

First 5 El Dorado
ORDINANCE

Pursuant to Health and Safety Code Section 130140 (a) (1), it is the policy and practice of First 5 El Dorado to adhere to the County Ordinance Passed and Adopted by the Board of Supervisors and the County of El Dorado.

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 8.65 is hereby added to Title 8 of the El Dorado County Ordinance Code to read as follows:

FIRST 5 EL DORADO CHILDREN AND FAMILIES COMMISSION

8.65.010 Title. This ordinance shall be known as the First 5 El Dorado Children and Families Commission Ordinance of El Dorado County.

8.65.020 Findings and Purpose. The Board of Supervisors hereby finds as follows:

The voters of the State of California passed the California Children and Families First Act of 1998. The act recognizes that there is a compelling need in California to create and implement comprehensive, collaborative, and integrated system of information and services to promote, support and optimize early childhood development from the prenatal stage through five (5) years of age.

The act further recognizes that there is a compelling need in California to ensure that early childhood development programs and services are universally and continuously available for children until the beginning of kindergarten. Proper parenting, nurturing, and health care during these early years will provide the means for California's children to enter school in good health, ready and able to learn, and emotionally well developed.

It is the intent of this ordinance to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development.

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 of this ordinance to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems.

The California Children and Families First Act of 1998 provides for funding through an excise tax on tobacco products in order to implement the goals and

objectives, which are outlines in the act itself. It is the further intent of this ordinance to create El Dorado County's Children and Families First Commission and funding through the act and to implement the goals and objectives outlined in the California Children and Families First Act of 1998.

8.65.030 Definitions. For the purposes of this chapter, the following words and phrases are definitions as follows:

- A. "Act" shall mean the California Children and Families First Act of 1998.
- B. "Board" shall mean the El Dorado County Board of Supervisors.
- C. "Commission" shall mean First 5 El Dorado Children and Families Commission.
- D. "Fund" shall mean the El Dorado County Children and Families Commission Trust Fund pursuant to Health and Safety Code section 130105.
- E. "Plan" shall mean a county strategic plan adopted by the commission and submitted to the First 5 California Children and Families Commission pursuant to Health and Safety Code section 130140.
- F. "State Commission" shall mean First 5 California Children and Families Commission.

8.65.040 Creation of Commission. There is hereby created the Children and Families Commission of El Dorado County.

8.65.050 Creation of Trust Fund. The Board of Supervisors hereby authorizes the creation of a local First 5 El Dorado Children and Families Commission Trust Fund pursuant to subparagraph (A) of paragraph (2) of subdivision (d) of Section 130105 of the Health and Safety Code.

8.65.060 Membership of Commission. The Commission shall be appointed by the Board of Supervisors and shall consist of at least five but not more than nine members.

- A. 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.
- B. One member of the Commission shall be a member of the Board of Supervisors.
- C. The remaining members of the Commission shall be from among the persons described in subpart A of this section and persons from the following categories: 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; representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.

8.65.070 Bylaws. The Commission shall adopt and amend bylaws. Upon adoption by the Commission, bylaws shall be submitted to the Board of Supervisors as receive and file.

Bylaws, which set forth the manner of appointment, selection, or removal of members of the county commission, the duration and number of terms county commission members shall serve, and any other matters that the Board of Supervisors deems necessary or convenient for the conduct of the county commission's activities shall be developed by the Commission.

Procedures for the conduct of business by the commission not specified in this ordinance shall be contained in bylaws adopted by the commission, and the Board of Supervisors.

8.65.080 County Strategic Plan. The commission shall adopt an adequate and complete Strategic Plan for the support and improvement of early childhood development within the County.

- A. 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.
- B. 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 relating to early childhood development within the County will be integrated into a consumer-oriented and easily accessible system.
- C. 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.

- D. 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.
- E. The commission shall, on at least an annual basis, review the Plan and revise the Plan as may be necessary and appropriate.
- F. 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.
- G. The commission shall submit its adopted Strategic Plan and any subsequent revision thereto, to the State Commission.

