal and fiduciary) – Ensuring high quality oversight, ethical and responsible decision-making, accountability and transparency (Note: While this responsibility falls exclusively on boards, the following roles apply to advisory councils as well.)

2. Ambassador to community – Enhancing the AAA's visibility, expanding the circle of friends

3. Advocacy – Championing and representing the interests of the AAA and the clientele it serves

4. Development and fundraising – Ensuring adequate resources to carry out the AAA's mission

5. Strategic advising – Providing strategic support, leadership and expertise to further the AAA's goals

ACA Recommendation for Follow-up Action (add to Action Log)

<<Specify recommendation for action>>

Commissioner Dissent

<<Any commissioner may submit a differing opinion>>

Agency Discussion

<<SSA/AAA may offer an opinion>>

ACA Discussion Update <<date>>

<<An update of any resulting action that modifies the opinion.>>

Alameda County Advisory Commission on Aging

Discussion Paper

The Year 2022 Report, 12/18/2022

Presented by the ACA Effectiveness Committee

Summary

The year 2022 has not been a particularly effective one for ACA in terms of finding opportunities to improve the lives of Alameda County seniors. The year has found the commission mired in administrative and legal wrangling with county admin. For reasons unexplained, efforts by the Effectiveness Committee to recommend bylaw amendments, procedural changes, and tools to improve commission effectiveness have been met with an ongoing assault of opinions and rulings from county admin, claimed to be based on rulings by county counsel and thus to be legally binding on ACA. To-date none of the rulings have been substantiated by legal fact. The newly elected chair of ACA has chosen to defer to county admin in all rulings and guidance, rather than understanding the intent of the commissioners and providing leadership. Admin has posted unapproved meeting minutes presenting a biased view of meetings to the public. Commission meetings have devolved into debates dominated by county admin. The wishes and intent of the commissioners have been disregarded, and meetings become a significant waste of time and energy. Besides being an unnecessary burden on ACA, detracting from any effort aimed at improving life for seniors, these actions have the unfortunate effect of creating an adversarial relationship between ACA and SSA/AAA.

Issues

The year 2022 was meant to be a year of transition for the ACA. Established in the Fall of 2021 the Effectiveness Committee had, by Spring 2022, put together a proposed suite of procedural changes and tools aimed at giving the commission more effective control over its objectives and operations. Primary among these were amendments to the commission bylaws. Throughout the development of recommendations, the committee had held open meetings and published plans and draft documents to maintain transparency. County admin chose not to attend the meetings or comment on the plans and documents. Then, throughout the Summer and Fall, for reasons known only to themselves, county admin undertook to subvert the intent of the commissioners, mostly by stating opinions that were claimed to be legally binding, but for which no evidence was provided. Also, by cancelling an ACA committee without notifying or seeking approval from the commission, and, again, claiming legal authority to do so. Many of these actions and opinions were demonstrably false. As a result, the commission has been forced to make decisions the county claims to be illegal. The newly elected chair of ACA has chosen to defer to county admin in all rulings and guidance, rather than understanding the intent of the commissioners and providing leadership. Through it all the commission has sought to be fully open in its discussions and guided by its charter to improve the lives of the seniors of Alameda County.

ACA Discussion

It is in the best interests of the seniors of Alameda County to have the county administration and the Alameda County Advisory Commission on Aging (ACA), working together to find areas of improvement in the delivery of services to seniors. To this end, in the Fall of 2021 ACA came to realize that it was not as effective as it should be. There were many reasons identified but primary among them was that the commission did not set its own goals and objectives. Its meetings and activities were under the control of the Area Agency on Aging. The commission established an ad hoc Effectiveness Committee to come up with recommendations for the commission.

The committee established an approach based on the following tenets:

- Based on a review of chartering documents at the Federal, State, and local level, the charter of the ACA is to be the primary and independent advocate for seniors in Alameda County, in all aspects of their lives. The

ACA serves to research and advise on matters affecting seniors. The ACA is an advocate for seniors. ACA works closely with the Area Agency on Aging but is not limited in its scope to AAA activities. The ACA advises the Alameda County Board of Supervisors.

- To be most effective the ACA must be democratic through voting commissioners in setting its agendas, goals, and plans.
- ACA must become a leader in working with other agencies and community-based organizations, seeking opportunities for cooperation and synergy, and working to eliminate cultural, system, and administrative silos.
- Commissioners must be given the tools and training necessary to become proactive in performing their duties.
- The commission, its meetings and actions, must be administered according to established procedures and rules. County admin's responsibility is to provide support through understanding the commission intent and assisting in achieving that.

From this foundation the committee began work on the following tools:

- Amendments to the 2006 ACA Bylaws. These include:
 - Updated commission objectives.
 - Meeting agendas set by vote of commissioners.
 - Detail commission work delegated to committees to allow vertical focus rather than all commissioners doing everything.
 - Strict adherence to orderly meetings with a focus on the intent of the commissioners.
 - Open public access to approved meeting and research materials.
- An Orientation Guide for Commissioners
- A shared library of documents. (in progress)
- An Action Log to keep track of unfinished business. (in progress)
- An attendance log for commissioners.

It is important to note that the work of the Effectiveness Committee was carried out in full public view with members of county admin having a standing invitation to attend meetings. Plans and drafts of materials were regularly made available.

As it turned out, however, the year 2022 has been a year of testing for ACA, testing its resolve, testing its vision, testing its patience, testing whether a dedicated group of volunteers can work as a member of a team where the dynamics require honest cooperation for the team to be effective, and where that cooperation has not only been lacking, but replaced with active opposition. Since January the ACA has been mired in trying to make administrative progress with literally nothing being accomplished on behalf of our constituents. Since June ACA has had a new chair. Efforts by individual commissioners seeking guidance and leadership from the chair have been passed by with no response. In meetings the chair always defers to county admin, exacerbating the situation described herein. The chair chooses to ignore legal motions by the commission, allowing county actions to the contrary to prevail.

Three main subjects have occupied all of 2022: ADRC, the Bylaws, and applicable rules and laws. It is the observation of the Effectiveness Committee that with simple cooperation and support from county admin what took a full year, and is not yet finished, could have been accomplished in a couple of months.

Start with ADRC. The CDA mandated Aging and Disability Resource Connection (ADRC) effort has been ongoing in Alameda County for several years. An ad hoc ADRC Advisory Committee has existed in name as an ACA committee with a commissioner as chair. This committee had a standing meeting day/time and, beginning in February 2022, a membership who met the CDA requirement for diversity. The project itself was under the management of “core partners” comprising AAA, the Center for Independent Living (CIL), and the Community Resources for Independent Living (CRIL). In the Spring and Summer, the follow occurred:

- With no consultation or notification of ACA, the core partners established a new ADRC committee. Their terminology was that the committee has simply been “moved” from ACA to the core partners.
- The new committee, with the AAA Director as chair, was scheduled to meet at the same time as the existing ACA committee. Invitations were sent without explanation to the existing ACA committee members except for the commissioners, who were excluded. At the same time a cancellation of the ACA meeting was sent by county admin. This led to confusion.
- When the ACA became aware of the core partner’s actions it pointed out that “move” meant that the ACA committee no longer existed. In effect this action cancelled the ACA committee without ACA involvement. Director Faith Battles stated that Victoria Wu, County Counsel, confirmed that no vote by ACA was required. (Comment: no evidence was provided of such a ruling.)
- At an ACA meeting AAA Director Stephens-Pierre stated all commissioners were welcome to the new committee meetings, even though it was pointed out that they were not all invited to the initial meeting. Later, at a meeting of the new committee, Ms Stephens-Pierre stated that the Brown Act did not apply to the meetings and that only committee members would be invited; it was open neither to ACA commissioners nor the public.
- ACA decided its purview must include all efforts known as No Wrong Door, including ADRC, and voted to establish a new standing committee. Director Battles stated that the commission had no right to establish any committees, that that right was only given to the Board of Supervisors.
- This debate and its ramifications extended over several months. In fact, both committees now exist, implying unnecessary effort expended in coordination and reporting. Also, the core partners committee does not meet the CDA requirements for an ADRC Advisory Council.

The ongoing attempt to implement amended ACA bylaws is indicative of the approach being taken by county admin to impose its will on the commission. The strategy is to slow down deliberation by monopolizing meeting time, and by making spurious and false claims during debate with no attempt to justify or follow up with facts. A frequent occurrence is that a motion will be made and seconded, and discussion begun. Quickly the discussion comes to be dominated by county admin, frequently getting far afield of the matter of the motion, and, as said, making false claims as legal judgements. Requests to call the motion have been ignored by the ACA chair, allowing county admin to continue talking. In by far the majority of these cases when the vote is finally taken the motion passes by a significant majority. The obfuscation and obstructionism contribute nothing but to waste time.

