

OPERATING GUIDELINES

CALIFORNIA DEPARTMENT OF
VETERANS AFFAIRS (CDVA)

DISABLED VETERAN BUSINESS
ENTERPRISE (DVBE) ADVISORY COUNCIL

2012

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Preamble

The purpose of the CDVA DVBE Advisory Council is to provide a forum for certified DVBE's, DVBE organizations, veteran affiliate organizations and business's to comment and provide feedback on the CDVA and DGS policies and practices that affect or impact DVBE utilization. The DVBE Advisory Council's role is to ensure DVBE participation in State agency contracts, to disseminate information regarding specific CDVA and DGS projects and programs, and to provide a venue for interactive discussions with interested parties.

The DVBE Advisory Council is not a policy making body. The role of the Council is advisory only and members do not bring their affiliations to the Council meetings.

Article I. Name

1. The name of this organization is the "DVBE Advisory Council", hereafter referred to as the "Council".
2. The "Department" and "CDVA" mean the California Department of Veterans Affairs.
3. The "Secretary" means the Secretary of the California Department of Veterans Affairs or his/her designee.
4. "DGS" and "General Services" mean the California Department of General Services.
5. "Council Co-Chairs" means the Council Co-Chair CDVA and Council Co-Chair DVBE.

Article II. Operating Procedures

Except where otherwise expressed in these Operating Guidelines, the Council shall adhere to and operate in accordance with Robert's Rules of Order. The Council Co-Chair CDVA shall be responsible for the rulings in matters of procedure. Questions as to the meaning and interpretation of these Operating Guidelines shall be the responsibility of the Council Co-Chair CDVA. All meetings shall be conducted in compliance with the Bagley-Keene Open Meeting Act.

Article III. Structure

The Council shall be jointly chaired by the Council Co-Chair CDVA and the Council Co-Chair DVBE. The Chief, Office of Small Business/DVBE Services of the Department of General Services, shall be a non-voting, ex officio member of the Council.

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The Council will have twenty-five members. Eighteen members will be California Certified DVBE's and seven members will be from the DVBE, veteran, and business community at large. The Council Co-Chair CDVA shall be the Secretary of the CDVA. The Council Co-Chair CDVA may appoint a representative in their absence; traditionally the Deputy Secretary, Veterans Services Division.

A. Council Co-Chair CDVA:

1. Shall preside over all meetings of the Council.
2. Shall be an ex-officio member of all Committees and Subcommittees.
3. Shall accept an issue or concern from the full Council or Council Committees regarding CDVA activities.

B. Council Co-Chair CDVA shall appoint Council Co-Chair DVBE.

1. Council Co-Chair DVBE must be a California certified DVBE.
2. Council Co-Chair DVBE shall serve a term of two years not to exceed two consecutive terms.
3. Council Co-Chair CDVA and Council Co-Chair DVBE shall determine agendas, distribution of the minutes and other administrative duties of the Council.

C. The Council Co-Chairs may establish standing committees and ad hoc committees and subcommittees thereof, as they deem appropriate to carry out the purpose of the Council. Committees shall consist of DVBE members (primary and alternate) and may, at the discretion of the Co-Chair CDVA, include other persons who are not members of the Council.

D. CDVA Liaison to Committees

The CDVA Liaison will represent the CDVA or the DGS on the individual Council Committees. The Liaison will be one who is knowledgeable of the activities associated with the Committee objectives. The Liaison shall:

1. Attend Committee meetings and the annual planning session, when applicable.
2. Provide information and assistance to maintain Committee meeting minutes and disseminate the minutes to committee chair and members, and the CDVA within ten (10) working days after the meeting.

E. Committee Chair / Vice Chair

The Committee Chair shall:

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1. Serve as Committee Chair for a minimum of one (1) year—not to exceed two (2) calendar years. Prior to the selection, the current Chair of each Committee shall first solicit nominations of Council members interested and willing to serve as Committee Chair.
2. Only Primary Council members, not their alternates, are eligible to serve as a Committee Chair.
3. Hold the position from January 1 through December 31 of applicable calendar year.
4. Prepare the Committee agenda, schedule the meeting date, time and location, and oversee preparation of the minutes.
5. Solicit agenda items from Committee members and submit all agenda items in writing to the Council Coordinator no later than seven (7) calendar days prior to the scheduled Committee meeting.
6. Present to the full Council a summary of all discussions and recommendations from the Committee meetings. A copy of the Committee minutes shall be presented to the Council-Co-Chair CDVA.
7. Disseminate action items and minutes thorough committee liaison within ten (10) working days of the meeting.

E. Standing Committees

The Council shall be composed of the following Standing Committees:

1. Legislation
2. Procurement
3. Outreach & Education
4. C.P.U.C.
5. Membership
6. Operating Guidelines (ad hoc)

All Standing Committees shall define their objectives.

F. Other Standing Committees

Only the Council Co-Chair CDVA may establish other Standing Committees.

G. Special Committees and Subcommittees

1. The recommendation to form a new Subcommittee and the appointment of a Subcommittee Chair must be approved by the Council Co-Chair CDVA. The recommendation must be in writing and include the objective and duration of the subcommittee.

