

ORDINANCE NO. NS-300.731

**AN ORDINANCE TO AMEND CHAPTER V., DIVISION A 18 OF THE  
COUNTY OF SANTA CLARA ORDINANCE CODE RELATING TO THE  
SANTA CLARA COUNTY CHILDREN AND FAMILIES FIRST COMMISSION**

This ordinance amends Chapter V. of Division 18 relating to the Santa Clara County Children and Families First Commission to update and clarify the relationship between the Commission and the County and to recognize the Commission as FIRST 5 Santa Clara County.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

**SECTION 1.** Chapter V., of Division A18 of the Santa Clara County Code is amended to be entitled and read as follows:

**Chapter V. FIRST 5 Santa Clara County**

**Sec. A18-76. Establishment and purpose.**

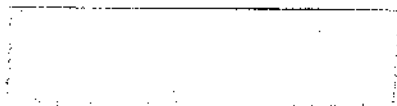
Pursuant to Section 130100 of division 108 of the Health and Safety Code of the State of California, there is hereby established The Santa Clara County California Children and Families First Commission, which shall be known as, FIRST 5 Santa Clara County. The general purpose of the Commission shall be to promote, support and improve the early development of children from the prenatal stage through five (5) years of age throughout the entire County, through the creation and implementation of an integrated, comprehensive and collaborative system of information and services to enhance early childhood development pursuant to the "California Children and Families First Act of 1998," Health and Safety Code § 130100 and following (the "Act").

**Sec. A18-76.5. Status.**

FIRST 5 Santa Clara County is an entity separate from the County of Santa Clara. Obligations of FIRST 5 Santa Clara County shall be the obligations solely of the Commission and shall not directly or indirectly be obligations of the County or any officials, employees or agents of the County. The County shall not be liable for any act or omission of the Commission.

**Sec. A18-77. Membership.**

- (a) The Commission shall be composed of nine (9) members appointed by the Board of Supervisors. The membership shall include the following:



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(b) Permanent Members:

- (1) One (1) member of the Board of Supervisors who shall be selected at the beginning of each calendar year by the Chairperson of the Board.
- (2) The Executive Director of the Santa Clara Valley Health and Hospital System or his or her designee.
- (3) The Director of the Social Services Agency or his or her designee.

(c) Members appointed by the Board of Supervisors:

- (1) A member who shall be nominated by the Santa Clara County Local Child Care Planning Council and who shall be a member of the Santa Clara County Local Child Care Planning Council.
- (2) Five (5) members, with each member of the Board of Supervisors allocated one (1) appointment from the following groups, with the intent that representatives from as many groups as possible will serve on the Commission:
  - (i) Recipients of project services as set forth in the Commission strategic plan;
  - (ii) Educators specializing in early childhood development;
  - (iii) Representatives of a local group for prevention or early intervention for families at risk;
  - (iv) Representatives of community based organizations that have a goal of promoting and nurturing early childhood development;
  - (v) Representatives of local school districts;
  - (vi) Representatives of local medical, pediatric, or obstetric associations or societies.

(d) Term of appointment: Members appointed pursuant to subsection (c) above shall have a term of two (2) years and until a successor is appointed, except the term of the first appointees shall be staggered so that three (3) members have a one (1) year term, and the remaining three (3) members have a two-year term. The length of each member's initial term is to be decided by lots drawn at the first meeting of the Commission. Members appointed pursuant to subsection (c) shall serve at the pleasure of the Board.

(e) Ex-officio Members. The Commission may appoint by majority vote, non-voting, ex-officio members, as they deem appropriate to assist the Commission in fulfilling their responsibilities. An ex-officio member shall be appointed for a term of two (2) years and shall serve at the pleasure of the Commission.

Sec. A18-78. Organization.

The Commission shall establish advisory committees to provide technical and professional expertise and support for any purposes that will be beneficial in accomplishing the purposes of the Act. Each advisory committee shall meet and shall make recommendations and reports as deemed necessary or appropriate.

Sec. A18-79. Powers and duties.

