



FIRST 5 EL DORADO CHILDREN AND FAMILIES COMMISSION

MEMO

TO: Commissioners
FROM: Kathleen Guerrero, Executive Director
DATE: January 9, 2023

RECOMMENDATION: Commissioners will discuss and consider bylaw revisions.

BACKGROUND:

First 5 El Dorado is established by local ordinance as a result of the passage of Proposition 10 in 2008. The local ordinance requires bylaws with policies and procedures to ensure alignment. These policies and procedures include address; definitions; goals; purpose; authority; membership; quorum; voting rights; officers, staff and duties; advisory committees; powers and activities; meetings; summary, reports, and agenda; and rules of order.

DISCUSSION:

In keeping with the procedures identified by the El Dorado County Board Clerk for Commissions and in compliance with the First 5 El Dorado Commission Ordinance, staff are requesting the following changes to update the bylaws to ensure alignment in our work:

- Update Commission office address
- Add recruitment language to the Membership section
- General formatting

FISCAL IMPACT: None

CONTRACTOR(S): *Recipients of Commission funding are listed to assist Commissioners with assessing any potential conflict of interests:* None.

CONCLUSION: Should Commissioners approve the proposed changes, staff will take the bylaws to the Board of Supervisors for approval.

ATTACHMENT: Bylaw Revisions dated January 9, 2023



FIRST 5 EL DORADO CHILDREN AND FAMILIES COMMISSION

BYLAWS

For

FIRST 5 EL DORADO CHILDREN AND FAMILIES COMMISSION

ARTICLE I. NAME AND ADDRESS

The Commission shall be known as First 5 El Dorado Children and Families Commission. Its principle address will be: 6767 Green Valley Road, Placerville, California 95667

ARTICLE II. DEFINITIONS

The following terms shall have the following meanings when used in these Bylaws, unless different meaning or intent clearly appears from the context:

- A. "Act" shall mean the California Children and Families Act of 1998.
B. "Initiative" shall mean the California Children and Families Initiative.
C. "Board" shall mean the El Dorado County Board of Supervisors
D. "Commission" shall mean First 5 El Dorado Children and Families Commission.
E. "Fund" shall mean the El Dorado County California Children and Families Trust Fund pursuant to Health and Safety Code section 130105, which was created on December 8, 1998 by the El Dorado County Board of Supervisors by Ordinance No. 4514.
F. "Plan" shall mean a county strategic plan adopted by the Commission, approved by the El Dorado County Board of Supervisors and submitted to the California Children and Families Commission pursuant to Health and Safety Code section 130140.
G. "State Commission" shall mean the California Children and Families State Commission established in accordance with Health and Safety Code section 130110.
H. "Ordinance" shall mean El Dorado County Ordinance No. 4514 as adopted by the Board of Supervisors and/or as subsequently amended.

ARTICLE III. GOAL

The goal of the Commission is to ensure that the children of El Dorado County are in good health, ready and able to learn, and emotionally well developed by facilitating the creation and implementation of an integrated, comprehensive and collaborative system of information and

Adopted by First 5 El Dorado Children and Families Commission: June 14, 1999

Revised (Date): January 9, 2023

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services for children in the target group prenatal through five years of age. This system should function as a network that promotes accessibility to all information and services from any entry point into the system. It is further the intent to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems while emphasizing the importance of proper parenting and nurturing.

ARTICLE IV. PURPOSE

The purpose of the Commission is to develop a Strategic Plan that focuses on the support for, and improvement of, early care and education within the County. The Strategic Plan must be reviewed by the Board of Supervisors, and then be submitted to the State Commission.

ARTICLE V. AUTHORITY

- A. In November 1998, voters in California approved Proposition 10 creating the California Children and Families Initiative.
- B. The Commission is established by subdivision (1) (a) of Section 130140 of the California Health and Safety Code.
- C. The Commission was ordained on December 8, 1998 by Ordinance No. 4514 of the Board of Supervisors of the County of El Dorado.

ARTICLE VI. MEMBERSHIP

A. Membership shall reflect the Commission’s Common Understandings to ensure the work is equitable, reaching those furthest from opportunity.

