



***January 25, 2023 COMMISSION MEETING  
AGENDA PACKET ATTACHMENTS***

**Attachments:**

ITEM 3: Consent Agenda

- a) December 7, 2022 Minutes
- b) FY 22-23 Q2 Financial Report
- c) Memo: Commissioner Confirmation – Dawn Ortiz-Legg

ITEM 4: Memo re: Election of 2023 Officers

ITEM 5: Memo re: Commissioner Terms

- Draft County Ordinance 8.70 Update
- Draft Bylaws Update

ITEM 7/8: Memo on Annual Evaluation Report/Strategic Plan

- Annual Evaluation Report (attached separately)

ITEM 9: Memo: Executive Director Evaluation Process

- ED Evaluation Policy

**FIRST 5 SAN LUIS OBISPO COUNTY  
CHILDREN AND FAMILIES COMMISSION**

**COMMISSION MEETING MINUTES**

December 7, 2022

**Current Commissioners Present**

James Brescia, EdD	SLO County Office of Education
Penny Borenstein, MD (Vice Chair)	SLO County Public Health Department
Linda Belch	Department of Social Services
Erica Ruvalcaba-Heredia, EdD	Community at Large
James Tedford, MD	Medical Representative
Alison Ventura, PhD	Community at Large
Bob Watt	Community at Large

**Commissioners Absent/Excused**

Bruce Gibson (Chair)	SLO County Board of Supervisors
Melinda Sokolowski	Child Care Planning Council

**Staff Present**

First 5 staff: Wendy Wendt, Jason Wells, Misty Livengood, Kris Roudebush  
Commission Counsel: Natalie Frye-Laacke

**Call to Order**

Chair Brescia called the meeting to order at 3:02 PM.

**ITEM 1 – Commissioner Announcements and Updates**

Commissioner Belch – Announced a conversation with Child Development and Family Studies program at Cuesta College re: career pathways in social services. Commissioner Brescia suggested connecting with CTE staff at the County Office of Education.

Commissioner Ruvalcaba-Heredia announced work on curriculum for Promotores toward a forl certificate with a specialization.

Commissioner Ventura announced proposed USDA changes to the WIC food program. There is a comment period open through late Feb 23. The goal is to better align WIC food packages with USDA guidelines; also an aim to make the packages more accessible; increase in fruits and veggies; foods that are more culturally relevant. If of interest to your groups, you can jump on the website.

Commissioner Tedford offered congratulations to Commissioner Gibson on retaining his seat on the County Board of Supervisors.

Commissioner Brescia announced that construction on an Early Care and Education center on the SLOCOE site is moving ahead.

## **ITEM 2 - Public Comment – Items not on the agenda**

None.

## **ITEM 3 (ACTION ITEM) - Consent Agenda**

- a) Approve October 28, 2022 minutes

*Public Comment: NONE*

Commissioner Watt made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Tedford and passed unanimously.

## **ITEM 4 – Staff Updates**

Associate Director Jason Wells presented on workforce challenges in local child serving professions. Conducted a survey of all funded partners, many of whom are struggling to recruit/retain staff in key positions.

Commissioner Watt – Workforce challenges are ubiquitous across the board.

Commissioner Borenstein – Santa Barbara County recently offered a generous signing bonus for a new psychologist position. 56% of all SLO County Public Health Department employees have less than a 3 year tenure; there is also a 20% vacancy rate.

Commissioner Belch – Cuesta students want to do internships, but faculty don't know how to place them. Service agencies can help with that. Another factor is the expansion of remote work opportunities. Creates new challenges to find local boots-on-the-ground workforce.

Executive Director Wendy Wendt – This is an important consideration as we enter into the First 5 strategic planning process.

Communications Coordinator Misty Livengood provided updates on various activities at First 5:

- Nature Nights at the SLO Botanical Garden.
- Hands on Heroes @ Work ad in the Central Coast Journal – December is a full-year retrospective.
- Atascadero Chamber Family Friendly Workplace workshop – postponed until early in the new year.
- MyChildCarePlan.org – First 5 helping to push out messaging.
- General messaging – focused on family-friendly holiday events.
- CAPSLO has received a \$5 million grant from Bezos Fund to address homelessness.
- Annual Child Care Planning Council Meeting -- January 20, 2023.
- Health Access Training Project Newsletter – encourage Commissioners to join this email list.

- Kits for New Parents – outreach to new partners (oral health, French Hospital prenatal ed, foster/adoption)
- Central First 5 Region Race Equity Diversity Inclusion (REDI) Workshop coming up December 9, 2022. Staff plus Commissioner Belch will attend (to be held at Paso Robles Housing Authority; 30+ staff/Commissioners from Kings, Kern, Fresno, Madera, Merced, and Mariposa Counties will also attend).

Ms. Wendt provided the following updates:

- Added detail on REDI workshop, designed to give counties a chance to share “roses and buds” – i.e. accomplishments and areas for work in the context of REDI.
- Recently attended First 5 Association Board Retreat; topics included governance; clarity on roles of Association/First 5 Policy Center. Also conversation on sustainability in the wake of Proposition 31 (Tobacco Flavor Ban). Over the next five years, SLO County is anticipated to be down an additional \$1 million in First 5 revenue as a direct effect of the flavor ban. From a public health perspective, this shift further away from smoking is a great sign; now First 5, the state, and local communities need to consider alternative funding mechanisms to continue supporting early childhood innovation. California State Association of Counties (CSAC) is interested in helping advocate for continued support for First 5 and its contribution to improving the lives of young children and families. Commissioner Gibson is part of the CSAC leadership team.

*Public Comment: NONE*

#### **ITEM 5: Shared Services Alliance Amendments**

Jason Wells provided a brief summary: First 5 California (F5CA) has offered a one-year no-cost extension. There is an amendment forthcoming from F5CA, with an attached amendment with CAPSLO. Staff requests Commission to authorize Ms. Wendt and Commission Chair to sign when the amendments are finalized by F5CA.

Shana Paulson, Child Care Resource Connection Director with CAPSLO commented that SLO county’s SSA project is ahead of the other grantees in terms of implementation. She is grateful the project is able to have the funding spread out over three years.

Public Comment: NONE

Commissioner Ventura made a motion to authorize Executive Director to sign SSA amendments with F5CA and CAPSLO after consultation/confirmation by Commission Chair and First 5 Legal Counsel. The motion was seconded by Commissioner Ruvalcaba-Heredia and passed unanimously.

#### **ITEM 6: Home Visiting Coordination**

Mr. Wells introduced Sarah Lack, Director of Nursing and Nancy Sutton, Program Manager for Home Visiting (both at County Public Health Department)

Mr. Wells summarized the history of First 5 funding support for home visiting, starting with F5 CA Home Visiting Coordination contract that went to County Public Health, and a local First 5

Thrive grant. Because of an extension of the F5CA funding, during the first year of the local Thrive grant Department of Public Health did not need to draw down F5 SLO County funds. Now as the state grant has sunsetted, there is an opportunity to use the local funds to continue the work, and to adjust budget and evolve a new approach to the program. There is also a cost savings due to a delayed start to the program. Nancy Sutton is the new staff member on the project, and has hit the ground running.

Local First 5 Thrive funds will still go to personnel and operating costs. A new data system -- Octavia (local product) – is used, and it is already also incorporated into the Public Health Department's whole-person care program.

Ms. Lack expressed thanks for the opportunity to present further explanation; is excited to move forward with the work.

Commissioner Borenstein – Speaking as Public Health Director, it's been great to see all the momentum around this. Many of us have had a dream of at least one home visit for every new mom in the county. There is an expansion of state funding coming too. How can we make sure that every family has *one* HV case manager? In trying to be more efficient, we also get to expand.

Ms. Lack -- I'm passionate about public health. In health care, there typically is not much room for nurses delivering innovative services, EXCEPT in public health. How do we deliver critical quality services. State funding – six-year allocation anticipated from the state. We are moving toward the goal of Universal Voluntary Home Visiting.

Commissioner Ventura -- would there be logic to using the cost savings from the Thrive Grant (\$300,000) to address the staff recruitment and retention challenges that were outlined by Mr. Wells during staff report?

Mr. Wells responded that it is not advisable to alter the budget tonight; however, if it feels logical, this could be brought back to the Commission at a future date.

Commissioner Borenstein – Across the board, let's keep this as a possibility.

Commissioner Watt – Home visits are stressful and sometimes difficult to come down from for the professional staff providing the service. We need to make sure our direct services staff have time for self-care. This is another strategy for us to consider related to retention/support for staff in our field.

Commissioner Brescia – It isn't our place to tell programs what to do. The Commission would be willing to have flexibility on unspent funds. If we're going to try to change practice, it can't come from a Commission mandate; it has to come from the agencies.

Mr. Wells – One thing to clarify is that the First 5 Thrive grant does not pay for home visiting itself; it pays for coordination. One of the things built in is a local symposium on home visiting and travel/symposium costs for local staff.

Commissioner Watt made a motion to approve the First 5 Thrive contract amendment to the home visiting coordination contract with County Public Health. The motion was seconded by Commissioner Ruvalcaba-Heredia and passed 6-0 (Commissioner Borenstein recused).

### **ITEM 7: Presentation: Child Care Capacity Building Progress**

Ms. Wendt introduced this item. Three presenters are here to update Commissioners on progress being made to uplift and support quality child care as a critical element of community health – both for children and families and for the economy.

- Raechelle Bowlay, Child Care Planning Council Coordinator, presented on local American Rescue Plan Act (ARPA) funds that have been designated by the County and several Cities to support child care. The County has allocated \$3 million, to be distributed in three rounds of funding via the County Office of Education. The first round will be non-competitive grants to any licensed care provider who applies (191 grants totaling \$635,375 have already gone out). A second round will be competitive grants for start-up and expansion projects; a third round will focus on funding workforce development in the child care sector (pipeline and professional development). Ms. Wendt added that City ARPA allocations are also in the mix, including Arroyo Grande, Grover Beach and Pismo Beach.
- Mika Buchanan, Child Care Resource Connection manager at CAPSLO overseeing the county's Alternative Payment program, presented on subsidized care. She described eligibility parameters within the multiple programs she administers. Overall, subsidized care pumps significant money back into the local economy in addition to enabling many local families to access quality care. Funding for subsidized care has increased dramatically during COVID—prior to the pandemic, the annual allocation was just over \$11 million. This year, it is nearly \$16.5 million. However, this surge in funding is not anticipated to be permanent, but instead is in part a result of COVID-era supplemental support to counties.
- Kris Roudebush, Special Projects Coordinator at First 5, gave an update on the status of We are the Care, and the Collaborative Child Care Study. First 5 and Planning Council/Child Care Resource Connection are in the process of socializing a summary of "Roles for Local Government in Building Capacity in Child Care," with a goal to present in early 2023 to the San Luis Obispo City Council.

Public Comment: None

### **ITEM 8: Commissioner Terms**

Ms. Wendt presented on this item. Staff has been analyzing the current practice for selecting Commissioners, and is considering several update opportunities to present to the Commission for approval – all with a combined goal to ensure equity, efficiency, and a balance of institutional knowledge with new and evolving leadership. This year, 6 of the 9 Commission seats are potentially due to change (\*three at-large; \*medical rep; Child Care Planning Council designee; County Supervisor), with 4\* seats requiring an application and interview process. Staff is requesting formation of an ad hoc Commissioner committee to look at update options, including potential changes to the length of Commission terms, addition of term limits, and a mechanism to create more staggering of Commissioner term start and end dates.

Commissioner Brescia pointed out that several of these potential changes would necessitate an update to the local County Ordinance and First 5 bylaws. This will take some time, hence the early attention to this work.

Commissioners Watt, Ventura and Borenstein offered to join this ad hoc Committee. The Committee will meet to determine options, and will present for Commission consideration/approval at the January 2023 meeting.

Public Comment: None.

### **ITEM 9: Strategic Plan 2024+ Process Preview**

Ms. Wendt provided an overview on the strategic planning timeline and process. The current Strategic Plan sunsets in June 2024. Staff proposes the first half of 2023 to focus on compiling data and community perspectives on need and opportunity as related to First 5. The June 2023 Commission meeting would include a strategic planning workshop to build priorities/strategies. Summer months would be dedicated to building a Plan document, to be ratified in the fall of 2023. This will leave time prior to the conclusion of the current Plan to pursue any new initiatives, including potential grant/contracting/procurement/organizational changes. Equity is a central question that should drive the strategic plan and process – how do priorities get set? What voices help shape those priorities? How do we ensure that First 5 resources are effectively directed to the communities – families/children/organizations – that need them the most, and in an impactful way?

Staff is requesting the formation of an ad hoc Strategic Plan Design committee.

Commissioner Belch volunteered to join this committee, and also recommended embedding elements of the current strategic plan into the next one.

Commissioner Borenstein suggested using the Public Health Department Community Health Assessment results as a data set to inform the First 5 strategic plan.

Ad hoc Committee on Strategic Plan Design: Commissioners Belch, Ruvalcaba-Heredia, Watt.

Public Comment: None.

### **ITEM 10 – Adjourn**

**5:17 p.m.**

**To: First 5 Commissioners**

**From: Wendy Wendt**

**Date: January 25, 2023**

**Re: ITEM 3b: 2022-23 Second Quarter Financial Report**

### **Recommended Action**

Staff recommends the Commission approve the Administrative Budget report and Operating Statement for fiscal year 2022-23 as of December 31, 2022.

### **Administrative Budget**

As of December 2022, 43% of the administrative budget was spent.

Administrative budget comments:

1. Program Related Administrative Expenses – Administrative budget spending has been reduced by \$161,439 (a portion of office rent and staffing costs allocated to program activities). The cost is directly related to work performed for funded programs and can be considered program related expenses as defined by the GFOA guidelines.
2. Most other Administrative expenses are at or below 50% of total budget, with the following exceptions: a) Memberships – 100% of dues paid during Q1-2 for Chamber memberships and First 5 Association membership; b) Auditor Department services, which are typically paid in full during the first or second quarter of each fiscal year; c) copy and office supplies expenses associated with Q1-2 resupply of program brochures and other office inventory; d) registration/training for January 2023 Association Summit attendance (all-inclusive registration that includes lodging).

### **Administrative Expense as Percent of Total Operating Expense**

The Commission's adopted administrative cap is set at 15%. The administrative cap amount is defined as a percentage of Total Operating Expense. The policy also states that staff will monitor the administrative percentage to ensure it remains within approved limits. If the percentage exceeds the cap amount, staff is required to alert the Commission and explain the reason for a percentage in excess of 15%.

As of December 31, 2022, the Administrative Expense as a percentage of Total Operating Expense is 22.7% (\$143,784/\$632,412). Historically first and second quarter program expenditures have been low, so the higher percentage isn't unexpected. However, it is anticipated that during the second half of FY 2022-23, program and evaluation expenditures will increase, reducing the administrative percentage to within the adopted policy guidelines.





**Operating Statement**

As of December 31, 2022 net revenue is \$-148,236.

Operating Statement comments:

1. Prop 10 Tobacco Tax Revenue – Four tax revenue payments - July-Oct 2022 appropriation, were distributed before then end of the second quarter. A May 2022 Revenue projection estimates \$1,489,315 in annual appropriations for FY 2022-23. This is slightly higher than the actual tax revenue received in FY 2021-22 (\$1,272,817).

**Tax Revenue Distribution Schedule 2022-23**

July 2022	August 2022	Sept 2022	October 2022	November 2022	December 2022	January 2023	February 2023	March 2023	April 2023	May 2023	June 2023
110,315	98,548	103,501	108,112								

**Tax Revenue Distribution Schedule 2021-22**

July 2021	August 2021	Sept 2021	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022
121,388	113,682	141,467	99,862	36,529	116,148	130,533	31,463	151,315	107,661	112,242	110,528

2. Total revenue received from all sources through December 31, 2022 is \$484,176. This includes the above noted Prop 10 appropriation, \$28,301 in Shared Services Alliance (IMPACT) reimbursements from First 5 CA, \$21,724 in local interest, and \$13,309 in MAA payments.
3. Total Program and Administrative Expenditures through December 31, 2021 are \$632,412.



	Jul22-Sep22	Oct22-Dec22	Jan23-Mar23	Apr23-Jun23	Total
<b>Child Health and Development</b>					
BABES (SLO Co PHD)		9,925			9,925
Oral Health Coordinator (SLO Co PHD)		11,906			11,906
Tolosa Children's Dental Clinic		4,036			4,036
Vision Screening		1,335			1,335
Health Access Trainers (Carsel Consulting Group)	5,850	6,970			12,820
HMG Centralized Access Point		40,935			40,935
Home Visiting Coordination					-
<b>TOTAL</b>	<b>5,850</b>	<b>75,107</b>	<b>-</b>	<b>-</b>	<b>80,957</b>
<b>Early Learning</b>					
First 5 Preschools		48,026			48,026
SLO Botanical Garden	3,161	12,639			15,800
Shared Services Alliance (IMPACT)		26,957			26,957
<b>TOTAL</b>	<b>3,161</b>	<b>87,622</b>	<b>-</b>	<b>-</b>	<b>90,783</b>
<b>Family Strengthening</b>					
Parents Helping Parents	10,296	15,200			25,496
MP Health	4,049	9,809			13,858
South County Youth Coalition		10,984			10,984
LINK Paso Robles Family Advocates	16,880	24,218			41,098
Pregnancy and Parenting Support of SLO County					-
CAPSLO COVID Relief Funds		15,555			15,555
SLO Chamber Family Friendly Workplace Accelerator		18,750			18,750
<b>TOTAL</b>	<b>31,225</b>	<b>94,516</b>	<b>-</b>	<b>-</b>	<b>125,741</b>
<b>Advocacy Projects</b>					
CBOR/HOH	2,072	1,225			3,297
WATC					-
Talk Read Sing Campaign	3,089	4,073			7,162
New/General Advocacy	764	752			1,516
Other Advocacy Projects					-
<b>TOTAL</b>	<b>5,925</b>	<b>6,050</b>	<b>-</b>	<b>-</b>	<b>11,975</b>
<b>Other</b>					
Evaluation - Core Allocation	2,050	13,096			15,146
Child Care Study-- Pendulum Dependent Care Solutions					-
Kits for New Parents	480	1,107			1,587
Event Sponsorships	500	500			1,000
Emergency Response Funding					-
Oral Health Safety Net Treatment (Contribution)					-
PR First 5 ECE - Donation Equipment					-
<b>TOTAL</b>	<b>3,030</b>	<b>14,703</b>	<b>-</b>	<b>-</b>	<b>17,733</b>
<b>TOTAL PROGRAM AND EVALUATION EXPENSE</b>	<b>49,191</b>	<b>277,998</b>	<b>-</b>	<b>-</b>	<b>327,189</b>

Quarter ending: 12/31/2022



**First 5 Children and Families Commission of San Luis Obispo County**  
**Administrative Budget**  
**FY 22-23**  
**December 31, 2022**

	<b>Beginning</b>	<b>YTD</b>	<b>Ending</b>	<b>%</b>
	<b>Budget Bal</b>	<b>Expensed</b>	<b>Budget Bal</b>	<b>Expensed</b>
Regular Hours - Permanent	502,626	239,577	263,049	48%
Computer Supplies	1,000	334	666	33%
Copy/Printing	2,000	721	1,279	36%
Food	1,000	155	845	16%
Insurance	5,000	1,777	3,223	36%
Copier Maint Contract	150	102	48	68%
Memberships	5,000	5,015	(15)	100%
Office Expense	2,000	1,203	797	60%
Other Services - Auditor Dept.	8,720	8,720	-	100%
Postage - Direct	100	17	83	17%
Professional Services	67,435	19,893	47,542	29%
Registration/Training	3,000	2,170	830	72%
Rent	37,344	18,672	18,672	50%
Significant Value Purchase	12,000	2,575	9,425	21%
Special Dept Expense	9,000	2,588	6,412	29%
Phone, Data, Internet Access	5,000	1,658	3,342	33%
Other Travel Expenses	3,000	46	2,954	2%
Contingency	20,000		20,000	0%
<b>Total Administrative Expense</b>	<b>684,375</b>	<b>305,223</b>	<b>379,152</b>	<b>45%</b>
<b>Less: Program Related Admin</b>	<b>(378,347)</b>	<b>(161,439)</b>	<b>(216,908)</b>	<b>43%</b>
<b>Net Administrative Expense</b>	<b>306,028</b>	<b>143,784</b>	<b>162,244</b>	<b>47.0</b>



**First 5 Children and Families Commission of San Luis Obispo County**

**Operating Statement**

**FY 22-23**

**December 31, 2022**

<b>EXPENSES</b>	<b>Jul - Sept</b>	<b>Oct - Dec</b>	<b>Jan - Mar</b>	<b>Apr-Jun</b>	<b>YTD</b>
<b>Administration</b>	171,878	133,345			305,223
Less: Program Related Admin	(79,937)	(81,502)			(161,439)
Net Administrative Expense	91,941	51,843	-	-	143,784
<b>Program &amp; Evaluation</b>					
Child Health and Development	5,850	75,107			80,957
Early Learning	3,161	87,622			90,783
Family Strengthening	31,225	94,516			125,741
Hands on Heroes	2,072	1,225			3,297
We Are the Care					-
Collaborative Child Care Study					-
Other Advocacy	764	752			1,516
Talk Read Sing Campaign	3,089	4,073			7,162
Event Sponsorships	500	500			1,000
Kits for New Parents	480	1,107			1,587
Evaluation (Core)	2,050	13,096			15,146
Emergency Response Funding					-
Plus: Program Related Admin	79,937	81,502			161,439
Total Program & Evaluation Expense	129,128	359,500	-	-	488,628
<b>Total Operating Expense</b>	<b>221,069</b>	<b>411,343</b>	<b>-</b>	<b>-</b>	<b>632,412</b>
<b>REVENUE (Trust Fund: 3300000000)</b>					
Prop 10 Tobacco Tax		420,477			420,477
IMPACT (SSA)		28,301			28,301
SMIF (Prop 10 interest)					-
MHSA Revenue					-
Interest (Local)		21,724			21,724
MAA		13,309			13,309
Other Revenue	373	(8)			365
<b>Total Revenue</b>	<b>373</b>	<b>483,803</b>	<b>-</b>	<b>-</b>	<b>484,176</b>
<b>Net Revenue (Expenses)</b>	<b>(220,696)</b>	<b>72,460</b>	<b>-</b>	<b>-</b>	<b>(148,236)</b>



<b>First 5 Children and Families Commission of San Luis Obispo County</b>			
<b>Balance Sheet (TRUST FUND 3300000000)</b>			
<b>December 31, 2022</b>			
<b>ASSETS</b>			
Cash in County treasury			\$ 9,277,385
Rent Deposit & Prepaid Rent			\$ 7,277
Bank Deposit			\$ 10,000
	Total Assets		<b><u>\$ 9,294,662</u></b>
<b>LIABILITIES</b>			
Accounts/Salaries payable			
Trust Deposits			\$ (699)
Deferred Revenue			
	Total Liabilities		<b><u>\$ (699)</u></b>
<b>FUND BALANCE</b>			
Fund Balance:			\$ 9,443,596
	Reserved for Encumbrances		\$ 839,241
	Total Reserved		\$ 839,241
	Fund Balance Available		8,456,120
	Total Fund Balance		<b><u>\$ 9,295,361</u></b>
	Total Liabilities and Fund Balance		<b><u>\$ 9,294,662</u></b>



To: First 5 Commission

From: Wendy Wendt

Date: January 25, 2023

Re: Agenda Item 3c: Confirm Commissioner Appointment – Dawn Ortiz-Legg

**Recommended Action**

Staff is recommending the Commission confirm appointment by the SLO County Board of Supervisors for the following Commission seat: Dawn Ortiz-Legg, BOS Designated Representative.

**Background**

At its January 24, 2023 meeting (Agenda Item 22), the San Luis Obispo County Board of Supervisors anticipates approving committee assignments for the coming calendar year. These include assignment of a Supervisor to the First 5 Commission. Dawn Ortiz-Legg has been assigned to assume this role for 2023, following nearly a decade of representation on the Commission by Supervisor Bruce Gibson.



To: First 5 Commission  
From: Wendy Wendt  
Date: January 25, 2023  
Re: Agenda Item 4: Election of Officers

**Recommended Action**

Identification and Approval of 2023 Chair and Vice Chair positions

**Background**

First 5 San Luis Obispo County Bylaws require the annual assignment of a Commission Chair and Vice Chair. It is the annual responsibility of Commissioners to identify and confirm these two positions from among their members. These positions are not bound by term limits.

To: First 5 Commission  
From: Staff  
Date: January 25, 2023  
Re: ITEM 5 – Updates to Commissioner Terms

**Recommendation:**

1. Approve a recommendation to the Board of Supervisors amending Ordinance Chapter 8.70 to change term of Children and Families Commission Members and to institute term limits
2. Approve Update to Agency Bylaws (Contingent on BOS Approval of Updated Ordinance)

**Background**

At the December 7, 2022 Commission meeting, staff presented on the current Commission make up, term duration, expiring terms, challenges associated with participating in/administering existing selection process for Community Representatives; and First 5's commitment to building equity into its work, including expanding space for evolving and emerging leadership opportunities for community members.

Following the presentation, Commissioners directed staff to work with an ad hoc Committee of Commissioners Borenstein, Ventura and Watt to review and potentially update the Commissioner Terms and Selection Process as contained in the County ordinance and First 5 bylaws.

Staff met with the Ad Hoc Committee on December 20, 2022. After meeting, the Ad Hoc committee recommended the following:

- At-large, Medical Rep, and LCCPC-designee Commissioners shift from 4-year to 3-year terms
- Limit of up to 2 consecutive terms for the above-listed Commissioner categories
- At-large, Medical Rep, and LCCPC Commissioners seeking a second term will meet with Commission Chair and ED 6 months prior to the end of their first term to discuss performance, participation, attendance, and expectations in the second term.
- First term Commissioners in the above listed categories will continue to second term if no objections, performance, or attendance issues surface in the meeting.
- There will be no new recruitment of Commissioners in the above-listed categories when a first term is ending, and the seated Commissioner is requesting to continue a second term.
- At-large Commissioner Watt will have an additional year (June 2023-June 2024) added to his term to support a staggered exiting and new commissioner pattern.
- LCCPC representatives will be chosen by the LCCPC for up to 2 three-year terms.
- New term for LCCPC representative (current or new rep) beginning July 2023 will be a four-year term (1x only), followed by a three-year term. This helps support a staggered exiting and new commissioner pattern.
- Meeting attendance will be emphasized as a critical part of Commission duty and performance.

**Changes to County Ordinance and Bylaws**

Per the direction of the Ad Hoc Committee, staff worked with First 5 Legal Counsel to amend County Bylaws to incorporate the recommended term changes. The amended draft ordinance and bylaws are attached. If approved by the Commission, the recommendation will be sent to the County of SLO Board of Supervisors for approval of an update to the County Ordinance. Changes to County Ordinance must be introduced at one BOS meeting and adopted/approved at a second. Bylaw changes will take effect after BOS approval of amended Ordinance.

Attached: Draft County Ordinance Update, Draft First 5 Bylaws Update



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 8.70 TO CHANGE TERM OF CHILDREN AND FAMILIES COMMISSION MEMBERS AND TO INSTITUTE TERM LIMITS**

The Board of Supervisors of the County of San Luis Obispo, State of California ordains as follows:

SECTION I: That Chapter 8.70 of the County Code be amended as follows:

**8.70.020 - Number of members—How selected—Qualifications—Compensation and expenses.**

The commission shall consist of nine members appointed by the board of supervisors. The persons appointed by the board of supervisors shall meet the following requirements:

(a) **Group 1 (Member of the Board of Supervisors)** - One member of the commission shall be a member of the board of supervisors.

