



**Health and Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 4, 2018

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Staci Chastain PHONE: 624-8000

SUBJECT: Approve an amendment with California Department of Public Health

REQUEST(S):

That the Board of Supervisors:

1. Approve an amendment to Agreement No. 27346 with California Department of Public Health, for the Women, Infants, and Children Program retroactive to October 1, 2015 through September 30, 2019, in an amount not to exceed \$20,768,125. This amendment is necessary to allow shifting of funds for Fiscal Years three (3) to four (4), and to revise the contractor's name from County of Tulare Health and Human Services Agency to County of Tulare. This amendment is retroactive due to the delay in receiving the amendment from the State. It was impracticable for the Board to take action prior to October 1, 2015 due to the time needed to process, prepare, and submit the agenda item;
2. Find that the Board had the authority to enter into the proposed agreement as of October 1, 2015 and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman of the Board to sign five (5) copies of the amendment and Civil Rights laws attachment.

SUMMARY:

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) has served residents in Tulare County since 1979. The Women, Infants, and

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Children program provides supplemental foods, health care referrals, and nutrition education for low-income pregnant, lactating, and postpartum women and their children up to the age of five, who are found to be at nutritional risk. Tulare County conducts services through classroom education, outreach, providing educational materials, outreach at farmer's market, and scheduling appointments for clients to be seen in the clinic. Program services are provided to residents of Tulare County through nine (9) clinic sites throughout the County, and services are provided to approximately 28,500 participants with approximately 315,000 annual encounters.

This is a four-year agreement and every year a contract amendment takes place to allow funding to be distributed among various categories, within the WIC program. Due to program needs, funding was redistributed throughout the State and County budget, to fully use all funds available for Fiscal Years 2017/2018, 2018/2019. The overall WIC budget will not be affected by the line item shifts.

This agreement has been approved as to form by County Counsel. The following terms deviate substantively from the standard County boilerplate: 1) Agreement is dependent on availability of funds from the United States Department of Agriculture to the State; 2) County must indemnify the State; 3) County must sign first; 4) This is a multi-year agreement; 5) State and County may terminate immediately for cause and without cause with 30 days' written notice. The County may request to terminate in writing only if State substantially fails to perform; and 6) County must indemnify State for any intellectual property infringement claims. This indemnification includes payments of attorney's fees.

FISCAL IMPACT/FINANCING:

This amendment to the Agreement No. 27346 is funded entirely through the United States Department of Agriculture and the California Department of Public Health. The maximum of this agreement is \$20,768,125. Funding in the amount of \$4,934,321 is for period October 1, 2015 through September 30, 2016. Funding in the amount of \$5,231,908 is for period October 1, 2016 through September 30, 2017. Funding in the amount of \$5,277,935 is for period of October 1, 2017 through September 30, 2018. Funding in the amount of \$5,323,961 is for the period of October 1, 2018 through September 30, 2019, and a portion of this amount will be budgeted in Fiscal Year 2018/2019. There is no additional net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life initiative that encourages innovative provision of quality supportive services for at-risk adults, youth, and children in state and federally mandated programs. This agreement increases the ability to fulfill that obligation by providing services for low-income pregnant, lactating, and postpartum women, to infants; and to children up to the age five, who are found to be at nutritional risk.

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ADMINISTRATIVE SIGN-OFF:



Robert Stewart
Director of Fiscal Operations

cc: County Administrative Office

Attachment(s) Amendment

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN)
AMENDMENT WITH THE) Resolution No. _____
CALIFORNIA DEPARTMENT OF PUBLIC) Agreement No. _____
HEALTH)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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3. Authorized the Chairman of the Board to sign five (5) copies of the amendment and Civil Rights laws attachment.