

D-2018-002

**CITY OF ALBUQUERQUE
CITY COUNCIL**

3/9/18

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Jon K. Zaman, Director of Council Services *GMJ for JKZ*

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. O-18-4 Amending Sections 2-6-12-1 Through 2-6-12-6 ROA 1994, The "Early Head Start Program Governance Advisory Committee"; To Change The Requirements Of The Program Governance Advisory Committee (Gibson), which was passed at the Council meeting of March 5, 2018, by a vote of 8 FOR AND 0 AGAINST.

Excused: Harris

In accordance with the provisions of the City Charter, your action is respectfully requested.

JKZ:dm
Attachment
3/7/2018

RECEIVED
ALBUQUERQUE CITY CLERK

2018 MAR 16 PM 1:23

1 **Committee.** The Early Head Start Program Governance Advisory
2 **Committee.**

3 **Early Head Start Program.** A program that provides low-income pregnant
4 women and families with children from birth to age 3 with family-centered
5 services that facilitate child development, support parental roles, and promote
6 self-sufficiency.

7 **Family.** For the purposes of the Program, all persons:

8 (i) **Living in the same household who are:**

9 **(A)** Supported by the income of the parent(s) or guardian(s) of the child
10 enrolling or participating in the program; or

11 **(B)** Related to the child by blood, marriage, or adoption; or

12 **(C)** Related to the child enrolling or participating in the program as
13 parents or siblings, by blood, marriage, or adoption.

14 **Guardian.** A person legally responsible for a child.

15 **Head Start Act.** The Federal Head Start Act 42 U.S.C. 9801 *et seq.*, its
16 subsequent amendments and successor provisions.

17 **Head Start Regulations.** The Federal regulations contained in the Code of
18 Federal Regulations at 45 C.F.R. 1301 *et seq.*, its subsequent amendments and
19 successor provisions.

20 **Health.** Medical, dental, and mental well-being.

21 **Independent auditor.** An individual accountant or an accounting firm,
22 public or private agency, association, corporation, or partnership, that is
23 sufficiently independent of the agency being audited to render objective and
24 unbiased opinions, conclusions, and judgments.

25 **Policy Council.** The formal group of parents and community
26 representatives required to be established by the agency to assist in decisions
27 about the planning and operation of the program.

28 **Program attendance.** The actual presence and participation in the program
29 of a child enrolled in an Early Head Start or Head Start program.

30 **Secretary.** The Secretary of the U.S. Department of Health and Human
31 Services or the Secretary's designee.

32 **Staff.** Paid adults who have responsibilities related to children and their
33 families who are enrolled in Early Head Start or Head Start programs.

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 **§ Section 2-6-12-2 EARLY HEAD START PROGRAM GOVERNANCE**
2 **ADVISORY COMMITTEE CREATED – MEMBERSHIP.**

3 **(A) The “Early Head Start Program Governance Advisory Committee” is**
4 **created. The Committee shall consist of five (5) members appointed by the**
5 **Mayor with the advice and consent of the Council.**

6 **(1) One member must have fiscal/accounting background and expertise.**

7 **(2) One member must have early childhood education and development**
8 **background.**

9 **(3) One member must be a licensed attorney.**

10 **(4) The remaining members must reflect the community served and**
11 **include parents of children who are, or were formerly, enrolled in Head Start**
12 **Programs.**

13 **(B) Members shall serve staggered three (3) year terms. However, of the**
14 **Committee members first named upon committee formation, two members will**
15 **have terms ending July 1, 2019, two members will have terms ending July 1,**
16 **2020 and one will have a term ending July 1, 2021. A member shall not serve**
17 **more than three (3) consecutive terms.**

18 **(C) The Committee shall meet at the call of the chairperson but not less**
19 **than once per quarter.**

20 **(D) The Committee is administratively attached to the Department of**
21 **Family and Community Services, and staff for the Committee shall be provided**
22 **by the Department.**

23 **(E) The Committee shall develop bylaws that will be provided to each**
24 **member and will include at a minimum:**

25 **(1) Qualification of members;**

26 **(2) Delineation of the roles and responsibilities of members;**

27 **(3) Establishment of a functional committee structure;**

28 **(4) Policies on committee attendance and conflict of interest;**

29 **(5) An annual calendar of activity;**

30 **(6) Such rules and regulations for its conduct as may be deemed**
31 **necessary; and**

32 **(7) Rules of committee procedures.**

33 **§ 2-6-12-3 ORGANIZATION.**

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 (A) Officers.

2 (1) The minimum number of officers of the Committee shall be not less
3 than two officers (such as the Chairperson and Vice-Chairperson), plus such
4 other officers as the Committee may deem necessary.

5 (2) All officers shall be elected by the members for a term of one year,
6 and no officer shall serve more than two consecutive terms.

7 (B) Meetings.

8 (1) All meetings of the Committee shall be open to the public and
9 insofar as possible shall be held at a facility owned either by the city or the
10 county.

11 (2) Reasonable notice shall be given to the public prior to any meeting
12 of the Committee. At least once a year, the Committee shall determine what is
13 reasonable notice to the public of its meetings; provided that in no event shall
14 notice be less than the notice required for Council meetings.

15 (3) Minutes shall be kept of each meeting.

16 (4) A majority of all the members of the Committee shall constitute a
17 quorum for the transaction of business. A motion shall carry upon the
18 alternative vote of the majority of the members present at any meeting.

19 § 2-6-12-4 DUTIES, RESPONSIBILITIES AND POWERS.

20 The duties, responsibilities and powers of the Committee shall be as follows:

21 (A) Review the development and implementation of Early Head Start
22 Programs goals, objectives and policies.

23 (B) Review organizational performance and program progress based on
24 aggregate performance data reports provided by program management and be
25 familiar with major programs, services, and initiatives.

26 (C) Be familiar with the Early Head Start Programs strategic direction
27 and strategic plan that includes an organization vision, short-term and long
28 term goals and operational and fiscal objectives.

29 (D) Be familiar with the procedures and criteria for recruiting, selecting
30 and enrolling children.

31 (E) Be familiar with the procedures for selecting Policy Council
32 members.

1 (F) Review applications for funding and amendments to applications for
2 funding.

3 (G) Review the major financial expenditures and the operating budget of
4 the Program prior to the Program’s submittal of the budget to City Council.

5 (H) Review all aspects of the independent financial audits of the
6 Program, including review of the draft findings; and track any necessary
7 programmatic actions or changes arising from the audit.

8 (I) Participate in program self-assessment reviews as scheduled by
9 program management.

10 (J) Be familiar with the Head Start Program Performance Standards.

11 § 2-6-12-5 REPORTS BY THE COMMITTEE.

12 (A) On a quarterly basis, the Committee shall review the quarterly report
13 that program staff provide to the Mayor and the City Council with Program
14 information summaries, including aggregate performance data summaries
15 showing Program progress in meeting school readiness, enrollment and
16 attendance reports, family engagement activities and financial information,
17 including subsidies to the Program from other federal and state and local
18 government sources.

19 § 2-6-12-6 TRAINING AND TECHNICAL ASSISTANCE.

20 The Committee will receive effective and ongoing training and technical
21 assistance to ensure that they understand the information they receive and
22 are able to provide effective oversight of, make appropriate decisions for, and
23 participate in the functions of the Program.”

24 Section 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
25 clause, word or phrase of this ordinance is for any reason held to be invalid or
26 unenforceable by any court of competent jurisdiction, such decision shall not
27 affect the validity of the remaining provisions of this ordinance. The Council
28 hereby declares that it would have passed this ordinance and each section,
29 paragraph, sentence, clause, word or phrase thereof irrespective of any
30 provision being declared unconstitutional or otherwise invalid.

31 Section 4. COMPILATION. Section 2 of this ordinance shall be
32 incorporated in and made part of the Revised Ordinances of Albuquerque,
33 New Mexico, 1994.

Section 5. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion


1 PASSED AND ADOPTED THIS 5th DAY OF March, 2018
2 BY A VOTE OF: 8 FOR 0 AGAINST.

3
4 **Excused: Harris**

5
6
7
8 
9 _____
10 **Ken Sanchez, President**
11 **City Council**

12
13 APPROVED THIS 15 DAY OF March, 2018

14
15
16 **Bill No. O-18-4**

17
18 
19 _____
20 **Timothy M. Keller, Mayor**
21 **City of Albuquerque**

22
23
24
25 **ATTEST:**

26 
27 _____
28 **Trina Gurule, Acting City Clerk**

[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion