

Mendocino County Child Care and Development Local Planning Council BY-LAWS

Article I. Name

The Council shall be designated the Mendocino County Child Care and Development Local Planning Council (LPC), referred to hereafter as the “Council.”

Article II. Authority

The Council was formed on February 24, 1998, by the Mendocino County Board of Supervisors and the Mendocino County Superintendent of Schools in accordance with the state law established by California CalWORKs legislation Assembly Bill 1542 (Ed. Code Sections 8499.3 and 8499.5).

Article III. Statement of Purpose

- A. **Vision:** All Mendocino County children will have equal access to safe, stimulating and nurturing child care and early education environments so that children thrive emotionally, intellectually and physically.
- B. **Mission:** The mission of the Mendocino County Child Care Planning Council is to promote the professional growth of the child care and early education workforce, and to advocate for the development of quality, accessible and affordable child care programs for children ages birth to 21.
- C. **Functions,** as funding allows:
 - 1. To assess and facilitate current and future delivery of child care and development services programs.
 - 2. To conduct a periodic review of child care and development programs funded by the California Department of Education (CDE) and California Department of Social Services (CDSS) to determine if identified priorities are met.
 - 3. To determine local needs for the distribution of federal, state and local child care and development funds using a prioritizing process defined by CDE.
 - 4. To develop and maintain a comprehensive, countywide community child care and development plan, with ongoing review and reassessment every five years.
 - 5. To advocate for funding for child care and development services and programs.
 - 6. To collaborate with community agencies, businesses, and organizations to support and enhance community child care and development language resources and services.
 - 7. To promote the quality of child care and development services through public education, provider education and public policy/advocacy.
 - 8. To advise the Mendocino County Board of Supervisors and Mendocino County Superintendent of Schools on child care and development program and policy issues.

9. To advise and provide direction to the work of Council Support Staff related to Council Activities.

Article IV. Membership

- A. **Voting Members:** The Council shall have up to fifteen (15) voting members, referred to hereafter as “members.” The composition of the Council membership shall include: twenty percent (20%) Consumers (Parents); twenty percent (20%) Child Care Providers; twenty percent (20%) Public Agency Representatives; Twenty percent (20%) Community Representatives; and twenty percent (20%) Discretionary/Other members. Every effort is made to ensure that membership reflects the racial, ethnic, and geographic populations of the county.
- B. **Participatory Members:** Any interested individual is welcome to attend Council meetings, receive minutes and other mailings or emailings, address issues of interest at meetings, participate on sub-committees, participate in the Access, Quality and/or Coordination Committee, and advocate for child care and development programs in Mendocino County as Participatory Members, referred to hereafter as “participants.” Participants do not vote on business or policy items.
- C. **Recruitment and Appointment:**
 1. Seven (7) of the fifteen (15) voting members of the Council, including at least one from each of the five (5) membership categories, will be appointed by the Mendocino County Board of Supervisors to serve a particular term. Seven (7) of the fifteen (15) voting members of the Council, including at least one from each of the five (5) membership categories, will be appointed by the Mendocino County Superintendent of Schools to serve a particular term. One (1) of the voting members of the Council will be appointed jointly by the Mendocino County Board of Supervisors and the Mendocino County Superintendent of Schools to serve a particular term.
 2. Applications for membership shall be submitted to the Council Support Staff then referred to the Council for review and recommendation.
 3. Recruitment to fill vacancies in existing terms will follow the same procedure as recruitment for expiring terms.
- D. **Term.**
 1. All members shall serve two (2) year terms with seven (7) terms to begin July 1st and end June 30th of even-numbered years and eight (8) terms to begin July 1st and end June 30th of odd-numbered years.
 2. A member may apply for reappointment.
 3. A member appointed to fill a vacant term shall serve the remainder of that particular term.
- E. **Attendance:** Council members are expected to attend the full duration of all regular meetings. A member who is unable to attend a regular scheduled meeting shall notify the Chairperson or the Council Support Staff.
- F. **Removal:**
 1. Council members serve at the discretion of the Mendocino County Board of Supervisors and Mendocino County Superintendent of Schools.

2. Council members are subject to Mendocino County Code Section 2.04.050¹ for the automatic vacation of office for absences.
3. Notification: Council members subject to removal will be notified in writing by email, mail or fax thirty (30) days prior to the Council recommendation being sent to the Mendocino County Board of Supervisors and the Mendocino County Superintendent of Schools.

G. Alternates:

1. The appointed member may designate in writing to Council Support Staff the name of his/her alternate.
2. The alternate must meet the same membership category qualifications as the appointed member.
3. The alternate may serve in this capacity until such time as:
 - a. The appointed member withdraws in writing to Council Support Staff that person's designation as alternate;
 - b. The appointed member's term ends; or
 - c. The alternate resigns in writing to Council Support Staff.

Article V. Meetings

- A. All meetings shall be open to the public and shall adhere to the provisions of the Brown Act.
- B. Regular Council meetings shall be held a minimum of six (6) times annually. Meeting date, place, and time will be established at the beginning of each fiscal year and may be changed as needed.
- C. The Executive Committee shall meet prior to every Council meeting, and shall comply with the provisions of the Brown Act.
- D. Special meetings of the Council may be held at the call of Council Support Staff, the Council Chairperson, or by any three (3) members of the Council.
- E. On any question or point of order not contained in these by-laws, the Council shall be governed in its parliamentary actions by the most recent edition of Robert's Rules of Order.
- F. Written notice stating the date, hour and location of each meeting shall be delivered, mailed, or emailed to each member not less than five (5) days before each meeting.
- G. A quorum shall be required for the transaction of business. A quorum shall consist of fifty percent plus one of seated voting members present and participating in any regularly noticed meeting. Only appointed members present shall be counted toward the establishment of a quorum. "Present" shall be defined as attending physically or by audio or video conference.

