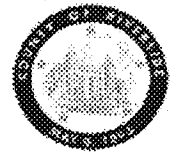


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

872



FROM: County Executive Office

SUBMITTAL DATE:
May 22, 2009

SUBJECT: Amendment to Ordinance No. 784, an Ordinance of the County of Riverside creating the Riverside County Children and Families Commission

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Introduce and at the following meeting adopt Ordinance No 784.9.
- 2) Upon the effective date of Ordinance No 784.9, direct the Clerk of the Board to post the notices for the six Commissioner positions set forth in subsection B. of Section 5 of Ordinance No. 784, as well as the six alternate positions set forth in subsection E. of Section 5 of Ordinance No. 784, and close the posting period after ten (10) working days have elapsed.
- 3) Direct the Clerk of the Board to forward all letters of interest or similar correspondence for the positions on the Commission, including alternates, to the Executive Director of the Commission for evaluation and recommendation back to the Board of Supervisors for potential appointees.
- 4) Request the Executive Director of the Commission to respond back to the Board of Supervisors within fifteen (15) days of the receipt of all documents from the Clerk of the Board.

Continued on Page 2

Debra Cournoyer

Debra Cournoyer, Principal Management Analyst

FINANCIAL DATA

Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *K Field*
Kathryn Field

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 5/27/09
DEPARTMENTAL CONCURRENCE

Policy
 Policy
 Consent
 Consent

Dep't Recomm.:
 Per Exec. Ofc.:

3.14

BACKGROUND: On April 7, 2009, the Board of Supervisors designated the Riverside County Children and Families Commission (First Five Riverside) as a division of the Department of Public Social Services effective July 1, 2009. Moreover, the Board directed staff to revise Ordinance No. 784 (the Ordinance), an Ordinance of the County of Riverside creating the Riverside County Children and Families First Commission so as to reflect the status of the Commission as a County agency. The Board further directed changes to the Commission membership structure. The amended Ordinance incorporates those recommendations previously approved by the Board of Supervisors on April 7, 2009. Also, included on today's agenda are recommendations to amend Ordinance No. 440 eliminating the at-will designation for the Deputy Director for Children and Families Commission and adding First Five Riverside staff to the County budget. In addition, in order to comply with corrective actions identified in fiscal year 2007/08 annual audit, it is recommended that the Board of Supervisors receive and file fiscal year 2007/08 and 2008/09 budget and previous bylaw revisions.

Commission Membership:

Although the number of commissioners on the Riverside County Children and Families Commission (the Commission) remains at nine, the composition will change under the proposed ordinance amendment. The representative from the Board of Supervisors and the Public Health Officer will remain unchanged. Previously, there were two members from persons responsible for management of county functions; this will be reduced to one member under the proposed amendment. There will now be five public members, one appointed by each Supervisor, and a sixth at-large public member to be selected by the Board of Supervisors. Each of the six public commission members must be selected from one of the categories set forth in Health and Safety Code section 130140(a)(1)(A)(iii), as listed in subsection B. of Section 5 of the proposed amendment. An alternate for each of the six public commission members shall be selected in the same manner as the commission member, meeting the same criteria but not necessarily representing the same agency, department or organization as the appointed member. The alternates will be subject to the Conflict of Interest Policy and Form 700, Statement of Economic Interests, filing requirement. Staff further recommends that Commission members and alternates be selected from those organizations less likely to receive funding, and therefore, reduce the perception of and potential for conflict of interest.

Advisory Committee:

Health and Safety Code section 130145 requires that each county commission establish one or more advisory committees to provide technical and professional expertise and support. However, the practice of establishing advisory committees and the ways in which commissions have benefited from and used such committees, varies among counties. The function of the advisory committee will be expanded to include more participation in providing recommendations to the Commission. The alternates for each Commission member, as described above, except the Board of Supervisors member alternate and the Public Health Officer shall serve as the seven advisory committee members. The duties of the advisory committee members are generally

addressed in the Ordinance with further details to be articulated in forthcoming revisions to the Commission bylaws.

Although the Commission will be a direct agency of the County effective July 1, 2009, it is important to remember that the Commission retains independent authority over its Strategic Plan and Trust Fund. However, the Ordinance requires that the Commission prepare and submit Strategic Plan revisions, annual budgets and bylaws and subsequent amendments to the Board of Supervisors for review and comment.

Timeline:

Staff has already begun to work with various County departments and agencies to ensure that the transition to a direct agency of the County becomes effective July 1, 2009.

The Ordinance amendment will become effective 30 days after adoption by the Board of Supervisors at which time the Clerk of the Board will post notices for the six Commissioner positions set forth in subsection B. of Section 5 of Ordinance No. 784, as well as the six alternate positions set forth in subsection E. of Section 5 of Ordinance No. 784. The posting will remain open for ten working days. Upon close of the posting, the Clerk of the Board will forward all letters of interest or similar correspondence for the positions to the Executive Director of the Commission for evaluation and recommendation back to the Board of Supervisors for potential appointees. In an effort to keep the transition moving forward, the Executive Director of the Commission is to respond back to the Board of Supervisors within fifteen days of the receipt of all documents from the Clerk of the Board. The current Commission membership who serves at the pleasure of the Board of Supervisors, will remain in place and active until a quorum of new members is appointed to the Commission. Staff anticipates a quorum being appointed and ready to serve on the Commission in August of 2009.

1 Section 4. Section 5 of Ordinance No. 784 is amended to read as follows:

2 “Section 5. Membership.

3 A. The Commission membership shall consist of nine members. One member
4 shall be a member of the Board of Supervisors. One member shall be the
5 Public Health Officer. The Board of Supervisors shall appoint one member
6 who is responsible for management of any of the following county
7 functions: children’s services, public health services, behavioral health
8 services, social services, and tobacco and other substance abuse prevention
9 and treatment services. These three members shall not be subject to the
10 term limits specified in Section 6.

11 B. The Board of Supervisors shall also appoint the remaining six members of
12 the Commission. Each member of the Board of Supervisors shall nominate
13 one member and the sixth member shall be selected at-large. These
14 remaining members shall be any of the following: (1) recipients of project
15 services included in the County Strategic Plan; (2) educators specializing in
16 early childhood development; (3) representatives of a local child care
17 resource or referral agency, or a local child care coordinating group; (4)
18 representatives of a local organization for prevention or early intervention
19 for families at risk; (5) representatives of community-based organizations
20 that have the goal of promoting nurturing and early childhood development;
21 (6) representatives of local school districts; and (7) representatives of local
22 medical, pediatric, or obstetric associations or societies. Although a
23 member from each of the above-referenced categories is not required, it is
24 desirable that members from as many categories as possible serve on the
25 Commission at all times. Any member appointed to the Commission
26 pursuant to this subsection shall reside and/or work in Riverside County at
27 the time of appointment and for the duration of his or her term.

1 C. One member of the Board of Supervisors shall serve as an alternate member
2 of the Commission.

3 D. The Board of Supervisors shall also appoint one alternate member who is
4 responsible for management of any of the following county functions:
5 children's services, public health services, behavioral health services, social
6 services, and tobacco and other substance abuse prevention and treatment
7 services. Any such alternate need not be responsible for management of the
8 same County function as the regular Commission member. The alternate is
9 to attend all Commission meetings but may not participate in Commission
10 decisions or votes unless substituting for his or her absent regular
11 Commission member.

12 E. The Board of Supervisors shall also appoint one alternate member for each
13 of the six members appointed pursuant to subsection B. of this Section.
14 Any such alternate shall meet the same criteria and qualifications and, if
15 feasible, shall be selected from the same category as the regular
16 Commission member for which he or she is designated as alternate;
17 provided, however, that such alternate need not represent the same agency,
18 department or organization as his or her designated Commission member.
19 Alternate members are to attend all Commission meetings but may not
20 participate in Commission decisions or votes unless substituting for his or
21 her absent regular Commission member.

22 F. An alternate member shall not be appointed for the Public Health Officer.

23 G. Notwithstanding the above, the Commission as constituted on the effective
24 date of this ordinance, the members of which serve at the pleasure of the
25 Board of Supervisors, shall remain in effect until a quorum of new
26 members is appointed to the Commission in accordance with the above
27 referenced requirements.”

28 Section 5. Section 6. of Ordinance No. 784 is amended to read as follows:

1 “Section 6. Terms

- 2 A. Commission members shall serve at the pleasure of the Board of
3 Supervisors. When the initial Commission members who are appointed by
4 the Board of Supervisors are appointed, three of them shall be appointed to
5 serve two years, and three of them shall be appointed to serve three years.
6 Thereafter, absent removal by the Board of Supervisors during a term, the
7 term of office for each member of the Commission appointed by the Board
8 of Supervisors shall be three years or until the appointment of his or her
9 successor. No Commission member appointed by the Board of Supervisors
10 may serve for more than two consecutive terms.
- 11 B. All alternates appointed pursuant to subsection E. of Section 5 shall serve a
12 term of the same length as his or her designated Commission member and
13 shall be subject to the same term limits.”

14 Section 6. A new Section 12. of Ordinance No. 784 is added to read as follows:

15 “Section 12. Establishment of Advisory Committee

16 There is established an advisory committee to provide technical and professional
17 expertise and support for any purpose that will be beneficial in accomplishing the
18 purpose of the Act. Upon the request of the Commission, the advisory committee
19 shall make recommendations and reports to the Commission. The advisory
20 committee will consist of the alternates appointed pursuant to subsections D. and E.
21 of Section 5. The members of the advisory committee shall serve without
22 compensation, but may receive actual and necessary expenses as incurred in
23 carrying out their duties. Meetings of the advisory committee are subject to the
24 open meeting laws contained in the Ralph M. Brown Act.”

25 Section 7. A new section 13. of Ordinance No. 784 is added to read as follows:

26 “Section 13. Duties of Advisory Committee

27 The duties of the advisory committee shall be to advise the Commission concerning
28 the Strategic Plan, policies concerning programs to be implemented and supported

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under the County Strategic Plan, community needs assessment, program evaluation and other tasks and issues as assigned by the Commission and as detailed in the Commission by-laws. The advisory committee shall have no authority to act as a legislative body on behalf of the Commission, nor shall the advisory committee have authority to enter into contractual agreements on behalf of the Commission.”

Section 8. Existing Sections 12 and 13 of Ordinance No. 784 are renumbered to Section 14 and 15.

Section 9. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM
May 28, 2009

By: 
TIFFANY N. NORTH
Deputy County Counsel