8.65.100 Annual Audit and Report: Public Hearing. The commission shall prepare and adopt an audit and report pursuant to Section 130150 of the Health and Safety Code. The Commission shall conduct, prior to November, annually, at least one public hearing prior to adopting any annual audit and report.

8.65.110 Conflict of Interest: Commission shall adopt in a public hearing, policies, consistent with state law, regarding conflict of interest of commission members and commission contracting and procurement policies.

8.65.120 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 13050 of the Health and Safety Code.

8.65.130 Operating Budget Percentage: Commission shall adopt in a public hearing, a limit on the percentage of the county commission's operating budget that may be spent on administrative functions, pursuant to guidelines issued by the state commission (Assembly Bill 109, Chapter 284, Statutes of 2005).

8.65.140 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.

8.65.150 Compensation. The members of the commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.

8.65.160 Commission Staff Compensation. Commission shall adopt in a public hearing, policies and processes establishing the salaries and benefits of employees of the county commission. Salaries and benefits shall conform to established county commission or county government policies.

8.65.170 Amendments to Ordinance. This Ordinance may be amended from time to time as deemed necessary and appropriate by the board in accordance with the act.

8.65.180 Severability. If any portion or provision of the act or this ordinance is for any reason held to be invalid or unconstitutional, such shall not affect other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or applications thereof, and to this end, the provisions of this ordinance are severable.

Section 2. This act is an urgency ordinance necessary for the immediate preservation of the public peace, health or safety within the meaning of Government Code section 25123 and shall go into immediate effect. The facts constituting the necessity are:

State funding resulting from the passage of Proposition 10 (California Children and Families First Initiative), for early childhood development and smoking prevention programs, begins accruing on January 1, 1999. Section 130100 of the Health and Safety Code requires that the county enact an ordinance creating a County Commission to oversee the expenditure of allocated revenue, prior to January 1, 1999, in order for the county to receive funding. Failure to enact the ordinance by such date, places the county in jeopardy of losing all or part of the county's share which accrues after January 1, 1999, result in the delay of the provisions of new early childhood development and smoking prevention programs, which would have a detrimental effect on the health of the citizens of El Dorado County, particularly the children.

PASSED AND ADOPTED by the Board of Supervisors and the County of El Dorado at a regular meeting of said Board held on the 8th day of December 1998.

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:

2776 Ray Lawyer Drive, 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 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.

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

Revised (Date): October 14, 2013

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. 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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.

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.

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.

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

Revised (Date): October 14, 2013

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.

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.

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

Revised (Date): October 14, 2013

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

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

Revised (Date): October 14, 2013

- 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.
- 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

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

Revised (Date): October 14, 2013



Healthy

Caring

Growing

Learning

Connected

Item 8.1

www.first5eldorado.com (530) 622-5787

Growing Children, One by One...

MEMO

TO: Commissioners

FROM: Kathleen Guerrero, Executive Director

DATE: October 14, 2013

RECOMMENDATION: For discussion purposes - Commission By-laws and Membership.

BACKGROUND:

First 5 El Dorado Children and Families Commission is celebrating its fifteenth year of investing in families with children ages 0-5 year in the County. To date, over \$22 million has been invested to help our children be healthy, in caring environments, growing and learning.

Recognizing that 90% of a child's brain is developed before entering school, First 5 El Dorado supports parents as their child's first teacher and supports families by investing in strategies that:

- Promote utilization of well-child visits including dental visits at one year of age.
- Ensure families are supported after the birth of a child through childbirth education classes, community resources and home visits.
- Encourage parents to monitor their child's development and access resources as needed.
- Promote early literacy by engaging children and reading on a daily basis.
- Expanding access to high quality early care and education programs.

Early investments in children reap financial benefits in reduces costs of special education, juvenile justice and education retention.

DISCUSSION:

The California Children and Families Commission is established through Proposition 10, approved by voters in 1998. As required in the Act, El Dorado County approved a local ordinance establishing a local commission and providing oversight:

- The Commission would have five to nine members, 3 of which are required by ordinance: (1) Supervisor, (2), County Agency Representatives, one representing the Health Officer and one representing children's support services.
- The by-laws are to further define the Commission composition.

In 1999, the Commission approved the first by-laws defining the Commission with nine members. In addition to the three required, the Commission sought to provide a balance of public/private and countywide/local representation:

- With the goal of school readiness, the Commission identified a countywide educational representation through the Superintendents Council.

- To balance the public health perspective, the Commission identified a countywide medical representation through the Sierra Sacramento Valley Medical Society.
- To balance the county support services representation and encourage broad geographic representation, the Commission identified local early childhood experts.

Membership applications are facilitated through the El Dorado County Clerk's office in compliance with their appointment and vacancy policies and procedures.

In the first twelve years of existence, the Commission saw very little turnover in membership. As new Commissioners joined, issues in membership were addressed:

- Community representatives were appointed by early childhood expertise and Supervisorial District. As Supervisorial appointments turned over, that impacted the community member representing that district. As a result, the language was changed to reflect the ordinance with the selection made by expertise. The Commission added language to ensure a broad geographic representation.
- Originally, Commissioner Terms were not set. Since then, terms have been established to ensure opportunities for appointments were available.

The Commission is required by ordinance to submit any changes of their strategic plan to the Board for review and comment prior to filing with the CA Commission.

FISCAL IMPACTS: None

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

CONCLUSION:

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 submitted items to the Board of Supervisors for consideration:

- Revised by-laws
- Commission Roster with assignment of terms
- Updated 2012-17 Strategic Plan

These items were approved by the Board of Supervisors on October 8, 2013 with a request to agendaize the appointments at the next Board of Supervisors Meeting. Appointments will be considered at the October 22, 2013 Board Meeting.

MEMO

TO: Commissioners
FROM: Kathleen Guerrero, MA, Managing Director
DATE: May 6, 2013

RECOMMENDATION: Approve changes to the by-laws and operational guidelines (1) for consistency with the local ordinance, (2) to establish terms, and (3) establish meeting attendance requirements.

BACKGROUND:

First 5 El Dorado Children and Families Commission is established by local ordinance as a result of the passage of Proposition 10 in 2008. Commission by-laws are approved by the Commission to reflect the local ordinance and recorded in the operational guidelines.

DISCUSSION:

There are two primary by-law issues that need to be addressed: (1) consistency with the local ordinance and (2) guidelines for membership.

1. In review of the current by-laws, staff has found that they are inconsistent with revisions made to the local ordinance and should be updated to reflect the local ordinance. The ordinance has been revised three times since December 8, 1998 (Attachment 1), with only one (item b) reflected in the current by-laws:
 - a) August 10, 1999 for the purposes of making the local ordinance consistent with the state ordinance, language was changed impacting the role of the Board of Supervisors in the by-laws and strategic plan.
 - b) May 3, 2006, for the purposes of complying with state legislation, Assembly Bill 109, Chapter 284, Statutes of 2005 establishing the Commission as "First 5 El Dorado Children and Families Commission".
 - c) May 15, 2007 for the purposes of clarifying the age range of services provided to children as children 0 through 5 years of age.
2. Furthermore, there is opportunity to strengthen representation by considering membership terms. According to the local ordinance, there are three positions representing specific agencies: a Board of Supervisor representative and two representatives of County Agencies. The by-laws further refine positions by naming an educational representative from the Superintendents Association and a representative from the Sacramento Sierra Medical Society. The four remaining positions were for early childhood experts within specific Supervisorial districts.

In October 2012, the Commission approved bylaw revisions to address early childhood experts, shifting the focus from a geographic representation to that of early childhood expertise. This decision was the result of Supervisorial turnover on the Commission. This revision allows existing early childhood experts to continue their representation on the Commission without being impacted by turnover in other categories. Language to support geographic representation was also included.

Terms of appointment were considered when establishing First 5 El Dorado, but were considered unequal, given that five members were identified by local ordinance and only the four early childhood experts would be subject to terms. In review of other First 5 Commissions in the region, staff has found other opportunities to strengthen Commission representation by setting terms.

Option 1: Commissioners will continue without setting terms, relying upon the appointing bodies to exercise appointment rights.

