



A public entity funded from Proposition 10 tobacco tax funds

PUBLIC NOTICE

Regular Meeting of the Commission

Wednesday, July 22, 2009

1:30 p.m.

Riverside County Children and Families Commission Office

2002 Iowa Avenue, Suite 100 – Conference Room A

Riverside, California 92507

This notice shall confirm the Regular meeting of the Commission of the Riverside County Children and Families Commission.

Note: If special accommodations are needed to participate in this meeting, please contact Lynn Stephens, Commission Secretary, at (951) 248-0014 during regular business hours of the Riverside County Children and Families Commission (M-F 8:00 a.m. – 5:00 p.m.).

Note: Public Comments will be taken on Agenda items at various times during the meeting. Please submit a Request to Speak form to the Commission Secretary at any time during the meeting indicating the item you wish to address.

Note: Please place all cellular phones and pagers on vibrate or off mode during the RCCFC meeting.

A. Call to Order – Jerry Wengerd, Commission -Chair

B. Commission Business – Jerry Wengerd, Commission -Chair

1. Chair and Commission Member Comments
2. Executive Director Comments – Harry Freedman, Executive Director
3. Approval of June 24, 2009 Commission Meeting Minutes

C. Reports

1. Resolution Report – (Action) – Stella Smith, Deputy Director
Resolutions 09-41 and 09-42 will be submitted for block approval. Resolution 09-43 will be considered separately to provide detailed information and/or disclose conflicts.

Riverside County Children and Families Commission members have the option of excluding discussion items from a master motion.

- 09-41: Approving the First Amendment to the Professional Services Contract between the Riverside County Children and Families Commission and ACORN Technology Corporation - **Contract # 1049-PSC-10**
- 09-42: Approval and Ratification of the Contract between the Riverside County Children and Families Commission and Riverside Community Hospital for Continuation of the Breastfeeding Program **Contract # 1015 OP-10**
- 09-43: Ratification and Approval of the Second Amendment to the Professional Services Contract between the Riverside County Children and Families Commission and Inland Empire Health (IEHP) Access - **Contract # 1073 PSC-07**

- 2. Recommendations of the Subcommittee Regarding the Mental Health Initiative Request for Proposal Award – Yolanda Carrillo & Vicki Oltean

D. Presentations

- 1. F5R Capacity Building Initiative Update – Kristi Van Heule, Program Coordinator Capacity Building Initiative

E. Discussion/Action

- 1. Commission Re-Structure Update – Susan Loew, Commission Vice-Chair
- 2. Increased Funding for Services – Harry Freedman, Executive Director
 - a. Advisory Committee Update – Dr. Carla Lidner, Chair
 - b. Advisory Committee Recommendations for Funding – Judee Cox, Donna Greene, Georgann Koenig
- 3. Unsolicited Funding Requests – Harry Freedman, Executive Director
 - a. V.I.P. Tots
 - b. Murrieta Valley Unified School District-Family Services

F. Information Items

- 1. Preliminary June 2009 Financial Statement – Sandy Duncan, Administrator Fiscal Services
- 2. Public Relations Information – Jamie Ayala, Public Information Specialist
- 3. Executive Director Report – Harry Freedman, Executive Director

G. Funded Agency Public Comments

H. Public Comments

I. Future Agenda Items

- J. Commission Adjournment to the Regular Session Meeting of the Riverside County Children and Families Commission on Wednesday, August 26, 2009, beginning at 12:00 p.m. at:

**Riverside County Children and Families Commission Office
2002 Iowa Avenue, Suite 100 – Conference Room A
Riverside, California 92507**

Conflict of Interest: Any person, or group of persons present at this meeting, who wish (es) to speak on a matter may be required to state for the record any contributions, in excess of \$250.00 made in the past (12) twelve months, made to any Commission member, the Commission member receiving the contribution, and the matter of consideration with which they are involved.

Agenda Posting: Agendas will be posted at the Clerk of the Board of Riverside County and the Commission Business Office.

All public record documents for matters on the open session of the Agenda are available for inspection at the meeting listed in this Agenda, and at the following location beginning three (3) working days prior to the meeting date:

**Riverside County Children and Families Commission
2002 Iowa Avenue, Suite 100,
Riverside, CA 92507**

Riverside County Children and Families Commission
1:30 p.m. - Regular Meeting of the Commission
Wednesday, July 22, 2009

Riverside County Children and Families Commission
Business Office
2002 Iowa Avenue, Suite 100
Riverside, California 92507

A. Call To Order:

The Regular Meeting of the Commission was called to order at 1:32 p.m. by Commission Chair Jerry Wengerd.

