



Board Agenda Item 70

DATE: December 14, 2021

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health

SUBJECT: Retroactive Amendments for the Department of Public Health

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a retroactive Second Amendment to Agreement with California Health Collaborative for assisting retail vendors in adopting healthy food service guidelines and the promotion of compliance with Federal lactation accommodation laws in targeted worksites, to revise the budget, with no change to the term of March 12, 2019 through September 29, 2023 or compensation maximum of \$136,256;**
- 2. Approve and authorize the Chairman to execute a retroactive Third Amendment to Agreement with Fresno County Superintendent of Schools for the adoption of nutrition and physical activity standards into Early Care and Education sites, to revise the budget, with no change to the term of March 12, 2019 through September 29, 2023, or compensation maximum of \$141,236; and**
- 3. Approve and authorize the Chairman to execute a retroactive Fourth Amendment to Agreement with Fresno County Superintendent of Schools, for nutrition education services related to the school wellness program activities, to adjust the budget, with no change to the term of December 13, 2016 through September 30, 2022, or compensation maximum of \$1,892,500.**

There is no additional Net County Cost associated with the recommended actions as the costs for the first and second recommended actions are fully funded with the Centers for Disease Control and Prevention (CDC) State Physical Activity and Nutrition (SPAN) grant and the third recommended action is fully funded by the Nutrition Education and Obesity Prevention (NEOP) grant provided by the California Department of Public Health (CDPH). Approval of the recommended actions will allow California Health Collaborative (CHC) and Fresno County Superintendent of Schools (FCSC) to revise federal fiscal year (FFY) 2020-21 and 2021-22 budgets to incorporate increases in salaries by reallocating unspent funds in operational expenses without any changes to the terms or maximum compensations. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended amendments, the contractors will not be able to complete the contracted activities because of the rise in salary costs and the Department will risk non-compliance and/or future funding reductions.

RETROACTIVE AGREEMENT:

The amendments are retroactive to September 29, 2021 in order to revise both FFY 2020-21 and FFY

2021-22 budgets.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The first and second recommended actions are fully funded with the CDPH CDC SPAN grant award and the third recommended action is fully funded with the NEOP grant funds provided by the CDPH. The total cost for the first recommended action with CHC is \$28,683 for FFY 2021-22; \$136,256 for the term. CHC has one outstanding invoice for FFY 2020-21. The total cost for the second recommended action with FCSS is \$28,684 for FFY 2021-22; \$141,236 for the term. FCSS has one outstanding invoice for FFY 2020-21. The total cost for the third recommended action with FCSS is \$336,500 for FFY 2021-22; \$1,892,500 for the term. FCSS has one outstanding invoice for FFY 2020-21.

Sufficient appropriations and estimated revenues are included in the Department's Org 5620 FY 2021-22 Adopted Budget and will be included in subsequent budget requests.

DISCUSSION:

On March 12, 2019, your Board approved a five-year agreement (No.19-122) with CHC, for services to promote compliance with Federal lactation accommodation laws in targeted worksites and assist small retail vendors in adopting healthy food service guidelines; and a five-year agreement (No. 19-121) with FCSS, for services to increase nutrition content by adopting nutrition and physical activity standards into ECE site programs.

Approval of the first recommended action will allow CHC to shift \$1,500 in unspent funds into the salary expense category for both budget periods to offset the unanticipated salary increase in the Program Director position. This shift in unspent funds will ensure CHC is able to continue assisting with developing healthy food service guidelines and supporting the adoption of breast-feeding interventions implemented in community and government worksites while increasing the number of worksites in compliance with federal lactation accommodation laws.

Approval of the second recommended action is necessary to ensure FCSS salary increases, totaling \$6,822, will be offset by shifting unspent funds in equipment, supplies, and travel expense categories. This shift in unspent funds will ensure the work of FCSS will continue without any gaps in services supporting activities that provide nutrition and physical activity technical assistance to one community-based organization, as well as continue to work with partner ECE sites on adopting and implementing physical activity and nutrition standards into their programs.

On December 13, 2016, your Board approved Agreement No. 16-698 with FCSS to provide nutrition education in classrooms and afterschool programs in targeted low-income County communities. On June 20, 2017, your Board approved First Amendment No. 16-698-1 to increase the maximum to expand the school wellness services. On May 12, 2020, your Board approved Second Amendment No. 16-698-2 to revise the scope of work to increase community training events and redistribute budget line items to correspond with the revised scope of work. On August 10, 2021, your Board approved Third Amendment No. 16-698-3 to extend the term one-year and increase the maximum by \$336,500 to support the activities during the year extension period beginning October 1, 2021 through September 30, 2022. Approval of the third recommended action is necessary to offset salary increases of \$22,686 in FFY 2020-21 and \$26,210 increase in FFY 2021-22. Unspent funds from operational expenses will be moved into the personnel expense category line items, without any increase in the annual compensation amount of \$336,500.

The Department anticipates returning to your Board in 2022 with additional actions to continue supporting the NEOP program.

REFERENCE MATERIAL:

BAI #41, August 10, 2021
BAI #30, February 9, 2021
BAI #31, May 12, 2020
BAI #36, March 12, 2019
BAI #67, June 20, 2017
BAI #36, December 13, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Retroactive Second Amendment to Agreement A-19-122 with CHC
On file with Clerk - Retroactive Third Amendment to Agreement A-19-121 with FCSS
On file with Clerk - Retroactive Forth Amendment to Agreement A-16-698 with FCSS

CAO ANALYST:

Ron Alexander