



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 13-0027, **Version:** 1

- a. Approve amendments to Monterey County Child Care Planning Council by-laws effective July 1, 2012, that make various changes to the number and terms of County appointees to the Council;
- b. Confirm adjustment of the terms of existing Planning Council members effective July 1, 2012, to accommodate the changes to the by-laws; and
- c. Declare that other or subsequent changes to the Council's by-laws no longer require Board approval unless such changes affect the number and terms of County appointees, or otherwise affect the County's duties under state law.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve amendments to the Monterey County Child Care Planning Council by-laws effective July 1, 2012, that 1) reduce the number of total members of the council from 30 to 20; 2) change the terms of the members from a calendar year to a fiscal year basis; 3) change the terms of appointees from two years to three years; and 4) reduce term limits from a maximum of three terms to a maximum of two terms;
- b. Confirm an adjustment to the terms of existing Planning Council members effective July 1, 2012, to accommodate the changes to the by-laws; and
- c. Declare that other or subsequent changes to the Council's by-laws no longer require Board approval unless such changes affect the number and terms of the County's appointees to the Council, or otherwise affect the County's duties under state law, and request that the Council amend its by-laws accordingly.

SUMMARY:

The Monterey County Child Care Planning Council ("Council") was first established by the Board of Supervisors in 1991 pursuant to state law mandating a county-level child care planning council. Generally, the Council is responsible for assessing the needs of child care and reviewing the programs funded by the State Department of Education and Social Services. The Board of Supervisors, the Monterey County Board of Education, and the Superintendent of Schools have certain responsibilities for the appointment of members to the Council, and the review and approval of various reports the Council must make to the State. The Council had been administered by the Department of Social & Employment Services from 2000 through 2011, at which time the Board of Supervisors transferred administration to the Monterey County Office of Education. A copy of the Board Report and Order for that action is enclosed as Exhibit A.

Currently, the by-laws of the Council provide that it consists of 30 volunteer members, each with a term of two years on a calendar year basis, with a maximum of three terms before a one-term break in service is required. The high level of membership has caused the Council to experience difficulty in regularly establishing a quorum to transact business. The Council is proposing to reduce the number of members from 30 to 20 with the Board of Supervisors and the Superintendent each appointing one-half the members; changing the terms of the appointees from a calendar year to a fiscal year basis; increase the term of appointees from two to three years; and decrease the term limit from three to two terms (with limited exceptions at the discretion of the Council). Other changes to the by-laws are proposed that make clarifying or clean-up changes to the language,

and also include strengthening attendance rules. An underline/strikeout of the proposed changes is enclosed as Exhibit B.

The Council currently has 16 members, and has proposed adjusting the terms of those current members effective July 1, 2012, in order to accommodate the proposed changes to the by-laws. The new terms would be staggered such that some members would serve an initial one-year term, others either a two or three-year term. The proposed adjustment of terms for each of the current members is set forth in Exhibit C. The practice of both the Board and the Superintendent in the past has been to ratify the entire membership, and to simplify this process, it is recommended that the Board merely confirm the entire membership of the Council with the adjusted terms as set forth in Exhibit C; the Superintendent will fill out the current vacancies with her appointees.

Finally, the by-laws provide that they will not be effective until approved by the Board of Supervisors. Because the administration of the Council has passed to the Office of Education, it is recommended that the Board declare that other or future amendments to the by-laws no longer need Board approval unless they affect the number and terms of County appointees, or otherwise affect the County's duties under state law, and that the Board request the Council to amend its by-laws accordingly.

OTHER AGENCY INVOLVEMENT:

The Council and Office of Education agree with the recommendation.

FINANCING:

There is no fiscal impact to the County with this action.

Prepared and approved by:

Leslie J. Girard
Chief Assistant County Counsel

Dated: January 9, 2013

Attachments: Exhibit A - Board Report and Order, June 28, 2011
Exhibit B - Underline/strikeout of proposed by-laws
Exhibit C - Adjusted terms for Council members