



Children & Families  
Commission of Orange County

2009 AUG 26 AM 10:44

Agenda Item No. 10  
September 2, 2009 Meeting

DATE: August 20, 2009  
BOARD OF SUPERVISORS

TO: Children and Families Commission of Orange County

FROM: Michael M. Ruane, Executive Director

SUBJECT: AmeriCorps Program Restructuring & VISTA Budget Adjustment

**SUMMARY:**

The Children and Families Commission of Orange County has participated in the AmeriCorps program since 2003, which has expanded from 13 to 34 members over the past six years. The AmeriCorps members provide supplementary staff support for participating programs funded by the Commission. This report includes an overview of the federal, state and local organizations that fund and implement the AmeriCorps program; the restructuring recommendations for the AmeriCorps program; and a summary of the cost of living adjustment for the VISTA program.

**AmeriCorps Program Organizational Structure**

A variety of organizations are involved in the management and implementation of the local AmeriCorps and VISTA programs. To understand the process and structure of this complicated program, the following are the organizations and roles:

- *Corporation for National and Community Services (CNCS)* – An independent federal agency established in 1993 that funds AmeriCorps and VISTA with the goal to connect Americans with opportunities to give back to their communities.
- *California Volunteers (CV)* – The state office that receives CNCS funding to manage volunteer service programs including AmeriCorps. First Lady Maria Shriver serves as the honorary chair.
- *First 5 Association* – An association of the 58 county First 5 Children and Families commissions. The Association was awarded an agreement from California Volunteers to deploy AmeriCorps members to participating county commissions to provide services to families that focus on building children's skills and strengthening families.
- *Prevent Child Abuse California (PCA CA)* – A statewide organization with a mission to prevent child abuse and neglect by building community resources, developing prevention programs and facilitating advocacy activities. The First 5 Association contracts with PCA CA to provide fiscal services to support the First 5 Service Corps/AmeriCorps program at 15 county commissions.
- *Child Abuse Prevention Alliance (CAPA)* – A PCA CA program that supports AmeriCorps programs.
- *Public Health Foundation Enterprises, Inc. (PHFE)* – Provides fiscal and administrative services to the Orange County AmeriCorps and VISTA programs through a contract with the Children and Families Commission of Orange County.

### **AmeriCorps Program Restructuring**

In program year 2008-09, the HABLA and the Readiness on the Road early learning programs, as well as 2-1-1 Orange County, and the Children's Health Initiative have benefited from the support of AmeriCorps members. The following enumerates the successful services provided with the support of AmeriCorps members:

- 18,707 home visits with the HABLA program
- 13,671 referrals for community services with 2-1-1 Orange County
- 1,954 families with young children acquired health insurance
- 850 children and parents received classroom based early learning activities

The Orange County Commission currently contracts with PHFE to provide health screenings, background checks, living allowances, workers compensation, mileage reimbursement and other payments for the 34 AmeriCorps members assigned to Orange County programs. These services comprise 60 percent of the budget with PHFE, the local VISTA program comprises the remaining 40 percent.

An agreement with Prevent Child Abuse California (PCA CA) for a new three-year grant cycle for the AmeriCorps program that begins in September 2009 is recommended. The contract for the new cycle reflects changes in the current program and the administrative structure. PCA CA will now be responsible for the majority of the administrative support for the AmeriCorps members that were previously provided by PHFE. The restructure will allow for the First 5 Association and PCA CA to receive direct funding from California Volunteers for a portion of the administrative services the remaining costs will be charged to each of the participating counties. Staff recommends entering into an agreement with PCA CA in an amount not to exceed \$545,600. Amending the contract with PHFE to continue providing the remaining portion of services such as health screenings and mileage for the AmeriCorps members; and fiscal management for the VISTA program is also recommended (Attachment 1).

The restructured program requires that the focus of all First 5 AmeriCorps members will be on children's skill building activities, which is consistent with the 31 AmeriCorps members assigned to the HABLA and Readiness on the Road early learning programs. The Children's Health Initiative and 2-1-1 Orange County no longer qualify under the restructured program. A separate AmeriCorps program with PCA CA's Child Abuse Prevention Alliance (CAPA) was developed to allow the allocation of three AmeriCorps members to continue the services with these important programs. Approval to sign a Memorandum of Understanding with PCA CA and enter an agreement before the AmeriCorps members to begin service on September 8, 2009 is recommended.

### **VISTA Budget Adjustment**

The Orange County Commission is the fiscal and administrative lead for county commissions that participate in the statewide VISTA program. In May 2009, the Commission approved an agreement with the Corporation for National and Community Services (CNCS) to continue the statewide VISTA program from September 2009 to September 2010. Prior to the execution of the agreement, CNCS notified the Commission of a three percent cost of living adjustment that was applied for all VISTA members effective August 16, 2009. This change is mandatory in order to remain compliant with CNCS agreement. The cost of living adjustment will add \$54,876 to the FY 2009/10 VISTA program. CNCS will reimburse \$15,732; participating county

commissions will reimburse \$6,420; and the Orange County Commission is responsible for the remaining \$32,724. Approval to amend the existing agreement with CNCS and the participating county commissions to implement this cost of living adjustment is recommended.

### **STRATEGIC PLAN AND BUDGET**

The proposed agreements have been specifically reviewed in relation to the Strategic Plan, and the recommended actions are designed to further the Capacity Building/AmeriCorps Program goal. The estimated annual cost to fund the 34 AmeriCorps positions is \$604,816 and is included in the Commission's FY 2009-10 Budget. The potential cost savings difference resulting from the reallocated PHFE amount will offset the \$250,000 reduction in budgeted AmeriCorps reimbursement revenue.

### **PRIOR COMMISSION ACTIONS:**

1. July 2009 – Authorized an MOU with Prevent Child Abuse California related to the three year grant cycle beginning in 2009 for the First 5 AmeriCorps program.
2. May 2009 – Approved statewide and Orange County VISTA program renewal
3. April 2009 – Approved one year agreements with CONNECT Orangewood Children's Foundation and PHFE Foundation Enterprises, Inc. for operating expenses, administrative oversight and payroll services of the AmeriCorps program.
4. September 2008 – Accepted funding from Prevent Child Abuse California to expand the existing AmeriCorps program by nine additional members.
5. June 2007 – Accepted \$708,000 from Prevent Child Abuse California, authorized the Commission's annual match contribution of \$449,588, and approved agreement with PCA CA in the amount of \$2,056,764 for the period January 2, 2007 through December 31, 2009.

### **RECOMMENDED ACTIONS:**

1. Adopt resolution (Attachment 2) authorizing Executive Director or designee and Commission Counsel to prepare and negotiate Agreement FCI-PAC-09 with Prevent Child Abuse California for First 5 Service Corps services in an amount not to exceed \$545,600 for the period September 16, 2009 through September 15, 2010.
2. Adopt resolution (Attachment 3) authorizing Executive Director or designee and Commission Counsel to prepare and negotiate the Agreement FCI-PAC-10 with Prevent Child Abuse California for Child Abuse Prevention Alliance services in an amount not to exceed \$48,900 for the period September 2, 2009 through September 1, 2010.
3. Adopt resolution (Attachment 4) authorizing Executive Director or designee and Commission Counsel to prepare and negotiate an Amendment to Agreement FCI-A6-02 with Public Health Foundation Enterprises, Inc., revising the scope of work related to the AmeriCorps and VISTA programs and reducing the FY 2009/10 Maximum Payment Obligation to an amount not to exceed \$850,000.
4. Adopt resolution (Attachment 5) authorizing the Executive Director or designee to amend the Agreement between the Commission and the Corporation for National and Community Services (CNCS), approved on May 6, 2009 to increase Commission funding for required cost of living adjustments for VISTA members in the amount of \$39,144 for a 12 month

period starting on or about September 29, 2009. The amended Agreement will also provide increased funding from CNCS in an amount not to exceed \$15,732.

