

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
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**Agenda Number:**  
**Prepared on:** 11/10/05  
**Department Name:** First 5 Child& Fam Commission  
**Department No.:** 990  
**Agenda Date:** 12/13/05  
**Placement:** Administrative  
**Estimate Time:** 10 min  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Rita Madden,  
Chair, First5 Santa Barbara Children and Families Commission

**STAFF** Pat Wheatley, Executive Director  
**CONTACT:** 884-8085

**SUBJECT: Amendment of Children & Families Ordinance (Chapter 41 and the First 5 Commission Bylaws)**

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## **Recommendation(s):**

That the Board of Supervisors:

- a. Set first reading on January 3, 2006, for the introduction of the attached ordinance, which amends Santa Barbara County Code Chapter 41, sections 41-4 and 41-5, to increase the term of Community Members of the First 5 Commission from two to three years, and staffer their terms. The recommended amendments also create a permanent position on the Commission for the County Superintendent of Schools.
- b. Set second reading on January 10, 2006, for the adoption of the attached ordinance.
- c. On January 10, 2006, adopt the attached resolution, which amends Article 6 of the Bylaws of the First 5 Commission to track the proposed amendments to Chapter 41 of the County Code, Additionally, it is recommended that the Bylaws be amended to reflect action taken by this Board in 2001, which permitted the County Alternate member to designate a member of their staff to serve on the Commission.

## **Alignment with Board Strategic Plan:**

The First 5 Commission Program is aligned with Strategic Goal 7, community that fosters the well-being of families and children.

### **Executive Summary and Discussion:**

The First 5 Santa Barbara County Children and Families Commission was formed pursuant to a voter initiative, Proposition 10, also known as the “California Children and Families First Act of 1998”. (See, California Constitution Article XIII A, Section 7; Health and Safety Code Sections 130100 et. seq.; and Revenue and Taxation Code Sections 30131 et.seq.). The purpose of the First 5 Commission is to further the intent of the California Children and Families First Act through the creation of local programs to promote, support and improve the early development of children from the prenatal stage to five years of age.

Health and Safety Code Section 130140 delegates to the Board, the authority to establish a commission, to determine the number of commissioners, to appoint the commissioners, and to set the duration and number of terms the commissioners may serve. The Board established the Commission with nine regular members and four alternates. The regular member composition consists of one member of the Board of Supervisors, three County Members and five Community Members. (Santa Barbara County Code Chapter 41 Section 41-4). The representative of the Board of Supervisors and the County Members are appointed on an annual basis, and have no term limits. The Community Members, however, serve two-year terms and are limited to serving two consecutive terms. Chapter 41 Section 41-5(E) of the County Code provides that:

“There shall be no limit as to the number of terms a Commission member may serve, except that a Community member may serve no more than two consecutive terms.”

Five Community Members, Bill Cirone, Hugo Lara, Rita Madden, Patty Moore (alternate) and Mary K. Ray have served on the Commission since at least 2000 and have thus served more than two consecutive terms. The limit of two consecutive terms was inadvertently overlooked when the Board appointed these Community Members to the Commission after their second terms.

The Board of Supervisors requested that the current Community Commission members stay in office for the present time. There was a further request that the Commission review the current ordinance and make recommendations for change to be brought back to the Board of Supervisors by December 2005 including a plan to transition off those members whose terms have been extended.

The Commission has approved the following committee recommendations which summarize the proposed ordinance and bylaw amendments:

1. Assign a number to each Commission member slot, to assist with tracking the term limits and to assist with staggering the terms. The Board of Supervisors representative is the first member; the County Members are the second through fourth members; the Community Members are the fifth through ninth members; and the alternates are the tenth through thirteenth members.
  - a. The current Commissioners would be assigned the following membership slots:
    - 1) First member – Salud Carbajal, Supervisor 1<sup>st</sup> District
    - 2) Second member – Dr. Elliot Schulman, County Health Officer
    - 3) Third member – James Broderick, Ph.D., Director of ADMHS
    - 4) Fourth member – Kathryn Gallagher, Director of Social Services
    - 5) Fifth member – Bill Cirone, County Superintendent of Schools
    - 6) Sixth member – Rita Madden, Community Member

- 7) Seventh member – Mary K. Ray, Community Member
  - 8) Eighth member – Hugo Lara, Community Member
  - 9) Ninth member – Gail Tissier, Community Member
  - 10) Tenth member – Susan Rose, Supervisor 2<sup>nd</sup> District
  - 11) Eleventh member – Patti Stewart, Probation Department
  - 12) Twelfth member – Patty Moore, Community Alternate
  - 13) Thirteenth member – Hanne Sonquist, Community Alternate
2. Increase the term of each Community Member from two years to three years, but retain the term limit of two consecutive terms. This would permit the Community Members to hold office during a complete strategic plan cycle or straddle two strategic plans and participate in the development of the next strategic plan.
  3. Designate the County Superintendent of Schools as the fifth member of the Commission. Further, it is recommended that the Superintendent serve without term limits because of his integral role in the lives of so many small children in our community. The Fifth member would be appointed on an annual basis.
  4. Clarify that when an individual is appointed to fill the unexpired term of a Community Member or Community Alternate, that that individual may serve the unexpired term, plus two full terms.
  5. Clarify that a Community Alternate may be appointed as a Community Member, but that a Community Member may not be appointed as a Community Alternate.
  6. Clarify that the terms for the Board of Supervisor representative and Board Alternate expires December 31<sup>st</sup>.
  7. Clarify that the terms of the County Members and County Alternate and the fifth member “County Superintendent of Schools” expire June 30<sup>th</sup>.
  8. Clarify that the terms of the sixth, seventh members (Community Members) and the twelfth member (Community Alternate), expire June 30, 2006 and every three years thereafter.
  9. Clarify that the terms of the eighth and ninth members (Community Members) and the thirteenth member (Community Alternate), expire June 30, 2007 and every three years thereafter.

Additionally, the Commission’s Bylaws have not been amended since 2000. In 2001 the County Code was revised to permit the County Alternate to designate a member of their staff to serve on the Commission. In addition to the above revisions to the County Code and the Commission’s Bylaws, it is recommended that the Bylaws be updated to include language indicating that the County Alternate position may be filled by a designee.

**Mandates and Service Levels:** N/A

**Fiscal and Facilities Impacts:** N/A

**Special Instructions:**

Please send executed copies of the ordinance and resolution to the First 5 Commission.