



**Commission Meeting  
Minutes**

Monday, June 3, 2013, 6:00 pm  
1485 Enea Court, Suite 1200  
Large Conference Room  
Concord, CA

**1.0 Call to Order and Roll Call**

The meeting was called to order at 6:00 PM.

Commissioners in attendance: Chair PJ Shelton, Sec / Treasurer Maria Fort, Barbara Cappa, John Jones, and Supervisor Karen Mitchoff, Kathy Lafferty for Gareth Ashley and Katharine Mason for Kathy Gallegher.

Alternates in attendance: Belinda Lucey, Wanda Session, Toni Robertson and John Mills.

Alternate Commissioner Mister Phillips arrived during the discussion of Item 4.0

Commissioner Dr. William Walker arrived during discussion of Item 6.0

**2.0 Public Comment**

Tim O'Keefe from Shelter Inc. reported that for the first time their agency successfully placed "between 99% - 101%" of the families they were helping back to stable housing. Out of the 106 individuals, 59 of them were children of First 5 age (*between 0 to 5 years of age*).

**3.0 Approval of Consent Calendar**

Sean Casey reported that there will be recusals by some Commission members on particular contracts on the docket and asked that items 3.3.11, 3.3.12, 3.3.16 and 3.3.29 be removed and considered separately under item 4.0.

Sean Casey also noted that item 3.3.31 had an error and asked that it also be considered separately under item 4.0.

Supervisor Mitchoff made a motion to adopt the remaining items on the consent calendar. Commissioner Jones seconded the motion.

The motion was **APPROVED** unanimously.

**4.0 Consider for discussion any items removed from the consent calendar.**

Items 3.3.11, 3.3.12, 3.3.16 and 3.3.29:  
Commissioner John Jones read the following statement:

"I have an interest in the Agenda items 3.3.12, 3.3.16 and 3.3.29 because I am employed by We Care Services for Children, and these items directly impact my agency. I am recusing myself from these items and will be leaving the room."

Commissioner Jones left the room.

Commissioner Wanda Session read the following statement:

“I have an interest in Agenda items 3.3.11 and 3.3.12 because I am employed by the Contra Costa County Health Services Department, and these items directly impact my department. I am recusing myself from these items and will be leaving the room.”

Commissioner Session left the room.

Commission Counsel, Keiko Kobayashi, stated that Supervisor Karen Mitchoff, and Alternate Commissioner Katharine Mason have an interest in Agenda items 3.3.11 and 3.3.12 because they are employed by Contra Costa County and receive a salary and reimbursement for expenses from the County. However, they are not employed by the County Department that is directly involved with the contract with First 5 Contra Costa Children and Families Commission therefore they are not legally prohibited from voting on this item.

Counsel asked Supervisor Mitchoff and Ms. Mason if they agreed with the statement and they agreed.

Alternate Commissioner Mr. Phillips joined the meeting at this time.

Motion was made by Kathy Lafferty to approve the approve agenda items 3.3.11, 3.3.12, 3.3.16 and 3.3.29; Barbara Cappa seconded.

Motion was **APPROVED** unanimously.

John Jones and Wanda Session returned to the room.

Item 3.3.29:

Sean Casey reported that the contractor’s correct and legal name is “SALUT” and should be listed as such in this item.

Supervisor Mitchoff moved to approve item 3.3.29 as corrected; Barbara Cappa seconded.

Motion was **APPROVED** unanimously.

**5.0 Consider authorizing the Executive Director to make an initial contribution of \$553,255, to be drawn from the Commission’s fund balance, to the California Employer Retirement Benefits Trust for the purpose of funding the Commission’s Other Post Employment Benefits (OPEB) liability.**

Sean Casey reminded the Commission that they approved joining the California Employers Retirement Benefits Trust (CERBT) at its November 5, 2012 meeting. Staff are basing the initial contribution on the most recent OPEB valuation by the Commission’s OPEB actuary. By funding the trust in this manner, the Commission will receive a more favorable valuation of its OPEB liability going forward. In the future, the funds could revert back to F5 if they are not used.

Motion to approve was made by John Jones; seconded by Maria Fort.

The motion was unanimously APPROVED.

