



AGENDA ITEM: 11
DATE OF MEETING: July 25, 2013
ACTION: X
INFORMATION:

CONSENT CALENDAR

A. SUMMARY OF REQUEST:

Approve the following consent agenda items:

1. April 25, 2013, Commission Meeting Minutes
2. Agreement Ratifications

B. ATTACHMENTS:

Attachment 11a: Draft of April 25, 2013, Commission Meeting Minutes
Attachment 11b: Agreement Ratifications



CALIFORNIA CHILDREN AND FAMILIES COMMISSION MEETING

**April 25, 2013
10:00 a.m. to 3:00 p.m.**

**Hilton Garden Inn
2540 Venture Oaks Way
Pine Room, 1st Floor
Sacramento, CA 95833**

MINUTES

Agenda Item 1 – Call to Order and Chair’s Welcome

Vice Chair Patrick Duterte called the meeting to order at 10:05 a.m.

Commissioners Present: Patrick Duterte, Vice Chair
Magdalena Carrasco
Conway Collis
Kathryn Icenhower
Joyce Iseri
Casey McKeever

Commissioners Absent: Jennifer Kent, Chair

Ex Officio Member Present: Jim Suennen

Vice Chair Duterte welcomed members to the meeting.

DISCUSSION: None.

PUBLIC COMMENT: Christina Arrostuto, Executive Director, First 5 Solano, thanked the Commission for the *Hands-On Health Express* that came to a child development center on Travis Air Force Base during the month of the military child.

Agenda Item 2 – Executive Director’s Report

Camille Maben, Executive Director, provided the following updates:

CARES Plus

- First 5 California posted the RFA for CARES Plus Round 2.
- 38 county commissions expressed intent to participate in CARES Plus Round 2.
- First 5 California ended the maintenance contract with MCorp, which supported the Pr0of Data System.

Child Signature Program (CSP)

- CSP RFA 3 was posted.
- Funding from CSP RFA 3 will be used to hire essential staff and implement quality program features.
- First 5 California published a Data Collection Guidebook in support of CSP.

Public Education and Outreach

- First 5 California partnered with First 5 Santa Clara on the production of a new *Potter the Otter* book that should be completed by summer, and be distributed to classrooms and doctors' offices.

Annual Conference

- First 5 California's Annual Conference, co-sponsored by the Advancement Project, was held in Sacramento on April 10-11, 2013.
- Preconference workshops included workshops for county commission staff who are implementing CARES Plus or CSP.

First 5 California Staff Updates

New Hires:

- Lance Vayder, Research Program Specialist, Results and Evaluation
- Gretchen Williams, Research Program Specialist, Results and Evaluation
- Debra Silverman, Administrator, Program Management Division
- Vanessa Wiseman, Public Information Officer, Communications Unit
- Carol Chen, Associate Governmental Program Analyst, Administrative Services
- Kathy Ellis, Associate Governmental Program Analyst, Administrative Services
- Jaime Hastings, Staff Services Manager Specialist, Executive Team
- Mike Fuller, Interim Chief, Administrative Services
- Randall Ortiz, Senior Programmer Analyst, IT Unit

Race to the Top - Early Learning Challenge (RTT-ELC)

- Ms. Maben attended an annual RTT-ELC team meeting in Washington D.C., where the President's universal preschool proposal was discussed. Other issues were discussed, including increased funding to states that did not receive their full requested amount. California may receive up to 25% of their original amount.

DISCUSSION: None.

PUBLIC COMMENT: None.

Agenda Item 3 – Advisory Committee Reports

Vice Chair Duterte called upon Commissioners to provide an update on advisory committee meetings or activities that had taken place since the January 2013 meeting.

Legislative Committee

Commissioner Collis reserved comments until later in the agenda.

Public Education and Outreach Committee

Commissioner Magdalena and Chair Kent had a meeting with First 5 California staff to discuss creative direction. This year's concepts are focused on healthy beverages and early literacy.

DISCUSSION: None.

PUBLIC COMMENT: None.

Agenda Item 4 – First 5 Association of California Report

Moira Kenney, Executive Director, First 5 Association of California, provided an overview of Association activities and county commission programs and investments. She provided an update on specific key focus areas.

First 5 California and County Commission Partnerships

- Emphasize co-funding role in First 5 California Signature Programs.
- Shared commitment to an integrated system of care for children and their families.
- Collaboratively work together on public messaging.
- Importance of social networking.

Policy Agenda

- Address barriers.
- Focus on children ages 0 to 5.
- Identify key partners.
- Interested areas include:
 - Barriers to blending state, local, and federal funding to ensure the greatest number of children are being reached.
 - The need to use evidence-based services that are predictive of future success.

Partnership Activities

- In May, the Association will conduct its 4th Annual State Capitol Donation Drive for HomeAid, a nonprofit organization that collects much needed items for homeless infants and toddlers.
- Twenty county boards of supervisors have adopted a resolution proclaiming 2013 as the year of the young child. This resolution highlights the role First 5 county commissions and their partners as funders and change agents.

DISCUSSION: Commissioners asked if the Policy Agenda would include the development of and/or the sponsoring of legislation. Ms. Kenney said the Association is focusing on policy barriers of which many can be worked out at the administrative level. The Association may work with their partners who sponsor legislation. The focus right now is reaching out to state departments to explore the expedient avenues to achieve changes needed to ensure programs are successful.

PUBLIC COMMENT: None.

Agenda Item 5 – Financial Update

Renee Webster-Hawkins, Acting Chief Deputy Director and Chief Counsel, provided the State Commission a financial update on revenue projections and adjustments, expenditures, and First 5 California's Financial Plan.

DISCUSSION: None.

PUBLIC COMMENT: None.

Agenda Item 6 – Legislative Report

Camille Maben provided a brief update on key legislative items of direct interest to First 5 California, as reflected in the legislative summary accompanying the agenda item, and a description of the legislative screening process that was developed in 2006.

DISCUSSION: In regards to AB 273 (Rendon), Commissioners Collis expressed concerns that the Superintendent's authority would expand to encompass Commission responsibilities. Although the bill would provide for the Superintendent to be in consultation with the Commission, Commissioner Collis thought that if Commission dollars are being utilized, then decisions should reside within the Commission.

Commissioner McKeever agreed with Commissioner Collis's comments. He added the Commission does not want this bill to be a vehicle to fill in for cuts that have already occurred.

Vice Chair Duterte said the bill is legislating the Commission's responsibility. The Commission can partner with other organizations. However, legislation should not be enacted that tells the Commission how to spend its dollars.

PUBLIC COMMENT: Mark Friedman, Chief Executive Officer, First 5 Alameda, echoed the comments made by Commissioner Duterte. He commented on the Strategic Plan and thought it seemed inappropriate to commit to any expenditure that is not in concert with the new Strategic Plan.

Debra Kong, Early Edge California (and co-sponsors of the bill), stated that Ms. Maben and Association staff have been helpful in helping them understand the issues around the bill.

Agenda Item 7 – Strategic Plan Process

Camille Maben announced that First 5 California had executed a contract with the Glen Price Group to facilitate the Commission’s Strategic Plan development process. Ms. Maben introduced Glen Price who provided an overview of the work plan and methodology to develop a new multi-year Strategic Plan for the Commission’s

DISCUSSION: None.

PUBLIC COMMENT: Hugo Morales, Commissioner, First 5 Fresno, suggested outreach and stakeholder meetings be done through webinars and group online decision making.

Agenda Item 8 – Request to Transfer \$40 Million to the Department of Developmental Services for Early Start Services

Camille Maben provided the State Commission with information related to the Department of Developmental Services (DDS) request of \$40 million from First 5 California to fund Early Start Program services for children ages 0 to 2.

DISCUSSION: Mark Hutchinson, Chief Deputy Director, DDS, provided detailed information on the DDS’s Early Start Program, which serves infants and toddlers ages 0 to 2. He indicated approximately 16,000 new children have been provided services with Early Start services this year.

First 5 California requested DDS to provide detailed program and fiscal data for the Early Start Program going back to FY 2008-09 before First 5 California began providing funding for DDS’s services. Mr. Hutchinson explained the data is structured in a way that can be drilled down to the individual consumer. DDS transmitted spreadsheets documenting expenditures by age, service and regional center. One notable trend was the total annual expenditures for Early Start services for children ages 0 to 2 have generally declined since 2008-09.

Mr. Hutchinson discussed in detail and provided the State Commission with a chart entitled *Total Purchase of Service and Population for Children Ages 0 to 5*.

Commissioners’ discussion included the following comments and response from DDS:

- Commissioners expressed concern on whether the request violates the supplantation prohibition. The Commission has not seen enough information as to the specific types of services that have been funded with First 5 California dollars.

- Commissioners questioned the number of children that were served with the previous funding of \$50 million from First 5 California.
- Verified the transfer of First 5 California dollars was used to protect the caseload growth of children who qualified for the Early Start Program.
- Language of the prohibition statute talks about existing levels of service. Commissioners questioned if caseload growth is within the scope of that term.
- The revenue stream for First 5 California is declining while the revenue stream for the General Fund seems to be increasing.
- With the increase in state revenue and the upcoming release of the Governor's Revised Budget in May, Commissioners voiced the possibility of deferring action on this item until more information on the State's revenue, funding allocations, and adjustments could be obtain in the May Revise.
- Discussed potential options for authorizing partial funding, including funding services from April 25, 2013, through May 14, 2013.
- Questioned whether it was a possibility for DDS to request through the Administration an augmentation before the end of the fiscal year to cover a deficiency or gap.
- Questioned DDS on audits conducted on Regional Centers to ensure accountability on services being provided, and working with stakeholders to streamline the process.
- Concerns about the Commission receiving the data in early April that was requested at the January Commission Meeting. First 5 California staff did not have adequate time to do the analysis.
- Ms. Webster-Hawkins said the information DDS provided included the service and expenditure data by age group as requested. The transmittal did not include specific analyses, as requested, regarding the federal grant terms and conditions, or specific information about the authority of the department to request a deficiency. Additionally, First 5 California did not receive some of the in-depth analysis that was requested in January.

Mr. Hutchinson addressed Commissioner comments and provided the additional information:

- DDS spends approximately \$22 million a month.

- Last year, approximately 17,000 children were served utilizing the \$50 million that was allocated by First 5 California.
- The \$40 million request is to cover the growth in the program over the course of the year.
- If DDS did not receive the \$40 million, services would no longer be provided in order to stay within DDS's budget authority. It would be equivalent of losing two months of service for all children in the Early Start Program.
- Partial funding in the amount of \$20 million would cover the costs to Regional Centers through the month of May. DDS would still have to take action absence the additional funding and stop services in June.
- Regional Centers are audited every two years. Vendors are also audited to ensure their records support the expenses to the Regional Centers. All adjustments are made and reflected in the data. Findings of the most recent audit on Regional Centers were related to over and under spending.

PUBLIC COMMENT: Moira Kenney voiced concerns regarding the legality of the request for First 5 California funds as included in the 2013 state budget. County commissions take very seriously their responsibility to protect these critical resources for children ages 0 to 5, and to affirm the decisions of California voters three times to maintain the independence of First 5.

Justine Jimenez, Director of the Child Signature Program, Yolo County, appreciated the difficulty of the decision and hopes that there is a way to work together to find a solution so that counties will not have to reduce staff or reduce any of the services currently being offered in the Child Signature Program.

Christina Thomas, recipient of the Child Signature Program funding, stated that she is parent of a special needs child who received services from the Alta Regional Center, as well as other Early Start programs. She stated that greatest benefit came from the Child Signature Program, which helped her sustain self-sufficiency within her family and community where she resides.

Cecilia Escamilla Greenwald, a parent with children enrolled in Head Start, requested the Commission not take the \$40 million from the Yolo Child Signature Program.

Christina Arrostituto and Hugo Morales both urged the Commission not to act on this item favorably until they are absolutely convinced that it is not supplantation.

Janice LaRoux, Executive Director, First 5 Placer, expressed the importance of services for young children. Apart from the supplantation issue, the Commission's

actions really do affect the county commissions in terms of their ability to talk about the importance of supplantation at the local level as these are issues that are deal with locally.

Commissioners' continued further discussion, which included the following comments:

- Commissioner Collis questioned whether the Administration and the Legislature would really make the decision to stop these absolutely critical services being provided by DDS. He suggested the Commission provide enough funding until the release of the Governor's May Revise so that programs could continue at their present level of service. The Administration and the Legislature would then have the opportunity to take action to ensure there are no further cuts to the DDS program.
- The majority of Commissioners agreed to partial funding of the DDS request.
- Ex Officio Suennen said the Health and Human Services Agency recognizes the difficulty of this decision, and strongly appreciates the support the Commission has provided. Given the fact that there is an estimated \$4 billion revenue surplus forecast, the Governor described the need to recognize that a majority or perhaps all of the funding may already be committed due to the Proposition 98 education funding formula. He conveyed Secretary Dooley's message that being able to withdraw the request from the Department of Health Care Services for \$40 million would hopefully be in the spirit of compromise, and requested the Commission to consider the DDS request.
- Commissioner Collis asked if the Administration had the ability to address the shortfall between now and the May Revise. He expressed the criticalness of Early Start services and wanted to ensure there was no change in service before the Administration has the opportunity to address it.
- Commissioner Collis asked what the dollar amount would be to continue services from now until the May Revise, and for the Commission to consider providing that amount but no more.
- Mr. Hutchinson indicated the cost as approximately \$20 million a month to run the program.
- Commissioner Collis indicated the timeframe being considered, until the May Revise was released, was 3 weeks.
- Commissioners calculated funding for the 3 weeks in the amount to \$15 million.

MOTION/ACTION: Commissioner Collis moved that the Commission approve partial funding requested by the Department of Developmental Services to fund new Early Start services through the regional centers for children ages 0 to 2, for

Fiscal Year 2012-13, in the amount of \$15 million. Commissioner Collis further moved that the Commission determine that this funding is not needed in First 5 California allocated accounts, and that the moneys necessary to fund this amount shall be transferred from the Mass Media Communications account in the amount of \$10 million and the Research and Development account in the amount of \$5 million. The motion was seconded by Commissioner Icenhower.

DISCUSSION: None.

VOTE: The motion was approved by a majority vote. Commissioner McKeever abstained from voting.

Agenda Item 9 – Request to Transfer \$40 Million to the Department of Health Care Services for the Medi-Cal Program

Vice Chair Duterte announced the Department of Health Care Services withdrew its request.

Agenda Item 10 – Smoking Cessation Contract and Funding Approval

Diane Levin, Deputy Director of Program Management, requested the State Commission to fund a contract with the University of California San Diego (UCSD) to continue to provide tobacco cessation services and related outreach over a 3-year period for up to \$4.2 million through the California Smokers' Helpline.

This contract will support continued helpline services for pregnant women and smoking parents and caregivers of young children. The current UCSD contract in the amount of \$1 million per year began on July 1, 2010, and is scheduled to end on June 30, 2013.

MOTION/ACTION: Commissioner Iseri moved that the Commission approve a new contract with the University of California, San Diego for a total of \$4.2 million over three years beginning July 1, 2013 through June 30, 2016 to fund the operations of the California Smokers' Helpline to provide services to pregnant women and smoking parents or caregivers of children ages 0 to 5, and related outreach, consistent with the staff memorandum and fiscal detail presented for this item. The motion was seconded by Commissioner McKeever.

DISCUSSION: Commissioners clarified that the main difference/change in the amount from the previous contract was due to the nicotine patches. Ms. Levin indicated that the additional funds are for the new service of providing nicotine patches, and to adapt some of the existing training modules that were developed and incorporated as part of the Signature Programs to accommodate teachers and parents.

PUBLIC COMMENT: None.

VOTE: The motion was approved by a unanimous vote.

Agenda Item 11 – Annual Report Guidelines for Fiscal Years 2012-13 and 2013-14

Renee Webster-Hawkins requested the State Commission to approve technical updates to the Annual Report Guidelines for FY 2012-13 and 2013-14.

MOTION/ACTION: Commissioner Icenhower moved the Commission approve the revised annual report guidelines for Fiscal Year 2013-14, including technical revisions to the annual report guidelines for Fiscal Year 2012-13, to facilitate the county commissions' data entry into the First 5 California Annual Report data system. The motion was seconded by Commissioner Iseri.

DISCUSSION: None.

PUBLIC COMMENT: None.

VOTE: The motion was approved by a unanimous vote.

Agenda Item 12 – Joining the Children's Movement

Camille Maben requested the Commission's approval for First 5 California to join The Children's Movement, an initiative launched by Children Now to connect people and organizations that are committed to making children's health and education a priority in California.

MOTION/ACTION: Commissioner McKeever moved the Commission join The Children's Movement as a member organization which prioritizes children's health and education in public policymaking, with the understanding that Children Now will not identify First 5 California as being in support or opposition to any specific policy proposal unless the Commission takes separate action to opt-in to such support or opposition. The motion was seconded by Commissioner Collis.

DISCUSSION: Commissioner McKeever said it appeared the value of the Movement was to alert all of the various organizations regarding things that might be happening with the hope they will take action. Mr. Lempert also added that it is to help de-silo a lot of these efforts and build more engagement.

PUBLIC COMMENT: None.

