

**ORDINANCE NO. 784
(AS AMENDED THROUGH 784.11)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE CREATING THE RIVERSIDE
COUNTY CHILDREN AND FAMILIES FIRST COMMISSION PURSUANT TO HEALTH
AND SAFETY CODE SECTION 130140**

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

Section 1. FINDINGS. The Board of Supervisors finds that the creation of the Riverside County Children and Families First Commission will provide a comprehensive, collaborative, and integrated system to promote, and support, an integrated early childhood development from prenatal to five (5) years of age.

Section 2. PURPOSE. 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 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 the Riverside County Children and Families Commission and the Riverside County Children and Families 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.

Section 3. AUTHORITY. The creation of the Riverside County Children and families first commission is made pursuant to Health and Safety Code Sections 130140, et seq.

Section 4. DEFINITIONS. As used in this ordinance, the following terms shall

have the following meanings:

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

Section 5. ESTABLISHMENT OF COMMISSION. There is established a commission to be known as the Riverside County Children and Families Commission. Such commission is a department agency of the County. Notwithstanding its status as a department agency of the County, the Commission shall have, consistent with statutory requirements, independent authority over the County Strategic Plan created pursuant to Section 13 and the Trust Fund established pursuant to Section 6.

Section 6. ESTABLISHMENT OF TRUST FUND. There is established within the County Treasury a trust fund to be designated as the Riverside County Children and Families Trust Fund. All money received from the state commission to carry out the provisions of the California Children and Families First Act of 1998 will be placed in the Riverside County Children and Families Trust Fund, held by the County, for exclusive use of the Commission. All interest gained from the Riverside County Children and Families Trust Fund will be credited to the trust fund for use by the Commission.

Section 7. MEMBERSHIP. The Commission membership shall consist of nine members.

- A. One member shall be a member of the Board of Supervisors and will not have a term limit.
- B. Three (3) members shall be from among persons responsible for management of County functions specializing in children prenatal through age five (5) as follows:

One member shall be from within Human Service Portfolio; one

member shall be from among the Health Officer or Riverside University Health System (i.e., Public Health, Behavioral Health or Medical Center and Clinics); and one member shall be from Riverside County Office of Education.

The four members described in Subsections A. and B. of this Section 7 shall not be subject to the term limits specified in Section 8.

- C. Each member of the Board of Supervisors shall appoint one member. It is recommended that the appointment follow the suggested categories described in the Children and Families Act, Health and Safety Code Section 130140 (A)(iii). These remaining members shall be any of the following: (1) recipients of project services included in the County Strategic Plan; (2) educators specializing in early childhood development; (3) representatives of a local child care resource or referral agency, or a local child care coordinating group; (4) representatives of a local organization for prevention or early intervention for families at risk; (5) representatives of community-based organizations that have the goal of promoting nurturing and early childhood development; (6) representatives of local school districts; and (7) representatives of local medical, pediatric, or obstetric associations or societies. Although a member from each of the above-referenced categories is not required, it is desirable that members from as many categories as possible serve on the Commission at all times. Any member appointed to the Commission pursuant to this subsection shall reside and/or work in Riverside County at the time of appointment and for the duration of his or her term.
- D. One member of the Board of Supervisors shall serve as an alternate member of the Commission.

Section 8. TERM.

Commission members shall serve at the pleasure of the Board of Supervisors. Commission members who are appointed by the Board of Supervisors shall serve a term of office in alignment with the appointing Supervisor's term, absent removal by the Board of Supervisors, except as otherwise provided in Section 7 of this Ordinance.

Section 9. VACANCIES AND REMOVAL.

- A. A vacancy on the Commission occurs 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 categories provided for in Section 7; or
4. If the Commission holds only one regular meeting during each calendar month, absence from three (3) consecutive regular or special meeting or his/her absence from four regular or special meetings in any 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 a majority vote by 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 interim appointment term of office will align with the term of office served by the appointing Board of Supervisors member. The Board of Supervisors shall act within 60 days to fill a vacancy.

Section 10. 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 necessary to conduct its business.

