



**Agenda Item No. 5  
September 4, 2013 Meeting**

**DATE:** August 16, 2013

**TO:** Children and Families Commission of Orange County

**FROM:** Christina Altmayer, Executive Director 

**SUBJECT:** Adopt Resolutions Authorizing Agreements/Amendments for Renewal of Statewide and Local VISTA Program

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**SUMMARY:**

The Children and Families Commission of Orange County has participated in both the AmeriCorps and VISTA (Volunteers in Service to America) programs since 2002. Through these programs, the Commission receives an allocation of positions that are placed with Commission grantees and community partners to provide either direct community services or administrative support. These programs are partially federally funded and provide benefits, living stipends, and educational awards for individuals that complete a year of service in low income communities.

This agenda item requests authorization to renew agreements with the Corporation for National and Community Service (CNCS) for the VISTA program, participating county commissions and Public Health Foundation Enterprises, Inc. (PHFE) to serve as fiscal intermediary for payments to the VISTA members.

**VISTA Program Accomplishments**

During the Fiscal Year 2012/2013, 41 VISTA members served Orange County and 29 members served with statewide partners and achieved the following results:

<b>12/13 VISTA Accomplishments</b>	<b>Orange County</b>	<b>Statewide</b>	<b>Total</b>
Community Volunteers Hours	10,800	1,374	12,174
Outreach events	335	304	639
New participants reached though outreach	21,366	12,859	34,225
Fundraising activities	24	29	53
Fundraising dollars	\$805,612	\$15,120	\$820,732
In-kind donations (estimated value)	\$836,704	\$25,887	\$862,591
Grant funding received	\$62,500	\$198,975	\$261,475

**Commissioners**

**Executive Director**

The VISTA program provides support to agencies serving young children and also serves as training program for a future workforce dedicated to supporting young children. Twenty-two recent VISTA alumni from the Orange County program are currently working in Orange County nonprofit organizations, six are either in medical school or are practicing physicians, and many more are in graduate school pursuing careers in law, education, and social work.

### **Statewide and Orange County VISTA Program Renewal**

The Commission serves as fiscal and administrative lead for county Commissions that participate in the VISTA program. The statewide VISTA program renewal application for the period of October 2013 through October 2014 is being completed and requests continuation of 44 members; 19 VISTA positions for Orange County, 25 positions for the six statewide participating First 5 county commissions. Notification by CNCS of the final number of VISTA positions assigned on the renewal application is anticipated on or about September 30, 2013. Any adjustments to this proposed plan based on the final notification from CNCS will be included as part of the first quarter budget adjustments in October 2013.

Commission approval is requested to enter into an amendment with CNCS to continue to administer the statewide VISTA program. The agreement with CNCS includes a budget that identifies the cash contribution made by CNCS to offset the member stipend amount and administrative responsibilities of \$738,682. Also included in the agreement is the \$1,213,694 amount of local match (both cash and in-kind) necessary to administer the program. The total agreement amount is \$1,952,376 (Attachment 1).

Authorization is also requested to enter into agreements with six participating First 5 county commissions. First 5 LA joined the program during the FY 2012/13 grant period. Additional county partnerships will continue to be developed to expand the VISTA program with additional First 5 county commissions participating in FY 2013/14. The First 5 county commissions will reimburse the Orange County Commission for expenses associated with providing pre-enrollment, living stipends, training, and reporting. The revenue generated by these agreements will offset expenses incurred to administer the program.

PHFE provides human resource services, processes member living allowances, and provides timesheet services, mileage reimbursements, and member housing stipends. Renewing the contract with PHFE to continue supporting the Orange County AmeriCorps and VISTA members at an amount of \$207,000 is recommended. Renewing the contract with PHFE for the statewide VISTA members at an amount of \$746,735 is also required to operate the program.

Periodically throughout the last 11 years, the Commission has been monitored by CNCS staff either for programmatic or financial compliance. This statewide VISTA program is one of the largest VISTA programs for the regional office and has a fairly complex structure given the geographic reach, number of partnering agencies, and host sites for the VISTA members. During the last on-site federal fiscal monitoring, it was recommended to staff to transition the budget so that the federal grant covers less of the PHFE administration costs and covers more of the Orangewood Children's Foundation/CONNECT (CONNECT) direct member and host agency

support. In 2006, when the Commission was asked by CNCS to take over the administration of living stipends and relocation costs for the members, staff was encouraged to pass on the costs of these enhancements for inclusion in the grant. There has been further clarification from CNCS about capping payroll costs and because the Commission has other eligible costs that can be shifted, this year's CNCS budget reflects a lower reimbursement for the PHFE related charges and an increased federal reimbursement for the charges related to CONNECT and direct member support. There is no financial impact to the Commission for these adjustments.

