

ORDINANCE NO. 944

AN ORDINANCE ADDING A NEW CHAPTER 2.104 OF THE MARIPOSA COUNTY CODE ENTITLED "MARIPOSA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION" WHICH SECTION CREATES THE LOCAL CHILDREN AND FAMILIES FIRST COMMISSION PURSUANT TO HEALTH AND SAFETY CODE SECTION 130140

The Board of Supervisors of the County of Mariposa ordains as follows:

SECTION I. A new Chapter 2.104 (commencing with section 2.104.010) is hereby added to the Mariposa County Code to read as follows:

Chapter 2.104

MARIPOSA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION

Sections:

- 2.104.010 Findings and purpose.**
- 2.104.020 Definitions.**
- 2.104.030 Establishment of Commission.**
- 2.104.040 Establishment of trust fund.**
- 2.104.050 Membership.**
- 2.104.060 Terms - Appointment.**
- 2.104.070 Terms - Staggered.**
- 2.104.080 Vacancies and removal.**
- 2.104.090 Chairperson-Rules and regulations.**
- 2.104.100 Commission subject to Ralph M. Brown Act.**
- 2.104.110 Compensation.**
- 2.104.120 Duties.**

2.104.010 Findings and purpose. The Board of Supervisors of the County of Mariposa finds that:

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 a comprehensive, collaborative, and integrated system of information and services to promote, support, and optimize early childhood development from the prenatal stage to 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 outlined in the Act itself. It is the further intent of this ordinance to create Mariposa County's Children and Families First Commission and Mariposa County's Children and Families First Trust Fund in order to receive funding through the Act and to implement the goals and objectives outlined in the California Children and Families First Act of 1998.

2.104.020 Definitions.

- A. "Act" means the California Children and Families First Act of 1998.
- B. "California Children and Families Commission" means the State Commission established in accordance with Health and Safety Code section 130110.
- C. "Commission" means the Mariposa County Children and Families First Commission established pursuant to Health and Safety Code section 130140.
- D. "County Strategic Plan" means the plan adopted by the Commission and submitted to the California Children and Families First Commission pursuant to Health and Safety Code section 130140.
- E. "Trust Fund" means the Children and Families First Trust Fund established pursuant to Health and Safety Code section 130105.

2.104.030 Establishment of Commission. There is established a Commission to be known as the Mariposa County Children and Families First Commission.

2.104.040 Establishment of Trust Fund. There is established a trust fund to be known as the Mariposa County Children and Families First Trust Fund.

2.104.050 Membership. The Commission shall consist of seven (7) members. The membership shall consist of one (1) member of the Board of Supervisors, the Department of Human Services Director or his/her designee, the County Health Officer or his/her designee, one (1) member who is a recipient of project services included in the County Strategic Plan; one (1) member who is an educator specializing in early childhood development; one (1) member who is a representative of Mariposa County Unified School District, and the Chairperson of the Mariposa County Child Care Planning Council.

2.104.060 Terms - Appointment. Commission members shall be appointed by the Board of Supervisors. Commission members shall serve at the pleasure of the Board of Supervisors. The term of office of each member shall be for three (3) years and until the appointment of his/her successor.

2.104.070 Terms - Staggered. Terms of office of the Commission members shall be staggered. The following members shall have an initial term of three (3) years: member, Board of Supervisors; Human Services Director or his/her designee; County Health Officer or his/her designee. The following shall have an initial term of two (2) years: member, recipient of project services; member, representative of the Mariposa County Unified School District. The following shall have an initial term of one (1) year: one (1) member who is an educator specializing in Early Childhood Development; Chairperson of the Mariposa Child Care Planning Council. Thereafter, all members shall serve three (3) year terms or until replaced by the Board of Supervisors.

2.104.080 Vacancies and removal.

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

- 1) Removal of the incumbent for any reason;
- 2) Death or resignation of the incumbent;
- 3) Ceasing to be a representative from the various categories provided for in section 2.104.050; or

4) If the Commission holds only one regular meeting during each calendar month, absence from three (3) consecutive regular or special meetings or his/her absence from four (4) regular or special meetings in any twelve (12) month period or if the Commission holds two (2) or more regular meetings during each calendar month, absence from four (4) consecutive regular or special meetings or absence from six (6) regular or special meetings within a twelve (12) month period.

B. The Secretary of the Commission shall certify the happening of any vacating event to the Board of Supervisors. The Board of Supervisors may waive any vacating event for any member of the Commission by majority vote of the Board of Supervisors.

C. The Board of Supervisors shall make interim appointments to fill unexpired terms in the event of vacancies occurring during the term of members of the Commission. The Board of Supervisors shall act within sixty (60) days to fill a vacancy.

2.104.090 Chairperson - Rules and regulations. The members of the Commission shall annually elect a chairperson who shall serve for a term of one (1) year. The Commission shall make such rules and regulations as are necessary to conduct its business.

2.104.100 Commission subject to Ralph M. Brown Act. The Commission's meetings are subject to the open meeting laws contained in the Ralph M. Brown Act.

2.104.110 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.

2.104.120 Duties. The Commission is charged with the following duties:

- A. To implement the goals and objectives of the Act.
- B. To administer the monies in the Mariposa County Children and Families First Trust Fund.

C. The development and adoption of an adequate and complete County Strategic Plan for the support and improvement of early childhood development within Mariposa County as outlined in the Act.

D. To conduct at least one (1) public hearing on its proposed County Strategic Plan before the Plan is adopted.

E. To conduct at least one (1) public hearing on its periodic review of the County Strategic Plan before any revisions to the Plan are adopted.

F. To submit its adopted County Strategic Plan, and any subsequent revisions thereto, to the State Commission and the Board of Supervisors.

G. To prepare and adopt an annual audit and report pursuant to Health and Safety Code section 130150. The Commission shall conduct at least one (1) public hearing prior to adopting any annual audit and report.

H. To conduct at least one (1) public hearing on each annual report by the State Commission prepared pursuant to Health and Safety Code section 130150, subdivision (b).

I. Make copies of its annual audits and reports available to members of the general public on request and at no cost.

J. To exercise all powers, duties, and functions as are prescribed by statute, the Board of Supervisors, and the Commission.

SECTION II: If any provision of the Ordinance or the application thereof to any person or circumstances is for any reason held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications thereof, and to this end the provisions of this Ordinance are severable.

SECTION III: This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code section 25123.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 18th day of May, 1999 by the following vote:

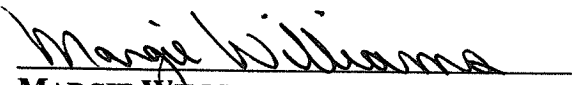
AYES: Reilly, Balmain, Stewart, Parker, Pickard
NOES: None
ABSENT: None
ABSTAINED: None



BOB PICKARD, Chairman
Board of Supervisors

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

ATTEST:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel