



Children & Families
Commission of Orange County

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Agenda Item No. 10
June 27, 2007 Meeting

DATE: June 12, 2007

TO: Children and Families Commission of Orange County

FROM: Michael M. Ruane, Executive Director 

SUBJECT: **Capacity Building Initiative with American Academy of Pediatrics, California Chapter 4 (Orange County)**

SUMMARY:

For the last six months, your Commission has supported the local chapter of AAP and has been actively engaged in a comprehensive strategy to build their capacity. The Commission has supported their effort through our expanded grantee monitoring and technical assistance programs. As a result, AAP's Board of Directors is looking at ways to reduce overhead and administrative costs, while enhancing outreach and operations of their core community programs. Specifically included in this plan is an expanded role of the Executive Director (AAP is planning to conduct a candidate search in late summer early fall), a build-out of their Continuing Medical Education (CME) program, an increase in member recruitment, and an increase in pediatrician involvement in community programs and activities.

American Academy of Pediatrics (AAP), Sub-Lease Agreement

The Commission has a lease agreement with BixbyBIT - Inwood Park LLC that began in 2001 and with the most recent amendment will not terminate until July 31, 2011. The lease includes approximately 9,390 square feet spread out among four office suites and a small storage unit. Currently the Commission staff utilizes 8,112 square feet of office and storage space. Approximately 738 square feet of office space was secured originally to satisfy the requirement to host AmeriCorps and AmeriCorps VISTA members during their terms of service but as the program developed, these positions have been allocated to our community partners where they can best support the programs. Staff is requesting authorization to negotiate a sublease agreement with the American Academy of Pediatrics, California Chapter 4 (AAP) for the 738 square feet of office space. The details of the sublease and needed modifications to their agreement are described below for your review and action.

AAP existing office space is also now larger than required, and with their lease terminating August 31, 2007 their Board of Directors began their search for smaller less expensive office space. As part of Commission staff discussions with AAP about Capacity Building, AAP became interested in the underutilized Commission office space. Commission staff is recommending that we enter into a sub-lease agreement with AAP for 738 square feet of office space. The office

space is on a separate floor than the Commission offices and will not create any security or internal control issues. The specific terms of the lease are described below-

- 16 month term beginning on or about September 1, 2007 concluding on or about December 31, 2008. At this time both the Commission and AAP will have a better sense of permanent space needs.
- AAP will be responsible for both their set-up and monthly internet and telephone costs.
- Commission and AAP will share kitchen and conference room facilities.
- Per square foot cost is \$2.42 for a total monthly lease cost of the 738 square feet is \$1,784 and an annual cost of \$21,413.
- AAP will provide additional services (currently not included in existing grant agreements with AAP) equivalent to the \$21,413 annual lease payment; services will be credited based on actual hourly rates for personal or costs of goods and services. Services may include but are not limited to-
 - expansion of CME programs to include focus on child abuse prevention in collaboration with the County of Orange Child Abuse Services Team (CAST) Medical Director and other community and county partners,
 - participate on the statewide stakeholders group for ABCD Screening Academy, administered by the National Academy for State Health Policy, and
 - linking AAP members with Commission funded programs and outreach efforts to provide technical assistance and increase quality of services provided.

Consolidation of Existing Funding Agreements with AAP

Currently, AAP provides services supporting countywide injury prevention programs in Commission Agreement # FCI-CHS-03 and provides technical assistance for the Commission's School readiness Nursing Initiative in Commission Agreement # FCI-IP-02. Commission staff recommends consolidating these agreements and adjusting term dates and budgets accordingly to support AAP capacity building efforts. The proposed changes to the agreements include;

- Terminate existing agreements early and develop one comprehensive agreement with a term of 16 months (September 1, 2007 through December 31, 2008),
- Consolidate into one agreement with three scopes of work to include; School Readiness Nursing, Injury Prevention, and the service payout for the lease,
- Funding allocation remains level except for -
 - a reduction of almost \$50,000 previously charged to the Commission to cover AAP rent, and
 - the addition of \$50,000 to support no more than 50% of the newly defined Executive Director position (recent budgets for each of these grant did not include specific funding for the Executive director position). It should be noted that the Executive Director position is required to address the goals established by the Commission Capacity Building effort.

In summary, the action presented above will provide a strengthened local AAP chapter that can support Commission programs as well as a resource for new, innovative demonstration programs for Orange County, particularly in the area of early development screening

STRATEGIC PLAN & FISCAL SUMMARY:

The proposed Agreements have been specifically reviewed in relation to the Strategic Plan, and the recommended actions are designed to further the Healthy Children Goal, among others. Funding for this agenda item is included in the FY 2007/08 Budget under the category of Children's Health and Safety.

RECOMMENDED ACTIONS:

1. Adopt resolution (Attachment 1) authorizing the Executive Director or designee to enter into a Sublease Agreement with American Academy of Pediatrics, California Chapter 4 for a 16 month period beginning on or about September 1, 2007 and including the terms specified above.
2. Adopt a resolution (Attachment 2) authorizing Executive Director or designee to enter into Agreement # FCI-CHS-05 with the American Academy of Pediatrics, California Chapter 4 in the amount of for a term of 16 months to consolidate agreements FCI-CHS-03 and FCI-IP-02 consistent with the terms described in the staff report.

