

DEPARTMENT: Human Services/BHRS

BY: James A. Rydingsword **PHONE:** 966-2000

RECOMMENDED ACTION AND JUSTIFICATION:

6/16/09 Adopt

Waive Waive First Reading and Introduce Ordinance *Waive* Waive Second Reading and Adopt Ordinance amending Sections 2.104.030, 2.104.050, and 2.104.080 of Chapter 2.104 of the Mariposa County Code entitled "First 5 of Mariposa County".

It is respectfully requested that the Board approve changes to the First 5 Commission Chapter of the Mariposa County Code. The changes are in sections that pertain to the establishment of the commission, membership, and vacancies and removals.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Please see attachment.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Please see attachment.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		Memo _____
Source:		Director Letter _____
Internal Transfer _____		Director Memo _____
Unanticipated Revenue _____ 4/5's vote		Meeting Agenda _____
Transfer Between Funds _____ 4/5's vote		First and Second Reading of Ordinance _____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

Res. No.: _____ Ord. No. 1056
Vote - Ayes: 5 Noes: _____
Absent: _____
AMW Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: RB



**MARIPOSA COUNTY
HUMAN SERVICES DEPARTMENT**

P.O. Box 99 • Mariposa, CA 95338 • (209) 966-2000 • Fax (209) 966-2486
□ Behavioral Health and Recovery Services (209) 966-2000 □ Employment and Community Services (209) 966-3609
□ Fiscal Services (209) 966-2131 □ Social Services (209) 966-2442



JAMES A. RYDINGSWORD, DIRECTOR

May 26, 2009

TO: Members; Board of Supervisors
Richard Benson, CAO
FROM: James A. Rydingsword
RE: First 5 Ordinance Changes

Recommendation

It is respectfully requested that your Board approve changes to the First 5 Commission Ordinance 944 and bylaws. The changes are in sections that pertain to attendance and the new state legislation regarding conflict of interest, audit and Commission reporting.

Background/Current Situation

The First 5 of Mariposa County was created for the purpose of implementing the California Children and Families First Act of 1998. The Commission's primary purpose is to adopt and implement the County's strategic plan.

The First 5 Mariposa County Commission met on April 20, 2009 and voted to approve additions to Ordinance 944 and its bylaws. The Commission discussed and clarified language regarding to excessive absences and defined criteria regarding excused absences.

In addition, changes to by-laws include language from AB 109 and SB 35 regarding Health and Safety Codes, which were approved in March 2006. The Commission has decided to make all the changes at one time.

Financial

There is no impact to general fund dollars.

MARIPOSA COUNTY ORDINANCE NO. 1056

AN ORDINANCE AMENDING CHAPTER 2.104 OF THE MARIPOSA COUNTY CODE ENTITLED "FIRST 5 OF MARIPOSA COUNTY"

WHEREAS, the Board of Supervisors desire to amend Sections 2.104.030, 2.104.050, and 2.104.080 of Chapter 2.104 of the Mariposa County Code,

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Section 2.104.030 of Chapter 2.104 of the Mariposa County Code is hereby amended to read as follows:

2.104.030 Establishment of Commission.

There is established a Commission to be known as First 5 of Mariposa County.

SECTION II: Section 2.104.050 of Chapter 2.104 of the Mariposa County Code is hereby amended to read as follows:

2.104.050 Membership.

The County Commission shall be appointed by the Mariposa County Board of Supervisors and shall consist of nine (9) members. The membership shall consist of:

- One (1) member of the Board of Supervisors
- One (1) member who is the Department of Human Services Director or his/her designee
- One (1) member who is the County Health Officer or his/her designee
- One (1) member who is a recipient of project services included in the County Strategic Plan with one (1) initial term of two (2) years
- One (1) member who is a representative of the Mariposa County Unified School District
- One (1) member who is an educator specializing in early childhood development
- (1) member who is a member of the Local Childcare Resource and Referral Agency (childcare coordinating group)
- Two (2) members at large

SECTION III: Section 2.104.080 of Chapter 2.104 of the Mariposa County Code is hereby amended to read as follows:

2.104.080 Vacancies and removal.

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

5) Absence of members at three (3) consecutive regular or special meetings or his/her absence from four (4) regular or special meetings in any twelve (12) month period throughout any calendar year of their appointment without just cause (illness, family emergency), and advance notice of such cause (given by 10:00 a.m. the morning of the meeting) submitted by e-mail or phone call to the Executive Director or Commission Chair shall constitute grounds for removal from the Commission. When a member fails to attend Three (3) consecutive regular or special meetings without just cause or four (4) regular or special meetings within any calendar year without just cause, the Commission will assess that member's ability and desire to remain on the Commission. Exceptions to the above rules may be granted under extenuating circumstances upon unanimous approval of members of the Commission.

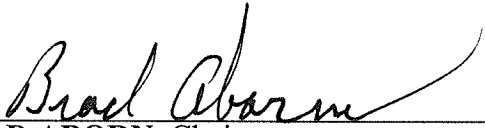
The Executive Director of the Commission shall submit the recommendation for the removal of any member from the Commission based on the unanimous voting approval of the members of the Commission to the Board of Supervisors, who shall in turn act upon this recommendation.

B. The Executive Director 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.

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


PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 16th day of June, 2009 by the following vote:

AYES:	ABORN, TURPIN, BIBBY, CANN, ALLEN
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE



BRAD ABORN, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel