

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

723A



**FROM:** DEPARTMENT OF PUBLIC SOCIAL SERVICES

**SUBMITTAL DATE:**  
March 15, 2011

**SUBJECT:** Revised Bylaws of the Riverside County Children and Families Commission

**RECOMMENDED MOTION:** That the Board of Supervisors receive and file the revised bylaws of the Riverside County Children and Families Commission

**BACKGROUND:** The Riverside County Children and Families Commission (RCCFC) was established by this Board in the adoption of Ordinance 784, enacted on January 22, 1999. The Commission implements the provisions of Proposition 10, which provides tobacco tax funds to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development and to ensure that children are ready to enter school.

The bylaws of the Commission have been revised to reflect updates, remove outdated references, and redundant language. Attached is a redlined copy of the bylaws reflecting the changes approved by the Commission. Pursuant to section 11 (L) of Ordinance 784, the bylaws and subsequent amendments are hereby submitted to the Board of Supervisors for review and comment.

*Susan Loew*

Susan Loew, Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	NA
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NA
	Annual Net County Cost:	\$ 0	For Fiscal Year:	NA

**SOURCE OF FUNDS:** NA

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

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *Debra Cournoyer*  
Debra Cournoyer

**County Executive Office Signature**

- Dep't Recomm.:  Consent  Policy
- Per Exec. Ofc.:  Consent  Policy

**Prev. Agn. Ref.:**

**District:**

**Agenda Number:**

**2.16**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL  
 BY: *[Signature]*  
 DATE: 3/3/11  
 TIFANY N. NORTH

Departmental Concurrence

1 Riverside County Children and Families Commission

2  
3 RESOLUTION 11-04:

4 ADOPTING THE REVISED BYLAWS OF THE  
5 RIVERSIDE COUNTY CHILDREN AND FAMILIES COMMISSION  
6

7 **WHEREAS**, the Riverside County Children and Families Commission has adopted bylaws for the  
8 operation of the Commission meetings, and has previously amended those bylaws in Resolution 08-11,  
9 and,

10 **WHEREAS**, it is deemed necessary, desirable and prudent for the Riverside County Children and  
11 Families Commission to now further amend the bylaws, and the revised bylaws are attached hereto; now,  
12 therefore,

13 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Riverside County Children and  
14 Families Commission at its special meeting, assembled on Wednesday, February 9, 2011, that the revised  
15 bylaws, as attached hereto, are approved for the conduct of business for the Commission meetings.  
16

17 State of California)  
18 County of Riverside)

19 I, Lynn M. Stephens, Commission Secretary of the Riverside County Children and Families  
20 Commission, do hereby certify that the Riverside County Children and Families Commission duly and  
21 regularly adopted the foregoing resolution.

22 Ayes: 8 (Loew, Hoffman, Buster, Baskett, Cox, Morford, Whitaker-Meneses,  
23 Watson via tele-conference)

24 Noes: 0

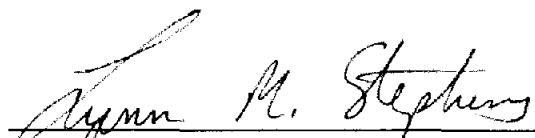
25 Abstain: 0

26 Absent: 1 (Frykman, out of the room at the time of the vote)

27 Conflict: 0

28 Vacant: 0

Date: February 9, 2011

  
Lynn M. Stephens

Resolution 11-04pm  
Riverside County Children and Families Commission

*Riverside County Children  
and Families Commission*

# Bylaws

Adopted April 1999

Amended October 1999

Amended January 2000

Amended February 2008

Amended February 2011

**BYLAWS  
OF THE RIVERSIDE COUNTY  
CHILDREN AND FAMILIES COMMISSION  
(the "Commission")**

In order to provide for an efficient and expeditious handling of public business, and of the business of the Riverside County Children and Families Commission (the "Commission"), the following bylaws are promulgated. Whenever possible, the rules and procedures shall be construed generally and failure to observe them shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting otherwise held in conformity with the law.

**I. BACKGROUND OF THE COMMISSION**

The Riverside County Children and Families Commission (the "Commission"), was established on January 22, 1999, pursuant to Ordinance 784 of Riverside County ("Ordinance 784"), introduced December 22, 1998, incorporated herein by reference, and as may be amended from time to time.

**II. PURPOSE AND INTENT OF THE COMMISSION**

The purpose and intent of the Commission shall be that as set forth in section 1 of Ordinance 784, as may be amended from time to time.

**III. MEMBERSHIP AND OFFICES OF THE COMMISSION**

**A. Members of the Commission**

The membership of the Commission shall consist of nine (9) members and eight (8) alternate members as established pursuant to section 5 of Ordinance 784, as may be amended from time to time. The appointment, term, vacancies and removal of members shall be as set forth in sections 5, 6 and 7 of Ordinance 784.

**B. Election of Chairperson and Vice-Chairperson of the Commission.**

At the first meeting of the Commission, the members of the Commission shall elect a Chairperson, pursuant to section 8 of Ordinance 784, and shall elect a Chairperson annually thereafter.

At the first meeting of the Commission, the members of the Commission shall elect a Vice-Chairperson, and shall elect a Vice-Chairperson annually thereafter. The Vice-Chairperson shall preside over any meetings of the Commission in the absence of the Chairperson.

Either the Chairperson or the Vice-Chairperson shall attend each meeting of the Commission.

In meetings of the Commission where both the current Chairperson and current Vice-Chairperson are unable to act in their official capacities, the immediate past Chairperson of the Commission is authorized to call the meeting to order, and/or conduct the Commission business of the meeting. In the event that the immediate past Chairperson of the Commission is unable to conduct business as Acting Chairperson, the order of succession for the Acting Chairperson shall be by seniority of the members present with the most senior member present authorized to be the Acting Chairperson and continuing down in seniority if there is a declination of the duties by any member present.

C. Appointing the Secretary to the Commission

The Commission shall appoint a Secretary to the Commission, said Secretary to be an employee of the Commission.

#### IV. MEETINGS OF THE COMMISSION

A. All meetings of the Commission shall be subject to the Ralph M. Brown Act (hereinafter referred to as "Brown Act," Government Code Section 54950 et seq.), as may be amended from time to time.

B. All meetings of the Commission shall be ~~tape~~ recorded by the Secretary of the Commission for the purpose of transcribing the official, written minutes of the Commission.

~~C. All meetings shall be open and public, except that the Commission, during a regular or special meeting, may hold a closed session in accordance with Sections 54956.8, 54956.9, 54956.95, 54957 and 54957.6 of the Government Code (e.g., personnel, pending litigation, real estate negotiations and labor negotiations).~~

C. The agenda of the meeting shall be posted in the manner required under the Brown Act by the ~~Clerk of the Board for Riverside County~~ Secretary to the Commission. The agenda shall be posted on the website of the Commission prior to the meeting.

~~D. Special meetings of the Commission may be called and noticed as allowed by the Brown Act, as may be amended from time to time, and may be held at a location different from the location of the regular meetings of the Commission, upon proper notice.~~

~~D. E. Otherwise,~~ Any agenda item ~~business~~ not considered at a meeting of the Commission shall be either: (1) continued to the next regularly scheduled meeting, or (2) adjourned to a date and time as designated by the Commission.

E. ~~F.~~ A quorum is necessary for any regular or special meeting of the Commission. A quorum of the Commission is the presence of five (5) Members or designated alternate members.

~~G. The business of the Commission shall be taken up for consideration and disposition in the following order, although the order may be altered by necessity:~~

- ~~1. Call to Order — Chairperson or Vice Chairperson in the absence of the Chairperson~~
- ~~2. Presentation(s) (Optional)~~
- ~~3. Approve the Minutes (Prior Meeting)~~
- ~~4. Reports, Discussions and Action Items~~
- ~~5. Public Comments~~
- ~~6. Public Hearings (Optional)~~
- ~~7. Closed Session (Optional)~~
- ~~8. Adjournment~~

~~The order of business as noted above may be changed for any purpose during a meeting by the Chairperson.~~

- H F. The Secretary to the Commission, or his or her designee, shall attend all meetings of the Commission, unless excused, ~~and record~~ and transcribe the minutes of each meeting of the Commission, except closed sessions.
- G. F. Meetings may be adjourned by either less than a quorum of members, or by the Secretary to the Commission when all members are absent, as provided by the Brown Act.

