

THE FIRST 5 COMMISSION OF SAN DIEGO BY-LAWS

Section 1 NAME

There is hereby created and established the San Diego First 5 Commission. The First 5 Commission of San Diego shall constitute a citizens advisory board, which is established by the Board of Supervisors in County Administrative Code Section 84.100 et seq., pursuant to the Children and Families First Act of 1998 to promote, support and improve early childhood development from the prenatal stage to five years of age in San Diego County. County Administrative Code Section 84.100 et seq. is included in these by-laws as Appendix A.

Section 2 POWERS AND DUTIES

This Commission is established to carry out the County of San Diego's implementation of the Children and Families First Act as defined by Sections 84.108 and 84.109 of the County Administrative Code, which are included as part of Appendix A to these by-laws. This Commission and its committees are not empowered by ordinance, establishing authority or policy to render a decision of any kind on behalf of the County of San Diego or its appointed or elected officials.

Section 3 MEMBERSHIP

Membership is set forth in Section 84.101 of the County Administrative Code. The Commission shall consist of five (5) members in accordance with Sections 84.101 and 84.102 of the County Administrative Code, which are included as part of Appendix A to these by-laws.

Section 4 VACANCIES

The method of filling vacancies on the Commission shall be as set forth in County Administrative Code Section 84.103, which are included in these by-laws as a part of Appendix A.

Section 5 QUORUM

A quorum shall be defined as three members of the Commission. The definition of members excludes unfilled positions and those vacated by resignation or removal.

Section 6 MEETINGS

- A. The Commission and its standing committee(s) shall be subject to the provisions of Chapter 9 (Commencing with Section 54950) of Part I, Division 2 Title 5 of the Government Code, relating to meetings of local agencies (Ralph M. Brown Act).
- B. The Commission shall meet regularly at times and places to be determined by the Commission.
- C. Special meetings may be called at a time and place designated by the Chair. The Commission staff pursuant to the Government Code shall give notices of regular and special meetings.

Section 7 OFFICERS

- A. The member of the Board of Supervisors serving on the Commission shall be the Chair of the Commission.
- B. The elected officers are Vice-Chair and Secretary
- C. Officers shall be nominated by the Chair. Nominations shall be included on the agenda for the first meeting of each calendar year. The Commission shall select officers as the first order of business at the first meeting each calendar year, and the new officers shall take office immediately.

- Section 8 **RESPONSIBILITIES OF THE OFFICERS**
- A. The Chair shall be the principal executive officer and the official spokesperson of the Commission. The Chair shall preside at all meetings of the Commission and carry out the policies of the Commission. The Chair shall make all committee appointments, subject to approval by majority vote of the Commission. The Chair shall have the general powers and duties of management usually vested in the office of the Chair and having the powers and duties as may be prescribed in these by-laws.
- B. The Vice-Chair shall do everything necessary to assist the Chair in the performance of the Chair's duties. The Vice-Chair shall exercise the powers of the Chair when and if the Chair is absent.
- C. The Secretary shall certify the minutes of each Commission meeting and serve as Chair in the absence of the Chair and Vice Chair.
- Section 9 **COMMITTEES**
- A. **Definition of Committees**
1. **Standing Committees:** Any committee that functions regularly and whose membership is appointed on a biennial basis is a Standing Committee. Standing Committees shall have names, powers, duties and composition as is determined by the Commission. The Commission shall have the following standing committee:
- a. **Technical and Professional Advisory Committee:**
The Technical and Professional Advisory Committee shall consist of a maximum of eleven members appointed biennially to serve from January 1 to December 31. Members of the Board of Supervisors shall each nominate one person from their district to serve two-year terms commencing in even numbered years. Up to six members shall be residents of the County of San Diego who shall be recommended by a Sub Committee of the Commission formed biennially for the purposes of nominating members of the Advisory Committee to serve two-year terms commencing in odd-numbered years. Committee members may only serve two consecutive two-year terms.
- All members of the Technical and Professional Advisory Committee shall be selected from among persons described in Section 84.101(b) of the County Administrative Code or shall be persons with specialized knowledge and experience in the areas of community needs assessment, health and social services program evaluation or child care, education, health and social services program administration. It is the intent of the Commission that the membership of the Technical and Professional Advisory Committee be broadly representative of the backgrounds described, as well as of the geographic, and cultural communities of San Diego County. County employees may not serve as members of the Technical and Professional Advisory Committee.
- The duties and responsibilities of the Technical and Professional Advisory Committee shall be to advise the Commission concerning the County's Children and Families First Strategic Plan, policies concerning programs to be implemented and supported under the Strategic Plan, community needs assessment, program evaluation and other tasks and issues as assigned by the Commission.
- Advisory Committee members shall serve without compensation except for reimbursements for reasonable expenses incurred as a result of their responsibilities as directed by the Commission or the Chair.

b. Finance Committee:

The Finance Committee shall consist of a minimum of 5, and a maximum of seven members appointed biennially to serve from January 1 to December 31.

All members of the Finance Committee shall be persons with specialized knowledge and experience in the areas of budget management, fiscal planning and management, financial auditing, investment management, contracts management, public policy and opinion, or business management. It is the intent of the Commission that the membership of the Finance Committee be broadly representative of the backgrounds described. County employees may serve as members of the Finance Committee. The membership shall be from among:

- An Employee of the County of San Diego Auditor and Controller's Office designated by that Office and appointed by the Commission
- An Employee of the County of San Diego Treasurer-Tax Collector's Office designated by that Office and appointed by the Commission
- An Individual Identified by the San Diego Regional Chamber of Commerce and appointed by the Commission
- An Individual from the First 5 Commission Technical and Professional Advisory Committee (TPAC) and appointed by the Commission
- An Employee of the County of San Diego Health & Human Services Agency and appointed by the Commission
- A CPA familiar with government and nonprofit contracting identified by the Commission or the Executive Director

~~Committee members who are not County employees may only serve two consecutive two-year terms. Any member may be re-appointed to serve additional terms.~~

The duties and responsibilities of the Finance Committee shall be to advise the Commission concerning the budget, administrative costs, savings, investments, fixed assets, long term financial plan, financial objectives, funding strategies and annual allocation plan, annual financial audit, and other tasks and issues as assigned by the Commission.

Advisory Committee members shall serve without compensation except for reimbursements for reasonable expenses incurred as a result of their responsibilities as directed by the Commission or the Chair.

2. Special Committees, Task Forces, and Subcommittees

Special Committees, Task Forces, and Subcommittees, generally temporary in nature, shall be established, as necessary for special purposes.

3. Committee Reports: All Committees shall report at each regular meeting. This report may be oral or written, unless specified by the Commission. Committees shall make no recommendation, report or other statement, other than to the Commission.

B. Conflicts of Interest

Individuals who directly or indirectly receive income from the Commission or from or through a contractor to the Commission or who serve as a paid member of a board of directors of a contractor to the Commission may not serve on a Commission established committee, including the Technical and Professional Advisory Committee and Finance Committee. For purposes of this prohibition, income to a spouse or registered domestic partner, or as a subcontractor shall constitute "indirect" income. Individuals who receive direct or indirect services from the Commission or Commission contractors shall not be deemed as having received "direct" or

"indirect" income from the Commission. Individuals who are members of a Commission committee may not apply for nor may his or her employer or entity for which they serve as a consultant apply for a Commission contract during the time that the individual serves on the committee and for one-year after his or her committee term ends. The prohibitions set forth in this Section 9, Subdivision B, shall only apply to Committee members who are members of a committee on or after October 1, 2009.

Section 10 RULES OF ORDER

- A. Meetings of the Commission shall be governed by the authority of Robert's Rules of Order modified to allow open participation of the Chair.
- B. The rules contained in the Robert's Rules of Order shall govern in all cases to which they are applicable and in which they are not inconsistent with the by-laws of the Commission.

Section 11 AMENDMENTS

These by-laws may be amended at any regular business meeting by a vote of the majority of the existing membership. The amendment must be submitted in writing at the previous regular meeting.

Section 12 STANDING RULES

Standing Rules may be adopted by a majority of the quorum at any meeting. After they have been adopted, they may not be modified at the same session, except by a reconsideration. At any future session, they may be suspended, modified or rescinded by a majority vote.

Section 13 EFFECTIVE DATE

These by-laws were adopted as amended by the Commission and became effective ~~June 29, 2009~~
January 10, 2011.