Section 11. COMMISSION SUBJECT TO RALPH M. BROWN ACT. The Commission's meetings are subject to the open meeting laws contained in the Ralph A. Brown Act.

Section 12. COMPENSATION. The members of the Commission shall serve without compensation but may receive actual and necessary expenses incurred in carrying out their duties.

Section 13. DUTIES. The Children and Families Commission is charged with the following duties:

- A. To implement the goals and objectives of the Act.
- B. To administer the monies in the Riverside County Children and Families Trust Fund.
- C. The adoption of an adequate and complete County Strategic Plan for the support and improvement of early childhood development in the

County in accordance with the provisions of Health and Safety Code Section 130140 (a)(1)(C)(i) through (iv), as may be amended from time to time.

- D. To conduct at least one public hearing on its proposed Strategic Plan before the plan is adopted.
- E. To conduct at least one public hearing on its periodic review of the 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 Board of Superiors for review and comment, and then to the State Commission.
- 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 public hearing prior to adopting any annual audit and report.
- H. To conduct at least one public hearing on each annual report by the State Commission prepared pursuant to Health and Safety Code Section 130150(b).
- I. Make copies of its annual audits and reports available to the general public on request at no cost.
- J. To exercise all powers, duties and functions as prescribed by statute, the Board of Supervisors and the Commission.
- K. To prepare and submit to the Board of Supervisors for review and comment, an annual budget.
- L. To prepare and submit to the Board of Supervisors for review and comment, its by-laws and subsequent amendments.

Section 14. ESTABLISHMENT OF THE ADVISORY COMMITTEE.

- A. An advisory committee is established to provide technical and professional expertise and support for any purpose that will be beneficial to accomplishing the purpose of the Act. Upon request of the Commission, the advisory committee shall make recommendations and reports to the Commission.
- B. Membership of the advisory committee shall consist of representation of diverse interests, geographical regions, economic backgrounds, cultural and ethnic heritage of County residents with technical expertise or experience specific to children 0 through 5 years of age.

- C. The number of members of the advisory committee will be a maximum of ten (10) persons, two appointments from each supervisorial district.
- D. The individual term of the advisory committee members will be two years beginning with the date of appointment. There will be no limit to the number of terms an individual can serve on the committee, so long as the member actively participates in committee activities.
- E. The advisory committee will annually elect a chair and vice chair.

Section 15. DUTIES OF THE ADVISORY COMMITTEE.

- A. The purpose of the advisory committee is to:
 - 1. Provide technical and professional expertise as well as ongoing support to the Commission for any purpose that will contribute to accomplishing the purpose of the Act and the local strategic plan.
 - 2. Enhance the reputation and credibility of the Commission through increased engagement and communication with relevant stakeholders and the community at large as directed by the Commission.
- B. The members of the advisory committee serve without compensation but may receive actual and necessary expenses as incurred in carrying out their duties.
- C. The members of the advisory committee have no authority to make, change, or implement policy, unless formal action is taken by the Commission.

Section 16. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such section, subsection, sentence, clause or phrase shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections sentences, clauses or phrases be declared unconstitutional or invalid.

Section 17. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after its adoption.

Adopted:

784 Item 7.3 of 01/05/1999 (Eff: 02/04/1999)

Amended:

784.1 Item 3.1 of 10/05/1999 (Eff: 11/04/1999)

784.2 Item 3.1 of 01/08/2002 (Eff: 02/07/2002)

784.3 Item 3.1 of 11/12/2002 (Eff: 12/12/2002)

784.4 Item 3.1 of 12/02/2003 (Eff: 01/01/2004)

784.5 Item 3.2 of 02/10/2004 (Eff: 03/12/2004)

784.6 Item 3.2 of 04/05/2005 (Eff: 05/05/2005)

784.7 Item 3.3 of 02/07/2006 (Eff: 03/09/2006)

784.8 Item 3.1 of 03/13/2007 (Eff: 04/12/2007)

784.9 Item 3.8 of 06/09/2009 (Eff: 07/09/2009)

784.10 Item 3-15 of 04/29/2014 (Eff: 05/29/2014)

784.11 Item 3.7 of 10/01/2019 (Eff: 10/31/2019)