Article VI. Voting Procedures

- A. Each member shall be entitled to one vote on each matter submitted to a vote of the Council. An alternate shall have one vote in place of the member he/she is representing provided the alternate has been properly designated in writing.

¹ See Appendix 1

- B. A majority of the members (or their alternates) present at the meeting at which a vote is taken is required to carry an item.
- C. Voting by show of hands on any matter except an election is acceptable unless a Council member (or alternate) requests a roll call vote be taken. Voting may also take place via hands in a virtual setting, as necessary.
- D. Members (or their alternates) shall not participate as a voting member if such member (or alternate) has a vested interest (financial or personal) in the outcome of the issue being voted on.
- E. Records shall be kept of action and roll call vote.

Article VII. Officers and Duties

- A. The officers of the Council shall consist of two Co-Chairpersons. These officers shall be selected by majority vote from the membership present at the June meeting of the Council and shall serve for one fiscal year (July-June). Officers may be re-elected.
- B. It shall be the duty of the Chairperson(s) to:
 - 1. call meetings;
 - 2. prepare the agenda with the Council Support Staff;
 - 3. facilitate committee assignments;
 - 4. preside over meetings of the Council;
 - 5. represent the Council at appropriate functions and events; and
 - 6. perform all other duties necessary or incidental to the office.
- C. One Co-Chairperson shall serve as timekeeper for meetings, while the other presides over the meetings.
- D. Upon the absence of both Chairpersons, the remaining members of the Council shall appoint one of their members to act temporarily as Chairperson.
- E. It shall be the duty of the Council Support Staff to:
 - 1. provide and mail or email notices of any Council meetings;
 - 2. maintain a record of Council membership and attendance at Council meetings; and
 - 3. arrange for recording and distribution of minutes of all Council meetings.
- F. In the event that a Co-Chairperson does not fill their full term, the Council shall vote on a new Co-Chairperson at the first General Council meeting following the vacancy.

Article VIII. Committees and Duties

- A. The Executive Committee:
 - 1. shall consist of the Co-Chairpersons; and one (1) other member;
 - 2. shall include the Council Support Staff as an ex-officio member(s);
 - 3. serves as a steering committee, communicating with committee chairpersons to ensure implementation of Council tasks in a timely and efficient manner;
 - 4. is delegated the power to act for the Council between meetings in emergencies that demand a response before the next scheduled Council meeting. Such actions shall be reviewed at the next Council meeting.
 - 5. meetings will be held at least one week before all scheduled Council meetings. See Article V Meetings, subsection B for frequency of Council meetings.

- B. Committees to address special projects or requirements of the Council are facilitated by the Co-Chairpersons, as needed. General Council members will be asked to volunteer for committee work.

Article IX. By-laws

- A. Adoption of By-laws - These By-laws shall become effective upon approval by the Council, the Mendocino County Board of Supervisors, and the Mendocino County Superintendent of Schools.
- B. Amendments to By-laws - These By-laws may be amended by an affirmative vote of two-thirds (2/3) of those members (or their alternates) present at any meeting provided the amendment(s) have been submitted to the membership at least thirty (30) calendar days following the meeting at which the amendment(s) was proposed. All amendments must be approved by the Council, the Mendocino County Board of Supervisors, and the Mendocino County Superintendent of Schools.

History:

- 1. Amendments approved by the Mendocino County Child Care Planning Council on June 28, 2004
- 2. Amendments approved by the Mendocino County Child Care Planning Council on June 17, 2004
- 3. Amendments approved by the Mendocino County Superintendent of Schools on July 2, 2004
- 4. Amendments approved by the Mendocino County Board of Supervisors on July 20, 2004
- 5. Amendments approved by the Mendocino County Child Care Planning Council on March 18, 2009
- 6. Amendments approved by the Mendocino County Superintendent of Schools on April 28, 2009
- 7. Amendments approved by the Mendocino County Board of Supervisors on July 14, 2009
- 8. Amendments approved by the Mendocino County Child Care Planning Council on April 11, 2012
- 9. Amendments approved by the Mendocino County Child Care Planning Council on March 6, 2013
- 10. Amendments approved by the Mendocino County Child Care Planning Council on November 13, 2014.
- 11. Amendments approved by the Mendocino County Board of Supervisors on December 16, 2014.
- 12. Amendments approved by the Mendocino County Board of Supervisors on February 9, 2021.

APPENDIX 1

Sec. 2.04.050 Absences from Meetings of County Boards and Commissions.

Whenever any person appointed to serve on any county commission or board is absent from three successive regular meetings of the respective commission or boards or district governing body on which he serves, or is absent more than thirty-five percent (35%) of the regularly scheduled meetings held thereby during any year subsequent to his appointment, then the term of office held by such appointee shall be automatically deemed to be vacant. This section is intended to be supplementary to and consistent with Section 1770 (g) of the California Government Code (Ord. No. 760, adopted 1971).

(A) Notwithstanding the foregoing rule, an office shall not be deemed vacant if the appointee is absent for an approved reason and if prior to the meeting at which an absence would result in the vacancy each of the following acts has occurred: (Ord. No. 1101, adopted 1973).

(1) The county commission or board has, pursuant to minute order, filed with the Clerk of the Board of Supervisors a "Request for Approval of Absence" which contains a request to (a) waive the operative effect of this section for a designated appointee, and (b) permit the appointee to be absent for a specific period of time and for an express specific reason; and (2) The Board of Supervisors, by minute order, has approved the aforesaid "Request for Approval of Absence," including whatever modification as to be the period of time for the absence and the reason for the absence which it deems reasonable (Ord. No. 1101, adopted 1973).