### **Catalytic Funding Update**

At the February 2012 Commission meeting, the Commission authorized a catalytic investment focused on finding a community partner that would be able to transition the VISTA program from Commission supported to participant supported. The terms of the Commission's catalytic investment identified three potential partners for this transition and \$500,000 of funding to support the transition of the program. The Commission staff released a request for application (RFA) to potential partners. The Commission received one response to the RFA from CONNECT. The submission requested that a feasibility study be conducted to determine the best shared cost model and to investigate any CNCS constraints on adjusting the structure of the current grant. The feasibility study is under way with a final report due at the end of October. The next step in the feasibility study is to share potential models with CNCS and receive their feedback.

### **STRATEGIC PLAN & FISCAL SUMMARY:**

The proposed agreements and amendments have been specifically reviewed in relation to the Strategic Plan. The amendments are consistent with the Capacity Building goal and are designed to further the Healthy Children, Strong Families, and Early Learning goals. This funding request is included in the FY 2013/14 Budget within the Capacity Building-AmeriCorps and VISTA budget category. Federal funding will be included in the FY 2013/14 Amended Budget.

### **PRIOR COMMISSION ACTION:**

- September 2012 - Renewal funding approved for CNCS agreement, PHFE and participating county commissions

### **RECOMMENDED ACTIONS:**

1. Adopt resolution (Attachment 2) authorizing the Executive Director or designee and Commission Counsel to prepare and negotiate a Second Amendment to Agreement Number FCI-V4-04 with Public Health Foundation Enterprises, Inc. to provide for continued support of the statewide VISTA members for the period October 1, 2013 through September 30, 2014 for a maximum payment obligation not to exceed of \$746,735 to provide services related to the statewide VISTA program.
2. Adopt resolution (Attachment 3) authorizing the Executive Director or designee and Commission Counsel to prepare and negotiate an Amendment to Agreement with the

Corporation for National and Community Service (CNCS) that will provide funding from CNCS in an amount not to exceed \$738,682 and matching funds from Commission and Statewide Partners in an amount not to exceed \$1,213,694 for a total amount not to exceed \$1,952,376 for a 12 month period starting on or about October 9, 2013 (Attachment 1).

3. Adopt resolution (Attachment 4) authorizing the Executive Director or designee and Commission Counsel to prepare and negotiate the terms and final form of new 12 month Agreements with the following county Commissions participating in the VISTA program, or with other county commissions that may become involved in the VISTA program during FY 2013/2014 as described below.

<b>County Commission</b>	<b>Agreement Number</b>
FIRST 5 Del Norte	VIS-10-01
FIRST 5 Mendocino	VIS-10-04
FIRST 5 Nevada County	VIS-10-05
FIRST 5 Placer	VIS-10-11
FIRST 5 LA	VIS-10-12
FIRST 5 Fresno County	VIS-10-13

4. Adopt resolution (Attachment 5) authorizing the Executive Director or designee and Commission Counsel to prepare and negotiate a Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc. for continued support of the Orange County AmeriCorps and VISTA members for the period October 1, 2013 through September 30, 2014 for a maximum payment obligation not to exceed \$207,000.

**ATTACHMENTS:**

1. VISTA 13/14 Program Year Budget
2. Resolution authorizing Agreement with PHFE for VISTA statewide expenses
3. Resolution authorizing Amendment to CNCS Agreement and Commission match amount for Program Year 13/14 beginning on or about October 9, 2013
4. Resolution authorizing Agreements with participating First 5 County Commissions
5. Resolution authorizing Agreement with PHFE for AmeriCorps and VISTA expenses

**Contact:** Kim Goll

## VISTA 13/14 Program Year Budget

### **Total Federal Grant**

CNCS Grant Revenue	403,432
CNCS Member Support (Education Award and Health Insurance)	<u>335,250</u>
	<u><u>738,682</u></u>

### **Partner Allocations and Federal Reimbursements**

	Federal	Match	Total
CFCOC		30,000	30,000
PHFE	296,939	654,697	951,636
CONNECT	106,493	75,756	182,249
Subtotal	403,432	760,453	1,163,885
Program Partner In-Kind Support		453,241	453,241
CNCS Member Support - Directly to Members	335,250		335,250
<b>Total</b>	<b>738,682</b>	<b>1,213,694</b>	<b>1,952,376</b>

### **Commission Expenses and Reimbursements**

Gross Cost to the Commission	1,163,885
CNCS Grant Revenue	(403,432)
Program partner reimbursement	<u>(250,468)</u>
Net Cost to the Commission	<u><u>509,985</u></u>

