



Children & Families
Commission of Orange County

2009 NOV 23 PM 1:36

Agenda Item No. 5
December 2, 2009 Meeting

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

DATE: November 20, 2009

TO: Children and Families Commission of Orange County

FROM: Michael M. Ruane, Executive Director

SUBJECT: Long Term Financial Plan Update

SUMMARY:

In response to Commission direction at the November meeting, staff has prepared a recommended strategy for the Long Term Financial Plan. It presents a balanced framework for addressing the immediate priorities, especially those in response to the current economic crisis, while transitioning to an increased emphasis on improving early learning outcomes and reducing the achievement gap over the next five years.

Staff requests Commission approval of the recommended framework for the Long Term Financial Plan and development of the fiscal year 2010/11 Budget. The proposed framework is designed to:

- Sustain critical health investments and homeless families for immediate term (e.g., Bridges for Newborns / Maternal Child Health Redesign)
- Solidify core program funding while achieving cost-efficiencies and reduction in total funding consistent with LTFP
- Continue to pursue catalytic investments and leveraging especially in area of early learning. Staff will continue to provide technical resources and funding support to transition current programs to a sustainable funding model.
- Increase investments in improving early learning outcomes, particularly in those communities with greatest achievement gaps, over the next three to five years.

Continued funding for the Early Developmental Index project, a key component to support evaluation of outcomes from early learning investments, is also requested under this agenda item.

BACKGROUND

Long Term Financial Plan and Early Learning Program Investments

At the November Commission meeting, your Commission received staff presentations and a presentation from Mike Perigo from Bridgespan Consulting group. The discussion addressed the need for the Commission to focus on core programs, be outcome-focused and to look for opportunities to make catalytic investments in early learning.

Staff has prepared the attached framework as a draft strategy to address these recommendations. Additionally, Kristen Thompson will present the recommendations for short-term transition and

long-term redesign of the investments in early learning. Staff recommends re-engaging Bridgespan to assist in the design of the early learning portfolio, and a draft work plan is outlined in Attachment 3.

In parallel with the Early Learning program design and transition planning, staff is continuing to review programs to better align with targeted outcomes and achieve necessary cost reductions. The presentation at the December Commission meeting by Dr. Marc Lerner will address how developmental screening is being deployed in various programs to support the early identification and referral linkages for children to promote positive growth and readiness for school. In January, the Commission will receive recommendations to redesign the Bridges for Newborn program and related home visitation services. Item No. 7 on today’s agenda provides a progress report on this effort.

Early Development Index

Over the last two years, the Commission has worked with the UCLA Center for Children, Families and Communities to pilot test implementation of the Early Development Index (EDI) in Orange County. EDI is a population-based validated measure of school readiness and healthy development which is designed to be completed on Kindergarten children in the spring of the school year. The EDI addresses how children are developing by the time they reach school age, and the services, supports and environments that influence children in their first five years of life. Today’s action requests funding for a continuation of Phase 2 of implementation of the project through December 31, 2010.

Implementation Status

The Commission’s plan to implement the EDI in Orange County included three phases:

Teacher Survey	Assess teacher perceptions about EDI implementation challenges and benefits and assess the feasibility of implementing the tool in Orange County
Phase 1: Pilot	Adapt the EDI for a California context and test in a diverse community
Phase 2: Expansion	Expand the pilot to include additional communities

Phase 2 of the EDI project was initiated in FY 2008/09 at Newport-Mesa Unified School District, which included four of the five schools that participated in the 2008 pilot as well as five new schools. Since then, school districts covering the area of Anaheim also implemented the EDI (Anaheim City, Centralia, and Magnolia School Districts). Having a cluster of participating schools and covering a continuous geographic area, such as a city or school district, is important in implementing the EDI because it allows for the presentation of data for all the children in a given area. In all, participants included:

- School Districts – 4
- Schools – 22
- Number of Classrooms – 87
- Number of Teachers - 90
- Number of Children – 2036

In October 2009, a series of community mapping meetings took place across the county in order to establish boundaries of existing neighborhoods for presentation of the data and to increase community awareness of this unique data for community planning.

In addition, Commission staff have continued to collaborate in a national network with the W. K. Kellogg Foundation who is implementing the EDI in the targeted cities of Michigan, New Mexico and Mississippi. In addition, there are now close to 15 affiliated sites around the country, many supported by local United Ways along with United Way America, which are planning to implement EDI in 2010.

Next Steps on EDI

In response to growing national interest in the EDI, and the demonstrated support for implementing the program in Orange County, Commission staff recommends continued expansion of EDI implementation in Orange County. Attachment 2 includes a proposed cost structure to continue implementing the tool with the current four participating school districts: Newport-Mesa, Anaheim, Centralia, and Magnolia School Districts. In addition, staff recommends continuing to expand EDI coverage throughout the county, adding two or three more districts. Santa Ana and Garden Grove Unified School Districts have expressed interest in implementing the EDI.

Teacher compensation for these districts to participate in the EDI pilot can be added to existing district contracts under current authorization. As part of the district's participation in the EDI, Commission support will be provided to assist in using EDI results for local planning and targeting resources on critical identified needs.

STRATEGIC PLAN & FISCAL SUMMARY:

The development of the Long Term Financial Plan is consistent with the Commission's strategic plan and is in an integral component of the Commission's financial management.

The EDI project has been specifically reviewed in relation to the Commission's Strategic Plan and is consistent with the Capacity Building goal, among others. This action has also been reviewed in relation to the Commission's outside strategic assessment report, and is consistent with maintaining a focus on directing more resources to support children's early learning needs, enhancing the evaluation system to emphasize improved outcomes for children, and investing in catalytic activities to attract additional resources and sustain growth. Funding for this item is within the Performance Outcome Measurement System category of the Commission's FY 09/10 budget.

PRIOR COMMISSION ACTIONS:

1. December 2008 and April 2009 – Authorized funding for UCLA to implement first part of Phase 2 of EDI
2. March 2008 - Authorized funding for UCLA to implement Phase 1 of EDI
3. September 2007 - Received presentation on EDI and application to Orange County
4. April 2007 - Approved review of the feasibility/approach for implementing EDI locally

RECOMMENDED ACTIONS:

1. Approve framework for Long Term Financial Plan and request staff to initiate development of the Fiscal Year 2010/11 Budget consistent with this approach.
2. Direct staff to return with a work plan for engaging The Bridgespan Group in the assessment of early learning investments.
3. Adopt resolution (Attachment 4) authorizing the Executive Director or designee to prepare and negotiate a Third Amendment to Agreement PS-49 with the Regents of the University of California (University of California, Los Angeles, Center for Healthier Children, Families, and Communities) to add scope, deliverables and funding as indicated on Attachment 2, in an amount not to exceed \$76,000 for a new contract Maximum Obligation of \$508,000 and extend the term for thirteen months through December 31, 2010 to implement Phase 2 of the Early Development Index.

ATTACHMENTS:

1. Long Term Financial Plan Update Presentation
2. Early Development Index – Expanded Scope, Deliverables and Due Dates
3. Draft Work Plan for Bridgespan Early Learning Assessment
4. Resolution

Contacts: Christina Altmayer (Long Term Financial Plan)
Kristen Thompson (Early Learning)
Alyce Mastrianni (EDI)

Long Term Financial Plan Update

Commission Meeting
December 2009
Agenda Item No. 5
Attachment 1

Overview

In response to Commission direction at November Commission, staff has prepared:

- Recommended framework for five-year funding strategy and development of fiscal year 2010/11 budget
 - Consistent with prior Commission direction
 - Begin to transition consistent with Bridgespan Strategic Assessment
- Plan for early learning expansion investments

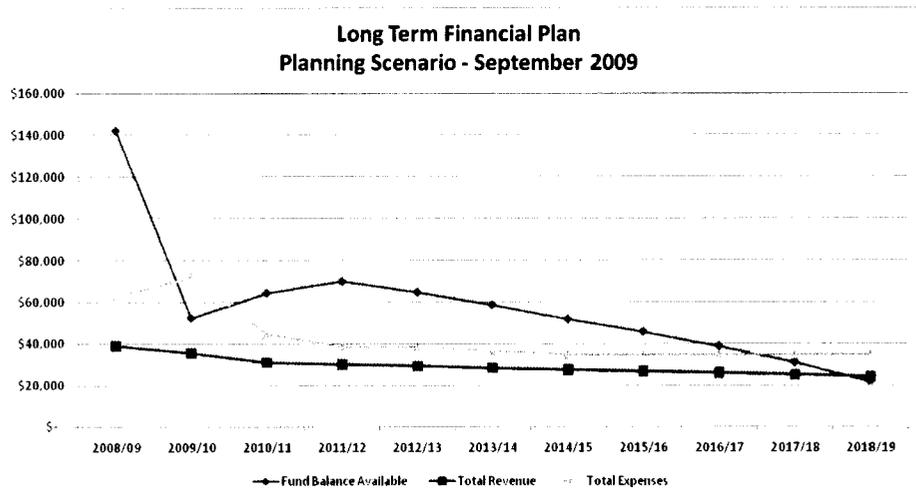
Key Discussion Issues from November Meeting

- Balance portfolio to address increasing educational achievement gap in Orange County
- Develop investment strategies that are
 - Child-outcome focused
 - Strategic
 - Catalytic
- Prioritize core programs

2



Long-Term Forecast – Planning Scenario



3



Recommended Framework for Long Term Financial Plan

- Sustain critical health and homeless children support services in immediate term
- Continue to prioritize leveraging strategies, especially in the areas of early learning
- Increase investments to improve early math and language literacy outcomes, particularly in communities with the greatest achievement gaps over the next five years

4



Long Term Financial Plan

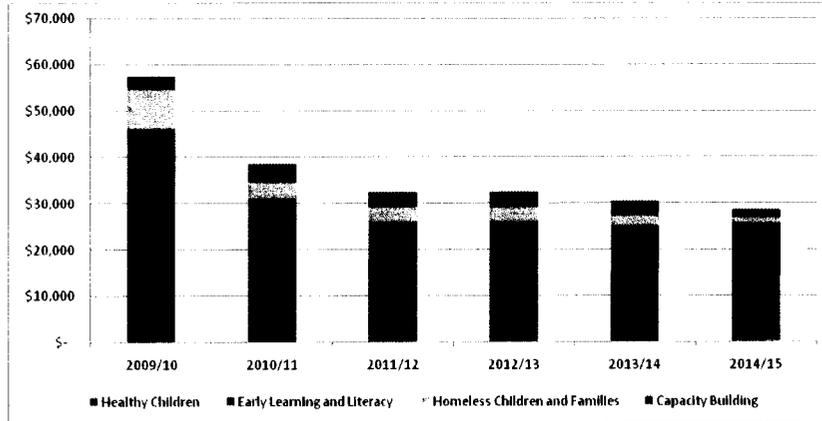
- Transition strategy:
 - Year 1 (FY 10/11) sustain portfolio in response to economic conditions. Preliminary allocation strategy for FY 10/11 based on \$38 million in program services:

• Health	53 – 58%
• Early Literacy & Learning	22 – 25%
• Homeless Family Services	8 – 10%
• Capacity Building & Evaluation	5 – 10%
 - Years 2 – 5
 - Transition to new portfolio with increasing early learning investments beginning in FY 11/12

5



Potential Five Year Transition Strategy



Reallocates funding over next five years to increase Early Learning share from 22% to 40% over next five years