## V. AGENDAS

- A. Agendas for the Commission shall be prepared by the Secretary of the Commission, subject to review by the Executive Director. The Executive Director, in consultation with the Chairperson and Vice-Chairperson shall be responsible for determining when and what items are to be included on the agenda; provided, however, that any ~~Board~~ Commission member may include an item on the agenda, in accordance with the provisions of the Brown Act.
- B. Items to be included on the agenda for a meeting of the Commission shall be submitted to the ~~Secretary of the Executive Director Commission~~ no later than ~~noon (12:00 p.m.) of the ten~~ (10) business days before the date scheduled for the meeting. ~~preceding Monday, unless a legal holiday necessitates moving the agenda deadline to an earlier time and date.~~
- C. Items for a special meeting of the Commission shall be submitted to ~~the Secretary of the Commission~~ Executive Director on or before such time and date ~~as the Secretary of the Commission on or before such time and date~~ as he or she directs.
- D. No action or discussion shall be taken on any item not appearing on the posted agenda, except that ~~Board~~ Commission members may briefly respond to statements made or questions posed by persons exercising their public testimony rights. In addition, ~~Board~~ Commission members, on their own initiative, or in response to questions posed by the public, may ask a question for clarification, provide a reference to staff, to any of the various committees established by the ~~Board~~ Commission, or to other resources for factual information, or request staff to report back to the Commission at a subsequent meeting concerning any matter. Furthermore, a ~~Board~~ Commission member, or the Commission, may take action to direct staff to place a matter of business on a future agenda.

- E. Notwithstanding Section V. D., any item not on the agenda may be considered by the Commission by an affirmative vote of five (5) Members under the following conditions (prior to discussing any such item, the Commission shall publicly identify the item):
1. Upon a determination by a majority of the Commission that an emergency situation exists, as defined by the Brown Act; or
  2. Upon a determination by two-thirds of the Commission members present that there is a need to take immediate action and the need for action came to the attention of the Commission subsequent to the agenda being posted.
  3. The item was previously posted for a meeting, which was held not more than five (5) days earlier, and at the prior meeting, the item was continued to the meeting at which action is being taken.
- F. All resolutions, agreements, leases, contracts and any other legal documents shall be reviewed and approved as to form by the Office of County Counsel prior to submission to the Commission.

## VI. MINUTES

- A. Minutes shall be recorded and transcribed of all meetings of the Commission, except closed sessions. ~~which in~~ Minutes shall include, without limitations, the date, hours and place of the meetings, notice of the meeting, names of the Commission members, alternate members and executive staff present and absent, and any action taken by the Commission.
- B. If any Commission member arrives after the meeting has commenced or departs before the adjournment, the minutes shall indicate such time of arrival and departure.
- C. Written reports or other written forms of communication submitted at a Commission meeting shall be ~~included~~ referenced in the minutes with a record of action, if any, taken by the ~~board of the Commission on the report~~ or other written communication.
- D. A summary of the oral reports and other forms of oral communication shall be included in the minutes.
- E. The titles and numbers of resolutions, minute orders, other formal actions and other matters shall be included into the minutes.
- F. The time of commencement and adjournment of all meetings of the Commission shall be entered into the minutes.
- G. Any ~~board~~ Commission member shall have the right to have his or her dissent from, or his or her protest against, any action taken by the Commission entered into the minutes by requesting that his or her remarks be made "of record" at the time such dissent or protest is made.

- H. Unless the reading of the minutes of the Commission meeting is requested by a Commission member, such minutes may be approved without reading if a copy thereof has been previously provided to each ~~board~~ Commission member.

## VII. DUTIES OF THE COMMISSION

The duties of the Commission are those duties set forth in ~~section 11~~ of Ordinance 784, as may be amended from time to time, and the Commission may exercise those duties as set forth by the legislature in Proposition 10 (the California Children and Families Act of 1998), as may be amended from time to time, or in any other related legislation.

## VIII. OFFICIAL ACTION

All official action of the Commission shall be by resolution, minute order, or other formal action.

## IX. PUBLIC COMMENT

- A. Any person may comment and otherwise address the Commission regarding any matter relating to the Riverside County Children and Families Commission, in accordance with the provisions as set forth herein. Such comment(s) shall be made during the time set aside for public comments on the agenda, except, when otherwise allowed by the Chairperson of the Commission. Preference will be given to those persons who have first submitted a request in writing to the Secretary of their desire to make a comment, or otherwise address, the Commission.
- B. Each person addressing the Commission shall:
1. State his or her name. ~~and address.~~
  2. Limit comments to three (3) minutes unless additional time is allowed by the Chairperson of the Commission.
  3. Address comments to the ~~Board~~ members of the Commission.
- C. If an identifiable group of persons desires to address the Commission on the same subject matter or agenda item, the Chairperson of the Commission may request that a spokesperson be selected by the group to address the Commission. If different issues are to be presented on the subject matter or agenda item by any other member of the group, the Chairperson may limit the number of persons and time period for speaking as he or she deems appropriate in order to avoid unnecessary repetition of issues.
- D. Any person, or group of persons wishing to speak may be required to state for the record any contributions, in excess of \$250.00, or the then required contribution limit, made in the past twelve (12) months, made to any ~~Board~~ Commission member or alternate member, the ~~Board~~ Commission member or alternate member receiving the contribution, and the matter of consideration with which they are involved.



- E. Any person making personal, impertinent, slanderous or profane remarks, or who becomes unruly while addressing the Commission, may be barred from further speaking and may be ejected if his or her conduct disrupts the meeting, in accordance with the provisions herein, and applicable law.
- F. In the event any meeting is willfully interrupted by a person or person(s) so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by the removal of the individual(s) who are willfully interrupting the meeting, the Chairperson, or Vice-Chairperson in the absence of the Chairperson, or other Acting Chairperson in accordance with section III. B., may order the meeting room cleared and continue in session.

## **X. PROCEDURE**

- A. In the event a dispute arises concerning conduct and/or procedural matters not specifically addressed herein, then the Chairperson, or the Vice-Chairperson in the absence of the Chairperson, or other Acting Chairperson in accordance with section III. B., may resolve and otherwise rule on the matter(s), unless the Commission, by appropriate motion made and carried, deems otherwise.
- B. Procedure with respect to motions shall be as follows:
  - 1. When a motion is under consideration by the Commission, no other motion shall be received unless a decision has been made of one of the following:
    - a. to adopt and approve the motion
    - b. to continue to a certain date
    - c. to direct staff on the matter, and continue to a later date for consideration
    - d. to amend
    - e. to postpone indefinitely, to 'table' the motion
  - 2. When a motion is seconded, it shall be stated by the Chairperson before consideration of any other matter may begin.
- C. A Commission member called to order by the Chairperson shall relinquish the floor unless allowed to explain and the Commission, if appealed to, shall resolve the matter. If there is no appeal, the ruling of the Chairperson shall be final.
- D. Procedure with respect to voting shall be as follows:
  - 1. An affirmative vote of five (5) members shall be necessary for the transaction of business, except with respect to those matters, which require nine (9) votes or a unanimous vote of the Commission, as required by law.
  - 2. An abstention by any member casts no vote whatsoever, and hence, shall not be considered for purposes of determining whether an affirmative action was taken by the Commission.

3. A member may vote on a legislative or quasi-legislative matter, including but not limited to voting on entering the prior meeting's minutes as the official record of the meeting, even though he or she missed all or part of the discussion or public hearing.
4. A member may not vote on a judicial or quasi-judicial matter if he or she missed all or part of the public hearing, unless he or she considers and appraises the evidence prior to participating in the decision.
5. Alternate members may not participate in Commission decisions or votes unless substituting for his or her absent designated Commission member.

#### **XI. PUBLIC HEARINGS**

- A. Public hearings shall be held by the Commission when required by law and when called for by the Commission.
- B. Procedurally, a public hearing shall be opened by the Chairperson, and at the conclusion thereof, it shall be closed by the Chairperson.
- C. Any public meeting held by the Commission may also constitute a public hearing so long as the public hearing has been opened and closed.

#### **XII. COMMITTEES**

- A. There is established by the Board of Supervisors for Riverside County, an advisory committee to the Commission, whose members shall be appointed by the Board of Supervisors for Riverside County as established pursuant to section 12 of Ordinance 784.
- B. The Commission may establish such other committees at such times as deemed necessary for the purpose of advising the Commission on matters which are deemed necessary and appropriate. The Commission may assign such other duties as deemed necessary to any advisory committee established by the Commission.

#### **XIII. AMENDMENTS TO THE BYLAWS**

The B-bylaws may be amended from time to time upon official action of approval by the Commission.

#### **XIV. DISSOLUTION OF THE COMMISSION**

The Commission may only be dissolved by action of the Board of Supervisors of Riverside County.

#### **~~XV. INDEMNIFICATION AND DEFENSE OF EMPLOYEES~~**

- ~~A. The following definitions shall apply to the Riverside County Children and Families Commission:~~

1. ~~“Commission Members” shall include all persons appointed by the Riverside County Board of Supervisors to the Commission.~~
2. ~~“Officers” shall include all individuals who are defined as management level employees of the Commission, the Secretary of the Commission, and any employees of Riverside County when performing work specifically for the Riverside County Children and Families Commission.~~
3. ~~“Employees” shall mean any and all persons employed by the Riverside County Children and Families Commission.~~
4. ~~“Committee Members” shall mean all persons appointed by the Riverside County Board of Supervisors to any advisory committee or committee of the Riverside County Children and Families Commission, all persons appointed by the Chairperson, and/or Commission to any advisory committee, or subcommittee of the Riverside County Children and Families Commission.~~

~~B. With respect to any civil claim or action against any Commission Member, Officer, Employee, Committee Member, or a person who formerly occupied such position, for an injury arising out of an act or omission occurring within the scope of such person’s duties, the Riverside County Children and Families Commission shall indemnify, hold harmless and defend such person to the full extent permitted or required under applicable sections of the California Government Code. (Govt. Code § 810 et. Seq.)~~

~~C. Nothing herein shall be construed to require the Riverside County Children and Families Commission to indemnify and hold harmless any Director, Officer, Employee, Committee Member, or a person who formerly occupied such position, if the Riverside County Children and Families Commission’s rights not to pay a judgment, compromise or settlement until it is established that the injury arose out of an act or omission occurring within the scope of his or her duties with the Commission.~~

~~D. Nothing herein shall be construed to require the Riverside County Children and Families Commission to indemnify, or to provide a defense for any employee, Commission Member, Officer or Committee Member where the individual has acted in an illegal, willful or intentionally negligent manner giving rise to the claim, or litigation.~~

## **XVI. SEVERABILITY AND INVALIDITY**

If any provision of these ~~B~~ bylaws, or any amendment thereto is found to be invalid, void or unenforceable by any court of competent jurisdiction, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way, shall be in effect only to the extent that it is in contravention of applicable laws without invalidating the remaining provisions.

## **XVII. CONFLICT OF INTEREST FORMS**

All members of the Commission, alternate members of the Commission, and any other individuals listed on the “Designated Officials and Employees” Appendix shall be required to complete the Conflict of Interest forms, entitled “Statement of Economic Interests for Designated Officials and Employees”, Form 700 of the Fair Political Practices Commission

(FPPC), in accordance with the requirements of the FPPC and in accordance with the requirements of the Conflict of Interest Code as adopted by the Riverside County Children and Families Commission.

~~XVIII. REGULAR QUARTERLY DISCUSSIONS WITH EXECUTIVE DIRECTOR~~

~~The Commission shall set regular quarterly discussions with the Executive Director regarding his or her job performance on the Commission agenda. The meetings shall be set at 11:00 am on the same date as the Commission meeting scheduled for the months of January, April, July, and October. The meeting shall take place prior to the regular agenda of the Commission.~~

~~The time of the regular quarterly meetings may be changed by the Chair if there is a scheduling need to accommodate the Commissioners. The regular quarterly meeting may be cancelled at the discretion of the Chair of the Commission if it is deemed to be unnecessary~~

*Riverside County Children  
and Families Commission*

# Bylaws

Adopted April 1999

Amended October 1999

Amended January 2000

Amended February 2008

Amended February 2011

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**BYLAWS  
OF THE RIVERSIDE COUNTY  
CHILDREN AND FAMILIES COMMISSION  
(the "Commission")**

In order to provide for an efficient and expeditious handling of public business, and of the business of the Riverside County Children and Families Commission (the "Commission"), the following bylaws are promulgated. Whenever possible, the rules and procedures shall be construed generally and failure to observe them shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting otherwise held in conformity with the law.

