



Bylaws

First 5 Yuba County Children and Families Commission

Last Revised: February, 2019

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BYLAWS OF FIRST 5 YUBA COUNTY CHILDRENS AND FAMILIES COMMISSION

ARTICLE I: NAME

The Commission shall be the First 5 Yuba Commission. References in these Bylaws to "Commission" or "F5Y" shall mean the First 5 Yuba Commission unless otherwise specified.

ARTICLE II: OFFICES

Section 1. PRINCIPAL OFFICE. The Commission's principal office shall be located in or near the City of Marysville, Yuba County, California.

Section 2. OTHER OFFICES. The Commissioners ("Commissioner(s)") may at any time establish branch or subordinate offices.

ARTICLE III: PURPOSE

The specific and general purposes of this Commission shall be to promote, support, and improve the early development of children from the prenatal stage through five years of age. These purposes shall be accomplished through the establishment, institution, and coordination of appropriate standards, resources, and integrated and comprehensive programs emphasizing community awareness, education, nurturing, childcare, social services, health care, and research. The Commission shall work with the California Children and Families Commission ("State Commission") in the implementation of the "California Children and Families First Act of 1998" ("Act"), which was adopted by the California electorate as Proposition 10 at the November 3, 1998 general election. The Commission shall develop and adopt, with the approval of the Yuba County Board of Supervisors ("Board"), an adequate and complete county strategic plan for the support and improvement of early childhood development within Yuba County in accordance with the provisions of Chapter 4.45 of the Yuba County Ordinance Code.

ARTICLE IV: COMMISSIONERS

Section 1. POWERS AND RESPONSIBILITIES. Subject to the provisions and limitations of applicable ordinances, laws, regulations and these Bylaws, the business and affairs of the Commission shall be managed, and all powers shall be exercised, by or under the direction of the Commissioners.

Section 2. NUMBER OF COMMISSIONERS, ELIGIBILITY FOR APPOINTMENT AND LENGTH OF TERM

Preface: The original Bylaws established the minimum number of commissioners as defined in the statute. The intent of the February 2002 revision to the Bylaws was to add two additional members for the purpose of providing broader

community input. This Commission, while still clearly bound by the enabling statute, intends to establish a membership that is a blend of mandated members in decision-making roles in the county and community members who represent the diverse citizens of the county, and who can speak to the needs of parents and other community members from a grassroots perspective. The nomination of prospective commissioners to vacancies will operate within this philosophy while adhering to the statutory requirements cited below.

- A. Number of Commissioners.** The Commission shall have seven (7) members. Commissioners shall be appointed in accordance with the Yuba County Ordinance Code and applicable state law.
- B. Eligibility for appointment.** The Commissioners shall be appointed as follows:
1. One member of the County Commission shall be a member of the Board of Supervisors.
 2. One member of the County Commission shall be the Director of Human Services or a Management Designee.
 3. One member of the County Commission shall be the Director of Public Health or a Medical-Public Health Designee.
 4. One member of the County Commission shall be the Chief Probation Officer or a Management Designee.
 5. One member of the County Commission shall be the Yuba County Office of Education Superintendent or a Local School District Designee.
 6. The remaining two (2) members of the County Commission shall be persons from the following categories:
 - a. Recipients of project services included in the County Strategic Plan;
 - b. Educators specializing in early childhood development;
 - c. Representatives of a local child resource or referral agency or a local child care coordinating group;
 - d. Representatives of a local organization for prevention or early intervention for families at risk;
 - e. Representatives of community based organizations that have the goal of promoting nurturing and early childhood development;
 - f. Representatives of local school districts; and
 - g. Representatives of local medical, pediatric, or obstetric associations or societies.
- C. Length of Term.** The term of office of each member shall be for three (3) years and until the appointment of his/her successor. Each member may continue to serve three year terms if desired and approved by the Commission and Board of Supervisors.
- D. Recruitment.** Positions of Section 2.B.6 above shall be recruited through an open recruitment process, including a written application and interview process.

Section 3. NOMINATION, QUALIFICATION AND SELECTION.

- A. Nomination and Selection.** Commissioners shall be selected and appointed by the Board. The Commission shall prepare and submit to the Board a list of nominees (“Nominee List”) for action. If any nominee on the Nominee List is rejected by the Board, the Commissioners shall make additional nominations and submit the new nomination(s) to the Board for action in accordance with this Section.
- B. Qualification.** All Commissioners must be at least twenty-one (21) years of age and those appointed under Section 2 A above shall be residents of Yuba County.

All Commissioners shall be appointed as described in these Bylaws. Commissioners shall be chosen for their willingness and ability to effectively contribute to and support the objectives of the Commission.

All Commissioners shall serve at the pleasure of the Board, within the limitations and requirements specified in the statute.

Section 4. RESIGNATION, VACANCIES AND REMOVAL.

- A. Resignation.** Any Commissioner may resign effective upon giving written notice to the Chairperson or the Secretary, unless the notice specifies a later time for the effectiveness of such resignation. If the resignation is effective at a future time, a successor may be selected before such time to take office when the resignation becomes effective.
- B. Vacancies.** Vacancies on the Commission shall be filled by appointments by the Board in accordance with Sections 2 and 3 above.

A vacancy or vacancies on the Commission shall be deemed to exist in case of the death, resignation, removal or disability of any Commissioner, or if the Commission declares vacant the position of any Commissioner whose term has expired.

- C. Removal.** The Commissioners may submit to the Board a recommendation that the Board remove a Commissioner who has:
1. been declared of unsound mind by a final order of court;
 2. been convicted of a felony;
 3. been found by a final order or judgment of any court having jurisdiction to have breached any duty to the Commission;
 4. been absent from three (3) consecutive regular meetings without permission of the Chair of the Commission;
 5. ceased employment or affiliation with the interests/entities whom the Commissioner is representing; or

6. engaged in conduct that would constitute grounds for the removal of a local public official.

The Commissioners may recommend the removal of any Commissioner only upon at least a two-thirds (2/3) majority of the other then-existing Commissioners.

In the event any one (1) or more of the Commissioner(s) is so removed, new Commissioners shall be appointed by the Board within sixty (60) days of the removal if an application for appointment is received in accordance with Section 3.

Section 5. MEETING OF THE COMMISSIONERS AND NOTICE.

- A. Compliance with Ralph M. Brown Act.** The Commission shall comply with the Ralph M. Brown Act ("Brown Act") (Section 54950, et seq. of the California Government Code, as amended).
- B. Quorum.** The quorum for the Commission is a majority of its full statutory membership at any regularly scheduled meeting.
- C. Notices.** All notices and agendas shall be posted on the Public Notice Bulletin Board located at 915 Eighth Street, Marysville, California 95901.
 1. Regular Meetings. Meetings of the Commissioners may be held upon notice to each Commissioner and the public as required under the Brown Act.
 2. Special Meetings. Special meetings of the Commissioners may be held upon the notice required under the Brown Act. Notice of a special meeting need not be given to any Commissioner who signs a waiver of notice to holding the meeting at or prior to the time the meeting convenes, or who attends the meeting without protesting prior thereto or at its commencement the lack of notice to such Commissioner. Such waiver may be given in person, by telegram or fax. All such waivers, consents and approvals shall be filed with the Commission's records.

Any such notice shall be addressed or delivered to each Commissioner at such Commissioner's address as it is shown upon the records of the Commission or as may have been given to Commission by the Commissioner for purposes of notice or, if such address is not shown on such records or is not readily ascertainable, at the place in which the meetings of the Commissioners are regularly held. Notice by mail shall be deemed to have been given at the time a written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed to have been given at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or actually transmitted by the person giving the notice by electronic means, to the recipient.

3. Proposed Bylaw Amendment. Meetings of the Commissioners at which these Bylaws may be amended may be held upon notice to each Commissioner and the public of a minimum of one (1) week
4. Secretary of the Commission. The Secretary shall keep or cause to be kept, at the principal office or such other place as the Commissioners may order, a book of minutes of all meetings of the Commissioners and its committees, with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at Commission and committee meetings and the proceedings thereof. The Secretary shall give, or cause to be given, notice of all meetings of the Commissioners and any committees thereof required by these Bylaws or by law to be given, and shall have such other powers and perform such other duties as may be prescribed by the Commissioners.

Section 6. PLACE OF MEETINGS.

Meetings of the Commissioners shall be held at any place within or without the County, which shall be designated in the notice of meeting or, if not stated in the notice, then at such place designated by resolution of the Commissioners as permitted under the Brown Act.

ARTICLE V: COMMITTEES

Section 1. GENERAL.

The Commissioners may create one (1) or more committees, and delegate to such committees any of the authority of the Commissioners so long as such authority is in accordance with applicable law.

The Commissioners shall have the power to prescribe the manner in which proceedings of any such committee shall be conducted. In the absence of any such prescription, such committees shall have the power to prescribe the manner in which its proceedings shall be conducted. Unless the Commissioners or such committee shall otherwise provide, the regular and special meetings and other actions of any such committee shall be governed by the provisions of this Article applicable to meetings and action of the Commissioners.

Each committee shall keep regular minutes of its proceedings, which shall be filed with the Secretary of the Commission. All actions by any committee shall be reported to the Commissioners at the next meeting thereof, and, insofar as rights of third parties shall not be affected thereby, shall be subject to revision and alteration by the Commissioners.

Section 2. ADVISORY COMMITTEE.

The Commission shall have an advisory committee that provides recommendations concerning the 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.

The advisory committee membership will include parents and other members from diverse backgrounds who live or work in Yuba County or those who provide professional services to Yuba County residence.

ARTICLE VI: OFFICERS

Section 1. OFFICERS. The officers of the Commission shall be a Chairperson of the Commission, and a Vice-Chairperson of the Commission.

Section 2. ELECTION AND TERM OF OFFICERS. The officers of the Commission shall be elected from among the Commissioners by a majority of the vote of the Commission prior to the calendar year. Each officer shall serve a term of 1 year. Officers may not serve more than two terms consecutively.

