

DECEMBER 8, 1998

ORDINANCE NO.8985(NEW SERIES)  
AN ORDINANCE AMENDING THE COUNTY OF  
SAN DIEGO ADMINISTRATIVE CODE RELATING TO  
THE ESTABLISHMENT OF A CHILDREN AND FAMILIES  
FIRST COMMISSION AND DECLARING THE URGENCY  
THEREOF TO TAKE EFFECT IMMEDIATELY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Article IIIP (commencing with Section 84.100) is hereby added to the County of San Diego Administrative Code to read as follows:

"SEC. 84.100. SAN DIEGO COUNTY CHILDREN AND FAMILIES FIRST COMMISSION.

In order to comply with the requirements of the California Children and Families First Act of 1998, there is hereby established a San Diego County Children and Families First Commission. This Commission is formed to promote, support, and improve early childhood development from the prenatal stage to five years of age.

"SEC. 84.101. MEMBERSHIP AND SELECTION.

The Commission shall consist of the following members appointed by the Board of Supervisors:

(a) One (1) member shall be a member of the Board of Supervisors nominated by the Chairperson of the Board of Supervisors;

(b) Two (2) at-large members shall be nominated by two (2) members of the Board of Supervisors. The two (2) nominating Supervisors shall be chosen as follows: in 1998-1999, District One and District Four; in 2000, District Three and District Five; in 2001, District One and District Two; in 2002, District Three and District Four; in 2003, District Two and District Five. This rotation of nominating Supervisors shall repeat in subsequent years as set forth above. The nominating Supervisors shall nominate at-large members from among the persons described in 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; representatives of local medical, pediatric, or obstetric associations or societies; the county health officer; and persons responsible for management of the following County functions: children's services, public health services, social services, behavioral health services, and tobacco and other substance abuse prevention and treatment services.

(c) One (1) member shall be the Director of the Health and Human Services Agency;

(d) One (1) member shall be nominated by the Director of the Health and Human Services Agency from among the county health officer and persons responsible for management of the following County functions: children's services, public health services, social services, behavioral health services, and tobacco and other substance abuse prevention and treatment services.

"SEC. 84.102. APPOINTMENTS.

Persons appointed to the Commission shall be residents of San Diego County.

"SEC. 84.103. TERM OF OFFICE.

Those members nominated by a member of the Board of Supervisors shall serve a term concurrent with the term of the Chairperson of the Board of Supervisors. Any member whose term has expired hereunder shall continue his or her duties until his or her successor has been appointed.

The Director of the Health and Human Services Agency shall serve a term which shall run concurrent with the Director's tenure as Director of the Health

and Human Services Agency. The member nominated by the Director of the Health and Human Services Agency shall serve a term at the pleasure of the Director.

Any member may be re-appointed to serve additional terms.

"SEC. 84.104. VACANCIES.

A vacancy shall occur on the happening of any of the following events before the expiration of the term:

- (1) The death of the incumbent.
- (2) The resignation of the incumbent.
- (3) The ceasing of the incumbent to be a resident of San Diego County.
- (4) Unexcused absences from more than one-third of the regularly scheduled meetings in any 12-month period or three consecutive regularly scheduled meetings.

When a vacancy occurs as the result of unexcused absences as designated in (4) above, both the member and the nominating authority shall be notified of the vacancy by the Commission Chairperson. If a vacancy occurs in mid-term, the new appointee shall serve for the unexpired term of the member being replaced.

"SEC. 84.105. ORGANIZATION.

(a) Officers. The Commission shall elect from its membership a Chairperson, Vice Chairperson, and other officers as deemed necessary for the conduct of its business.

(b) Rules. The Commission shall prepare and adopt the necessary rules and regulations for the conduct of its business.

(c) Quorum. A majority of members currently appointed to the Commission shall constitute a quorum. A majority of members in attendance shall be required to carry any motion or approval.