B. Members shall be appointed by the El Dorado County Board of Supervisors, shall consist of at least 5 but not more than 9 members, with every effort made to represent the broad geography of the County:

- A Member of the El Dorado County Board of Supervisors
- Two members of the Commission shall be from among the County Health Officer and persons responsible for management of the following County functions: children’s services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.
- A Medical Member representing local medical, pediatric, or obstetric associations or societies.
- An Education Member representing local school districts.
- Four Community Representatives recommended by the El Dorado County Board of Supervisors including, but not limited to: recipients of project services included in the County strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, or a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; and representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development.

C. Efforts shall be made to ensure the Commission membership reflects the voices of the County using recruitment strategies designed to engage those furthest from opportunity

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and reflecting the demographics of our county including race, language, culture, orientation, and abilities.



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D. Members of the Commission are appointed in accordance with the process established by the El Dorado County Board of Supervisors for County Commissions:

1. Applicants contact the Clerk of the Board and receive an Application for County of El Dorado Board, Commission or Committee.
2. Completed applications are submitted to the Clerk of the Board, who forwards to the Supervisor representing the Commission, requests that he/she review the application, and make a recommendation.
3. The Board of Supervisors will appoint Commissioners to the First 5 El Dorado Children and Families Commission.
4. Commissioners stepping down from the Commission will submit their letter of resignation to the Clerk of the Board. Vacancies will be posted for at least 10 days from the effective date of the resignation.

E. Members of the Commission shall not be compensated for their services, except they shall be paid reasonable per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities as authorized by the Commission.

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F. Members shall serve for terms of three years and until his/her successor is appointed by the Board of Supervisors. There is no limit to the number of terms an appointed Commission member may serve.

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G. All members of the Commission are expected to regularly attend meetings of the Commission. A failure by any member to attend three (3) regular meetings of the Commission in a twelve (12) month period shall cause the Commission seat to be declared vacant. A letter shall be issued to the Board of Supervisors informing them of the vacancy.

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ARTICLE VII. QUORUM

A majority of the appointed voting members of the Commission shall constitute a quorum of the Commission.

ARTICLE VIII. VOTING RIGHTS

All individual members have equal voting rights, which may not be exercised in absentia. A voting majority will consist of a majority of those appointed. Commission members who are present and able to vote (vote may be by video teleconferencing due to location) (i.e., not subject to a conflict of interest issue.) On any special voting item, there must be a quorum of Commission members available and able to vote.



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ARTICLE IX. OFFICERS, STAFF AND DUTIES

- A. The officers of the Commission shall be a Chair, Vice-Chair, and such officers as the Commission may from time to time provide. The officers shall perform the duties of their respective offices, and such other duties as may be approved by the Commission.
- B. The Chair, Vice-Chair and other such officers shall be selected by majority vote of the Commission. The Chair cannot be a member of the Board of Supervisors or a County Department Head.
- C. The terms of all such officers shall be one year, commencing upon the meeting of the members at which they are selected. All officers shall hold office until their successors are duly elected.
- D. The Chair shall be the executive head of the organization and shall preside at all meetings. In the absence of the Chair, the Vice-Chair shall assume the duties of the Chair. The specific duties of other such officers shall be prescribed by the Commission.
- E. Staff for the Commission shall be evaluated on an annual basis.
- F. Officers shall be elected annually at the October Commission meeting and immediately assume the duties.
- G. Committees are established as needed to provide oversight on Commission activities.

ARTICLE X. ADVISORY COMMITTEES

- A. The Commission shall establish one or more advisory committees to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the Act.
- B. Committee membership shall be voluntary without term limits.
- C. Committees shall meet and shall make recommendations and reports as deemed necessary or appropriate.

ARTICLE XI. POWERS AND ACTIVITIES

The powers and activities of the Commissions shall be as follows:

- A. Bylaws
The Commission shall adopt and amend bylaws consistent with the Ordinance.
- B. Strategic Plan
The Commissions shall adopt an adequate and complete Strategic Plan for the support and improvement of early care and education within the County.