Here are some examples from discussions to amend the bylaws:

- Faith Battles: “ACA has no right to establish committees as only the Board of Supervisors has that right.” (Comment: based on advice from the clerk of the Board of Supervisors, this is not true.)
- Faith Battles: “The Board of Supervisors has to agree to what we put forward because it impacts every other commission and every other committee that is governed by the Board of Supervisors. The department has to write what is called a Board Letter. Nothing happens in this county without a Board Letter...The

Board of Supervisors in an open session will have...a vote on it and the Board will decide whether or not that Board Letter is approved. That's the process for changing your bylaws...Every other commission that is governed by the Board of Supervisors will be subject to changes made in one area." (Comment: based on advice from the clerk of the Board of Supervisors, none of this is true.)

- In reviewing the bylaws amendments, the claim is that all county comments are based on county counsel legal ruling, but no evidence is provided.
- From amended bylaws: "They (commissioners) must be familiar with the organization and operations of agencies and institutions they are appointed to advise and oversee" Faith Battles: "This can be a part of the ACA's goals but not in the bylaws. We can't give them that authority." (Comment: suggest AAA has no legal standing to allow or to withhold authority from the commission.)
- Relative to bylaws statements that committees hold public meetings and keep the public aware. Faith Battles: "A committee does not have the authority to create or disseminate information to the County residents. Only the BOS/SSA can issue public awareness information." (Comment: A quick search of websites disproves this)
- From the bylaws: The No-Wrong-Door committee works to promote and provide easy, uniform, and streamlined access to a broad array of services, support, and advocacy for senior and disabled individuals, their care takers, and their community seeking services, and information about resources. Faith Battles: "Goes beyond the admin code on duties. The ACA cannot provide any access to services or advocacy for any individual as to those services." (Comment: the word "provide" may be inappropriate. However, advocacy is a main reason for the existence of ACA.)
- From the bylaws: The MPA/CWAP committee tracks and advises on the application of the California Master Plan on Aging (MPA) to all areas of support for seniors. The committee is especially involved in the development and tracking of the Countywide Area Plan (CWAP). Faith Battles: "Again, no authority to do this task either." (Comment: each year ACA is asked to approve the CWAP update.)
- From the bylaws: The Budget and Funding Committee works to assist in developing and monitoring the budget and processes for allocating funds to seniors. Faith Battles: "Again, no authority to do this task either" (Comment: every funding cycle ACA is asked to participate in reviewing RFPs. Advising on the distribution of funds is a primary role of ACA.)

The motivation for this litany of obstruction is difficult to understand. One thing is clear: it is not motivated by a desire to improve the lives of Alameda County seniors. The hundreds of person-hours spent in fruitless wrangling could be better spent.

Claiming legal justification for overriding the commission has further ramifications. ACA relies on both the county SSA/AAA admin and county counsel for advice on keeping its actions legal and effective. If admin claims that their rulings are legally binding without identifying specific laws or codes, or providing access to the advice of county counsel ACA is placed in a dilemma. It can simply take the ruling at face value and acquiesce, or it can decide on its own to disregard the ruling as likely to be only the opinion of admin and thus not legally binding. The first choice has been demonstrated to be naive since past admin opinions have turned out to be false. The second choice, because of past discrepancies, turns out to be the only viable option.

SSA/AAA publicly posts agenda or minutes that have not been approved and refuses to follow the laws and rules governing the commission. This leaves the commission no recourse. It must follow the agenda, valid or not. County counsel has admonished ACA very strictly to follow the Brown Act. They have not admonished SSA/AAA to respect the legal intent of the ACA, but apparently consider unilateral actions by county admin to be acceptable.

One lamentable example of this was the special meeting of September 27. At the September 12 regular ACA meeting a motion was passed to schedule a special meeting to "consider and vote" on several items. The public

agenda said simply “ACA Effectiveness Committee Report”. The intention of the commission was ignored, and the misleading agenda was used as reason to cancel the meeting.

Admin publishes unapproved minutes to the public and states flatly that they will not be edited, even though Robert’s Rules clearly says minutes must be approved. Such a double standard applying one set of legal rulings to ACA while allowing unilateral action by admin without constraint leaves the commission in an untenable situation. Since we are prohibited from having legal advice of our own from county counsel, we are forced to be our own decision makers. We are given no choice but to evaluate each claim and decide for ourselves whether to take or ignore it. This is not how things are supposed to work. We should be partners looking for common success. This situation is additionally unfortunate as it puts ACA and SSA/AAA in adversarial positions unnecessarily.