**6.0 Consider approving the agreement with the Contra Costa County Employees Retirement Association for prepaying the Commission's unfunded retirement liability and authorizing the Executive Director to make a \$2,000,000 pre-payment to CCCERA, to be drawn from the Commission's fund balance.**

At its November 5, 2013 meeting the Commission authorized the Executive Director to present to CCCERA the Commission's desire to make a prepayment on its UAAL of \$2,000,000. Prepaying the Commission's UAAL provides the Commission a discount as it receives a credit over 11 years, earning interest at 7.25%. The total savings is likely to exceed the annual operating cost of one First 5 Center.

Since December, staff have been in discussion with CCCERA staff on the final technical elements of the prepayment. Unfortunately during a recent conference call involving the two agencies' staffs and actuarial consultants, our actuary made an off-hand comment that we later learned was interpreted by CCCERA's staff as implying First 5 was considering legal action against CCCERA in the future. As a result, we were surprised to receive the agreement letter that is in the Commission's agenda packet, which includes in the fourth paragraph a waiver of the Commission's right to take any legal action against CCCERA regarding the UAAL.

Upon following up with CCCERA we learned that they heard our actuary's brief comment as a potential threat and felt they should protect themselves. Upon consultation with counsel, staff provided alternative language, which CCCERA did not accept. Staff have assured Marilyn Leedom, the CCCERA CEO, that First 5's actuary serves only to provide technical assistance to First 5 and does not speak for First 5 on policy or action. We have asked CCCERA for a clean agreement without the waiver language, which we find unnecessary and overly broad.

Finance and Operations Director Marnie Huddleston informed the Commission of upcoming rules from the Government Accounting Standards Board (GASB) that will require government agencies to book their pension liabilities on an annual basis. In conversations with our actuary and our auditors it is clear that there is a great deal of uncertainty about the impact of these rules on future calculation of UAAL. Staff are concerned that signing the waiver with such future uncertainty would be imprudent.

Supervisor Mitchoff asked if another serious concern was not being able to get back what we put in.

Marnie Huddleston replied that that is not the concern. The cost-effectiveness of the pre-payment would not be affected by the waiver. But because of the upcoming changes in reporting public pension liabilities, we do not know yet how it may affect us. There are just too many "unknowns" at this time.

The Commission discussed giving Sean Casey provisional approval to authorize the prepayment should the paragraph in question be amended or removed. This was brought up because the fiscal year ends this month and before the next Commission meeting.

At this time, Commissioner Dr. William Walker, joined the meeting.

Supervisor Mitchoff asked if, because of the many "unknown" elements, the Commission could wait 60 to 90 days before making a final decision. Would the Commission lose the generous interest rate?

Marnie Huddleston responded it wouldn't affect the interest rate dramatically, but moves the savings out further.

Katharine Mason made a motion to approve the agreement with CCCERA for prepaying the Commission's unfunded retirement liability and authorizing the Executive Director to make a \$2,000,000 pre payment to CCCERA, to be drawn from the Commission's fund balance, with the removal of the 4<sup>th</sup> paragraph in the April 8, 2013 CCCERA agreement letter.

Maria Fort seconded.

Motion was APPROVED unanimously.

**7.0 Consider approving the Commission by-laws revisions proposed by the Ad Hoc By-laws Subcommittee.**

Maria Fort reported that the by-laws subcommittee consists of Commissioner Barbara Cappa, Supervisor Mitchoff and herself and Counsel Keiko Kobayashi and Executive Director Sean Casey. The purpose of the subcommittee was to revise and update the by-laws that had not been updated since 2009. It was also to refine the functions and actions of the Commission.

Among the proposed changes are:

Elimination of the non-voting "ex-officio" member of the Executive Committee.

Elimination of the Program & Evaluation, Public Affairs, and Policy and Advocacy Committees.

Alternate Mister Phillips suggested retaining the original language regarding supervision in Article II (c).

He also suggested the Executive Committee retains its expenditure approval function in Article VI, Section 2. Sean Casey noted that the Commission's fiscal policies and procurement procedures now require Commission approval of expenditures over \$50,000. Mister Phillips expressed his concern about giving the Executive Director expenditure authority under \$50,000.

Supervisor Mitchoff noted this process was to clean up the bylaws and to make sure they are in synch with other Commission policies. She noted that Board of Supervisors approval is necessary for all County expenditures over \$100,000. She was satisfied that the fiscal policies were sufficient in this regard.

Commissioner Jones noted that the fiscal policy that had been approved by this Commission promotes the policy of transparency.

Supervisor Mitchoff further stated that it is a prudent decision and common sense and has no problem delegating the task to the Executive Director.