VOTE: The motion was approved by a unanimous vote.

Agenda Item 13 – Consent Calendar

The Commission considered approval of the consent calendar as detailed on the agenda, including items 13a, 13b, and 13c.

AMENDED MOTION/ACTION: Commissioner McKeever moved that the Commission approve the consent calendar with the deletion of Item 13c1. The motion was seconded by Commissioner Iseri.

DISCUSSION: None.

PUBLIC COMMENT: None.

VOTE: The motion was approved by a unanimous vote.

Agenda Item 14 – Adjournment

Vice Chair Duterte adjourned the meeting.

The next scheduled Commission meeting is July 25, 2013, at the Hilton Garden Inn in Sacramento.

**FIRST 5 CALIFORNIA COMMISSION MEETING
 AGREEMENT RATIFICATIONS**

Contract No.	Vendor	Description	Amount	Account	Authorization/Authority
CFF 4891	Western Blue Corporation, Insight Public Sector, Hewlett Packard (Columbus)	Purchase of 3 desktop computers for First 5 California programmers.	\$6,775.03	Administration 0638	Bylaws Article XI Section II: Delegation to enter contracts for \$150,000 or less, and to enter into contracts deemed necessary for conduct of business.
CFF 4903	Infiniti Consulting Group, Inc.	Provide project management and implementation support during the design, development, implementation, and production phases of systems to support the CARES Plus Program.	\$499,700.00	Research and Development 0637	Commission approval of Agenda Item #7, at the October 17, 2012 meeting, which authorized a data collection system contract in support of CARES Plus for up to \$580,000 for three consecutive years ending on June 30, 2016.
CFF 7235 A1	The Regents of the University of California, San Diego	Zero dollar amendment to execute a time extension of the existing agreement to August 31, 2013, to complete final reports related to smoking cessation telephone counseling services.	No Cost Time Extension		State Contracting Manual, Volume 1, Section 3.09(A)(3) which permits extension of the original time for completion of performance of the contract for a period of one year or less without Office of Legal Services approval.
CFF 7286	WestEd	Create and operate the Early Education Effectiveness Exchange (E4) Learning Academy	\$9,000,000.00	Education 0639	Commission approval of Agenda Item #6, at the October 19, 2011 meeting, which authorized up to \$45 million per fiscal year for the quality enhancement of the Power of Preschool Program beginning on July 1, 2012 and ending on June 30, 2015.
CFF 7295 A1	University Enterprises, Inc.	Zero dollar amendment to execute a time extension of the existing agreement to June 30, 2014, for completion of annual report activities.	No Cost Time Extension	N/A	State Contracting Manual, Volume 1, Section 3.09(A)(3) permits the extension of the original time for completion of performance of the contract for a period of one year or less without Office of Legal Services approval.
CFF 7310	Go-Getters	Secure courier services to and from the Department of General Services.	\$9,999.99	Administration 0638	<u>Bylaws Article XI Section II:</u> Delegation to enter contracts for \$150,000 or less, and to enter into contracts deemed necessary for conduct of business.

CFF 7312	State Controller's Office	Secure CALATERS services to process First 5 California travel claims.	\$6,000.00	Administration 0638	<u>Bylaws Article XI Section II:</u> Delegation to enter contracts for \$150,000 or less, and to enter into contracts deemed necessary for conduct of business.
CFF 7314	Language People, Inc.	Vendor will take orders for the New Parent Kit and transmit order information to the distributor. Vendor will also ship media materials as necessary.	\$200,000.00	Mass Media 0631	Commission approval of Agenda Item #13c2 at the April 25, 2013 meeting.
CFF 7315	Cal-HR	For training, test validation and construction services (TV&C) for hiring new staff.	\$150,000.00	Administration 0638	<u>Bylaws Article XI Section II:</u> Delegation to enter contracts for \$150,000 or less, and to enter into contracts deemed necessary for conduct of business.
CFF 7320	State Controller's Office	Provide funding for expanded annual audits per Health and Safety Code 130151.	\$600,000.00	Administration 0638	Commission approval of Agenda Item #13c3 at the April 25, 2013 meeting.
CFF 7323	Department of General Services - Contracted Fiscal Services	Secure ongoing as-needed fiscal services.	\$120,000.00	Administration 0638	<u>Bylaws Article XI Section II:</u> Delegation to enter contracts for \$150,000 or less, and to enter into contracts deemed necessary for conduct of business.