The following shall be the duties of the Commission:

- (a) To implement the goals and objectives of the Act.
- (b) To administer the monies in the Santa Clara County Children and Families First Fund in accordance with the provisions of the Act, the strategic plan and the provisions of this chapter.
- (c) To adopt a strategic plan that:
  - (1) Supports the improvement of early childhood development within the County based upon comprehensive County-wide data and resources.
  - (2) Is consistent with the purposes of the Act and any guidelines adopted by the State Commission.
  - (3) Includes at least the following requirements:
    - (i) Goals and objectives;
    - (ii) Programs, services, and projects to be provided, sponsored, or facilitated;
    - (iii) Measurable outcomes of programs, services, and projects using appropriate reliable indicators;
    - (iv) A description of how programs, services and projects will be integrated into a consumer-oriented, easily accessible system;
    - (v) A description of how programs, services and projects will be integrated into a comprehensive continuum of services for children throughout the County.
  - (4) Requires the Commission, on at least an annual basis, to periodically review its strategic plan and revise the plan as may be necessary and appropriate.
- (d) To submit the strategic plan, and any subsequent revisions thereto, to the Board of Supervisors for their information. If the Board of Supervisors has comments or concerns regarding the plan, such comments will be referred back to the Commission for consideration.
- (e) To submit the approved Commission strategic plan, and any subsequent revisions thereto, to the State Commission.

- (f) To prepare and adopt pursuant to § 130150 of the Act, on or before October 15 of each year, an audit and report on the implementation and performance of the Commission's functions during the preceding fiscal year, including at a minimum, the manner in which funds were expended, the progress toward, and the achievement of, program goals and objectives, and the measurement of specific outcomes through appropriate reliable indicators.
- (g) To conduct at least one (1) public hearing on:
- (1) The proposed strategic plan, before the Commission adopts the plan.
  - (2) The review of the strategic plan before any revisions to the plan are adopted.
  - (3) The annual audit and report before they are adopted.
  - (4) Each annual report by the State Commission.
- (h) To make periodic reports to the Children, Seniors and Families Committee of the Board of Supervisors.
- (i) To exercise all powers, duties, and functions as are prescribed by the Act, the Board of Supervisors, and the State Commission.

#### Sec. A18-80. Meetings.

The Commission shall adopt a meeting schedule at the first meeting of the calendar year, or as soon thereafter as is practical.

#### Sec. A18-81. Bylaws.

The Commission shall adopt bylaws setting forth procedures for the conduct of business not otherwise specified herein that are consistent with the Act and this Ordinance.

#### Sec. A18-82. Compensation.

The members of the Commission shall not be compensated for their service as members of the Commission. The members appointed by the Board of Supervisors shall receive a reasonable per diem pursuant to Commission policy. All Commissioners may be reimbursed for reasonable expenses incurred in discharging their official responsibilities pursuant to policies adopted by the Commission.

#### Sec. A18-83. Budgets.

The Commission shall prepare an annual budget. The Commission shall follow appropriate budgetary and accounting procedures.

The Commission shall develop a process for allocating funds to programs, services and projects that further the goals and objectives of the Act and the Commission's strategic plan. All recommended allocations shall be submitted to the Commission for approval unless specifically delegated to the executive officer.

Sec. A18-84. Staffing.

The Commission shall appoint an executive officer. The Commission may purchase services from the County, as they deem necessary. The Commission shall reimburse the County for services and other costs provided by the County within thirty (30) days of receiving an invoice.

Sec. A18-84.1. Conflict of interest.

The Commission shall adopt a conflict of interest code and submit the code to the County for approval.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on ~~June 22, 2004~~ by the following vote:

AYES: Supervisors ALVARADO, BEALL, GAGE, KNISS, MCHUGH

NOES: Supervisors **NONE**

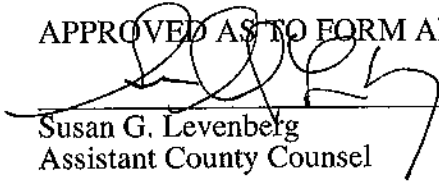
ABSENT: Supervisors **NONE**



Pete McHugh, Chair  
Board of Supervisors  
County of Santa Clara

  
ATTEST: PHYLLIS PEREZ, Clerk  
Board of Supervisors

APPROVED AS TO FORM AND LEGALITY

  
Susan G. Levenberg  
Assistant County Counsel

May 26, 2004  
Date