Children & Families
Commission of Orange County

Early Learning Investment Strategy

Proposed Plan

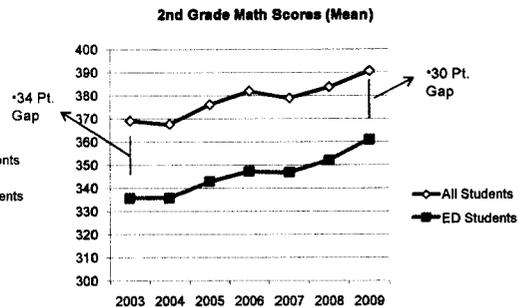
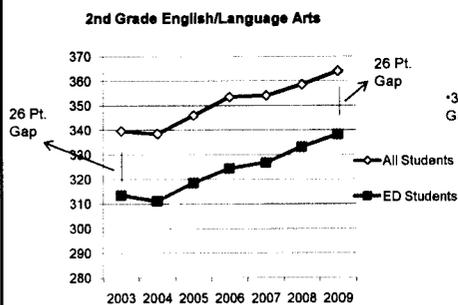
- Redesign early learning investments to support:
 - Catalytic programs
 - Focused on strong outcomes
 - Address the increasing achievement gap in high-need communities
- Develop transition plans to mitigate impact on children and families currently services
- Engage Bridgespan to design a long-term strategy for our future Early Learning investments



Children & Families
Commission of Orange County

8

Orange County's Achievement Gap and Proficiency Stats



•ED = Economically Disadvantaged
•Data from California's STAR test scores

•**2nd Grade English/Language Arts Proficiency:** 60% at proficient or above for 2009

•**2nd Grade Math Proficiency:** 70% at proficient or above for 2009



Children & Families
Commission of Orange County

9

Early Learning Program History

- 2001 Commission initiated the Local School readiness Initiative with the goal of increasing the number of children entering school healthy and ready to learn.
- 2005 Commission launched the Early Literacy Program to serve as a foundation for Early Literacy programs such as Reach out and Read, HABLA and Raising a Reader that build language and learning skills for life.
- 2008 MIND Research Institute was funded to pilot a pre-school based math literacy program in high need areas of the county. The pilot was recently approved for expansion in July of this year.

10



Early Learning/Current Investments

Early Reading/Math Literacy

Reach Out and Read / Raising a Reader	\$1,020,000
HABLA	878,141
MIND Research Institute	250,000
THINK Together Early Literacy Expansion	<u>698,000</u>
TOTAL	\$2,846,141

School Linked Programs

State School Readiness Partnership (13 eligible school districts)	\$ 4,384,700*
State School Readiness Match	2,563,758
Local School Readiness (All 25 elementary school districts)	2,619,625
Anaheim Expansion Project (Anaheim City and Magnolia SDs)	Ready 1,287,113
to Learn Grants	1,293,385
State Special Needs Program (LEAPS) (NMUSD)	<u>484,000</u>
TOTAL	\$8,247,881

TOTAL 2009-2010 Local Investment

\$11,094,022

*State Commission Funding. Not included in local investments. Total with state funding is \$15,478,722.

11



What's Working

- School District funding has helped promote early investments in school readiness is a priority within the districts.
- Strong partnership with each district, and opportunities to be represented throughout Orange County.
- Increased collaboration, information and resource sharing among school districts.
- Increased outreach to public and private preschool programs; and licensed and family based in-home child care.
- Parents and Community partners now see districts as a resource for 0-5 services.
- Commission grantees and community partners utilize districts as a platform for service provision.
- Early Development Index Pilot program – better data on incoming Kindergarten class.

12



The Early Developmental Index (EDI)

- Over the last two years, the Commission has worked with the UCLA Center for Children, Families and Communities to pilot test implementation of the Early Development Index (EDI) in Orange County. Kellogg Foundation has recently launched and funded national expansion of EDI and Orange County is part of overall network.
- EDI is a population-based validated measure of school readiness and healthy development – completed in Kindergarten.
- The EDI addresses how children are developing by the time they reach school age, and the services, supports and environments that influence children in their first five years of life.
- EDI expanded to 4 school districts (9 schools) in the County 08/09.
- Why is this critical?
 - Provide a population-based picture of how children are entering kindergarten to understand how early investments are impacting kindergarten entry
 - Measure how prepared children are entering the educational system

13



Future Key Program Elements

- Math and Language Literacy strategies and programs into all early learning programs
- Community-based and outcome focused
 - Leverage community partnerships to serve as program providers
 - Create standardized measurements among community partners and/or school districts for core services
 - Support outcome tracking and long term evaluation.
- Systematic linkages between 0-5 data and K-12 system – sophisticated data collection.