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1. The Plan shall be consistent with, and in furtherance of the purposes of the Act and any guidelines adopted by the State Commission pursuant to subdivision (b) of Section 130125 that are in effect at the time the Plan is adopted.
 2. The Plan shall, at a minimum, include the following: a description of the goals and objectives proposed to be attained; a description of the programs, services and projects proposed to be provided, sponsored or facilitated; and a description of how measurable outcomes of such programs, services and projects will be determined by the Commission using appropriate reliable indicators. The Plan shall describe how programs, services and projects relating to early care and education within the County will be integrated into a consumer-oriented and easily accessible system.
 3. The Commission shall measure the outcomes of its funded programs through the use of applicable, reliable indicators and review that information on a periodic basis as part of the public review of its county strategic plan.
 4. The Commission shall conduct at least one public hearing on the proposed County Strategic Plan prior to the adoption of the Plan and any subsequent revisions to the Plan.
 5. The Commission shall, on at least an annual basis, review the Plan and revise the Plan as may be necessary and appropriate.
 6. The proposed Plan, and any subsequent revisions to the Plan, shall be submitted to the Board of Supervisors for review and comment prior to submission to the State Commission.
 7. The Commission shall submit its adopted Strategic Plan and any subsequent revisions thereto, to the State Commission.
- C. Trust Fund
1. The Commission shall deposit moneys allocated an appropriate to the Commission in the local California Children and Families Trust Fund.
 2. The Commission shall administer the Trust Fund and shall expend the funds only for the purposes authorized by the Act and in accordance with the county Strategic Plan approved by the Commission.
- D. Annual Audit and Report
- On or before October 15 of each year, the Commission shall prepare and adopt an annual audit and report pursuant to Section 130150 of the Health and Safety Code. The

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Commission shall conduct at least one public hearing prior to adopting any annual audit and report.



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- E. Public Hearing on State Commission's Annual Report
The Commission shall conduct at least one public hearing on the annual report prepared by the State Commission pursuant to subdivision (b) of Section 130150 of the Health and Safety Code.
- F. Contracts
The Commission shall enter into such contracts as necessary or appropriate to carry out the provisions and purposes of the Act.
- G. Other Functions
The Commission shall perform such other functions as required by applicable state law or regulations, and shall carry out all of its functions in accordance with applicable laws and regulations, including the Ralph M. Brown Act.

ARTICLE XII. MEETINGS

- A. Regular meetings of the Commission shall be held on a regular basis at a time and place to be specified by a vote of the Commission.
- B. All meetings of the Commission, except those closed sessions permitted by law, shall be open and public. All meetings shall conform to the Ralph M. Brown Act, including requirements for notice of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of this Commission are hereby incorporated by reference into these Bylaws.
- C. Notice of each regular meeting shall be posted at least 72 hours prior to the time of the meeting and shall include the time, date and place of the meeting and a copy of the meeting agenda. Notice of any meeting of the Commission shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Commission will be included on the distribution list for notice of regular meetings.
- D. If compliance with the 72-hour notice would impose a substantial hardship on the Commission or if immediate action is required to protect the public interest, then the Chair may call Special Meetings without regard to the 72-hour notice.

ARTICLE XIII. SUMMARY, REPORTS, AND AGENDA

- A. Summaries of all meetings of the Commission shall be recorded by the Staff and shall be submitted for confirmation to the next meeting of the Commission.

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B. Summaries of all meetings of the Committees of the Commission shall be kept by a designated member of the Committee and shall be sent to the Commission Staff to be included on the Agenda for meetings of the Commission.

C. Matters for inclusion on the Agenda of a meeting of the Commission and/or the Committee shall be determined by the Commission and the Staff prior to the meeting.

ARTICLE XIV. RULES OF ORDER

Debate and proceedings before the Commission shall be conducted in accordance with Robert's Rules of Order when not in conflict with the rules of the Commission and other statutory requirements.

Adopted by First 5 El Dorado Children and Families Commission: June 14, 1999

Revised (Date): October 8, 2012

Revised (Date): May 13, 2013

Revised (Date): January 9, 2023

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