What will 2023 bring? This committee fervently hopes it will be the transition year we hoped 2022 would be, and that the commissioners have voted for. Our sister committees can begin to research and collaborate on subjects in their purview. Our regular ACA meetings can focus on committee summary reports rather than lengthy, detailed presentations. A shared library will begin to hold a collection of Discussion Papers. An Action Log will ensure that business unfinished in one meeting is followed-up in the next. New commissioners will join and receive the training they need to be effective. Commissioners and their SSA/AAA colleagues will find common interest in improving the work we both do. Alameda County will begin to move toward a position of leadership within the state in uniting its senior community, government employees, volunteers, CBOs, seniors and their caregivers to work together to eliminate redundancy, maximize synergy, and improve the efficiency and quality of service delivery. We can hope.

ACA Recommendation for Follow-up Action (add to Action Log)

<<Specify recommendation for action>>

Commissioner Dissent

<<Any commissioner may submit a differing opinion>>

Agency Discussion

<<SSA/AAA may offer an opinion>>

ACA Discussion Update <<date>>

<<An update of any resulting action that modifies the opinion.>>

Bylaws Review Procedure

- Committee chair will go through new bylaws reviewing each county comment in order.
 - County will present legal justification for comment.
 - Committee will discuss and agree on its recommendation:
 - Allow the amendment to stand,
 - Propose new amendment.
- Committee will prepare a list of recommendations in the form of a motion and submit it to the ACA Executive Committee, requesting it be placed on a future agenda for commission consideration.

Advisory Commission on Aging

Action Log

Index of Open Items

[Re-opening senior centers \(OPEN\)](#)

[New Commissioners \(OPEN\)](#)

[Funds that will become available with the approval of The American Rescue Plan Act \(OPEN\)](#)

[Oakland A's Senior Day Table \(OPEN\)](#)

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[Amend June Meeting Minutes \(OPEN\)](#)

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[Working with consultant to define ADRC next steps \(OPEN\)](#)

[ACA Legislative committee exploring joining with Age Friendly Council committee \(OPEN\)](#)

[Publish newly approved bylaws \(OPEN\)](#)

Re-opening senior centers (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
5/10/2022	Meeting minutes	AAA to answer in next meeting if there is any information about re-opening of senior centers	Submitted
5/10/2022	AAA		Assigned

New Commissioners (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
5/10/2022	Meeting minutes	The Commission is actively looking for new members. There is currently 3 members nominated who should be voted in the June meeting.	Submitted

Funds that will become available with the approval of The American Rescue Plan Act (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
5/10/2022	Eric Eisenberg	Commissioner Eisenberg has reminded the subcommittee of the funds that will become available with the approval of The American Rescue Plan Act of 2021. The subcommittee agreed that this should be an agenda item for their next meeting	Submitted

Oakland A's Senior Day Table (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
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5/10/2022	Diarra Piggue	Diarra Piggue, AAA Outreach Specialist is going to contact the Oakland A's about the possibility of the Commission having a table in the ballpark on their Senior Day.	Submitted
5/10/2022	Diarra Piggue		Assigned

Email on how to Volunteer for Alameda County Fair (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
6/13/2022	Jennifer Stephens-Pierre	AAA will have a table in the upcoming Alameda County Fair and the Commission is invited to volunteer. An email with the information on how to sign up to volunteer will be sent out to the Commission.	Submitted
6/13/2022	AAA		Assigned

Amend June Meeting Minutes (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
8/8/2022	Commission vote	Roll call and vote: Watters calls for a Unanimous consent. Commissioner Raskin abstains, not present at the June meeting. No objections, Watters calls for the minutes to be amended.	Submitted
10/25/2022	Kester Watters	The minutes of the June meeting have not been amended.	Action

Update on AT&T Inclusion Grant (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
8/8/2022	Howard Kirsch	Commissioner Kirsch requests update on AT&T Inclusion Grant. • Faith Battles responded, will discuss with Interim Agency Director Andrea Ford regarding how monies will be distributed. The County must go through a procurement process. • Commissioner Kirsch is on the Digital Inclusion Committee and has expressed interest in this grant.	Submitted
8/8/2022	Faith Battles		Assigned