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-13-C&FC**

**September 4, 2013**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE THE FINAL FORM OF A SECOND AMENDMENT TO AGREEMENT FCI-V4-04 WITH PUBLIC HEALTH FOUNDATION ENTERPRISES, INC., A CALIFORNIA NON-PROFIT CORPORATION, TO CONTINUE TO PROVIDE SUPPORT FOR THE STATEWIDE VISTA MEMBERS; AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AMENDMENT 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**, the Executive Director and Commission Counsel have prepared a standard Master Agreement for Services (“Master Agreement”) which was approved by the Commission; and

**WHEREAS**, Commission desires to authorize the Executive Director or designee and Commission Counsel to prepare and negotiate a Second Amendment to Agreement FCI-V4-04 with Public Health Foundation Enterprises, Inc., for continued support services for Statewide VISTA members, in an amount not to exceed \$746,735 for a twelve month period beginning on or about October 1, 2013; and

**WHEREAS**, Commission has reviewed the staff report for the September 4, 2013 Commission meeting 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 a Second Amendment to Agreement FCI-V4-04 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$746,735 for a twelve month period beginning on or about October 1, 2013.

**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, or designee, and Commission Counsel to prepare and negotiate the terms, conditions and final form of a Second Amendment to Agreement FCI-V4-04 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$746,735 for a twelve month period beginning on or about October 1, 2013, to continue to provide support services for Statewide VISTA members as described in the September 4, 2013 staff report for this Agenda item and scope of services referenced therein; and

**Section 3** The form of a Second Amendment to Agreement FCI-V4-04 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 and Commission Counsel. The approval by the Executive Director of a Second Amendment to Agreement FCI-V4-04 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 a Second Amendment to Agreement FCI- FCI-V4-04 with Public Health Foundation Enterprises, Inc. as specified in the September 4, 2013 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 a Second Amendment to Agreement FCI-V4-04 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 Amendment 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 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 4, 2013 to wit:

AYES Commissioners: \_\_\_\_\_

NOES: Commissioner(s): \_\_\_\_\_

EXCUSED: Commissioner(s): \_\_\_\_\_

ABSTAINED: Commissioner(s) \_\_\_\_\_

\_\_\_\_\_  
CHAIR

STATE OF CALIFORNIA )  
 )  
COUNTY OF ORANGE )

I, SUSAN NOVAK, 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.

\_\_\_\_\_  
SUSAN NOVAK  
Clerk of the Commission, Children and Families Commission of  
Orange County, County of Orange, State of California

Resolution No: \_\_-13-C&FC

Agenda Date: September 4, 2013

Item No. \_\_



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

SUSAN NOVAK, Clerk of the Commission

By: \_\_\_\_\_  
Deputy

**EXHIBIT A TO RESOLUTION OF COMMISSION**

(Attach copy of final executed Second Amendment to Agreement FCI-V4-04 with Public Health Foundation Enterprises, Inc.)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-13-C&FC**

**September 4, 2013**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND ENTER INTO AN AMENDMENT TO THE AGREEMENT BETWEEN THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AND THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND AUTHORIZING APPROVAL OF SUCH 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**, the Commission adopted a 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 Commission desires to enter into an Amendment to the Agreement with the Corporation for National and Community Service (CNCS) that provides CNCS funding in the amount of \$738,682 and matching funds from Commission and Statewide Partners in an amount not to exceed \$1,213,694 for a total amount not to exceed \$1,952,376 for a 12 month period starting on or about October 9, 2013 to administer the statewide VISTA program promoting the purposes of the Act and the Strategic Plan; and

**WHEREAS**, Commission has reviewed the staff report for the September 4, 2013 Commission meeting 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 an Agreement with Corporation for National and Community Service, in an amount not to exceed \$1,952,376 for a twelve month period beginning on or about October 9, 2013.

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

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

**Section 2** The Commission hereby authorizes Executive Director or designee, and Commission Counsel to prepare and enter into an Amendment to the Agreement between the Children and Families Commission of Orange County and the Corporation for National and Community Service (CNCS) that provides CNCS funding and Commission matching funds as described in the September 4, 2013 staff report to this Agenda Item for a twelve month period starting on or about October 9, 2013 to administer the statewide VISTA program.

**Section 3** Commission hereby approves the Amendment to the Agreement with Corporation for National and Community Service.

**Section 4** 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 5** A copy of the final Amendment when executed by the Executive Director 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 shall be placed on file in the office of the Clerk of the Commission.

**Section 6** In addition to the authorization of Section 2 above, the Commission 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 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 7** The Clerk of the Commission shall certify to the adoption of this Resolution.



**EXHIBIT A TO RESOLUTION OF COMMISSION**

(Attach copy of final executed Amendment to the Agreement with Corporation for National and  
Community Service)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_-13-C&FC**

**September 4, 2013**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND ENTER INTO AGREEMENTS WITH CERTAIN COUNTY COMMISSIONS PARTICIPATING IN THE VISTA PROGRAM AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AGREEMENTS 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**, the Commission adopted a 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 Commission desires to authorize the Executive Director and Commission Counsel to enter into Agreements to provide services in support of the statewide VISTA program with the following county Commissions: Del Norte, Mendocino, Nevada, Placer, Los Angeles, and Fresno (Participating Counties) and other Counties that may be identified throughout Fiscal Year 2013/2014; and

**WHEREAS**, Commission has reviewed the staff report for the September 4, 2013 Commission meeting relating to the scope of services to be provided and hereby finds and determines that the proposed Agreements are 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 Agreements with the following county Commissions: Del Norte, Mendocino, Nevada, Placer, Los Angeles, and Fresno (Participating Counties) and other Counties that may be identified throughout Fiscal Year 2013/2014 for a twelve month period beginning on or about October 9, 2013.

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

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

**Section 2** The Commission hereby authorizes the Executive Director or designee and Commission Counsel to prepare and enter into Agreements between the Children and Families Commission of Orange County and the following county commissions: Del Norte, Mendocino, Nevada, Placer, Los Angeles, and Fresno to provide funding consistent with the September 4, 2013 staff report and scope of services referenced therein.

**Section 3** Commission hereby approves the Agreements with the Participating Counties.

**Section 4** The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Agreements on behalf of the Commission.

**Section 5** Copies of the final Agreements 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 Agreements shall be placed on file in the office of the Clerk of the Commission.

**Section 6** 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 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 7** The Clerk of the Commission shall certify to the adoption of this Resolution.



**EXHIBIT A TO RESOLUTION OF COMMISSION**

(Attach copies of final Agreements with Participating Counties)

**CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY**

**RESOLUTION NO. \_\_\_-13-C&FC**

**September 4, 2013**

**A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE THE FINAL FORM OF A SECOND AMENDMENT TO AGREEMENT FCI-A7-02 WITH PUBLIC HEALTH FOUNDATION ENTERPRISES, INC., A CALIFORNIA NON-PROFIT CORPORATION, FOR CONTINUED SUPPORT OF THE ORANGE COUNTY AMERICORPS AND VISTA MEMBERS; AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AMENDMENT 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**, the Executive Director and Commission Counsel have prepared a standard Master Agreement for Services (“Master Agreement”) which was approved by the Commission; and

**WHEREAS**, Commission desires to authorize the Executive Director or designee and Commission Counsel to prepare and negotiate a Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc., for continued support of the Orange County AmeriCorps and VISTA members, in an amount not to exceed \$207,000 for a twelve month period beginning on or about October 1, 2013; and

**WHEREAS**, Commission has reviewed the staff report for the September 4, 2013 Commission meeting relating to the scope of services to be provided and hereby finds and determines that the proposed Second Amendment to 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 Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$207,000 for a twelve month period beginning on or about October 1, 2013.

**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, or designee, and Commission Counsel to prepare and negotiate the terms, conditions and final form of a Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc., in an amount not to exceed \$207,000 for a twelve month period beginning on or about October 1, 2013, for continued support of the Orange County AmeriCorps and VISTA members as described in the September 4, 2013 staff report for this Agenda item and scope of services referenced therein; and

**Section 3** The form of the Second Amendment to Agreement FCI-A7-02 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 and Commission Counsel. The approval by the Executive Director of the Second Amendment to Agreement FCI-A7-02 shall be conclusively evidenced by the execution and delivery of the Amendment by the Commission Chair to the Commission Clerk.

**Section 4** Commission hereby approves the Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc. as specified in the September 4, 2013 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 on behalf of the Commission.

**Section 6** A copy of the final the Second Amendment to Agreement FCI-A7-02 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 Amendment 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 Amendment, (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 4, 2013 to wit:

AYES Commissioners: \_\_\_\_\_

NOES: Commissioner(s): \_\_\_\_\_

EXCUSED: Commissioner(s): \_\_\_\_\_

ABSTAINED: Commissioner(s) \_\_\_\_\_

\_\_\_\_\_  
CHAIR

STATE OF CALIFORNIA )  
 )  
COUNTY OF ORANGE )

I, SUSAN NOVAK, 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.

\_\_\_\_\_  
SUSAN NOVAK  
Clerk of the Commission, Children and Families Commission of  
Orange County, County of Orange, State of California

Resolution No: \_\_-13-C&FC

Agenda Date: September 4, 2013

Item No. \_\_



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

SUSAN NOVAK, Clerk of the Commission

By: \_\_\_\_\_  
Deputy

**EXHIBIT A TO RESOLUTION OF COMMISSION**

(Attach copy of final executed Second Amendment to Agreement FCI-A7-02 with Public Health Foundation Enterprises, Inc.)