Option 2: Commissioners can be categorized as (1) a Board of Supervisor member appointed through their process, (2) a “permanent” member, reflecting agencies identified in the local ordinance and organizations named in by-laws appointed as needed, and (3) “community” members representing early childhood expertise appointed by staggered four year terms (Yolo County).

Option 3: Commissioners serve three (3) years and until the appointment of his/her successor without term limits (Stanislaus County).

Upon review of these options by the Executive Committee, a recommendation was made to have staggered, three year terms for all Commissioners. Furthermore, the Committee recommended language around meeting attendance. As a result, the following recommendations are being made:

Terms: Except for the County Directors and the appointee from the Board of Supervisors, 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.

Meeting Attendance: All members of the Commission are expected to regularly attend meetings of the Commission. A failure by any member to attend three (3) consecutive regular or special meetings of the Commission or four (4) regular or special meetings 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.

A draft copy of the bylaws and an updated ordinance is attached for Commissioner review (Attached).

FISCAL IMPACTS: None

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

CONCLUSION:

By approving staff recommendations, the by-laws will be consistent with the local ordinance and provide options to address membership terms. All changes will be reflected in the Operational Guidelines.

MEMO

TO: Commissioners
FROM: Kathleen Walker, MA, Managing Director
DATE: October 1, 2012

RECOMMENDATION: Staff recommends approving changes to the Membership Structure language in the by-laws for consideration by the Board of Supervisors and reflected in the Operational Guidelines.

BACKGROUND:

First 5 El Dorado Children and Families Commission is established by local ordinance as a result of the passage of Proposition 10 in 2008. Section 8.65.060 establishes the Membership of Commission: "The Commission shall be appointed by the Board of Supervisors and shall consist of at least five but not more than nine members.

- A. 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.
- B. One member of the Commission shall be a member of the Board of Supervisors.
- C. The remaining members of the Commission shall be from among the persons described in subpart A of this section and persons from the following categories: 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; representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development; representatives of local school districts."

DISCUSSION:

Membership is governed by Commission by-laws, written in accordance with the Ordinance. Due to changes in County Government Structure, staff is recommending the Commission amend membership language in the by-laws. These changes include:

1. ***Turnover in the Supervisor representation and how that impacts other Supervisorial appointments.*** When a Supervisor is unseated in an election, another Supervisor is appointed in his/her place. Under current by-laws, if this appointment represents a different district, it would displace an existing Commissioner. Therefore, Commission representation would be driven by the elections and not the appointment process.

2. Consolidation of Health and Human Services into one department impacting the County Government representation. By-laws need to be revised to reflect the consolidation of the two county departments.

As a result, staff is recommending the following proposed revisions to the By-laws:

ARTICLE VI	Current Membership By-laws	Proposed Revision
A.	Members shall be appointed by the El Dorado County Board of Supervisors and shall consist of at least 5 but not more than 9 members who will include the following:	Members shall be appointed by the El Dorado County Board of Supervisors, shall consist of at least 5 but not more than 9 members, <i>with every effort made to represent the broad geography of the County:</i>
(A) (1)	A Member of the El Dorado County Board of Supervisors	No change
(A) (2)	A Health Member representing the County Health Officer.	<i>Two members of the Commission shall be from among the County Health Officer and persons responsible for management of the following County functions:</i> children’s services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.
(A) (3)	An El Dorado County Department Member representing management for public agencies serving families with children 0 through 5 years of age.	Same as (A) (2)
(A) (4)	A Medical Member representing the Sierra Sacramento Valley Medical Society	No change
(A) (5)	An Education Member representing the County Superintendent’s Council	No change
(A) (6)	Four Supervisorial District Members representing the four Supervisorial Districts who are not serving on the Commission with experience working with families with children 0 through 5 years of age.	<i>Four Community Representatives recommended by the El Dorado County Board of Supervisors including, but not limited to:</i> 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; representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.

RECOMMENDATION:

Staff recommends approving changes to the Membership Structure language in the by-laws for consideration by the Board of Supervisors and reflected in the Operational Guidelines.