Request to Chair to Share Her Guidance on Meeting Procedures (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
8/8/2022	Kester Watters	Commissioner Watters will follow-up with Commissioner Griggs-Murphy regarding Commission operation	Submitted
8/8/2022	Kester Watters		Assigned
8/8/2022	Kester Watters	Email request to Chair Giggs-Murphy to share her guidance.	Action

Commissioner Training in Administering Public Meetings (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
9/27/2022	Meeting minutes	Suggestion made that Commissioners be instructed on how to do public notices, set up Zoom calls and take minutes independently of County staff was met favorably.	Submitted

Commissioner Kim-Lee termination (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
10/25/2022	Executive Committee	Vote to terminate commissioner Sarah Kim-Lee. Board of Supervisors and Ms Kim Lee to be notified.	Submitted

When to override a passed motion? (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Kester Watters	During the September ACA meeting a motion was made and passed that a special meeting would be held to “discuss and vote” on five separate items. Yet the agenda said simply “report”. This fact was used as the reason for adjourning the meeting since the agenda did not allow for voting. In general, what further action must the commissioners take to ensure their wishes are honored?	Submitted
			Assigned

Shared drive for ACA (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
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11/14/23022	Kester Watters	Jennifer Stephens-Pierre (in chat of 9/27 special meeting) "The AAA set up a shared drive for ACA, as requested. The drive is available to all Commissioners." I am unaware of the location of this shared drive.	Submitted
			Assigned

In pursuit of a shared document library (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Kester Watters	County IT has informed me that I cannot "own" or administer a county Team platform. Only county employees can. My intent had been to experiment with the features to recommend policies and procedures for a shared ACA library. Knowing of the county staffing issues I had hoped to volunteer my time to do this research. Are there any recommendations from county as to how to proceed? Perhaps a meeting with IT to see if they have suggestions. Otherwise maybe we can get access to the shared drive Jennifer spoke of.	Submikttd
			Assigned

Responding to commission questions for County Counsel (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Samantha Stonework-Hand	We can have county counsel available for the January meeting. I will speak to Victoria Wu about making the material available prior to the meeting.	Submitted

Ready to share ADRC website (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Jennifer Stevens-Pierre	We are ready to share the ADRC website.	Submitted

Database for tracking ADRC will be available in January (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Jennifer Stephens-Pierre	Secure a database that will be used to track our ADRC services. We will replenish and make that transition into the database in January	Submitted

ADRC application to be available shortly after December 2 (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Jennifer Stephens-Pierre	CDA advises our application will be reviewed on December second and we should have a decision on designation shortly thereafter.	Submitted

Working with consultant to define ADRC next steps (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Jennifer Stephens-Pierre	After designation working with consultant on next steps to solidify the foundation	Submitted

ACA Legislative committee exploring joining with Age Friendly Council committee (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	Howard Kirsch	ACA Legislative Committee exploring joining with Age Friendly Council Legislative committee.	Submitted

Publish newly approved bylaws (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
11/14/2022	ACA Motion	Approved bylaws to be published on website and delivered to County Clerk.	

Set up meeting to review Bylaws Comments (OPEN)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed
12/13/2022	Kester Watters	Email proposing plan	submitted

(Proforma...copy/paste to add new items)

<<title>> (OPEN/CLOSED)

Date	Person	Description	Submitted/Assigned/ Action/Responded/Closed

ACA Effectiveness Committee

- Pending Items
 - Submitted Eff Comm agenda for formatting (email 12/16, update 12/19)
due date 12/21/2022
- Prepare for Upcoming Monthly Meeting
 - Draft agenda
due date 12/20/2022, completed on 12/19/2022
 - Create material
due date 12/20/2022, completed on 12/21/2022
 - Draft agenda to AAA
due date 12/21/2022, completed on 12/22/2022
 - Approve agenda
due date 12/28/2022
 - Meeting
due date 01/04/2023
- Implement Meeting Action Log
- Review bylaws for conformity with law
 - Identify participants
due date 12/19/2022
 - Poll for 2-hours in January
due date 12/23/2022
 - meet
 - Document recommendations
- Update Orientation Guide
 - Get onboarding material from Recruitment Committee
 - Incorporate material on setting agenda
 - Incorporate material on planning and reporting
 - Incorporate material on conducting and reporting research
- Hold presentation on new tools and procedures
 - Set up meeting (retreat?)
 - Create presentation
 - Review presentation with committee
- Establish platform and practices for shared library
 - Work with AAA to identify platform

Recommend website

- Design library structure
- Establish procedure for library updates
- Move existing material to library