



Children & Families
Commission of Orange County

**Agenda Item No. 3
November 5, 2008 Meeting**

DATE: October 23, 2008
TO: Children and Families Commission of Orange County
FROM: Michael M. Ruane, Executive Director *Michael M. Ruane*
SUBJECT: Low Income Investment Fund (LIIF) Transition Plan

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CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

SUMMARY:

The Children and Families Commission of Orange County approved assuming the role of lead agency for the countywide Low Income Investment Fund (LIIF) at the September 2008 meeting. The United Way of Orange County was originally designated as lead agency, but is no longer able to continue in that role. A plan has been negotiated to transition program operations to the Commission and establish the Public Health Foundation Enterprises, Inc. as the fiscal agent for the remainder of the LIIF grant term through August 31, 2010.

Low Income Investment Fund, Affordable Buildings for Children's Development Initiative

The Low Income Investment Fund (LIIF) is a nonprofit community development financial institution providing capital and technical assistance for affordable housing, child care and education facilities. LIIF established the Affordable Buildings for Children's Development (ABCD) Initiative in 2003 to expand preschool facilities and quality early education opportunities in high need communities. The United Way of Orange County received an annual grant of \$65,000 from LIIF to serve as Orange County's lead agency to administer the grant.

Transitioning the lead agency role from the United Way is an administrative shift and does not supplant current funding for the program. As the lead agency the Commission's participation will continue at the current level that includes active participation in the LIIF/ABCD program. The Commission's representative will continue to serve as the chair to a collaboration of community organizations that provides technical assistance for the development of child care facilities.

Commission approval is recommended to approve an agreement with Public Health Foundation Enterprises (PHFE), Inc for an amount not to exceed \$150,000. PHFE, Inc. will serve as the fiscal agent for the remaining two-year term of the LIIF grant. The agreement includes the LIIF grant of \$130,000 through August 2010 and PHFE administrative service costs including office space and support for the LIIF staff position.

STRATEGIC PLAN & FISCAL SUMMARY:

The program has been specifically reviewed in relation to the Strategic Plan and is consistent with the Ready to Learn outcome goal. \$130,000 of the costs for the agreement are funded by the LIIF grant. The balance of the funding for the administrative costs for this item is included in the Fiscal Year 2008-09 and Fiscal Year 2009-10 Budgets within the Ready to Learn Program Set Aside budget category.

PRIOR COMMISSION ACTIONS:

1. September 3, 2008 – Authorized transitioning the lead agency role for the Affordable Buildings for Children’s Development (ABCD)/Low Income Investment Fund (LIIF) from Orange County’s United Way to the Children and Families Commission of Orange County’s Ready to Learn program.
2. July 2, 2008 – Received Executive Officer’s report on programs administered by Orange County’s United Way *Success by Six* Program.

RECOMMENDED ACTION:

Adopt resolution authorizing the Executive Director or designee to prepare and negotiate Agreement PS-70 with Public Health Foundation Enterprises, Inc., to act as the fiscal agent for the Low Income Investment Fund grant program for the term November 1, 2008 through August 31, 2010 in an amount not to exceed \$150,000.

ATTACHMENT:

1. Resolution to prepare, negotiate and execute Agreement PS-70 with Public Health Foundation Enterprises, Inc.

Contact: Kelly Pijl

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-08-C&FC

November 5, 2008

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE TO PREPARE AND NEGOTIATE AGREEMENT NO. PS-70 WITH PUBLIC HEALTH FOUNDATION ENTERPRISES, INC.; 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 to prepare and negotiate Agreement No. PS-70 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$150,000 for the term of November 1, 2008 through August 31, 2010 to act as the fiscal agent for the Low Income Investment Fund grant program as specified in the November 5, 2008 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 to prepare and negotiate the terms, conditions and final form of Agreement PS-70 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$150,000 for the term of November 1, 2008 through August 31, 2010 to act as the fiscal agent for the Low Income Investment Fund grant

program consistent with the November 5, 2008 staff report and scope of services referenced therein; and

Section 3 The form of Agreement PS-70 with Public Health Foundation Enterprises, Inc. 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. The approval by the Executive Director of Agreement PS-70 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. PS-70 with Public Health Foundation Enterprises, Inc. to act as the fiscal agent for the Low Income Investment Fund grant programs specified in the November 5, 2008 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 PS-70 on behalf of the Commission.

Section 6 A copy of the final Agreement PS-70 with Public Health Foundation Enterprises, Inc., 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 November 5, 2008 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: __-08-C&FC

Agenda Date: November 5, 2008

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. PS-70 with Public Health Foundation Enterprises,
Inc.)