Commissioners Present: Chair, Jerry Wengerd; Vice-Chair, Susan Loew; Yolanda Carrillo; Dr. Eric Frykman; Vicki Oltean; Supervisor Jeff Stone, Connie Beasley

Commissioners Absent: Dr. Jay Hoffman

Commission Vacancy: One

Staff Present: Harry Freedman, Executive Director; Stella Smith, Deputy Director; Lynn Stephens, Executive Assistant/Commission Secretary; Arrin Banks, Administrator, Grants & Contracts; Sandy, Duncan, Administrator, Fiscal Services; Johnathan McDannell, Administrator, Outcomes Management; Laurie Schoenberg, Administrator, Early Care & Education; Michelle Burroughs, Administrator, Health & Community Programs; Sherry Watkins, Facilities & Operations Specialist; Cindy Brandon, Administrative Secretary; Sonia Jizrawi, Program Specialist, Early Care & Education; Jean Alexander-Booth, Program Specialist II, Early Care & Education; Deborah DeForge, Program Specialist II, Outcomes Management; Uniqua Burgess, Program Specialist Health & Community Programs; Cassandra Adams Contract Specialist, Grants & Contracts; Shawn Burrell, Secretary, Grants & Contracts and Fiscal Services, Elizabeth Watt, Office Assistant III; Carol Abella, Program Specialist, Early Care & Education; Rocio Zuniga, Program Specialist, Early Care & Education; Kristi Van Heule, Program Coordinator, Capacity Building Initiative; Maria Hernandez, Secretary, Early Care & Education; Anabel Bolanos, Office Assistant III, Early Care & Education ; Michelle Victor, Contract Specialist, Grants & Contracts; Jamie Ayala, Public Information Specialist;

Tiffany North, Deputy County Counsel was in attendance as legal counsel for the Commission.

Consultant: Diane Mapes, First 5 Riverside

B. Commission Business – Commission Chair, Jerry Wengerd

1. Chair and Commissioner Comments:

Commissioner Vice-Chair Loew recommended modifying the agenda to allow the Advisory Committee to present their update, comments and recommendations prior to the Capacity Building presentation. Commission agreed and the Advisory Committee update and related items moved to agenda item C3.

(Commissioner Frykman left the meeting at 1:34 p.m.)

2. **Executive Director Comments – Harry Freedman**

Mr. Freedman reported on the F5 State Commission and F5 Association meetings. Highlights reviewed included the increased needs being created as a result of the current financial environment.

The Managed Risk Medical Insurance Board (MRMIB) has requested that First 5 California and local county commissions supplement Healthy Families insurance premiums (80 million dollars to cover the shortfall of 90 million dollars). The State Commission passed a resolution to assist but did not allocate a specific dollar amount. No specific dollar amount has been requested from local commissions at this time. Mr. Freedman reminded the Commission that any contribution from F5R would be used to cover Riverside County children ages birth – 5 years. Healthy Families enrollment ceased effective Friday, July 17, 2009.

Supplanting continues to be a concern with regard to the Healthy Families request. Mr. Freedman will address this topic further in his ED Report.

(Commissioner Frykman returned to the meeting at 1:38 p.m.)

3. **Approval of June 24, 2009 Commission Meeting Minutes**

Commissioner Vice-Chair Loew moved to approve the minutes of the June 24, 2009 meeting of the Commission. Commissioner Frykman seconded the motion. The motion carried. [Following is the vote of the Commission members present: Six (6) in favor (Wengerd, Loew, Supervisor Stone, Frykman, Carrillo, Oltean), One, (1) abstain, Beasley, One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant]

Commissioner Vice-Chair Loew requested the following name correction on change-Page 13. Commission Secretary corrected the spelling of Kate Hamaker's last name.

C. **Resolution Report (Action) – Stella Smith, Deputy Director**

Ms. Smith facilitated action on the resolutions presented for approval. Following is a record of action(s) taken by the Commission on Resolutions 09-41 through 09-43: Resolutions 09-41 and 09-42 were presented as a block motion. Resolution 09-43 was considered separately to provide detailed information and disclose conflicts of interest.

09-41: Approving the First Amendment to the Professional Services Contract between the Riverside County Children and Families Commission and ACORN Technology Corporation - **Contract # 1049-PSC-10**

Recommended Action: That the Commission approve the first amendment to the Professional Services Contract with ACORN Technologies Inc. and authorize the Executive Director to execute the necessary documents and/or actions to effectuate this Resolution

09-42: Approval and Ratification of the Contract between the Riverside County Children and Families Commission and Riverside Community Hospital for Continuation of the Breastfeeding Program **Contract # 1015 OP-10**

Recommended Action: That the Commission approve the contract with Riverside Community Hospital and ratify the action back to July 1, 2009. Further that the Commission authorize the Executive Director or designee to execute the necessary actions/documents to effectuate the resolution.

Commissioner Vice-Chair Loew moved to approve Resolution 09-41 and 09-42. Commissioner Stone seconded the motion. The motion carried. *[Following is the vote of the Commission members present: Seven (7) in favor (Wengerd, Loew, Beasley, Supervisor Stone, Frykman, Carrillo, Oltean), Zero, (0) abstain, One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant].*

Ms. Smith noted that Resolution 09-43 appeared on the June 24, 2009 agenda as 09-39. The item was continued due to a lack of a quorum of non-conflicted members available to vote. Commissioners Wengerd and Frykman declared a conflict of interest on this item.

09-43: Ratification and Approval of the Second Amendment to the Professional Services Contract between the Riverside County Children and Families Commission and Inland Empire Health (IEHP) Access - **Contract # 1073 PSC-07**

Recommended Action: That the Commission approve the second amendment to the Professional Services Contract with Inland Empire Health Access and ratify the amendment back to October 1, 2006. Further, that the Commission authorize the Executive Director to execute the necessary actions and/or documents to execute this resolution.

Commissioner Stone moved to approve Resolution 09-43. Commissioner, Vice-Chair Loew seconded the motion. The motion carried. *[Following is the vote of the Commission members present: Five (5) in favor (Loew, Beasley, Supervisor Stone, Carrillo, Oltean), Zero, (0) abstain, Two (2) Conflict (Wengerd and Frykman) One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant].*

Commissioners Wengerd and Frykman had conflict on 09-43 but were in room at time of meeting and no discussion was held.

2. Recommendations of the Subcommittee Regarding the Mental Health Initiative Request for Proposal Award – Yolanda Carrillo & Vicki Oltean

Commissioner Chair Wengerd declared a conflict of interest on this item then turned the meeting over to Commissioner Vice-Chair Loew. Deputy County Counsel, Tiffany North reported that three of the Commission members present have declared conflicts on this item and will read a statement noting their specific conflict. Ms. North reviewed the "Rule of Necessity" and stated that it will be enacted to allow the Commission to vote on the matter. Commissioners Frykman, Wengerd and Beasley read their conflict statements as attached hereto.

The Rule of Necessity was enacted. Ms. North provided individual cards containing the name of each Commissioner declaring a conflict. The cards were folded and placed in a basket by the Commission Secretary, Lynn Stephens. Staff member, Cynthia Brandon selected a card and Ms. North revealed that the card contained Commission Chair Wengerd's name. Ms. North dismissed Commissioners Beasley and Frykman from the room. She noted that Commissioner Wengerd could listen to discussion in order to cast a meaningful vote but was not to participate in the discussion.

(Commissioners Frykman and Beasley left the meeting at 2:15 p.m.)

Commissioner Vice-Chair Loew expressed her appreciation for the time Commissioners Carrillo and Oltean contributed to the review process. Commissioner Oltean acknowledged Ms. North's assistance and guidance during the process. They reported that interviews were

conducted with everyone involved from the beginning of the MHI process. Commission meeting minutes, applications and other related documents were examined. The subcommittee made their recommendation noting that they had a solution that would work for both agencies

Commissioner Vice-Chair Loew announced there were requests to speak on the matter.

Public Comment:

1. Erlys Daily, Mental Health Services Administrator
Ms. Daily voiced her concern that the subcommittee report was beyond the boundaries of the assignment; which was to focus on the merit of the appeal. She stated that if the Commission wanted recommendations related to the awarding of the MHI contract, it should be from a different subcommittee consisting of experts in the mental health field.
2. James Manning, Attorney for Family Service Association
Mr. Manning spoke on behalf of FSA and thanked the appeal subcommittee for their work in reviewing the appeal. He agreed with the primary recommendation of the subcommittee for a 50/50 split of the award and the secondary recommendation that the Commission be provided with information to discuss the merit of proposals from applicants in the future. He expressed FSA believes the split will allow the Commission an opportunity to evaluate the delivery of services by the individual providers and serve an optimum number of families in need in this county.

Commissioner Stone questioned if the subcommittee's conclusion was that the appeal was ill founded. Commissioner Carrillo responded that while most of the appeal issues were not supported, they did not find the appeal ill founded and there were instances where some of the decisions and scoring could have gone either way. Commissioner Stone asked for clarification regarding referenced conflicts of interest of the three readers. He noted the readers indicated that the Department of Mental Health (DMH) was the most qualified to implement the services sought in the Request for Proposal (RFP). He suggested that the appeals subcommittee sought to be appropriate by providing a compromise. He reiterated his concern that the most qualified agency was not receiving the entire award.

Commissioner Carrillo addressed Supervisor Stone's question concerning reader conflicts of interests. She responded that while the readers did not have conflicts of interest, some of them had relationships with some of the proposers. She recapped the subcommittee's detailed review of the scores, documents and interviews with the readers. Ms. Carrillo opined that had the readers fully understood their options, the result may have different. Commissioner Oltean noted, when asked, even though it was not their recommendation, two of the readers felt the award could be split between the two agencies. Commissioner Stone queried about FSA's experience compared to DMH in the provision of services outlined in the RFP. Commissioner Carrillo expressed comfort with FSA's level of experience based on interviews with commission staff and their knowledge of both agencies. Commissioner Stone noted that DMH has had an extensive history in mental health. He expressed his concern with awarding the contract to an entity that may be unproven in this area.

Ms. North noted the readers and subcommittee based their recommendations on the applications provided. She suggested FSA representative could speak to their qualifications.

Public Comment:

1. James Manning, Attorney for Family Service Association
Mr. Manning emphasized the readers found Family Service Association to be qualified for this award although their score was not as high as DMH. Mr. Manning noted that this level

of discussion was not anticipated and therefore he did not have data readily available. He reported that Mr. Betro was not in the country and could not be at the meeting to answer these questions.

Supervisor Stone stated that although the appeal subcommittee has presented recommendations, they are not mandates on how the Commission will vote on the issue. He expressed that his vote would be based on the qualifications of the agency.

Public Comment:

1. Dr. Carla Lidner, FSA Board Chair

Dr. Lidner reported that FSA has child care centers and interacts with thousands of children in the 0-5 age population on a daily basis. She added for the record that she became Chair of Family Service Association board recently. She commented that her experience with non profits is that they are the more effective providers of services and can provide direct services at a lower cost.

Commissioner Stone requested that Commissioner Vice-Chair Loew provide clarity regarding providers that serve young children. He asked for details regarding the logistics of a 50/50 division of the allocation between the two agencies and restated that he does not support splitting the award.

Commissioner Carrillo commented that in conversations with both DMH and FSA, the agencies indicated that the split would provide adequate funding and they could work out the details together on which services and the level they could provide.