(b) **Group 2 (County Designated Representatives)** - Three members of the commission shall be appointed from the class of persons that consists of the following individuals:

- (1) The county health officer;
- (2) Managers of county children's services programs;
- (3) Managers of county public health services;
- (4) Managers of county behavioral health services
- (5) Managers of county social services; and
- (6) Managers of county tobacco and other substance abuse prevention and treatment services; and
- (7) Representatives of local school districts.

(c) **Group 3 ("At-Large" Members)** - Five members of the commission shall be appointed from the class of persons that consists of the following individuals:

- (1) Persons described above in subsection (b);
- (2) Representatives of local childcare resource or referral agencies;
- (3) Representatives of local medical, pediatric, or obstetric associations or societies.
- (4) Recipients of project services included in the county strategic plan;
- (5) Educators specializing in early childhood development;
- (6) Representatives of local childcare coordinating groups;
- (7) Representatives of local organizations for prevention of early intervention for families at risk; and
- (8) Representatives of community-based organizations that have the goal of promoting nurturing and early childhood development;

Members shall serve without compensation and shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their offices, in accordance with the provisions of the county's travel policy.

**8.70.030 – Members’ Terms and Vacancies.**

A. Each commission member shall hold office at the will and pleasure of the board of supervisors for a term of three years with the following exceptions:

(1) If no successor has been appointed at the expiration of the term, the commissioner shall serve until the appointment and qualification of the member's successor;

(2) If any commissioner has three consecutive unexcused absences from regularly scheduled meetings, the board of supervisors shall appoint a new commissioner to serve the unexpired term;

(3) Any vacancies shall be filled by the board of supervisors for the unexpired term.

(4) The Commission acknowledges and understands that the Member appointed from Group 1 is appointed annually in January by the County Board of Supervisors as part of its committee assignments.

B. The following paragraph shall only apply to members of the commission appointed from Group 3, referenced above. (See Section 8.70.020(d)). No commissioner member in Group 3 may serve more than two (2) consecutive terms. At the end of a commission member’s second term, they shall be ineligible to hold office on the commission for a period of two (2) years. The commission shall implement policies and procedures to determine a commission member’s eligibility to serve a second term.

C. Of the appointees from Group 3 beginning their term in July of 2023, one (1) shall be appointed for a 1-year term and shall be limited to only one (1) term, three (3) shall be appointed for a 3-year term, and one (1) shall be appointed for a 4-year term.

SECTION II: Except as set forth in this ordinance, all of the provisions of Chapter 8.70 shall remain unchanged.

SECTION III: In any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the constitutionality of the remaining portions of this ordinance. The Board of Supervisors hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION IV: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance. The Clerk shall publish the previously prepared summary of the ordinance along with the names of the Board of Supervisors members voting for an against the ordinance and post the full text of the ordinance along with the names of the Board of Supervisors members voting for or against the ordinance in the Administrative Office.

Introduced at a regular meeting of the Board of Supervisors held on \_\_\_ day of January 2023 and passed and adopted by the Board of Supervisors of the County of San Luis Obispo, State of California, on the \_\_\_ day of January, 2023, by the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Bruce Gibson  
Chairperson of the Board of Supervisors  
County of San Luis Obispo, State of California

ATTEST:

Clerk of the Board of Supervisors

By: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA NEAL  
County Counsel

By: \_\_\_\_\_

Dated: \_\_\_\_\_

**San Luis Obispo County  
Children and Families Commission**

**BYLAWS (as amended and approved March 27, 2019)**

The following are the bylaws under which the San Luis Obispo County Children and Families Commission shall function:

**Article I — Purpose**

The Children and Families Commission (hereafter "Commission") was created by County Ordinance No. 2846 and amended by Ordinance No. 2886 and Ordinance No. \_\_\_\_\_, which is codified in Section 8.70 of the San Luis Obispo County Code. Section 8.70.070 of the County Code specifies the duties and powers of the commission, as follows:

The duty of the commission is to implement the provisions of the California Children and Families First Act of 1998 (Proposition 10, effective January 1, 1999) now codified as Section 7 to Article XIII A and Section 13, Article XIII B of the California Constitution, Division 108 of the Health and Safety Code, Article 3 of Chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code. To this end the commission shall among other things:

A. Create and adopt an adequate strategic plan for early childhood development within the county that is consistent with, and in furtherance of the purposes of the California Children and Families First Act of 1998 and any guidelines adopted by the State Children and Families First Commission that are in effect at the time the plan is adopted, said strategic plan to include at least the following:

1. A description of the goals and objectives proposed to be attained,
2. A description of the desired outcomes,
3. A description of how measurable outcomes will be determined,
4. A description of how programs, services and projects relating to early childhood development will be integrated into a consumer oriented and easily accessible system;

B. Review at least annually the county strategic plan and revise the plan as may be necessary or appropriate;

C. Conduct at least one public hearing on the proposed plan before the plan is adopted;

D. Submit the adopted strategic plan to the state commission,

E. Provide a copy of the adopted strategic plan to the board of supervisors, and

F. Adopt an annual audit and report in conformity with Health and Safety Code section 1030150 and conduct at least one public hearing prior to its adoption.

**Article II — MEMBERSHIP**

Adopted: July 1999  
Amended: December 1999  
Amended: March 2011  
Amended: May 2014  
Amended March 2019

**Section 8.70.020** of the County Code specifies the membership requirements of the commission, as follows: The commission shall consist of nine members appointed by the board of supervisors. The persons appointed by the board of supervisors shall meet the following requirements:

(a) **Group 1 (Member of the Board of Supervisors)** - One member of the commission shall be a member of the board of supervisors.

(b) **Group 2 (County Designated Representatives)** - Three members of the commission shall be appointed from the class of persons that consists of the following individuals:

- (1) The county health officer;
- (2) Managers of county children's services programs;
- (3) Managers of county public health services;
- (4) Managers of county behavioral health services
- (5) Managers of county social services; and
- (6) Managers of county tobacco and other substance abuse prevention and treatment services; and
- (7) Representatives of local school districts.

(c) **Group 3 ("At-Large" Members)** - Five members of the commission shall be appointed from the class of persons that consists of the following individuals:

- (1) Persons described above in subsection (b);
- (2) Representatives of local childcare resource or referral agencies;
- (3) Representatives of local medical, pediatric, or obstetric associations or societies.
- (4) Recipients of project services included in the county strategic plan;
- (5) Educators specializing in early childhood development;
- (6) Representatives of local childcare coordinating groups;
- (7) Representatives of local organizations for prevention of early intervention for families at risk; and
- (8) Representatives of community-based organizations that have the goal of promoting nurturing and early childhood development;

Members shall serve without compensation and shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meeting and in performing the duties of their offices, in accordance with the provisions of the commission's travel policy.

Consistent with the membership requirements prescribed by Proposition 10 and the County Code, the commission's membership shall be comprised as follows:

- (1) One member of the Board of Supervisors; (Group 1)
- (2) The Director of the County Health Agency, or his/her appointee who shall be from the class of persons identified in County Code Section 8.70.020(b)(1)(3)(4)(6); (Group 2)
- (3) The Director of the County Department of Social Services, or his/her appointee who shall be from the class of persons identified in County Code Section 8.70.020(b)(5); (Group 2)
- (4) A representative of the Office of the County Superintendent of Schools; (Group 2)

Adopted: July 1999  
Amended: December 1999  
Amended: March 2011  
Amended: May 2014  
Amended March 2019

(5) A representative of the local Child Care Planning Council; (Group 3)

(6) A representative of medical, pediatric, or obstetric association or societies; (Group 3)

(7) Three representatives at large, selected by the commission and appointed by the board of supervisors consistent with the requirements of Prop 10 and County Code Section 8.70.020(c) of the County Code. (Group 3)

All voting members of the commission shall comply with the federal and state conflict of interest laws, including but not limited to the following, to the extent they are applicable:

- a) The California Political Reform Act of 1974, California Government Code Section 87100 et seq.;
- b) The prohibition of contractual conflicts of interest set forth in California Government Code Section 1090 et seq.;
- c) The prohibition of incompatible employment, activity or enterprise for compensation set forth in California Government Code Section 1126 et seq.;
- d) The common law rules against conflicts of interest.

### **Article III — TERMS OF APPOINTMENT**

**Section 8.70.030** of the County code specifies the terms of the members of the commission, as follows:

A. Each commission member shall hold office at the will and pleasure of the board of supervisors for a term of three years with the following exceptions:

(1) If no successor has been appointed at the expiration of the term, the commissioner shall serve until the appointment and qualification of the member's successor;

(2) If any commissioner has three consecutive unexcused absences from regularly scheduled meetings, the board of supervisors shall appoint a new commissioner to serve the unexpired term;

(4) Any vacancies shall be filled by the board of supervisors for the unexpired term.

(5) The Commission acknowledges and understands that the Member appointed from Group 1 is appointed annually in January by the County Board of Supervisors as part of its committee assignments.

B. The following paragraph shall only apply to members of the commission appointed from Group 3, referenced above. (See County Code Section 8.70.020(d)).

(1) No commissioner member in Group 3 may serve more than two (2) consecutive terms.

Adopted: July 1999  
Amended: December 1999  
Amended: March 2011  
Amended: May 2014  
Amended March 2019

(2) Members appointed from Group 3 that would like to seek a second term shall meet with the Commission Chair and the Executive Director approximately six (6) months prior to the end of their term to discuss participation, attendance and expectations of second term. If no objections are raised by Commission Chair and Executive Director at that meeting, the Commission may continue to the second term and no new recruitment of a Member shall occur for that position.

(3) The commission may implement additional policies and procedures to determine a commission member's eligibility to serve a second term.

(4) At the end of a commission member's second term, they shall be ineligible to hold office on the commission for a period of two (2) years.

C. Of the appointees from Group 3 beginning their term in July of 2023, one (1) shall be appointed for a 1-year term and shall be limited to only one (1) term, three (3) shall be appointed for a 3-year term, and one (1) shall be appointed for a 4-year term.

#### **ARTICLE IV — OFFICERS**

**Section 8.70.040** of the County Code requires that a chairperson and vice-chairperson be selected from among commission members.

Officers will serve one-year terms. An election of officers will take place at the first meeting of each calendar year.

#### **ARTICLE V — MEETINGS**

**Section 8.70.050** of the County code requires that the commission shall meet at least six times per year.

The commission may elect to meet more frequently. All meetings shall be open to the public, and be held at a specified time and place with public notice provided as required by California Law (Brown Act).

- a) The commission can take no actions, unless a quorum is present. Section 8.70.060 of the County code specifies that a quorum shall consist of a simple majority of the number of members appointed;
- b) Minutes of each commission meeting will be recorded and distributed for review by each voting member. The commission shall approve the minutes of prior meetings and make them available for public review;
- c) Commission members are responsible for notifying the chairperson so that meetings will not be held when a quorum will not be present.

Adopted: July 1999  
Amended: December 1999  
Amended: March 2011  
Amended: May 2014  
Amended March 2019

## **ARTICLE VI — SUBCOMMITTEES**

Subcommittees shall be appointed, as needed, by the chairperson.

