

# COMMISSION MEETING MINUTES

October 12, 2010

Meeting location: 676 Loughborough Drive, Merced, CA

## Commission Members Present:

Jerry O'Banion     Eva de Long     Iantha Thompson     Shirley Brown     Ana Pagan  
 Tim Livermore     Patrick Bowman     Ashlee Williams     Manuel Jimenez, Jr.

**Staff Present:** Brian Mimura, Myisha Reed, Jennifer Brooks, Michael Calabrese, Ken Havens.

**Guests:** Monica Adrian, Rosa Barragan, Cesar Garcia, Carol Greenberg, Candice Adam-Medefind.

## 1. Call to Order, Pledge of Allegiance, and Roll Call

Commission Chairperson Jerry O'Banion called the meeting to order at: 5:35 PM.

The Pledge of Allegiance was led by: Brian Mimura. Roll call was taken with results noted above.

Commissioner Shirley Brown's arrival noted at 5:40 PM.

## 2. Public Opportunity to Speak on Any Matter of Public Interest within the Commission's Jurisdiction

There were no comments from the public.

## 3. Approval/Additions/Deletions to the Agenda (Action).

The agenda for the Commission meeting was approved, as presented.

Motion made by: Manuel Jimenez, Jr.

Motion seconded by: Tim Livermore

The motion was carried unanimously.

## CONSENT AGENDA

### 4. Approval of Minutes for the September 13, 2010, Commission Meeting (Action).

### 5. Approval of First 5 Monthly Expenditures through: August 31, 2010 (Action).

The Consent Agenda items were approved, as corrected, to reflect attendance by Michael Calabrese, County Counsel, at the September 13, 2010 Commission Meeting.

Motion made by: Ana Pagan  
Motion seconded by: Ashlee Williams

The motion was carried unanimously.

## **PUBLIC HEARINGS**

### **6. Public Hearing for the First 5 Merced County Annual Report: Fiscal Year 2009/10.**

Executive Director, Brian Mimura, and Myisha Reed, Program Specialist, presented this item. (See attached report and presentation slides). Information was provided on the report requirements and structure, annual expenditures, demographics of those served, and narrative information for both the Annual Report and School Readiness Annual Report.

Regarding AR2, Result Area 2, Service Area 52) *Targeted Intensive Intervention for Children Identified with Special Needs*, Commissioner Jimenez asked for clarification about the definition of a special needs child.

Myisha Reed explained that the State provides a guideline defining special needs children. They are defined as any child considered disabled under the ADA/IDEA, or any child at risk for this. She stated a broad definition is used for reporting purposes, as prescribed by the state.

Chair O'Banion opened the floor for comments and questions from the public. There were no comments or questions from the public.

Commissioner Williams asked if there were any surprises revealed by the report, or significant differences from the previous year.

Reed responded that results were largely as expected; there were no significant differences from last year. She added that, overall, more efforts were being directed toward systems changes. For example, Result Area 4 now includes many more narrative reporting pieces.

Commissioner Thompson inquired as to whether these system changes are actually making differences in communities and if there will be a time when these changes may be quantifiable. Reed responded that she was hopeful that the new Annual Evaluation Report being developed (by LTG Associates) would give more opportunity for detail, enabling us to compare the existing year with previous years. Brian Mimura added that, by definition, system changes are more difficult to quantify. It is difficult to measure improvement in community awareness of programs, but some quantifiable indicators exist such as the progress made by more entities adopting the Children's Bill of Rights.

Commissioner Thompson concurred but reiterated that she looks forward to receiving data beyond program definitions and narrative. She would like to better measure the impact our programs are having on kids.

Both Dr. Livermore and Commissioner Jimenez asked for clarification regarding AR2 and the *Ethnic Breakdown and Primary Language of Population Served*, specifically the Asian target population. Dr. Livermore noted that 63 children were listed as Asian and asked if they were

Hmong. Reed answered that it more than likely is, but there are system limitations on the reporting worksheet and there is currently not a category for Hmong ethnicity or language.

Commissioner Jimenez asked if we could create a more detailed list of languages. Listing all Asian languages as Other is not a helpful breakdown as Merced County has a varied Asian population. The Commissioners are interested in better identifying the recipients of program services.

Reed responded that the State system allows only a certain limited field for such detail. We may be able to add a few more options, but we have a very limited ability to individualize the state system. However, locally we do have more detailed breakdowns which will be presented in the AER.

Regarding Result Area 2, Service Area 48, *Ethnic Breakdown of Population Served*, Dr. Livermore asked why all 768 children served were categorized as Other/Unknown ethnicity.

Reed explained that she believed this to be an error created as a result of methods used by service providers when submitting their data. In an effort to fix this error and make the data usable, it was grouped together as Other/Unknown. Staff will look into this issue and confirm.

Chair O'Banion reminded the audience members that this was a public hearing and invited questions or comments. No questions or comments were received from the public.

Chair O'Banion thanked the presenters for their presentation.

## **7. Public Hearing for the First 5 Merced County Independent Audit: Fiscal Year 2009/10.**

Executive Director, Brian Mimura, presented this item. (See attached report/slides) Mimura expressed thanks to the Department of Public Health staff and the County Auditor's office for their support during the audit process. Information was presented on the audit content and structure, expenditures, and trends of expenditures and revenue for prior 2 years. Additionally, information was conveyed on the ending fund balance, and how this figure is nearly completed reserved or designated. Mimura concluded by stating the audit as well as reports on internal controls and state compliance were viewed as satisfactory by the independent auditor.

Chair O'Banion recognized Ken Havens, Department of Public Health Fiscal Manager, and asked if he had anything further to add. Havens had no additions to Mimura's report regarding the audit, but stated that he shared Brian's opinion about the great support received from the Auditor's office during the audit process.

## **REGULAR AGENDA**

### **8. Approval of the First 5 Merced County Annual Report: Fiscal Year 2009/10 (Action).**

Commissioner Jimenez again suggested that if the State provides us with a reporting field, we must identify more specific data in order to more accurately report the diversity and richness of the Merced County community.

Commissioner Livermore added that the feedback provided by such a breakdown would also help providers.

Commissioner O'Banion asked if it would be possible to more specifically identify our Asian population. Mimura shared that while the State system is set with how data is presented to them, we do have the ability to collect data at the county level, broken down into more meaningful groups, which we currently do. We definitely collect by Hmong and a few other specific ethnic and cultural groups that are meaningful for Merced County that were defined in partnership with our funded contractors. When this body receives the Annual Evaluation Report from LTG associates and staff, we will definitely be sharing that information with more specific detail at the local level. We do send that report to Sacramento as well, so they do have access to that information.

Chair O'Banion called for other comments. None were received.

Motion made by: Iantha Thompson, to approve the First 5 Merced County annual report for fiscal year 2009/10, as presented.

Motion seconded by: Ana Pagan

The motion was carried unanimously.

**9. Approval of the First 5 Merced County Independent Audit: Fiscal Year 2009/10 (Action).**

Motion made by: Manuel Jimenez, Jr., to approve the First 5 Merced County Independent audit for fiscal year 2009/10, as presented.

Motion seconded by: Iantha Thompson

Chair O'Banion invited discussion or comments.

The motion was carried unanimously.

**10. Approval of First 5 Merced County General Mini-Grants (Cycle I), 2010/11 (Action).**

Executive Director, Brian Mimura, presented this item, referring to the list of recommended recipients provided as an attachment (see attachment). It was noted that one applicant was not recommended for funding but that technical assistance would be provided in order to encourage a successful proposal in Cycle II.

Additionally Mimura shared that funding support through this program is intended for one time support of activities. Some requests were received from recipients for somewhat similar activities as funded prior, but for funding different portions of the activities, or for activities modified from those funded in the past. It may be important to have staff reevaluate the 'one time' intent of this program for future cycles. Additionally, Mimura stated that some applications recommended for funding include consultant support, which is allowable. But this support can overlap into the prohibitions against funding staff for minigrants. This area warrants examination as well, which staff will provide for future cycles.

Chair O'Banion asked if the dollar amounts recommended for approval were the same as the amount requested by the agencies applying for funding. Mimura replied that this was the

case in some cases. However, at times, the funding amount was reduced because funds were requested for prohibited expenditures under this program. For example, a staffing position was included in the proposal and could not be funded according to program guidelines.

O'Banion inquired about the faith-based organizations that had applied. County Counsel, Michael Calabrese, addressed the issue, explaining that there were non-secular groups among the applicants. Questions of First 5 funding a faith-based entity fall within the permissible limits of the Lemon test (Lemon v. Kurtzman ruling). The applicant is being funded for a sufficiently secular purpose; the curricula are secular, not faith-based. Calabrese explained that he feels we are on the correct side of the line with regard to approving funding according to the Lemon test.

Commissioners asked what would happen if the faith-based institution tried to recruit members to their church. County Counsel replied that, if the program included proselytizing, which these applicants do not, the decision would weigh in the other direction. The Lemon test is a balancing test of five factors. After weighing the factors on these particular grants, the applicants do not present a problem.

Motion made by: Ana Pagan, to approve the recommended General mini-grant recipients for Cycle I for 2010/11, as presented.

Motion seconded by: Manuel Jimenez, Jr.

The motion was carried unanimously.

### **11. Approval of First 5 Merced County Family Child Care Mini-Grants, 2010/11 (Action).**

First 5 Program Specialist, Myisha Reed, presented this item.

Reed expressed thanks to Merced County Office of Education A.C.C.E.S.S. Resource & Referral program staff for their input and assistance during the review process. She also noted that 1 application was disqualified because it did not meet the program requirements since another application from the same child care establishment had been submitted and awarded.

Commissioner Williams commented that she noticed that only one Los Banos group was funded. She asked if there had been any effort to advertise the Family Child Care Mini-Grants to the West side of Merced County. Reed and Mimura shared that the same advertising process was used as has been used in past years. Past recipients have been from diverse parts of the county including the west side.

Chair O'Banion added that we have had more West side applicants in the past. He asked if we still required trainings for the Family Child Care award recipients. O'Banion explained that he didn't agree with the need for the trainings and asked how they were received by the recipients last year.

Reed responded that there was positive feedback from all the training attendees. Most of the attendees didn't expect to learn as much as they did and have since asked for more training sessions. Satisfaction surveys indicated that the applicants all felt they had learned new and useful information during the training.

Commissioner Williams asked if any training sessions were held in Los Banos. Commissioners Jimenez and O'Banion suggested that we should offer trainings on the West side to encourage applications from that area of the County.

Motion made by: Manuel Jimenez, Jr., to approve the recommended First 5 Merced County Family Child Care recipients for 2010/11, as presented.  
Motion seconded by: Shirley Brown

The motion was carried unanimously.

## **12. Presentation on the *Hands on Heroes* Recognition Program (Informational).**

Executive Director, Brian Mimura presented this item, describing the intent, background, partnerships, and vision for the program as supporting Desired Outcome #4. (See attachment). The program would be implemented through formal partnerships with the Family Wellness Council, Community Resource Council, and MATCH Coalition, with honorees recognized at the Children's Summit. A future funding recommendation would likely be provided to support the implementation of this program.

## **13. Executive Director's Report (Informational).**

Executive Director, Brian Mimura provided an update on several topics including: upcoming events, meetings, new data sources and publications, progress of the Commission Strategic Planning subcommittee, Bill of Rights activities and engagement events, State budget issues, new legislation on Transitional Kindergarten, a Leadership Training opportunity (LDIR), and a video with Matt Lauer highlighting the importance of early education.

Commissioner Livermore asked how many of the Commissioners had heard of LDIR. Commissioner Williams responded that she had just recently discovered the group.

Commissioner Pagan asked for clarification of the Children's Summit date. She wondered if it was in April. Mimura replied that Week of the Young Child is scheduled for April 16, 2011, and the Children's Summit is tentatively set for March 24, 2011.

Commissioner Livermore asked if it would be possible to link the Children's Bill of Rights with the 26 indicators of childhood well-being, referenced in the Children Now county scorecard. Livermore expressed that a link between the two may help improve community response to the Children's Bill of Rights. Mimura concurred and thanked Livermore for the suggestion.

## **14. Commissioners' Reports (Informational).**

Commissioner Thompson announced that she would be unable to attend the November meeting.

Commissioner Williams shared that she had attended the Los Banos Preschool Symposium held last month. She learned more about the programs that First 5 was funding by attending the event. Williams encouraged all Commissioners to attend events in the communities to better familiarize themselves with the great works being accomplished. She also shared that Binational health week was another great event.

Commissioner Williams reminded everyone to vote in the November 2, 2010 elections.

Commissioner Jimenez informed the Commission that AB 3632 had recently been eliminated, including all back payments, from 2004/05 to present, amounting to significant amounts will be lost.

Jimenez added that he was proud to be a member of the First 5 Merced County Commission, especially as the First 5 name is more widely recognized for the support it offers to the community. Jimenez also recognized Commissioner Ashlee Williams and expressed admiration for her excellent representation of the West side of Merced County.

Jimenez announced that the new Mental Health site in Los Banos would hold its open house on November 19, 2010 at 11am and extended an invitation to all.

Commissioner Livermore shared that the Community Health Needs assessment, headed by Department of Public Health nurses Jennifer Andrade and Laurel Roberts, would soon be underway. Livermore expressed hope that the process would be successful and produce a compelling report. He also announced that flu shots were now available and that there was no shortage this year. He encouraged everyone to receive the vaccination from their personal physicians or one of the local County clinics.

Commissioner Shirley Brown asked Executive Director Mimura for the Merced County well-being indicators presented during his report. Chair O'Banion asked that Mimura please send both website links to all Commissioners via email.

County Counsel Calabrese interjected a reminder to avoid using 'Reply All' to respond to any email that circulates among Commissioners to avoid a Brown Act violation. Chair O'Banion clarified with Calabrese that it was permissible for Mimura to send the requested information regarding the website links.

In this vein, Commissioner Livermore asked if providing the links in the meeting minutes was permissible according to the Brown Act. Calabrese responded in the affirmative.

Chair O'Banion announced that the next meeting will be held on Monday, November 8, 2010. The meeting will be held in Livingston at 5:30 pm.

*Confirmed location: Livingston Union School District  
District Curriculum Room  
922 B Street  
Livingston, California.*

The meeting was adjourned approximately 7:16 PM.

## **Attachments to Meeting Minutes**

### **Agenda Item 6: Public Hearing for the First 5 Merced County Annual Report, Fiscal Year 2009/10**

Presentation slides

### **Agenda Item 7: Public Hearing for the First 5 Merced County Independent Audit: Fiscal Year 2009/10**

Presentation slides

### **Agenda Item 10: Approval of First 5 Merced County General Mini-Grants (Cycle I), 2010/11**

Summary of Applicants and Recommended General Mini-Grant Recipients

Presentation Slides

### **Agenda Item 11: Approval of First 5 Merced County Family Child Care Mini-Grants, 2010/11**

Recommended Family Child Care Mini-Grant Recipients

### **Agenda Item 12: Presentation of the *Hands on Heroes* Recognition Program**

Hands on Heroes Program - Draft Program Elements

### **Agenda Item 13: Executive Director's Report**

Presentation Slides