Mr. Freedman addressed the procedural questions, stating that after the Commission decision, the Commission could direct staff to negotiate contracts with both entities. Staff would return to the Commission with the scopes of work and budgets for the both entities. Mr. Freedman mentioned that staff would also like to discuss the term of the MHI, providing a reasonable time frame to provide services and expend funds, rather than compressing what had originally been four years of funding into less than two years.

At this time Commissioner Vice-Chair Loew invited Erlys Daily to respond to Supervisor Stone's question.

Public Comment

1. Erlys Daily, Mental Health Services Administrator

Ms. Daily spoke to splitting the award. She clarified that during the phone interview related to the appeal, the question was what would be the impact of splitting the award and would they be ok with it. Ms. Daily stated that her response indicated that it would require a reduction in the service level but they could work with it. She clarified that the DMH was not in support of the proposed split. Commissioner Vice-Chair Loew asked for experience of DMH. Ms. Daily provided a brief summation of the DMH 0-5 program, specializing in providing services to children ages 0-5 and their families. She stated that the DMH program is known as one of the best in state. She has been with the County for 28 years in DMH. Ms. Daily responded to Supervisor Stone's question regarding the number of children 0-5 served by their program during her career with DMH stating that she believes it to be in the thousands.

Commissioner Oltean noted the DMH grant leaned more toward linkages with school districts. Ms. Daily discussed plans to incorporate preschools and community outreach in the prevention area. For the 0-3 age range DMH provides outpatient and family services. She concluded her comments describing DHM's experience with children from birth on.

2. Veronica Dover, Chief Operating Officer of FSA

Ms. Dover clarified that FSA has provided mental health services since 1953 and is accredited for children and family services including mental health. FSA has provided services for over 15 years to 2,000 children a day in child care centers. She elaborated on the over 16 years of experience providing mental health services in child care programs. She noted their partners in the proposal have immediate access to children age 0-5 and include Loma Linda Behavioral Medicine, The Wylie Center and MFI all three have mental health experience and run preschools that can provide the services.

Supervisor Stone acknowledged that both organizations seem qualified. He repeated his apprehension regarding how the award would be divided. He asked which functions each entity would provide. He expressed that the Commission should understand which services are going to be provided and that the split should take into consideration the experience and qualifications each entity brings to the table. He will support the sharing of the contract with more information concerning the logistics of dividing the award. He suggested initially dispersing 25% to each organization, followed by more deliberation on population served, services to be rendered and how to best deliver services considering the factors raised.

Commissioner Vice-Chair Loew surmised that the recommendation to split the award equally took into account that both proposals were perceived as innovative, collaborative and scored almost equally. Commissioner Carrillo confirmed Commissioner Vice-Chair Loew's statement as correct.

Commissioner Stone requested the initial allocation be split with 25% going to each. Staff should work with agencies and come back to the Commission with allocation recommendations based who is the best fit to provide specific services. Mr. Freedman responded it is not as simple of splitting 50%. Staff will have to negotiate with both parties. Staff wants to assure that there is no redundancy and that the range of service is met by each agency in different areas while not duplicating administration costs. He supported Supervisor Stone's proposal that staff negotiate with each agency, taking into consideration which services are the best fit for each and return to commission with recommendations.

Supervisor Stone motioned to support subcommittee's recommendation to split the contract, initially allocating 25% of the funds committed to the MHI to each entity, holding back the remaining 50% until such time as staff has exercised the appropriate due diligence to eliminate duplicating efforts, minimizing duplicative administration oversight if possible and adapt the services to the most qualified organization to deliver them. Staff is to return to the Commission with a recommendation linking percentages to the services being recommended. Commissioner Oltean second the motion.

Mr. Freedman clarified staff would start by negotiating 50% of the allocated dollars equally divided between the two agencies (25% to each agency). Fifty percent (50%) of the allocation will be held back to determine how to expand the contracts with the remaining 50%. Staff will return with a formula, conclusion of who is better to provide the various services and information on the corresponding percentages. Supervisor Stone stated that staff's recommendation could be a 50/50 split or they may come back with an alternate percentage break down based on all considerations discussed.

Commissioner Vice-Chair Loew clarified staff should negotiate a total dollar amount. The contract negotiations will start with 25% to each agency, but in terms of negotiating the overall services will be done in one piece so there is one contract per agency. (This means that we

will not negotiate an initial contract for 25%, and then return with a second contract for the portion of additional funds decided upon.)

After further discussion, Ms. North clarified Supervisor Stone's motion:

Commissioner Stone agreed to the motion as restated by Ms. North below. Supervisor Stone moved to split the award between DMH and FSA. The initial amount to each agency is 25% of the total allocation amount at this time. Both agencies will work with staff to negotiate scopes of services, and both parties will have to work with staff and each other to come up with a total scope that meets the broad range of services contained in the RFP encompassing the 25% that is being allocated initially and the balance of 50% of the MHI award. Staff will return to the Commission for approval of the contracts including a recommendation of how future allocations will be made. Commissioner Oltean seconded the motion.

Commissioner Vice-Chair Loew, Commissioner Stone, Commissioner Carrillo, Commissioner Oltean and Commissioner Wengerd moved to approve. Ms. North noted when the MHI comes back before the Commission for further action, if the Commission is the same make up, this same group of Commissioners will act on the contracts or any issue related to this agenda item brought forth.

Commissioner Stone moved to approve the appeal subcommittee recommendation as modified above. Commissioner Oltean seconded the motion. The motion was carried. [Following is a vote of the Commission members present: [Five (5) in favor (Loew, Wengerd, Stone, Oltean and Carrillo), Two (2) Conflict, (Beasley, Frykman) Zero, (0) abstain, One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant]. **Commissioner Wengerd's vote was reinstated by the "Rule of Necessity." Commissioners Beasley and Frykman were not in the room at the time of the vote.**

(A copy of Commissioner Carrillo and Commissioner Olean's appeal subcommittee report is on file at the Commission's business office).

At this time Commissioner Vice-Chair Loew turned the meeting back over to Chair Wengerd.

(Commissioner Beasley returned to the meeting at 2:37 p.m.)

(Commissioner Frykman returned to the meeting at 2:38 p.m.)

3. Advisory Committee Update – Dr. Carla Lidner, Chair- This item was taken out of order

a. Advisory Committee Recommendations for Funding – Judee Cox, Donna Greene, Georgann Koenig

Ms. Cox reported that during the Advisory Committee meeting held on July 15, 2009, Committee members discussed various issues related to recent Commission discussions and actions related to child care. At the conclusion of the discussion, the Committee developed several recommendations to assist the Commission in moving forward with allocating available funds, strengthening program delivery and increasing public awareness and buy-in.

Advisory Committee member, Judee Cox shared the following Advisory Committee recommendation:

1. Use a portion of available funds to subsidize a percentage of child care slots for families on current RCOE waiting list for subsidized care Dedicate and restrict use of

10% of the existing unallocated fund balance to subsidized childcare slots for children on the current waiting list.

Advisory Committee member Donna Greene shared the following recommendations:

2. For clarity, transparency and program delivery purposes, adopt minimum child care quality standards to be used in granting Commission funds.

Requests for Proposals

Reserve a portion of funds to:

3. Develop an ongoing user friendly mini-grant process to address current and continuous needs that contribute to achieving the goals and objectives contained within the strategic plan.
4. Develop an annual funding cycle for larger operational grant awards.

b. Advisory Committee Update – Dr. Carla Lidner, Chair

Dr. Carla Lidner Chair revisited child care quality standard, referring to state standards. She expressed her concern with continued discussion, expenditures on consultants and reports on what the quality child care standards are and emphasized the need to subsidize more child care spots.

Commissioner Beasley suggested going through the Centralized Eligibility List and updating it to have an accurate number of children still in need of child care. Ms. Schoenberg noted that the list is updated every 6 months.

Dr. Lidner addressed the Commissions action on the Murrieta School District request at the last Commission meeting noting that she felt it should have been approved. Commissioner Vice-Chair Loew informed her that this subject would be discussed later on the agenda and at the time of the denial, the presentation stated that services were not going to be reduced. Ms. Loew had based her vote on there being no imminent reduction in services.

Commissioner Vice-Chair Loew expressed appreciation for the Advisory Committee's recommendations.

Commissioner Vice-Chair Loew advised that the Commission had hoped when the Advancement Project report was provided, it would provide specific direction on where to best direct child care funds. The Commission agreed to have a subcommittee to help with the recommendations. The issue is how to distribute in the most effective way. She expects the subcommittee will come back next month with clarity.

Commissioner Frykman asked staff to move forward with a plan based on the Advisory Committee's recommendations. Commissioner Chair Wengerd asked to come back to this item after the Capacity Building presentation.

Commissioner Oltean commented that the child care subcommittee should handle the recommendation and not staff. Mr. Freedman noted staff was directed to create a subcommittee at the last Commission meeting. Staff has created the committee, with representatives requested by the Commission, and will come back in August with specific recommendations based on the recommendations of other stakeholders. They plan to meet with Advisory members who can participate in the subcommittee and present to the Executive Commission members then to the full Commission at the August Commission meeting. Ms. Schoenberg will notify the Advisory Committee of the next sub committee meeting date and location.

Commissioner Carrillo questioned the mini grant status. Mr. Freedman noted it does not currently exist but it is being discussed later in the agenda.

(A copy of Advisory Committee Recommendations for Funding report is on file at the Commission's business office).

D. Presentations:

**1. F5R Capacity Building Initiative Update – Kristi Van Heule, Program Coordinator
Capacity Building Initiative**

Mr. Freedman provided an introduction to Ms. Van Heule's report on F5R Capacity Building efforts contained in the five year spending plan.

Ms. Van Heule reviewed the history of the project and provided an overview of the Capacity Building Initiative by summarizing the activities completed in 2008-2009, planned activities for 2009-2010 and recommended policy changes to the Facilities Assistance Fund (FAF).

Plans for FY 2009-2010 include a financial roundtable event, spring child care conference, and release of the FAF RFP, hopefully by mid august.

Commissioner Frykman asked how Capacity Building activities contribute to increasing slots and questioned if there is evidence that the activities are increasing capacity, the Commission should invest more money into the Capacity Building Initiative. He welcomed a recommendation that would address a process of investing additional funding to Capacity Building. Mr. Freedman indicated that this project does drive capacity, and referred to the report. Scholarships are needed because if slots are created without scholarships they won't be filled. Commissioner Beasley added that most families would have a difficult time paying a total amount for child care and expressed that slots will not be filled without scholarships.

(A copy of Ms. Van Heule's report is on file at the Commission's business office).

E. Discussion/Action:

1. Unsolicited Funding Requests – Harry Freedman, Executive Director- this item was taken out of order of the agenda at the request of Commissioner Stone

a. Mr. Freedman reviewed requests as noted.

Murrieta Valley School District

Request: \$168,000 for one time only deficit reduction

Murrieta Valley School District has re-submitted their request which was reviewed and denied at the June 24 meeting. The Child Development Center receives both State and parent pay (where available) revenues. Funds have been requested to offset declining parent fees. Last month, Murrieta Valley indicated that if these funds were not awarded, the program anticipated a reduction in administration (supervisor position, food and supplies). Since the quantity of services would not be reduced, the Commission accepted the F5R staff recommendation to deny the request for funds.

Murrieta's revised request indicates that the School District can not continue the program without a balanced budget. As a result, the district may choose to close the parent pay kindergarten readiness program (impacting 15 children and 2 staff) and/or the elimination of one half-day State Preschool classroom (impacting 24 children and 3 staff).

Staff Recommendation:

Approve MVUSD's request for \$168,000 contingent on development of an agreement assuring that services for 39 children described in their request will be maintained through June 30, 2010.

Rationale:

MVUSD indicates that provision of \$168,000 of their identified 2009-10 budget gap of \$253,109 will maintain services for 39 children. They further indicate that the remaining \$85,000 budget deficit; will be offset by administration and staff cuts. Providing funding maintains care for children, and is being requested for one year only.

Public Comment:

1. Kate Hamaker, Director of Family Services of Murrieta Unified School District
Ms. Hamaker reported at the time of her original request many items were being worked on to bridge a deficit for 2009/2010. When she came before the Commissioners in June she did not state with clarity the ramifications of not receiving the requested funds. Ms. Hamaker apologized and noted she was concerned about the impact of publicly stating the potential of closing portions of her program. After discussing with her Superintendent, she is able to clarify that the lack of funding will affect two classes, parent pay kindergarten readiness program (impacting 15 children and 2 staff) and one half-day State Preschool classroom (impacting 24 children and 3 staff).

Commissioner Oltean moved to approve the proposal as presented. Commissioner Vice-Chair Loew seconded the motion. The motion was carried. *[Following is a vote of the Commission members present: [Seven (7) in favor (Loew, Wengerd, Beasley, Frykman, Oltean, Stone and Carrillo), Zero, (0) abstain, One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant].*

b. V.I.P. Tots

Request: \$79,200 to expand existing contract of \$579,584 in order to provide additional scholarships (full and partial) for 62 children.

Staff Recommendation: Hold

Rationale: Rather than making individual decisions regarding expansion of currently funded contracts, staff recommends waiting for a Commission decision on use of funds for expansion of all current contracts, in context of overall decision regarding additional funding of services for community.

Public Comment:

Joann Hameister, Executive Director V.I.P. Tots.

Ms. Hameister reported their early intervention program for children ages three to five years, combines typically developing children with special needs children in the same setting while providing a 1-3 staff to child ratio. The child care program is currently in jeopardy of being closed due to low enrollment. She pointed out zip codes in Hemet and San Jacinto that she serves are a high need with low income. She is also in jeopardy of losing trained staff and is requesting funding for 10 more spaces for \$79,000. Commissioner Carrillo moved to approve the VIP proposal as presented. Commissioner Beasley seconded the motion.

Commissioner Vice-Chair Loew clarified they are asking for money to sustain services.

Public Comment:

1. Sharon Baskett, RCOE
Ms. Baskett offered to provide a presentation to update the Commission on the Centralized Eligibility List (CEL) and how that process works. She explained that the CEL

is a program for state funded families only and explained that the 8,000 on the lists are prioritized based on income eligibility and need. F5R funding can benefit families by filling the gap between the need and availability of funding. As chair and representative of Riverside County Local Planning Council one of the goals is to sustain or stabilize existing programs. They are looking at sustaining capacity already in place in Riverside County.

Commissioner Frykman pointed out that Commission does not disagree with staff's opinion but felt the need to address a current need.

Commissioner Carrillo moved to approve the V.I.P Tots proposal as presented. Commissioner Beasley seconded the motion. The motion was carried. [*Following is a vote of the Commission members present: [Seven (7) in favor (Loew, Wengerd, Stone, Beasley, Frykman, Oltean and Carrillo), Zero, (0) abstain, One (1) absent (Hoffman), Zero (0) opposed, One (1) vacant].*

Commissioner Carrillo suggested we look at agencies needs now. Commissioner Vice-Chair Loew pointed out a criteria was established last month for the agencies to apply.

(A copy of Mr. Freedman's complete Report is on file at the Commission's business office.)

2. Increased Funding for Services – Harry Freedman, Executive Director

- a. Mr. Freedman reported staff will be bringing back recommendations for allocating available dollars at the August Commission meeting. Commissioner Frykman noted the additional funding services update addresses the Advisory Committee recommendations and asked staff to include the Advisory Committee recommendations as presented at today's meeting in the recommendations for additional funding for services.
- b. Mr. Freedman reported that the State created a waiting list for Healthy Families on Friday, July 17, 2009. He reminded the Commission of a previous discussion in December 2008 regarding shifting currently allocated funds from the local Healthy Kids program to kids placed on a wait list for Healthy Families. The funding was not needed at that time but now that a waiting list exists for Healthy Families exists, IEHP is planning to enroll eligible children on the Healthy Families waiting list into Healthy Kids. The intent is to move forward unless there is a legal reason why it cannot happen. Ms. North is investigating.

(Commissioner Vice-Chair Loew left the meeting at 3:57 p.m.)

(A copy of Mr. Freedman's complete report is on file at the Commission's business office).

2. Commission Re-Structure Update – Tiffany North, Deputy County Counsel and Harry Freedman, Executive Director on behalf of Commissioner Vice-Chair Loew

Ms. North reported the posting for Commission members and Alternates was opened and is now closed. Mr. Freedman reported applications have been received. Mr. Freedman and Commissioner Vice-Chair Loew will review the applications, provide a matrix to include categories and supervisorial district distribution and provide recommendations to the BOS. The soonest it can go to the Board of Supervisors is at the September 1, BOS meeting. The current Commission will remain in place and active until a quorum of new Commissioners is established. Eighteen (18) applications were received for 12 slots.

F. Information Items

1. June 2009 Preliminary Financial Statement – Sandy Duncan, Administrator Fiscal

Ms. Duncan provided a summary of the June preliminary financial statements by highlighting areas of significant variance of actuals versus budget.

(A copy of Ms. Duncan's complete Report is on file at the Commission's business office.)

2. Public Relations Information – Jamie Ayala, Public Information Specialist

Ms. Ayala requested the Commission review the Communications and Marketing Plan at their convenience. She noted it is a living document that can be adjusted in order to allow flexibility for challenges, needs and changes. She will discuss in greater detail next month.

Ms. Ayala reported F5R created a general fact sheet that is available on website to share with agencies. She reminded the Commission that she is available anytime to respond to questions.

(A copy of Ms. Ayala's complete Report is on file at the Commission's business office.)

3. Executive Director Report – Harry Freedman, Executive Director

Mr. Freedman highlighted several areas in his written report. He reported Commissioner Vice-Chair Loew has met with F5R Management staff on two occasions to discuss a variety of topics to become familiar with F5R and what we do and how to best transition into DPSS.

(A copy of Mr. Freedman's' complete Report is on file at the Commission's business office.)

G. Funded Agency Public Comments - None

H. Public Comments

1. Holly Daasnes of Community Care Licensing

Ms. Daasnes provided an update regarding the impact of the State budget on her agency. She reported effective July 1 staff furlough days will be expanded to 3 days per month. The offices will be closed to walk in services the first three Fridays of the month and staff will only be available by phone to address emergency situations. Ms. Daasnes further noted there is discussion of a 4th furlough day. The number of orientations will be reduced. Updates will be posted on the webpage as changes occur. She announced they continue to receive 600 to 1,000 new applications a month. There was an increase in turn over in family child care providers.

I. Future Agenda Items

J. Commission Adjournment at 4:20 p.m. to the Regular Meeting of the Riverside County Children and Families Commission on Wednesday, August 26, 2009, beginning at

1:30 p.m. at: Riverside County Children and Families Commission Office
2002 Iowa Avenue, Suite 100 – Conference Room A,
Riverside, California 92507

Conflict of Interest: Any person, or group of persons present at this meeting, who wish (es) to speak on a matter may be required to State for the record any contributions, in excess of \$250.00

made in the past (12) twelve months, made to any Commission member, the Commission member receiving the contribution, and the matter of consideration with which they are involved.

Agenda Posting: Agendas will be posted at the Clerk of the Board of Riverside County and the Commission Business Office.

All public record documents for matters on the open session of the Agenda are available for inspection at the meeting listed in this Agenda, and at the following location beginning three (3) working days prior to the meeting date:

**Riverside County Children and Families Commission
2002 Iowa Avenue, Suite 100
Riverside, CA 92507**

COUNSEL

Given the information in Commissioner Wengerd's disclosure, he has a conflict of interest within the meaning of the Political Reform Act, which I will hereafter refer to as the Act.

Commissioner Wengerd is a public official within the meaning of the Act.

If he were to participate in agenda item C. 2., he would be making a governmental decision within the meaning of the Act.

The governmental decision concerns the Mental Health Initiative award.

Commissioner Wengerd is the Director of the Department of Mental Health of the County of Riverside. The Department of Mental Health has submitted a proposal in response to the Mental Health Initiative RFP.

The Mental Health Initiative is, therefore, a potential source of income to Commissioner Wengerd within the meaning of the Act and financially benefits the Department of Mental Health.

Commissioner Wengerd's economic interests are directly involved in the governmental decision because the decision could authorize the award of the Mental Health Initiative to the Department of Mental Health which would impact his source of income and business entity, and therefore his, economic interests.

This effect is deemed material under the Act and is distinguishable from its effect on the public generally because the governmental decision will not affect a significant segment of the public within the meaning of the Act.

Given the information in Commissioner Frykman's disclosure, he has a conflict of interest within the meaning of the Act.

Commissioner Frykman is a public official within the meaning of the Act.

If he were to participate in agenda item C. 2., he would be making a governmental decision within the meaning of the Act.

The governmental decision concerns the Mental Health Initiative award.

Commissioner Frykman is the Health Officer for the County of Riverside, as well as the Director of the Community Health Agency. The Department of Mental Health has submitted a proposal in response to the Mental Health Initiative RFP. The Community Health Agency is listed as a subcontractor in the Department of Mental Health's proposal.

The Mental Health Initiative is, therefore, a potential source of income to Commissioner Frykman within the meaning of the Act and financially benefits the Community Health Agency.

Commissioner Frykman's economic interests are directly involved in the governmental decision because the decision could authorize the award of the Mental Health Initiative to the Department of Mental Health which would impact his source of income and business entity since the Community Health Agency is a subcontractor under the proposal.

This effect is deemed material under the Act and is distinguishable from its effect on the public generally because the governmental decision will not affect a significant segment of the public within the meaning of the Act.

Given the information in Commissioner Beasley's disclosure, she has a conflict of interest within the meaning of the Act.

Commissioner Beasley is a public official within the meaning of the Act.

If she were to participate in agenda item C. 2., she would be making a governmental decision within the meaning of the Act.

The governmental decision concerns the Mental Health Initiative award.

Commissioner Beasley is the Founder and Director of Community Relations for the Carolyn E. Wylie Center for Children, Youth and Families. The Department of Mental Health has submitted a proposal in response to the Mental Health Initiative RFP. The Wylie Center is listed as a subcontractor in the Department of Mental Health proposal. Family Service Association has also submitted a proposal in response to the Mental Health Initiative RFP. The Wylie Center is listed as a subcontractor in the Family Service Association proposal.

The Mental Health Initiative is, therefore, a potential source of income to Commissioner Beasley within the meaning of the Act and financially benefits the Wylie Center.

Commissioner Beasley's economic interests are directly involved in the governmental decision because the decision could authorize the award of the Mental Health Initiative to the Department of Mental Health or Family Service Association which would impact her source of income and business entity since the Wylie Center is a subcontractor under both proposals.

This effect is deemed material under the Act and is distinguishable from its effect on the public generally because the governmental decision will not affect a significant segment of the public within the meaning of the Act.

The Political Reform Act recognizes the need for public legislative bodies to vote on issues brought before them and allows public officials with a conflict of interest to participate in the making of a governmental decision where as here, a quorum cannot be convened by the members of the Commission who do not have a conflict.

Stated more succinctly, the Act allows a public official with a conflict of interest to participate in the making of a governmental decision where, as here, his or her participation is legally required and there is no alternative source of decision.

The Act specifically requires participation by the smallest number of conflicted officials required for the decision to be made and requires a random method of selection.

In addition, the Attorney General and the courts have applied a limited rule of necessity to the application of Government Code section 1090. With respect to a contractual conflict of interest the "rule of necessity" may be used in non-procurement situations and permits a public officer to carry out the essential duties of his or her office despite a conflict of interest where he or she is the only one who may legally act. It ensures that essential governmental functions are performed even where a conflict of interest exists.

Here, there are only four non-conflicted Commission members available to participate in the decision-making process on Item C. 2. As such, the

Commission lacks a quorum and cannot act on the matter and one of the conflicted Commission members will be legally required to participate in Item C. 2. There is no alternative source of decision for this agenda item. No other decision making body can decide the issue.

Accordingly, here are three identical pieces of paper each with the name of one of the three conflicted Commissioners. The secretary will fold each piece of paper in half equally and will place each slip of paper in a box. She will then shake the box and another Commission staff member will reach in without looking and select one name from the box. The Commissioner, whose name is selected at random from the box, will participate in the decision-making process. When the Commissioner is selected, he or she is selected for the duration of the proceedings in all related matters until his or her participation is no longer legally required, or the need for invoking the exception no longer exists. The Commissioners that are not selected will leave the room.

The secretary is directed to include the Commissioners' disclosures and my statements in her minutes as part of the official public record.

Commissioner Wengerd

I am the Director of the Department of Mental Health of the County of Riverside. The Department of Mental Health has submitted a proposal in response to the Commission's request for proposals for the Mental Health Initiative. While I did not participate in the making of the proposal, it does affect my economic interests.

Commissioner Frykman

I am the Health Officer for the County of Riverside, as well as the Director of the Community Health Agency of the County of Riverside. The Department of Mental Health has submitted a proposal in response to the Commission's request for proposals for the Mental Health Initiative. The Community Health Agency is listed as a subcontractor under the Department of Mental Health's proposal. . The Department of Mental Health's Program Budget for January 1, 2009 – June 30, 2009 lists the Community Health Agency as a subcontractor with an amount of \$276,754.00. While I did not participate in the making of the proposal or the subcontract, it does affect my economic interests.

Commissioner Beasley

I am the Founder and Director of Community Relations for the Carolyn E. Wylie Center for Children, Youth and Families. The Department of Mental Health has submitted a proposal in response to the Commission's request for proposals for the Mental Health Initiative. The Wylie Center is listed as a subcontractor under the Department of Mental Health's proposal. The Department of Mental Health's Program Budget for January 1, 2009 – June 30, 2009 lists CBOs/Service Providers, which includes the Wylie Center, as a subcontractor with an amount of \$82,500.00. Family Service Association has also submitted a proposal in response to the Mental Health Initiative RFP. The Wylie Center is listed as a subcontractor in the Family Service Association proposal. The Family Service Association's Program Budget for January 1, 2009 – June 30, 2009 lists the Wylie Center as a subcontractor with an amount of \$641,435.00. While I did not participate in the making of the proposal or the subcontract, it does affect my economic interests.