Attachments:

1. Resolution to develop sublease agreement with the American Academy of Pediatrics, California Chapter 4
2. Resolution to enter into services agreement with the American Academy of Pediatrics California Chapter 4

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-07-C&FC

June 27, 2007

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR TO PREPARE AND NEGOTIATE FINAL FORM OF SUBLEASE AGREEMENT WITH AMERICAN ACADEMY OF PEDIATRICS, CALIFORNIA CHAPTER 4, A CALIFORNIA NON-PROFIT CORPORATION AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

WHEREAS, in order to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development, the legislature adopted legislation set forth in the California Children and Families Act of 1998, Health and Safety Code Section 130100, *et seq.* (as amended, the "Act") implementing the Children and Families First Initiative passed by the California electorate in November, 1998 and establishing the California Children and Families Commission and County Children and Families Commissions, including this Children and Families Commission of Orange County ("Commission"); and

WHEREAS, Commission adopted its Strategic Plan to define how funds authorized under the Act and allocated to the Commission should best be used to meet the critical needs of Orange County's children prenatal to five years of age as codified in the Act; and

WHEREAS, Commission has a lease agreement for office space with BixbyBIT - Inwood Park LLC that began in 2001 and with the most recent amendment will terminate July 31, 2011, and

WHEREAS, Commission has a certain amount of unused office space that was previously occupied by its in-house AmeriCorps and AmeriCorps VISTA members who have now been allocated to Commission's community partners, and

WHEREAS, Commission has consulted with BixbyBIT - Inwood Park LLC to confirm the terms and conditions of subleasing its leased space and desires to sublease the available office space to its grantee, American Academy of Pediatrics, California Chapter 4 in an exchange for services to be provided, and

WHEREAS, Commission desires to authorize the Executive Director or designee to negotiate the terms and final form of a sublease agreement with American Academy of Pediatrics, California Chapter 4 for a period of 16 months beginning on or about September 1, 2007 in a fair-market value exchange of office space for countywide injury prevention programs, technical assistance, and capacity building services, and

WHEREAS, Commission has reviewed the June 27, 2007 staff report for this Agenda Item relating to the Scope of Services to be provided and hereby finds and determines that the proposed sublease agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

WHEREAS, Commission desires to authorize the Commission Chair and Commission Clerk to enter into a sublease agreement with American Academy of Pediatrics, California Chapter 4 for a period of 16 months beginning on or about September 1, 2007.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AS FOLLOWS:

Section 1 Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2 Commission authorizes the Executive Director and Commission Counsel to negotiate the terms and final form of a sublease agreement with American Academy of Pediatrics, California Chapter 4 for a period of 16 months beginning on or about September 1, 2007 in a fair-market value exchange of office space for countywide injury prevention programs, technical assistance, and capacity building services, as specified in the June 27, 2007 staff report for this Agenda Item and scope of services referenced therein;

Section 3 The form of the sublease agreement with American Academy of Pediatrics, California Chapter 4 shall be reviewed and approved by the Executive Director and Commission Counsel. The approval by the Executive Director, or designee, of the final form of the Agreement shall be conclusively evidenced by the execution of such agreement by the Commission Chair and delivery thereof to the Commission Clerk.

Section 4 Commission hereby approves the sublease agreement with American Academy of Pediatrics, California Chapter 4 for a period of 16 months beginning on or about September 1, 2007 in a fair-market value exchange of office space for countywide injury prevention programs, technical assistance, and capacity building services, as specified in the June 27, 2007 staff report for this Agenda Item.

Section 5 The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Agreement on behalf of the Commission.

Section 6 A copy of the final sublease agreement with American Academy of Pediatrics, California Chapter 4, when executed by the Commission Chair and attested by the Clerk of the Commission shall be appended hereto as a part of Exhibit A to this Resolution. Exhibit A is hereby fully incorporated as a part of this Resolution by this reference and made a part hereof. The final executed Agreement shall be placed on file in the office of the Clerk of the Commission.

Section 7 In addition to the authorization of Sections 2, and 3 above, the Executive Director (or his designee) is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Agreement, (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement, and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement in the furtherance thereof.

Section 8 The Clerk of the Commission shall certify to the adoption of this Resolution.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on June 27, 2007 to wit:

AYES Commissioners: _____

NOES: Commissioner(s): _____

EXCUSED: Commissioner(s): _____

ABSTAINED: Commissioner(s) _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

DARLENE J. BLOOM
Clerk of the Commission, Children and Families Commission of
Orange County, County of Orange, State of California

Resolution No: __-07--C&FC

Agenda Date: June 27, 2007

Item No.



I certify that the foregoing is a true and correct copy of the Resolution adopted by the

DARLENE J. BLOOM, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy of final executed sublease agreement with American Academy of Pediatrics, California
Chapter 4)

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-07-C&FC

June 27, 2007

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR TO PREPARE AND NEGOTIATE FINAL FORM OF STANDARD AGREEMENT WITH AMERICAN ACADEMY OF PEDIATRICS, CALIFORNIA CHAPTER 4, A CALIFORNIA NON-PROFIT CORPORATION AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

WHEREAS, in order to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development, the legislature adopted legislation set forth in the California Children and Families Act of 1998, Health and Safety Code Section 130100, *et seq.* (as amended, the "Act") implementing the Children and Families First Initiative passed by the California electorate in November, 1998 and establishing the California Children and Families Commission and County Children and Families Commissions, including this Children and Families Commission of Orange County ("Commission"); and

WHEREAS, Commission adopted its Strategic Plan to define how funds authorized under the Act and allocated to the Commission should best be used to meet the critical needs of Orange County's children prenatal to five years of age as codified in the Act; and

WHEREAS, the Executive Director and Commission Counsel have prepared a standard Master Agreement for Agreements ("Master Agreement"), which was approved by the Commission; and

WHEREAS, Commission previously entered into Agreements FCI-CHS-03 and FCI-IP-02 with American Academy of Pediatrics, California Chapter 4 to support countywide injury prevention programs and provide technical assistance for Commission's School readiness Nursing Initiative.

WHEREAS, Commission desires to authorize the Executive Director or designee to terminate Agreements FCI-CHS-03 and FCI-IP-02 and negotiate the terms and final form of Agreement No. FCI-CHS-05 with American Academy of Pediatrics, California Chapter 4 to provide countywide injury prevention programs and technical assistance for Commission's School readiness Nursing Initiative and capacity building services based upon the standard Master Agreement for a period of 16 months beginning on or about September 1, 2007, in an amount not to exceed \$1,147,000, as specified in the June 27, 2007 staff report for this Agenda Item; and

WHEREAS, Commission has reviewed the June 27, 2007 staff report for this Agenda Item relating to the Scope of Services to be provided and hereby finds and determines that the proposed Agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

WHEREAS, Commission desires to authorize the Commission Chair and Commission Clerk to enter into Agreement No. FCI-CHS-05 with American Academy of Pediatrics, California Chapter

4, for a period of 16 months beginning on or about September 1, 2007, in an amount not to exceed \$1,147,000.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AS FOLLOWS:

Section 1 Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2 Commission authorizes the Executive Director and Commission Counsel to prepare and negotiate the final form of Agreement FCI-CHS-05 with American Academy of Pediatrics, California Chapter 4, to provide countywide injury prevention programs and technical assistance for Commission's School readiness Nursing Initiative and capacity building services for a period of 16 months beginning on or about September 1, 2007, in an amount not to exceed \$1,147,000, as specified in the June 27, 2007 staff report for this Agenda Item and scope of services referenced therein;

Section 3 The form of the Agreement with American Academy of Pediatrics, California Chapter 4 shall be substantially similar to the form of the standard Master Agreement, subject to minor, non-substantive revisions as reviewed and approved by the Executive Director and Commission Counsel. The approval by the Executive Director, or designee, of the final form of the Agreement shall be conclusively evidenced by the execution of such agreement by the Commission Chair and delivery thereof to the Commission Clerk.

Section 4 Commission hereby approves Agreement FCI-CHS-05 with American Academy of Pediatrics, California Chapter 4 to provide countywide injury prevention programs and technical assistance for Commission's School readiness Nursing Initiative and capacity building services for a period of 16 months beginning on or about September 1, 2007, in an amount not to exceed \$1,041,136, as specified in the June 27, 2007 staff report for this Agenda Item.

Section 5 The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Agreement on behalf of the Commission.

Section 6 A copy of the final Agreement with American Academy of Pediatrics, California Chapter 4, when executed by the Commission Chair and attested by the Clerk of the Commission shall be appended hereto as a part of Exhibit A to this Resolution. Exhibit A is hereby fully incorporated as a part of this Resolution by this reference and made a part hereof. The final executed Agreement shall be placed on file in the office of the Clerk of the Commission.

Section 7 In addition to the authorization of Sections 2, and 3 above, the Executive Director (or his designee) is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Agreement, (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement, and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement in the furtherance thereof.

Section 8 The Clerk of the Commission shall certify to the adoption of this Resolution.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on June 27, 2007 to wit:

AYES Commissioners: _____

NOES: Commissioner(s): _____

EXCUSED: Commissioner(s): _____

ABSTAINED: Commissioner(s) _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

DARLENE J. BLOOM
Clerk of the Commission, Children and Families Commission of
Orange County, County of Orange, State of California

Resolution No: __-07--C&FC

Agenda Date: June 27, 2007

Item No.



I certify that the foregoing is a true and correct copy of the Resolution adopted by the

DARLENE J. BLOOM, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy of final executed Agreement FCI-CHS-05 with American Academy of Pediatrics,
California Chapter 4)