

**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**(IN THE MATTER OF )**

**AN ORDINANCE ADDING CHAPTER )  
2.80 OF THE SIERRA COUNTY CODE )  
ESTABLISHING THE SIERRA )  
COUNTY CHILDREN AND FAMILIES )  
FIRST COMMISSION PURSUANT TO )  
THE CALIFORNIA CHILDREN AND )  
FAMILIES FIRST ACT OF 1998 )**

**ORDINANCE 875**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA ORDAINS as follows:**

**2.80.010 COMMISSION CREATED**

There is created within the County of Sierra the Sierra County Children and Families First Commission (hereinafter "Commission").

**2.80.020 PURPOSE**

The purpose of the creation of the Commission is to implement and carry out the requirements of the California Children and Families First Initiative of 1998 (Proposition 10), which was approved by the voters of the State of California on November 10, 1998. The initiative provides for the creation of State and county commissions to establish early childhood development and smoking prevention programs, to be funded through a trust fund consisting of revenues derived from an additional \$.50 per pack excise tax on cigarette distributors and equivalent increase in state tax on distributed tobacco products.

**2.80.30 APPOINTMENT OF THE COMMISSION**

The Commission shall be appointed by the Board of Supervisors and shall consist of five members.

- A. Two members of the Commission shall be selected from the following: County Health Officer and persons responsible for management of County functions involving children's services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.
- B. One member from the Board of Supervisors.
- C. Two members shall be from among the persons described in subpart A of this section and persons from the following categories: recipients of project services included in the County strategic plan, educators specializing in early childhood development; representatives of a local child care resource or referral agency, or a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting nurturing and early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.
- D. The Board of Supervisors reserves the right and power to determine such matters the Board of Supervisors deems necessary or convenient for the conduct of the Commission's activities.

- E.** Commissioners shall serve at the will and pleasure of the Board. Any member of the Commission may be removed from office at any time by a majority vote of the entire membership of the Board of Supervisors.

**2.80.040 COMMISSION MEMBER COMPENSATION**

Members of the Commission shall not be compensated for their services, except they may be paid actual and necessary cost of transportation for attending meetings and reasonable expenses incurred in discharging other official responsibilities as authorized by the Commission by-laws, which shall be approved by the Board of Supervisors. Reimbursements for costs and transportation shall be subject to those limits and procedures as may apply to county officers and employees.

**2.80.050 COUNTY STRATEGIC PLAN**

The Commission shall adopt an adequate and complete County Strategic Plan (hereinafter "Plan"), for the support and improvement of early childhood development within the County.

- A. The Plan shall be consistent with, and in furtherance of the purposes of the California Children and Families First Initiative and any act or guidelines adopted by the State Commission pursuant to subdivision (b) of Section 130125 of the Health & Safety Code that are in effect at the time the Plan is adopted.
- B. The Plan shall, at a minimum, include the following: a description of the goals and objectives proposed to be attained; a description of the programs, services, and projects proposed to be provided, sponsored, or facilitated; and a description of how measurable outcomes of such programs, services and projects will be determined by the Commission using appropriate reliable indicators. The Plan shall describe how programs, services, and projects relating to early childhood development within the County will be integrated into a consumer-oriented and easily accessible system.
- C. The Commission shall, on at least an annual basis, review the Plan and revise the Plan as may be necessary and appropriate.
- D. The Commission shall conduct at least one public hearing prior to the adoption of the proposed Plan, and any subsequent revisions to the Plan.

**2.80.060 SUBMISSION OF PLAN, AND SUBSEQUENT REVISIONS, TO STATE COMMISSION**

The Commission shall submit its adopted Plan, and any subsequent revisions to the State Commission.

**2.80.070 ANNUAL AUDIT AND REPORT; PUBLIC HEARING**

The Commission shall prepare and adopt an annual audit and report pursuant to Section 130150 of the Health & Safety Code. The Commission shall conduct at least one public hearing prior to adopting any annual audit and report.

**2.80.080 PUBLIC HEARING ON STATE COMMISSIONS'S ANNUAL REPORT**

The Commission shall conduct at least one public hearing on each annual report prepared by the State Commission pursuant to subdivision (b) of Section 130150 of the Health & Safety Code.