**I. BACKGROUND OF THE COMMISSION**

The Riverside County Children and Families Commission (the "Commission"), was established on January 22, 1999, pursuant to Ordinance 784 of Riverside County ("Ordinance 784"), introduced December 22, 1998, incorporated herein by reference, and as may be amended from time to time.

**II. PURPOSE AND INTENT OF THE COMMISSION**

The purpose and intent of the Commission shall be that as set forth in section 1 of Ordinance 784, as may be amended from time to time.

**III. MEMBERSHIP AND OFFICES OF THE COMMISSION**

**A. Members of the Commission**

The membership of the Commission shall consist of nine (9) members and eight (8) alternate members as established pursuant to section 5 of Ordinance 784, as may be amended from time to time. The appointment, term, vacancies and removal of members shall be as set forth in sections 5, 6 and 7 of Ordinance 784.

**B. Election of Chairperson and Vice-Chairperson of the Commission.**

At the first meeting of the Commission, the members of the Commission shall elect a Chairperson, pursuant to section 8 of Ordinance 784, and shall elect a Chairperson annually thereafter.

At the first meeting of the Commission, the members of the Commission shall elect a Vice-Chairperson, and shall elect a Vice-Chairperson annually thereafter. The Vice-Chairperson shall preside over any meetings of the Commission in the absence of the Chairperson.

Either the Chairperson or the Vice-Chairperson shall attend each meeting of the Commission.

In meetings of the Commission where both the current Chairperson and current Vice-Chairperson are unable to act in their official capacities, the immediate past Chairperson of the Commission is authorized to call the meeting to order, and/or conduct the Commission business of the meeting. In the event that the immediate past Chairperson of the Commission is unable to conduct business as Acting Chairperson, the order of succession for the Acting Chairperson shall be by seniority of the members present with the most senior member present authorized to be the Acting Chairperson and continuing down in seniority if there is a declination of the duties by any member present.

C. Appointing the Secretary to the Commission

The Commission shall appoint a Secretary to the Commission, said Secretary to be an employee of the Commission.

#### IV. MEETINGS OF THE COMMISSION

- A. All meetings of the Commission shall be subject to the Ralph M. Brown Act (hereinafter referred to as "Brown Act," Government Code Section 54950 et seq.), as may be amended from time to time.
- B. All meetings of the Commission shall be recorded for the purpose of transcribing the official, written minutes of the Commission.
- C. The agenda of the meeting shall be posted in the manner required under the Brown Act by the Secretary to the Commission. The agenda shall be posted on the website of the Commission prior to the meeting.
- D. Any agenda item not considered at a meeting of the Commission shall be either: (1) continued to the next regularly scheduled meeting, or (2) adjourned to a date and time as designated by the Commission.
- E. A quorum is necessary for any regular or special meeting of the Commission. A quorum of the Commission is the presence of five (5) Members or designated alternate members.
- F. The Secretary to the Commission, or his or her designee, shall attend all meetings of the Commission, unless excused, and transcribe the minutes of each meeting of the Commission, except closed sessions.
- G. Meetings may be adjourned by either less than a quorum of members, or by the Secretary to the Commission when all members are absent, as provided by the Brown Act.



## V. AGENDAS

- A. Agendas for the Commission shall be prepared by the Secretary to the Commission, subject to review by the Executive Director. The Executive Director, in consultation with the Chairperson and Vice-Chairperson shall be responsible for determining when and what items are to be included on the agenda; provided, however, that any Commission member may include an item on the agenda, in accordance with the provisions of the Brown Act.
- B. Items to be included on the agenda for a meeting of the Commission shall be submitted to the Executive Director no later than ten (10) business days before the date scheduled for the meeting.
- C. Items for a special meeting of the Commission shall be submitted to Executive Director on or before such time and date as he or she directs.
- D. No action or discussion shall be taken on any item not appearing on the posted agenda, except that Commission members may briefly respond to statements made or questions posed by persons exercising their public testimony rights. In addition, Commission members, on their own initiative, or in response to questions posed by the public, may ask a question for clarification, provide a reference to staff, to any of the various committees established by the Commission, or to other resources for factual information, or request staff to report back to the Commission at a subsequent meeting concerning any matter. Furthermore, a Commission member, or the Commission, may take action to direct staff to place a matter of business on a future agenda.