## **ARTICLE VII — BYLAWS**

The commission shall adopt a set of bylaws. These bylaws may be amended or revised by a majority of the commissioners present provided that notice of the amendment or revision is given in writing to each member of the commission at least one (1) week prior to the meeting.

## **ARTICLE VIII — COMMISSION FUNDING**

**Section 8.70.090** of the County Code requires that all money received from the state commission to carry out the provisions of the California Children and Families First Act of 1998 will be placed in the Children and Families First Trust Fund, held by the county, for exclusive use by the commission. Additionally, all interest gained from the Trust Fund will be credited to the Trust Fund for use by the commission.

Adopted: July 1999  
Amended: December 1999  
Amended: March 2011  
Amended: May 2014  
Amended March 2019



To: First 5 Commission

From: Staff

Date: January 25, 2023

Re: ITEM 7 – Annual Evaluation Report  
ITEM 8 – Update on Strategic Planning Process

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First 5 SLO County’s annual evaluation report has been completed by the Carsel Consulting team and is attached (under separate cover). Commissioners are encouraged to review it in advance of the January 25 meeting, and to consider the following reflection question:

**What questions or considerations does this report raise that would be important to address during the strategic planning process?**

The evaluation team will present an overview of the report at the Commission meeting. Commissioner dialogue on the above reflection question will lead into Agenda Item 8 – an update on the Strategic Planning Process by staff and Commissioner members of the Ad Hoc Committee (Commissioners Belch, Ruvalcaba-Heredia, and Watt).



**To:** First 5 Commissioners  
**From:** Natalie Laacke, District Counsel  
**Date:** January 25, 2023  
**Re:** Item 9: Executive Director Evaluation for 2022

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**Summary**

Staff is seeking direction from the Commission regarding the evaluation process for the Executive Director. Included in this report is First 5’s management performance review procedure.

*What methods of evaluation should be used* – The evaluation procedure requires the Commissioners to provide an assessment and feedback to the Executive Director each year. The Commission may also choose to solicit feedback from partner agencies and/or First 5 staff (see paragraph 2 and 3 of the management performance review procedure). Feedback is always solicited from the Commissioners.

Feedback was solicited as follows the following previous years:

<b>Year</b>	<b>Commissioners</b>	<b>Partner Agencies</b>	<b>Staff</b>
2017	X	-	-
2018	X	-	-
2019	X	-	-
2020	X	X	X
2021	X	-	-
2022	X	??	??

Feedback was not solicited from staff or partner representatives for 2017 or 2018. Nor was it solicited from staff or partner representatives for 2019 due to the timing and resource constraints of the COVID-19 pandemic. In 2020, feedback was solicited from staff and partnership representatives. In 2021, feedback was solicited only from the Commissioners. Staff would like direction as to which parties to seek feedback from as part of the 2022 annual evaluation process.

**Recommended Action**

1. Provide direction to staff regarding which parties to seek feedback from this year.
2. Direct staff (District Counsel) to circulate the evaluation rubric via email to Commissioners and other parties, if needed.
3. Direct staff to add a Closed Session to the March meeting regarding the Executive Director performance evaluation.



## MANAGEMENT PERFORMANCE REVIEW

### Annual Procedure for the Executive Director

The primary purpose of the Management Performance Review is to assist the Executive Director to perform her/his job in an effective and efficient manner. The document (form) used to communicate feedback, assessment and information to the Executive Director regarding job performance is an essential tool in the process of accomplishing the purpose of the Review.

The Management Performance Review is also used to make employment decisions by the *Commission* and the Executive Director. The *Commission* is responsible for providing an annual Performance Review to the Executive Director. The *Commission* endorses the use of feedback from First 5 employees, partner agencies, Commissioners and the Executive Director in preparing the Performance Review.

The procedure for developing the annual Management Performance Review is as follows:

1. Term. Unless changed by the *Commission*, the term of the Management Performance Review for the Executive Director is from January 1 to December 31 of the subsequent year. The *Commission* will normally approve the Management Performance Review for the Executive Director at the first meeting of the *Commission* after December 31 of each year.
2. At least thirty days prior to the close of the term of the Executive Director's Performance Review, the Executive Director shall submit the names and e-mail addresses of three to four representatives of partner agencies and community members with whom s/he is expected to collaborate to the *Commission* Chair. Upon approval of those suggested names the *Commission* Chair or his/her designee will solicit input from these individuals via e-mail, utilizing the First 5 Management Performance Review form. The *Commission* has the option of not receiving this input on a yearly basis.
3. Prior to the close of the term of the Executive Director's Performance Review, the *Commission* will solicit input from the other employees of the *Commission* using the First 5 Management Evaluation form. The *Commission* has the option of not receiving this input on a yearly basis.
4. Prior to the close of the term of the Executive Director's Performance Review, the *Commission* will solicit input from members of the *Commission* in order to solicit feedback on the Executive Director's performance, utilizing the Management Performance Review form.
5. Prior to the close of the term of the Executive Director's performance review, the Executive Director will be asked to complete the following to be forwarded to the Commission Chair.
  - a. A self-appraisal, referencing the areas included in the Management Performance Review form.



- b. An assessment of the status of the annual goals established by the Commission for the Executive Director for the term under review.
    - c. Draft goals for the Commission to consider for the upcoming term.
6. In a Closed Session, the *Commission* will meet to discuss the results of the input solicited in Steps 2-5, and reach consensus and approve the Management Performance Review for the Executive Director for the term just completed. The *Commission* will also review the draft goals for the upcoming year submitted by the Executive Director for approval or modification.
7. The *Commission* Chair or his/her designee will prepare the final Management Performance Review document as approved by the Commission, including goals for the upcoming year, to be signed by the *Commission* Chair and reviewed with the Executive Director in a timely manner.