Supervisor Mitchoff asked to strike the words "Commissioner or" from the Executive Committee description in Article VI, Section 2, paragraph (1).

Supervisor Mitchoff then moved to approve the revised by laws with the one correction on Page 8; John Jones seconded.

Motion was unanimously APPROVED.

**8.0 Consider signing on to the United Way of the Bay Area's Roadmap to Cut Poverty.**

Sean Casey reported on the Bay Area United Way's Roadmap to cut poverty and indicated that because reducing poverty and improving the financial status of families are key elements of the Commission's work, he hoped the Commission would support joining the UWBA's effort.

Maria Fort made a motion for the Commission to sign the partner pledge for the Bay Area United Way Roadmap to Cut Poverty; Katharine Mason seconded.

The commission unanimously [APPROVED](#).

## 9.0 Executive Director's Report

Sean Casey reported on the following:

**Sugar Bites Campaign.** The posters and brochures and Website are now up and running. We launched last week. The large ads can be found in 33 bus shelters throughout Richmond San Pablo area along San Pablo Avenue, and 7 ads are posted along Monument Boulevard in Concord and on BART stations in Concord and Pittsburg / Bay Point. Most significantly, the ads were also posted on the storefronts of 49 convenience stores, mostly in Bay Point, Concord, Pittsburg, San Pablo and Richmond. The current number of convenience store postings exceeded expectations.

40,000 brochures have been printed and distributed to all the WIC Centers and Head Starts, as well as agencies and child care centers in the target areas.

In addition, we experienced a huge social media response. In one week, we've had 20,000 shares on Facebook. Public Affairs Manager Tracy Irwin has been working hard to promote the campaign on Twitter where we have gained support from prominent public health and anti-obesity advocates including the Yale Rudd Center.

We have another contract in the coming year including another Sugar Bites brochure, this time in the shape of a juice box.

**Developmental Screening.** We have recently complete two rounds of training on the Ages and Stages Questionnaires Series 3 and Social Emotional screening instruments. Over 90 Public Health Nurses in Contra Costa County were trained on this. The Contra Costa Times ran a feature on Sunday (June 2, 2013) on the value of early screening and intervention, and featuring a family screened at one of our First 5 Centers.

The same family is featured in a short video called "Conner's Story" put together by Tracy Irwin and Program Assistant Walter Aab that Sean then showed the Commission. The video has been used in ASQ trainings to help trainees understand the value of screening..

**Regional Groups.** On May 20th members of our three community regional groups, participated in Immigrant Advocacy Day at the State Capitol in Sacramento. To prepare for the day, they underwent training on the legislative process and practiced meeting with legislators. At the Capitol they met with several local elected officials and described some of their concerns as parents and community members. Sean showed a brief video about their experiences.

"Woman of the Year" Assemblywoman Susan Bonilla is having a small celebration on Friday June 7 for women from the 14<sup>th</sup> Assembly District named "Women of the Year" by local boards and commissions.



Assemblymember Bonilla is honoring Kate Ertz-Berger, Executive Director of Contra Costa Child Care Council as the 14<sup>th</sup> District's Woman of the Year. Kate has been one of the pioneers of early childhood development in Contra Costa and California for the last 26 years, and will be retiring at the end of this year.

**California First 5.** Governor Brown appointed Kaiser Permanente CEO George Halvorson as Chair of the California Children and Families Commission. Locally, Halvorson has been instrumental in leading the effort to develop a messaging campaign with the Bay Area Council support investment in early childhood.

**Community Advisory Councils.** At the July Commission meeting, there will be presentations from the First 5 Center Community Advisory Councils. We saw previews of their presentations last month at their annual Spring Celebration and they are very good.

**10.0 Sub - Committee report (if any)**

There was no sub-committee report.

**11.0 Communications**

Chair PJ Shelton notes the article attached on the Commission Packet this month that was first published by First 5 LA regarding President Obama's New Budget Plans on Preschool Budget Expansion.

**12.0 Commissioner F.Y.I. Updates**

Toni Robertson announced the passing of one of the first parents she had from one of her first F5 classes she taught. Carla Medina was initially on the Advisory Committee at F5 Concord and later went on to work for the Contra Costa Child Care Council. Toni also noted that her son's image was used for one of the pictures currently on the First 5 Contra Costa Website.

**13.0 Adjourn**

Meeting adjourned at 7:35 Pm.