Section 3. OTHER OFFICERS. The Commissioners may elect and may empower the Chairperson to appoint such other officers as the business of the Commission may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in these Bylaws or as the Commissioners may from time to time determine.

Section 4. REMOVAL. Any officer may be removed, either with or without cause, by the Commissioners at any time.

Section 5. RESIGNATION. Any officer may resign at any time by giving written notice to the Commission, but without prejudice to the rights, if any, of the Commission under contract to which the officer is a party. Any such resignation shall take effect at the date of the receipt of such notice or any later time specified therein and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular election to such office. Such vacancies shall be filled as they occur and not on an annual basis.

Section 7. CHAIRPERSON OF THE COMMISSION. The Chairperson of the Commission shall preside at board meetings and shall exercise and perform such other powers and duties as may be assigned by the Commissioners or prescribed by the Bylaws. Meetings shall be conducted in accordance with Roberts Rules of Order or as otherwise prescribed by the Commission.

Section 8. FEES AND COMPENSATION. Commissioners may receive such reimbursement for expenses as may be fixed or determined by the Commissioners. Commissioners shall not be compensated for their services.

ARTICLE VII: RECORDS AND REPORTS

Section 1. MAINTENANCE OF RECORDS. The Commission shall keep adequate and correct books and records of account; written minutes of the proceedings of the Commission and committees of the Commission; and a record of each Commissioner's name and address.

Section 2. RIGHTS OF INSPECTION. Any person may inspect any Public Record in accordance with the Brown Act and the Public Records Act. The inspection shall be at any reasonable time during regular business hours of the Commission. Any person may at any reasonable time to inspect the Commission's books, records, documents of every kind, and physical properties. Any person pursuant to and in accordance with the Public Records Act may obtain a copy of any public record regularly maintained by the Commission.

1. The assets and liabilities, including trust funds, of the Commission as of the end of the fiscal year;
2. The principal change in assets and liabilities, including trust funds;
3. The revenue or receipts of the Commission, both unrestricted and restricted to particular purposes.
4. The expenses or disbursements of the Commission for both general and restricted purposes; and
5. Any information required by Article VII of these Bylaws.

The annual reports shall be accompanied by any reports of the Commission independent accountants or, if there is no such report, by the certificate of an authorized officer of the Commission that such were prepared without audit from the Commission books and records.

ARTICLE VIII: OTHER

Section 1. AMENDMENTS. These Bylaws may be amended or repealed by the approval of two-thirds (2/3) of the Commissioners, except that no action may be taken without at least one week's prior notice in accordance with Article IV, Section 5.B.3.

Section 2. EXECUTION OF DOCUMENTS. The following persons shall be authorized to execute any deeds, mortgages, bonds, contracts or other instruments which the Commissioners have authorized: Any officer or other person duly authorized by Commissioners' resolution, the Chairperson of the Commission, and the Secretary, if there be such an officer (all subject to such limitations as may be imposed by resolution of the Commissioners).

Section 3. CONFLICT OF INTEREST. The members of the Commission shall comply with the requirements of Government Code section 1090 et seq. and Government Code section 81000 et seq. during their term of office. The Commission shall adopt a conflict of interest code for its members as required by Government Code section 87300 et seq. Such policies shall ensure full disclosure of financial interests and transactions where conflict of interest is a possibility, and shall ensure the avoidance of potential conflict of interest in choosing new Commissioners and committee members. Such policies shall impose upon each Commissioner and committee member the responsibility to be alert to possible conflict of interest of himself or of other

Commissioners or committee members, and shall require that each Commissioner or committee member disqualify himself or herself from making a decision where he or she has a conflict of interest.

Section 4. GENDER. The masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term “person” includes both a legal entity and a natural person, all as required by context.

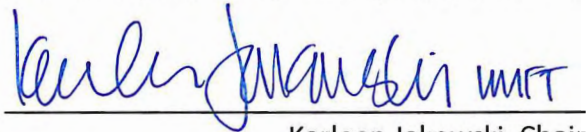
Section 5. EQUAL OPPORTUNITY. The Commission is an equal opportunity employer and shall not discriminate in hiring, promotion, or retention of employees on the basis of race, ethnicity, gender, sexual preference, age, religion, marital status, physical handicap, medical condition, or other invidious basis.

CERTIFICATE OF CHAIR

I certify that I am the duly elected and acting Chair of the First 5 Yuba Commission that the above Bylaws, consisting of 10 pages, are the Bylaws of the First 5 Yuba Commission as adopted by the Commissioners on February 25, 2002, effective on March 13, 2002.

amended further by the Commission on March 24, 2005;
amended further by the Commission on August 24, 2005;
amended further by the Commission on October 26, 2007;
amended further by the Commission on September 17, 2009;
amended further by the Commission on March 25, 2010;
amended further by the Commission on September 26, 2013;
amended further by the Commission on January 23, 2014;
amended further by the Commission on May 22, 2014;
amended further by the Commission on May 26, 2016;
amended further by the Commission on February, 28, 2019 and that they have not been amended or modified since that date.

Executed on May 21, 2019, at Marysville, California



Karleen Jakowski, Chair
First 5 Yuba Commission