14



Budget Targets

•Current Investment 09/10

- \$2.8 million Early Literacy/Math
- \$8.2 million School Linked/School Readiness Programs (not including \$4.3 million in state funds)

•Estimated Budget 10/11

- \$8.5 million in Commission funds
- \$3 million reduction for local match funding and approximately \$4 million reduction due to State Commission's elimination of funding)

•Commission grantees have been notified of funding limitations and loss of State Commission funding, and have been preparing for the reductions for the past two years.

•Other sources of funding such as Head Start will fill some of these budget gaps countywide.

15



Immediate Transition Challenges

- Support schools in program transition
 - Commission staff continues to work with 13 school districts impacted by the loss in State First 5 funds:
 - Of the current 5,002 of 3 to 5 year olds served through comprehensive programs, a sustainable strategy have been identified for all but 1,044; 500 of these spaces are located at Santa Ana school district
 - Commission has historically leveraged \$35 million annually.
 - Commission continues to fund enhanced services (e.g., health, literacy) for children now in programs primarily funded by other sustainable sources
 - Staff will continue to provide technical assistance in fund leveraging and transition planning

16



Immediate Transition Challenges

- Define a early learning program investment strategy that is catalytic, sustainable, and community-based to close the achievement gap
 - Build on successful models developed over the past 10 years and current successful community based models, such as Santa Ana Building Healthy Communities
 - Engage Bridgespan Consulting Group to assist in program design and implementation planning

17



First Year Funding Plan for Early Learning Investments 2010-2011

- **Tier 1** 5% - (approximate funding percentage)
 - Support the School Readiness Nurse Program at all School Districts.
 - Support outcome reporting costs at each district.
 - This is optional for all districts, but required for participation in Tier 2
 - School Readiness Nurse budget is not reflected in this funding target.
- **Tier 2** 35% (approximate funding percentage)
 - Implementation of catalytic programs with all districts willing to participate, (early math and literacy, speech/language interventions, health interventions, kindergarten readiness, developmental screenings). Districts will need to leverage investments with other funds to ensure sustainability; Commission will provide technical assistance. Participation by districts, as appropriate in Early Developmental Index (EDI).
- **Tier 3** 35% (approximate funding percentage)
 - Intensive interventions in high-need communities. Funding is in partnership include both school districts and community organizations such as Boys and Girls Clubs, THINK Together, etc.
- **Community Wide Programming** 30% (approximate funding percentage)
 - Support of early math and literacy programs such as Reach Out and Read, MIND Research Institute

18



First Year Transition Plan

Short Term

- One-time funding to support start-up costs for Rancho Santiago Community College District's new Head Start expansion program serving Santa Ana.
- Transitional funding to support school readiness for approximately 1,000 children.
 - Children in Santa Ana represent nearly half of this number.
- Design future program roll-out with support from Bridgespan Group.

Ongoing

- Financial and technical assistance to support current catalytic investments in the school districts serving the most neediest communities.
- Creating/re-defining for all programs sustainability plans based on assessment of needs as commission reviews and re-balances the investments.

19



Next Steps

- Long Term Financial Plan
 - Continue to monitor and update based on actual financial performance
 - Initiate planning for FY 10/11 budget based on outlined parameters
 - Continue to monitor FY 09/10 budget savings and report to Commission in January with completed updated budget
- Early Learning
 - Continue transition planning while developing long-term strategic program design
 - Engage Bridgespan to assist in development and review of program investment strategies
- Other Programs
 - Continue to redesign programs consistent with Bridgespan Implementation plan and achieve necessary cost-reductions
 - Return to Commission in January with plan for Home Visitation and Bridges for Newborn (Interim six month program extension)

20

**Early Developmental Index Expansion
UCLA Contract PS-49 Amended Scope of Work**

Recommended Actions:

- Extend contract term end date from November 30, 2009 to December 31, 2010
- Add the following scope, deliverables and funds to the current contract PS-49

Deliverable	Description of Deliverable and/or Related Activities	Costs	Due
19. Teacher process evaluation compensation for 2009-2010	Each teacher participating in the EDI process evaluation will be provided a certificate for age appropriate learning materials.	\$10,000	March 2010
20. Facilitate use of EDI results (and other data) to inform local place-based strategic planning	In collaboration with Commission staff, develop an approach to convene local neighborhood planning groups around use of EDI (and other local data) to inform local place-based strategic plans	\$5,000	April 2010
21. Community Profile & School Reports for 2009-2010	<ul style="list-style-type: none"> • <i>The Community Profile Report</i>: Report that describes the EDI data in a variety of ways (the percent of vulnerable children, the comparison of vulnerability by demographic characteristics). Data tables will present the EDI data over time and compare data at multiple geographic levels (e.g. by city, school district and other locally defined area). • <i>School Report</i>: Each school will receive a confidential, one-page EDI report in table format, describing the percent of children vulnerable in that school. <i>Estimate: 40 schools</i> 	\$20,000	Sept 2010
22. EDI Maps with other indicators overlaid onto maps for 2009-2010	The EDI data maps will compare children's development: 1) By geography to identify areas of greatest need; 2) To socio-economic indicators to help understand the reasons for observed outcomes; and to 3) local service data provided by the Commission staff to identify where there are potential service gaps.	\$16,000	Sept 2010
23. Presentations to Commission & others	As requested by Commission, present results of the EDI pilot, expansion or develop supporting materials for Commission, or other stakeholders.	\$5,000	Oct 2010
24. Process Evaluation & Recommendations Report	<p>The process evaluation may include results from:</p> <ul style="list-style-type: none"> ○ Focus groups with School Readiness Coordinators ○ Teacher "post-implementation" feedback forms ○ Key informant interviews on utility of data ○ Set of recommendations for improving process in future implementations 	\$20,000	Nov 2010
Total:		\$76,000	

Developing a catalytic portfolio for early learning Draft Work Plan

Context

- The Commission is wrestling with whether, how, and over what timeframe to implement the recommendation to shift a greater proportion of the portfolio to early learning and literacy
- The transition has been made more difficult by the economic downturn, which has increased need in the areas of health and homelessness that form the majority of the current portfolio
- The Commission also seeks to shift the portfolio to a greater mix of catalytic funding to continue to increase the impact of its funding in the face of declining resources
- The field of early learning will likely see an increase in federal funding but does suffer from a shortage of evidence-based programs implemented with high fidelity (e.g., there are large streams of funds flowing into Head Start and state-funded pre-K, but these programs typically do not achieve the level of outcomes observed in seminal evidence-based programs)
- The Commission has an interest and willingness to be a leader / catalyst not only at the county level, but also the state and national level

Objective: To develop a portfolio of largely catalytic investments in early literacy and math that:

- Is as focused on evidence and outcomes as the rest of the portfolio
- Has the potential to achieve significant impact with limited resources
- Demonstrates the power of a catalytic approach for other areas of the portfolio

Example types of catalytic investments that may appear in such a portfolio:

- Funding pilots of programs / approaches that could be funded / scaled by others if successful
- Partnering with innovative organizations to catalyze breakthroughs or to focus their work in OC (e.g., Samueli Foundation on early math skills / STEM disciplines linkage)
- Co-funding initiatives that bring state or federal dollars to the county
- Partnering with the K-12 system to create helpful linkages to Pre-K (e.g., integrated curricula, kindergarten-readiness measures)
- Funding planning grants to support scaling of proven programs or to support quality enhancements to existing programs
- Funding evaluation studies of promising programs – to validate their effectiveness

Potential elements of work involved to support the development of the portfolio:

- Develop a set of principles / guidelines with which to form potential portfolios
- Create a landscape of opportunities for catalytic funding in general
- Survey potential opportunities to leverage state, federal, or philanthropic dollars
- Look at what other funders are doing that may be comparable or interesting to CFCOC
- Interview leading thinkers on potential breakthrough investments
- Assess the current early literacy portfolio against similar criteria
- Create 2-3 alternative portfolios for consideration
- Support discussions with the Commission

Potential outputs:

- Catalytic principles and guidelines
- A landscape of opportunities
- Portfolio / investment recommendations

Potential duration and resourcing:

- Depending on the final scope, this work effort could be accomplished in 2-3 months with a small team – with a potential second phase for implementation support, if necessary.