(d) Meetings. The Commission shall establish a regular meeting schedule and shall give public notice of the time and place of meetings in compliance with the requirements of the Brown Act. All meetings of the Commission shall be open to the public and all persons shall be permitted to attend any meetings of the Commission.

"SEC. 84.106. ESTABLISHMENT OF COMMITTEES.

Committees. The Commission shall establish one or more advisory committees to provide technical and professional expertise and support for any purpose that will be beneficial in accomplishing the purposes of the Children and Families First Act of 1998. Each advisory committee shall make recommendations and reports as deemed necessary and appropriate.

The actions and recommendations of committees shall not be deemed the action of the Commission or its members.

"SEC. 84.107. COMPENSATION AND EXPENSES.

Members of the Commission shall serve without compensation 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.

"SEC. 84.108. DUTIES AND RESPONSIBILITIES.

The Commission shall have the following duties and responsibilities:

(a) To promote, support and improve the early development of children from prenatal stage to five years of age.

(b) To adopt an adequate and complete strategic plan for the support and improvement of early childhood development within the county.

(i) The County strategic plan shall be consistent with, and in furtherance of the purposes of the California Children and

Families First Act of 1998 (Act) and any guidelines adopted by the state commission pursuant to subdivision (b) of Section 130125 of the Act that are in effect at the time the plan is adopted.

(ii) The County strategic plan shall minimally include the following: a description of the goals and objectives proposed to be obtained; 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 County Commission using appropriate reliable indicators. The strategic plan shall describe how programs, services, and projects relating to early childhood development within the county will be integrated into a consumer-oriented and easily accessible system.

(iii) The Commission shall minimally review its strategic plan and revise the plan as may be necessary or appropriate on an annual basis.

(c) To conduct at least one public hearing on the proposed strategic plan before the plan is adopted.

(d) To conduct at least one public hearing on its periodic review of the strategic plan before revisions are adopted.

(e) To submit the strategic plan and any subsequent revisions thereto, to the Board of Supervisors for approval and adoption.

(f) To submit its adopted strategic plan and any subsequent revisions thereto, to the state commission.

(g) To prepare and adopt an annual audit and report pursuant to Section 130150 of the Act. The Commission shall conduct at least one public hearing prior to adopting any annual audit and report.

(h) To conduct at least one public hearing on each annual report prepared by the state commission pursuant to subdivision (b) of Section 130150 of the Act.

(i) To conduct such other duties and functions as required by law or assigned by the Board of Supervisors.

"SEC. 84.109. REPORTS.

The Commission shall make available to the Board of Supervisors its findings and recommendations and submit an annual report of its activities to the Board of Supervisors prior to the end of each fiscal year.

"SEC. 84.110. STAFF ASSISTANCE.

The Director of the Health and Human Services Agency shall provide staff assistance to the Commission.

"SEC. 84.111. ORDINANCE CHANGES.

Any proposed change in the provision of this Article shall be submitted to the Commission for review and comment prior to said proposed change being considered by the Board of Supervisors."

Section 2. This ordinance is declared to be an ordinance necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 25123 of the Government Code and shall take effect immediately. The facts constituting such necessity are as follows:

1. The people of the State of California on November 3, 1998, adopted Proposition 10, the California Children and Families First Act of 1998.

2. In the Act, the people have decided there is a compelling need in California to create and implement a comprehensive, collaborative, and integrated system of information, and services to promote, support, and optimize early childhood development from the prenatal stage to five years of age.

3. There is a further 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.

4. The California Children and Families First Act of 1998 might reasonably be interpreted to require the adoption of an ordinance establishing a County Children and Families First Commission before January 1, 1999, to enable a county to accrue funds based on revenues collected beginning January 1, 1999. Therefore, in order to ensure the County of San Diego receives the maximum amount of revenue to be allocated for the needs of its children, it is crucial that the Board of Supervisors adopt an ordinance establishing the Children and Families First Commission before January 1, 1999.

5. Failure to establish a Children and Families First commission before January 1, 1999 could result in forfeit or delay in receipt of funds.

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of December, 1998.