**2.80.090 LOCAL CHILDREN AND FAMILIES FIRST TRUST FUND**

The Board of Supervisors hereby authorizes the creation of a local Children and Families First Trust Fund pursuant to subparagraph (A) of paragraph (2) of subdivision (d) of Section 130105 of the Health & Safety Code.

All moneys deposited in this fund shall be appropriated and expended only for the purposes expressed in the California Children and Families First Act, and shall be used only to supplement existing levels of service and not to fund existing levels of service. No moneys in the California Children and Families First Trust Fund shall be used to supplant state or local General Fund money for any purpose.

- A. The moneys allocated and appropriated to county shall be deposited in the local Children and Families First Trust Fund administered by the county commission, and shall be expended only for the purposes authorized by the act and in accordance with the county strategic plan approved by the county commission.
- B. Any money allocated and appropriated to the commission that are not encumbered or expended in any applicable period prescribed by law shall (together with the accrued interest on the amount) revert to and remain in the local Children and Families First Trust Fund for the fiscal period under the same conditions as set forth in paragraph (A).
- C. All grants, gifts, or bequests of money made to or for the benefit of the county commission from public or private sources used for early childhood development programs shall be sited in the local Children and Families First Trust Fund expended for the specific purpose for which the grant, gift, quest was made.
- D. No moneys shall be expended to provide, sponsor, or facilitate any programs, services, or projects for early childhood development until and unless the county commission has first adopted an adequate and complete county strategic plan that contains the provisions required by the State Commission.

#### **2.80.100 LOCAL CHILDREN AND FAMILIES FIRST TRUST FUND AUDIT**

On or before October 15 of each year, the commission shall conduct an audit of, and issue a written report on the implementation and performance of, their respective 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.

- A. The audits and reports of the county commission shall be transmitted to the state commission and the Sierra County Board of Supervisors.
- B. The county commission shall make copies of its annual audits and reports available to members of the general public on request and at no cost.

#### **2.80.110 STATEMENT OF URGENCY**

This act is an urgency ordinance necessary for the immediate preservation of the public peace, health or safety within the meaning of Government Code Section 25123 and shall go into immediate effect. The facts constituting the necessity are:

State funding resulting from the passage of Proposition 10 (California Children and Families First Initiative), for early childhood development and smoking prevention programs, begins accruing on January 1, 1999. Section 130100 of the Health & Safety Code requires that the County enact an ordinance creating a County Commission to oversee the expenditure of allocated revenue, prior to January 1, 1999, in order for the County to receive funding. Failure to enact the ordinance by such date, places the County in jeopardy of losing all or part of the County's share which accrues after January 1, 1999 and prior to the effective date of the County ordinance. The loss of such funds would result in the delay of the provision of new early childhood development and smoking prevention programs, which would have a detrimental effect on the health of the citizens of Sierra County, particularly the children.

**PASSED and ADOPTED** this 15<sup>th</sup> day of December, 1998, by the Board of Supervisors of the County of Sierra, State of California by the following vote of said Board:

**AYES:** Supervisors Gutman, Nunes, Mitchell and Whitley  
**NOES:** None  
**ABSENT:** Supervisor Luchessi  
**ABSTAIN:** None

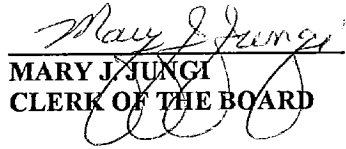
**COUNTY OF SIERRA**



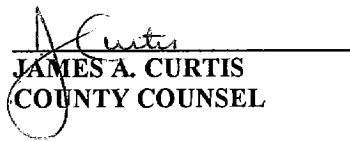
**PATRICIA WHITLEY, CHAIRMAN**  
**SIERRA COUNTY BOARD OF SUPERVISORS**

**ATTEST:**

**APPROVED AS TO FORM:**



**MARY J. JUNGI**  
**CLERK OF THE BOARD**



**JAMES A. CURTIS**  
**COUNTY COUNSEL**

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