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-09-C&FC

December 2, 2009

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR TO PREPARE AND NEGOTIATE A THIRD AMENDMENT TO AGREEMENT PS-49 WITH REGENTS OF THE UNIVERSITY OF CALIFORNIA (University of California, Los Angeles, Center for Healthier Children, Families and Communities), TO PROVIDE SERVICES RELATED TO IMPLEMENTING PHASE 2 OF THE EARLY DEVELOPMENT INDEX PROJECT; 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, the Executive Director and Commission Counsel have prepared a standard Master Agreement for Consultant/Professional Services ("Master Agreement"), which was approved by the Commission; and

WHEREAS, On March 5, 2008, Commission authorized Agreement PS-49 with Regents of the University of California (University of California, Los Angeles, Center for Healthier Children, Families and Communities), in the amount of \$208,000 for the term December 1, 2007 through November 30, 2008; and

WHEREAS, On December 3, 2008, Commission authorized a First Amendment to Agreement PS-49 with Regents of the University of California (University of California, Los Angeles, Center for Healthier Children, Families and Communities), adding an amount not to exceed \$90,000 and extending the term of the Agreement through April 30, 2009; and

WHEREAS, On April 1, 2009, Commission authorized a Second Amendment to Agreement PS-49 with Regents of the University of California (University of California, Los Angeles, Center for Healthier Children, Families and Communities), adding an amount not to exceed \$134,000 and extending the term of the Agreement through November 30, 2009; and

WHEREAS, the Commission desires to enter into a Third Amendment to Agreement PS-49 with Regents of the University of California (University of California, Los Angeles, Center for Healthier Children, Families and Communities), referred to as the "Professional" in Agreement PS-49 to extend the term of the Agreement through December 31, 2010 and add an amount not to exceed \$76,000 and a total maximum obligation not to exceed \$508,000 to implement Phase 2 of the Early Developmental Index as described in the December 2, 2009 staff report for this Agenda Item; and

WHEREAS, Professional desires to enter into the Third Amendment to the Agreement in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Third Amendment to Agreement; and

WHEREAS, Commission has reviewed the staff report for the December 2, 2009 Commission meeting relating to services to be provided and hereby finds and determines that the proposed Third Amendment to Agreement PS-49 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 execute the Third Amendment to Agreement PS-49 with Professional, to extend the term of the Agreement through December 31, 2010 and add an amount not to exceed \$76,000 and a total maximum obligation not to exceed \$508,000 to implement Phase 2 of the Early Developmental Index as described in the December 2, 2009 staff report for this Agenda Item; 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 authorizes the Executive Director, or designee, to prepare and negotiate the terms, conditions and final form of a Third Amendment to Agreement PS-49 with the Professional, to extend the term of the Agreement through December 31, 2010 and add an amount not to exceed \$76,000 and a total maximum obligation not to exceed \$508,000, to provide services related to implementing phase 2 of the Early Development Index as described in the December 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 Third Amendment to Agreement PS-49 shall be conclusively evidenced by the execution of such Third Amendment to Agreement PS-49 by the Commission Chair and delivery thereof to the Commission Clerk.

Section 4 Commission hereby approves the Third Amendment to Agreement PS-49 with the Professional, to extend the term of the Agreement through December 31, 2010 and add an amount not to exceed \$76,000 and a total maximum obligation not to exceed \$508,000, to implement phase 2 of the Early Development Index project as described in the December 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 Third Amendment to Agreement PS-49 on behalf of the Commission.

Section 6 A copy of the final Third Amendment to Agreement PS-49 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 Third 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 Amendment 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.

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy(ies) of final executed Third Amendment to Agreement PS-49)