

FORM APPROVED COUNTY COUNSEL 3/9/16.
 BY: GREGORY P. PRIAMOS DATE

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

117



FROM: Department of Public Social Services/Riverside County
 Children and Families Commission

SUBMITTAL DATE:
 February 24, 2016

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

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the revised Bylaws of the Riverside County Children and Families Commission (RCCFC).

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The Bylaws of the Commission have been revised to reflect updates, remove outdated references, and redundant language. Section 11 (L) of Ordinance 784 requires the Bylaws and subsequent amendments be submitted to the Board of Supervisors for review and comment.

Susan von Zabern
 Susan von Zabern
 Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>

SOURCE OF FUNDS:	Budget Adjustment: Yes
	For Fiscal Year: 15-16

C.E.O. RECOMMENDATION: APPROVE
 BY: *Jennifer L. Sargent*
 County Executive Office Signature Jennifer L. Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
 Nays: None
 Absent: Washington
 Date: March 29, 2016
 xc: DPSS

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: none | District: All | Agenda Number:

2-5

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Departmental Concurrence

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BACKGROUND:

Summary (continued):

January 5, 1999: The Riverside County Board of Supervisors adopted Ordinance 784 – Creating the Riverside County Children and Families First Commission pursuant to the Health and Safety Code Section 130140.

March 3, 1999: The Commission approved the original Bylaws for submittal to the Board of Supervisors for approval prior to final adoption by the Commission.

April 12, 1999: The original Bylaws of the Commission were adopted by the Commission. Over the years various amendments were adopted to address structural changes to the Commission or to address legislative changes.

December 2015: Staff conducted a review of the Commission Bylaws and recommend the changes indicated in the attached draft. Primarily the amendments capture changes to the Commission and Advisory Committee structure (i.e., Advisory Committee members no longer serve as alternate Commission members).

January 13, 2016: The Commission adopted changes to the Bylaws as follows:

- **Section 1- Background:** Clarifies the date the Commission was established by the County Board of Supervisors.
- **Section II – Membership:** With the restructure of the Commission/Advisory Committee, alternates were eliminated with the exception of the Board of Supervisor member alternate.
- **Section IV – Meetings:** Added the details related to the days, time and location of meetings and other clarifications regarding provisions for cancelling, or continuing meetings, special meetings and presiding stipulations.
- **Section VIII – Official Action:** Added action summary to the list of methods by which action can be executed.
- **Section XII A. – Committees:** Updated the duties of the Advisory Committee, referencing applicable portions of local ordinance 784 and the Children and Families Act (Prop. 10).
- **Section XVI – Conflict of Interest Forms:** Updated to include Advisory Committee members and Executive Staff to the list of persons required to complete the forms.

All other portions of the Bylaws remain unchanged.

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Impact on Residents and Businesses

These programs provide much needed assistance to individuals or families who are served by First 5 Riverside.

ATTACHMENTS:

Action Item 16-04:

1. Bylaws Action Cover Page and Bylaws Final Approved Document
2. Bylaws Redline Revisions

SvZ:lm

*Riverside County Children
and Families Commission*

Bylaws

Adopted April 1999

Amended October 1999

Amended January 2000

Amended February 2008

Amended February 2011

Amended January 2016

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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 pursuant to Ordinance 784 of Riverside County ("Ordinance 784"), introduced December 22, 1998 and effective February 4, 1999, 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 one (1) alternate member 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. Regular meetings of the Commission shall be held on the 2nd Wednesday of each month at 2:00 p.m. at the Commission business office located at: 585 Technology Court, Riverside, CA 92507. The Commission may adjourn a regular meeting to a time and date and the Executive Director or designee in conjunction with the Chair and/or Vice Chair may cancel or continue a meeting in the case of a lack of quorum or a lack of business to be transacted
- B. Special meetings may be called by the Commission's, Executive Director or designee in conjunction with the Commission Chair and/or Vice Chair.
- C. All meetings of the Commission, except those closed sessions permitted by law shall be open and governed 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.
- D. Meetings of the Commission shall be presided over by the Chair of the Commission, or in his or her absence, by the Vice Chair of the Commission. In the event both the Chair and Vice Chair is absent, the meeting will be presided in accordance with Section III. B. of these Bylaws.
- E. All meetings of the Commission shall be recorded for the purpose of transcribing the official, written minutes of the Commission.
- F. 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.
- G. 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.

- H. 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 the designated alternate member.
- I. 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.
- J. 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 actions, 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 member 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 action summary, 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. The alternate member 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.
 1. The duties and governance of the Advisory Committee are those set forth in Ordinance 784, Section 13, as may be amended from time to time, and the Advisory Committee 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.
- 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, Advisory Committee, Executive Staff 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.