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2. The Subcommittee Chair shall have the same role and responsibilities as a Committee Chair as detailed above.

Article IV. Membership

A. Criteria for Membership

1. An applicant must be either a California certified DVBE representing a constituent group, a DVBE organization, a veteran affiliate organization, or a business and have an interest in improving the DVBE program.
2. An applicant must submit a written request to become a member of the DVBE Advisory Council including the name of the person nominated to be the Alternate Representative to the Council Co-Chair CDVA. The request for membership shall include, association membership size, association membership's geographical coverage (local, statewide), and, the primary business interest the association exists for. The request for membership on the DVBE Advisory Council will be reviewed by the Membership Committee and approved or denied by the Council Co-Chair CDVA. The Council Co-Chair CDVA shall respond to all requests for membership in writing. Applications for membership will be accepted on a continuous basis.
3. Membership on the Council shall consist of a maximum of twenty-five (25) Primary Representatives.
4. Any member serving on the DVBE Advisory Council shall be removed from the Council membership for any of the following causes:
 - Dissolution of a member association or DVBE business
 - Two consecutive absences of the Primary or Alternate Representatives at regularly scheduled meetings
5. Members serve a two-year term with the option to apply for additional successive terms. The CDVA will notify members in January of the second year of their terms of their need to re-apply. Members must then submit to the CDVA, within ninety (90) days from notification, a written request to serve an additional term. The Council Co-Chair CDVA will evaluate membership on the DVBE Advisory Council in an effort to maintain balance of representation. When a member vacancy occurs, consideration will be given to applicants that have not previously been a part of the Council and to applicant associations representing a statewide membership. A waiting list will be established for that purpose.
6. DVBE members serve on the Advisory Council at the pleasure of the CDVA.

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Article V. Role of the Primary/Alternate Council Member

The role of the Council member is to provide input and feedback in an advisory capacity on the CDVA policies and practices that affect or impact small business utilization and participation in the CDVA contracts and projects.

1. It is the responsibility of the Primary/Alternate representatives to disseminate information resulting from the DVBE Advisory Council meetings to their association membership and to bring forward issues and recommendations from their constituency.
2. Primary members, or alternate members, on the Council shall not represent themselves as speaking or acting on behalf of the Council or the Department.
3. Members must strive to represent their constituent groups and seek to recommend action to benefit the program as a whole. They must not act to personally benefit their individual firm to the detriment of the program.

Article VI. Council Motions and Voting Rights

1. The Council Co-Chairs shall not vote except to break a tie.
2. The right to make a motion or vote on issues before the Council is limited to the Primary/Alternate representatives. The Primary representative will cast one vote for his/her member association. The Alternate representative is allowed to cast one vote only when the Primary representative is absent. Motions involving policies and practices of the CDVA or DGS shall be voted upon by Council members and shall be set forth as recommendations to the CDVA made in an advisory capacity only.
3. Only sitting Council members are allowed to vote.
4. A quorum of the Council shall consist of two-thirds of the voting members. A quorum for a Committee shall consist of two-thirds the Committee members.

Article VII. Council Meeting Dates

The general meeting of the Council will convene at CDVA Headquarters in Sacramento. Specific meeting dates will be determined prior to each annual planning meeting and provided to all Council members. The Council Co-Chair CDVA retains authority to change meeting dates when necessary. The meetings of the Council will abide by the applicable provisions of the Bagley-Keene Open Meeting Act (Gov. Code, §§11120-11132).

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Article VIII. Meeting Minutes

The Council Co-Chair VSD shall provide for minute taking at all Council meetings. Approval of minutes from the previous Council meeting shall be a regular agenda item. The minutes shall not be official until approved by the Council and signed by the Council Co-Chair CDVA. It is the DVBE Advisory Council's responsibility to provide meeting minutes within twenty (20) working days of a Council meeting. Approved minutes shall be posted on the CDVA website and maintained for at least one year from the date of publication. Copies of the minutes shall be retained in physical form as determined by law and CDVA's established records retention policies.

Article IX. Reimbursement

The CDVA may reimburse the Primary member for reasonable travel expenses in order to attend a CDVA Advisory Council meeting. If the Primary member is unable to attend a CDVA Advisory Council meeting, the Alternate member may be reimbursed reasonable travel expenses in accordance with the Department of Personnel Administration travel rules, policies, and procedures. Travel expenses are strictly related to the CDVA Advisory Council meeting.

Article X. Conduct

1. All Members shall observe the CDVA policies concerning Sexual Harassment, Workplace Violence, Drug-Free Workplace, Incompatible Activities and Conflicts of Interest, and Zero-Tolerance of Discrimination.
2. Any member serving on the Council shall be removed for:
 - a) Disruptive and/or abusive behavior.
 - b) Non-observance of the CDVA policies.
3. No Primary or Alternate member shall use their membership on the Council or Committee for personal gain or influence; as a means to obtain preliminary access to, or obtain privileges to, contract opportunities, contract administration, or access to government elected officials.