5. Authorize the Executive Director or designee to adjust the amounts described in Agenda Item 9 at the May 6, 2009 Commission Meeting for other California County Commissions' participating in the statewide VISTA program to implement the budget revisions required by the Corporation for National and Community Services.

**ATTACHMENTS:**

1. First 5 Service Corps & CAPA AmeriCorps Budget
2. Resolution authorizing PCA CA First 5 Service Corps Agreement
3. Resolution authorizing PCA CA CAPA Agreement
4. Resolution authorizing PHFE amendment
5. Resolution authorizing VISTA federal grant award with budget adjustment

**Contact:** Kim Goll

**First 5 Service Corps and CAPA AmeriCorps  
2009-2010 Program Year Budget**

<u>PCA CA Support</u>	<b>CAPA Service Corps (3 members)*</b>	<b>First 5 Service Corps (31 members)**</b>
Background Checks	\$540	\$465
Living Allowance	\$7,200	\$83,700
FICA and Workers Compensation	\$7,293	\$75,361
Healthcare	\$4,842	\$58,311
<b>Total PCA CA Support</b>	<b>\$19,875</b>	<b>\$217,837</b>
<u>Commission Cost</u>		
Member living allowances	[1] \$48,900	\$545,600
Mileage	[2] \$600	\$6,200
Health Screenings (TB)	[2] \$225	\$2,325
<b>Total Commission Cost</b>	<b>\$49,725</b>	<b>\$554,125</b>
CONNECT ***		\$264,000
PHFE fiscal expense		\$966
<b>Total Project Budget</b>		<b>\$1,106,528</b>

\* First 5 living allowance is \$19,000 per member; Commission match is \$16,300 to PCA CA

\*\* CAPA member living allowance is \$20,000 per member; Commission match is \$17,600 to PCA CA

\*\*\* Funding for this agreement with CONNECT was approved at your Commisison's April 2009 meeting

[1] Portion of Commission cost provided to PCA CA

[2] Portion of Commission cost provided to PHFE

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-09-C&FC**

**September 2, 2009**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AGREEMENT NO. FCI-PAC-09 WITH PREVENT CHILD ABUSE CALIFORNIA FOR FIRST 5 SERVICE CORPS SERVICES; 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 Services ("Master Agreement"), which was approved by the Commission; and

**WHEREAS**, the Commission desires to authorize the Executive Director or designee and Commission Counsel to prepare and negotiate Agreement No. FCI-PAC-09 with Prevent Child Abuse California, in an amount not to exceed \$545,600 for the term of September 16, 2009 through September 15, 2010 to provide First 5 Service Corps services as specified in the September 2, 2009 staff report for this Agenda Item; and

**WHEREAS**, Commission has reviewed the staff report 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

**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 hereby authorizes the Executive Director or designee and Commission Counsel to prepare and negotiate the terms, conditions and final form of Agreement FCI-PAC-09 with Prevent Child Abuse California, in an amount not to exceed \$545,600 for the term

of September 16, 2009 through September 15, 2010 to provide First 5 Service Corps services consistent with the September 2, 2009 staff report and scope of services referenced therein; and

**Section 3** The form of Agreement FCI-PAC-09 with Prevent Child Abuse California 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 or designee and Commission Counsel. The approval by the Executive Director of Agreement FCI-PAC-09 shall be conclusively evidenced by the execution and delivery of the Agreement by the Commission Chair to the Commission Clerk.

**Section 4** Commission hereby approves Agreement No. FCI-PAC-09 with Prevent Child Abuse California to provide First 5 Service Corps services as specified in the September 2, 2009 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, Agreement FCI-PAC-09 on behalf of the Commission.

**Section 6** A copy of the final Agreement FCI-PAC-09 with Prevent Child Abuse California, 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 Section 2 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 Service 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 September 2, 2009 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: \_\_-09-C&FC

Agenda Date: September 2, 2009

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 No. FCI-PAC-09 with Prevent Child Abuse California)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-09-C&FC**

**September 2, 2009**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AGREEMENT NO. FCI-PAC-10 WITH PREVENT CHILD ABUSE CALIFORNIA FOR CHILD ABUSE PREVENTION ALLIANCE SERVICES; 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 Services ("Master Agreement"), which was approved by the Commission; and

**WHEREAS**, the Commission desires to authorize the Executive Director or designee and Commission Counsel to prepare and negotiate Agreement No. FCI-PAC-10 with Prevent Child Abuse California, in an amount not to exceed \$48,900 for the term of September 2, 2009 through September 1, 2010 to provide Child Abuse Prevention Alliance services as specified in the September 2, 2009 staff report for this Agenda Item; and

**WHEREAS**, Commission has reviewed the staff report 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

**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 hereby authorizes the Executive Director or designee and Commission Counsel to prepare and negotiate the terms, conditions and final form of Agreement FCI-PAC-10 with Prevent Child Abuse California, in an amount not to exceed \$48,900 for the term of September 2, 2009 through September 1, 2010 to provide Child Abuse Prevention Alliance

services consistent with the September 2, 2009 staff report and scope of services referenced therein;  
and

**Section 3** The form of Agreement FCI-PAC-10 with Prevent Child Abuse California 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 or designee and Commission Counsel. The approval by the Executive Director of Agreement FCI-PAC-10 shall be conclusively evidenced by the execution and delivery of the Agreement by the Commission Chair to the Commission Clerk.

**Section 4** Commission hereby approves Agreement No. FCI-PAC-10 with Prevent Child Abuse California to provide Child Abuse Prevention Alliance services as specified in the September 2, 2009 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, Agreement FCI-PAC-10 on behalf of the Commission.

**Section 6** A copy of the final Agreement FCI-PAC-10 with Prevent Child Abuse California, 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 Section 2 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 Service 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 September 2, 2009 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: \_\_-09-C&FC

Agenda Date: September 2, 2009

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 No. FCI-PAC-10 with Prevent Child Abuse California)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-09-C&FC**

**September 2, 2009**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE, AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AN AMENDMENT TO AGREEMENT FCI-A6-02 WITH PUBLIC HEALTH FOUNDATION ENTERPRISES, INC. TO REVISE THE SCOPE OF SERVICES AND REDUCE THE COMMISSION'S MAXIMUM PAYMENT OBLIGATION; AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AMENDMENT TO AGREEMENT ON BEHALF OF THE COMMISSION**

**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**, On May 7, 2008 Commission authorized the Executive Director or designee and Commission Counsel to negotiate and enter into Agreement FCI-A6-02 with Public Health Foundation Enterprises, Inc. to provide services related to the administration of its AmeriCorps and VISTA Programs.

**WHEREAS**, On October 1, 2008, COMMISSION authorized a First Amendment which provided an additional \$310,000 for Project Services for the period July 1, 2008 through June 30, 2009 for increased or additional services related to the administration of its AmeriCorps and VISTA Programs under the terms and conditions of the Original Agreement.

**WHEREAS**, On April 1, 2009, COMMISSION authorized a Second Amendment which provided an additional \$1,445,125 in order to provide increased or additional services related to the administration of its AmeriCorps and VISTA Programs, for the period July 1, 2009 through June 30, 2010 under the terms and conditions of the Original Agreement.

**WHEREAS**, the Commission desires to enter into an Amendment to Agreement FCI-A6-02 with Public Health Foundation Enterprises, Inc., hereinafter referred to as the "Contractor," to revise the scope of services and reduce the Commission's total Maximum Payment Obligation to an amount not to exceed \$850,000 as specified in the September 2, 2009 staff report for this Agenda Item, and

**WHEREAS**, the Contractor desires to enter into the Amendment to Agreement FCI-A6-02 in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Amendment to Agreement; and

**WHEREAS**, Commission has reviewed the staff report relating to the Scope of Services to be provided and hereby finds and determines that the proposed Amendment to Agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

**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 hereby authorizes the Executive Director or designee and Commission Counsel to prepare and negotiate the terms, conditions and final form of an Amendment to Agreement FCI-A6-02 with Public Health Foundation Enterprises, Inc. to revise the scope of services and reduce the Commission's total Maximum Payment Obligation to an amount not to exceed \$850,000 consistent with the September 2, 2009 staff report and scope of services referenced therein; and

**Section 3** The approval by the Executive Director or designee of the final Amendment to Agreement FCI-A6-02 shall be conclusively evidenced by the execution of such Amendment to Agreement by the Commission Chair and delivery thereof to the Commission Clerk.

**Section 4** Commission hereby approves the Amendment to Agreement FCI-A6-02 with the Contractor, to revise the scope of services and reduce the Commission's total Maximum Payment Obligation to an amount not to exceed \$850,000 as specified in the September 2, 2009 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 Amendment to Agreement FCI-A6-02 on behalf of the Commission.

**Section 6** A copy of the final Amendment to Agreement 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 Amendment to Agreement FCI-A6-02 shall be placed on file in the office of the Clerk of the Commission.

**Section 7** In addition to the authorization of Section 2 above, the Executive Director, or designee, is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Amendments to Agreement(s), (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement(s), and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement(s) 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 September 2, 2009 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: \_\_-09-C&FC

Agenda Date: September 2, 2009

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 Amendment to Agreement FCI-A6-02 with Public Health Foundation Enterprises, Inc.)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-09-C&FC**

**September 2, 2009**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE, AND COMMISSION COUNSEL TO PREPARE AN AMENDMENT TO AN AGREEMENT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES TO ADD FUNDING FROM THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AND FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES; AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AMENDMENT TO AGREEMENT ON BEHALF OF THE COMMISSION**

**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**, On May 6, 2009 Commission authorized the Executive Director or designee and Commission Counsel to enter into an Agreement with the Corporation for National and Community Services to provide administrative and fiscal services related to the statewide VISTA program for a twelve month period starting on or about September 29, 2009.

**WHEREAS**, the Commission desires to enter into an Amendment to the Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009 to increase the Commission’s funding in the amount not to exceed \$39,144 and to increase CNCS funding in the amount of \$15,732 for required cost of living adjustments for VISTA members as specified in the September 2, 2009 staff report for this Agenda Item, and

**WHEREAS**, CNCS desires to enter into the Amendment to Agreement authorized on May 6, 2009 to increase the Commission’s funding in the amount not to exceed \$39,144 and to increase CNCS funding in the amount of \$15,732 for required cost of living adjustments for VISTA members in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Amendment to Agreement; and

**WHEREAS**, Commission has reviewed the staff report relating to the Scope of Services to be provided and hereby finds and determines that the proposed Amendment to Agreement is in furtherance of and consistent with the Commission’s Strategic Plan; and

**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 hereby authorizes the Executive Director or designee and Commission Counsel to prepare the terms, conditions and final form of an Amendment to the Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009 to increase the Commission's funding in the amount not to exceed \$39,144 and to increase CNCS funding in the amount of \$15,732 for required cost of living adjustments for VISTA members as specified in the September 2, 2009 staff report for this Agenda Item and scope of services referenced therein; and

**Section 3** The approval by the Executive Director or designee of the final Amendment to Agreement with the Corporation for National and Community Services authorized on May 6, 2009 shall be conclusively evidenced by the execution of such Amendment to Agreement by the Commission Chair and delivery thereof to the Commission Clerk.

**Section 4** Commission hereby approves the Amendment to Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009 to increase the Commission's funding in the amount not to exceed \$39,144 and to increase CNCS funding in the amount of \$15,732 for required cost of living adjustments for VISTA members as specified in the September 2, 2009 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 Amendment to Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009 on behalf of the Commission.

**Section 6** A copy of the final Amendment to Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009 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 Amendment to Agreement shall be placed on file in the office of the Clerk of the Commission.

**Section 7** In addition to the authorization of Section 2 above, the Executive Director, or designee, is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Amendments to Agreement(s), (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement(s), and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement(s) 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 September 2, 2009 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: \_\_-09-C&FC

Agenda Date: September 2, 2009

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 Amendment to Agreement with the Corporation for National and Community Services (CNCS) authorized on May 6, 2009)