- E. Notwithstanding Section V. D., any item not on the agenda may be considered by the Commission by an affirmative vote of five (5) Members under the following conditions (prior to discussing any such item, the Commission shall publicly identify the item):
1. Upon a determination by a majority of the Commission that an emergency situation exists, as defined by the Brown Act; or
  2. Upon a determination by two-thirds of the Commission members present that there is a need to take immediate action and the need for action came to the attention of the Commission subsequent to the agenda being posted.
  3. The item was previously posted for a meeting, which was held not more than five (5) days earlier, and at the prior meeting, the item was continued to the meeting at which action is being taken.
- F. All resolutions, agreements, leases, contracts and any other legal documents shall be reviewed and approved as to form by the Office of County Counsel prior to submission to the Commission.

## VI. MINUTES

- A. Minutes shall be recorded and transcribed of all meetings of the Commission, except closed sessions. Minutes shall include, without limitations, the date, hours and place of the meetings, notice of the meeting, names of the Commission members, alternate members and executive staff present and absent, and any action taken by the Commission.
- B. If any Commission member arrives after the meeting has commenced or departs before the adjournment, the minutes shall indicate such time of arrival and departure.
- C. Written reports or other written forms of communication submitted at a Commission meeting shall be referenced in the minutes with a record of action, if any, taken by the Commission on the report or other written communication.
- D. A summary of the oral reports and other forms of oral communication shall be included in the minutes.
- E. The titles and numbers of resolutions, minute orders, other formal actions and other matters shall be included into the minutes.
- F. The time of commencement and adjournment of all meetings of the Commission shall be entered into the minutes.
- G. Any Commission member shall have the right to have his or her dissent from, or his or her protest against, any action taken by the Commission entered into the minutes by requesting that his or her remarks be made "of record" at the time such dissent or protest is made.

- H. Unless the reading of the minutes of the Commission meeting is requested by a Commission member, such minutes may be approved without reading if a copy thereof has been previously provided to each Commission member.

## **VII. DUTIES OF THE COMMISSION**

The duties of the Commission are those duties set forth in Ordinance 784, as may be amended from time to time, and the Commission may exercise those duties as set forth by the legislature in Proposition 10 (the California Children and Families Act of 1998), as may be amended from time to time, or in any other related legislation.

## **VIII. OFFICIAL ACTION**

All official action of the Commission shall be by resolution, minute order, or other formal action.

## **IX. PUBLIC COMMENT**

- A. Any person may comment and otherwise address the Commission regarding any matter relating to the Riverside County Children and Families Commission, in accordance with the provisions as set forth herein. Such comment(s) shall be made during the time set aside for public comments on the agenda, except, when otherwise allowed by the Chairperson of the Commission. Preference will be given to those persons who have first submitted a request in writing to the Secretary of their desire to make a comment, or otherwise address, the Commission.
- B. Each person addressing the Commission shall:
1. State his or her name.
  2. Limit comments to three (3) minutes unless additional time is allowed by the Chairperson of the Commission.
  3. Address comments to the members of the Commission.
- C. If an identifiable group of persons desires to address the Commission on the same subject matter or agenda item, the Chairperson of the Commission may request that a spokesperson be selected by the group to address the Commission. If different issues are to be presented on the subject matter or agenda item by any other member of the group, the Chairperson may limit the number of persons and time period for speaking as he or she deems appropriate in order to avoid unnecessary repetition of issues.
- D. Any person, or group of persons wishing to speak may be required to state for the record any contributions, in excess of \$250.00, or the then required contribution limit, made in the past twelve (12) months, made to any Commission member or alternate member, the Commission member or alternate member receiving the contribution, and the matter of consideration with which they are involved.

- E. Any person making personal, impertinent, slanderous or profane remarks, or who becomes unruly while addressing the Commission, may be barred from further speaking and may be ejected if his or her conduct disrupts the meeting, in accordance with the provisions herein, and applicable law.
- F. In the event any meeting is willfully interrupted by a person or person(s) so as to render the orderly conduct of such meeting infeasible, and order cannot be restored by the removal of the individual(s) who are willfully interrupting the meeting, the Chairperson, or Vice-Chairperson in the absence of the Chairperson, or other Acting Chairperson in accordance with Section III. B. may order the meeting room cleared and continue in session.

## **X. PROCEDURE**

- A. In the event a dispute arises concerning conduct and/or procedural matters not specifically addressed herein, then the Chairperson, or the Vice-Chairperson in the absence of the Chairperson, or other Acting Chairperson in accordance with Section III. B., may resolve and otherwise rule on the matter(s), unless the Commission, by appropriate motion made and carried, deems otherwise.
- B. Procedure with respect to motions shall be as follows:
  - 1. When a motion is under consideration by the Commission, no other motion shall be received unless a decision has been made of one of the following:
    - a. to adopt and approve the motion
    - b. to continue to a certain date
    - c. to direct staff on the matter, and continue to a later date for consideration
    - d. to amend
    - e. to postpone indefinitely, to 'table' the motion
  - 2. When a motion is seconded, it shall be stated by the Chairperson before consideration of any other matter may begin.
- C. A Commission member called to order by the Chairperson shall relinquish the floor unless allowed to explain and the Commission, if appealed to, shall resolve the matter. If there is no appeal, the ruling of the Chairperson shall be final.
- D. Procedure with respect to voting shall be as follows:
  - 1. An affirmative vote of five (5) members shall be necessary for the transaction of business, except with respect to those matters, which require nine (9) votes or a unanimous vote of the Commission, as required by law.
  - 2. An abstention by any member casts no vote whatsoever, and hence, shall not be considered for purposes of determining whether an affirmative action was taken by the Commission.

3. A member may vote on a legislative or quasi-legislative matter, including but not limited to voting on entering the prior meeting's minutes as the official record of the meeting, even though he or she missed all or part of the discussion or public hearing.
4. A member may not vote on a judicial or quasi-judicial matter if he or she missed all or part of the public hearing, unless he or she considers and appraises the evidence prior to participating in the decision.
5. Alternate members may not participate in Commission decisions or votes unless substituting for his or her absent designated Commission member.

#### **XI. PUBLIC HEARINGS**

- A. Public hearings shall be held by the Commission when required by law and when called for by the Commission.
- B. Procedurally, a public hearing shall be opened by the Chairperson, and at the conclusion thereof, it shall be closed by the Chairperson.
- C. Any public meeting held by the Commission may also constitute a public hearing so long as the public hearing has been opened and closed.

#### **XII. COMMITTEES**

- A. There is established by the Board of Supervisors for Riverside County, an advisory committee to the Commission, whose members shall be appointed by the Board of Supervisors for Riverside County as established pursuant to section 12 of Ordinance 784.
- B. The Commission may establish such other committees at such times as deemed necessary for the purpose of advising the Commission on matters which are deemed necessary and appropriate. The Commission may assign such other duties as deemed necessary to any advisory committee established by the Commission.

#### **XIII. AMENDMENTS TO THE BYLAWS**

The bylaws may be amended from time to time upon official action of approval by the Commission.

#### **XIV. DISSOLUTION OF THE COMMISSION**

The Commission may only be dissolved by action of the Board of Supervisors of Riverside County.

## **XV. SEVERABILITY AND INVALIDITY**

If any provision of these bylaws, or any amendment thereto is found to be invalid, void or unenforceable by any court of competent jurisdiction, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way, shall be in effect only to the extent that it is in contravention of applicable laws without invalidating the remaining provisions.

## **XVI. CONFLICT OF INTEREST FORMS**

All members of the Commission, alternate members of the Commission, and any other individuals listed on the "Designated Officials and Employees" Appendix shall be required to complete the Conflict of Interest forms, entitled "Statement of Economic Interests for Designated Officials and Employees," Form 700 of the Fair Political Practices Commission (FPPC), in accordance with the requirements of the FPPC and in accordance with the requirements of the Conflict of Interest Code as adopted by the Riverside County Children and Families Commission.