

FIRST 5 FRESNO COUNTY

ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

DATE: Wednesday, January 28, 2026

Lighthouse for Children
2405 Tulare Street
Fresno, CA 93721

TIME: 12:30 p.m. - Regular Meeting

This meeting will be teleconferenced at the following location:

La Piazza, 15 Moraga Way, Orinda, CA 94563

This meeting will also be broadcasted to the public via Zoom using the following link:

<https://us06web.zoom.us/j/86152138124?pwd=From1tyohgZu2jbHt75wBC1BcyEaTO.1>

Meeting ID: 861 5213 8124 | Passcode: 164394

The public may participate in the meeting, as otherwise permitted under the Brown Act, by joining using the link above.

AGENDA

ITEM	SUBJECT	PRESENTER
1.	CALL TO ORDER	Chair Chavez
2.	POTENTIAL CONFLICTS OF INTEREST Any Commission Member who has potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.	Chair Chavez
3.	PUBLIC COMMENT This portion of the agenda is reserved for members of the public desiring to address the Commission on any matter not on this agenda. Limit two minutes per speaker.	Chair Chavez
4. Action Pg. 1	ELECTION OF COMMISSION OFFICERS	F. González, E.D. C. Armstrong, Legal Counsel
5. Action Pg. 2	COMMITTEE MEMBERSHIP APPOINTMENTS	F. González, E.D. K. Rangel, Staff
6. Action Pg. 4	CONSENT AGENDA – ITEM 6a-6c See attached Consent Agenda. Overview: These matters are routine in nature and are usually approved by a single vote. Prior to action by the Commission, the public will be given the opportunity to comment on any Consent Item.	Chair Chavez F. González, E.D.
7. Action Pg. 115	2025-2026 PROPOSED REVISED AGENCY BUDGET Supporting Document	F. González, E.D. A. Hillis, Staff
8. Information Pg. 135	2026 PUBLIC AGENCY UPDATES Supporting Document	F. González, E.D. C. Armstrong, Legal Counsel
9. Information Pg. 179	EXECUTIVE DIRECTOR'S REPORT	F. González, E.D.
10. Information	ANNOUNCEMENTS / INFORMATION SHARING	Chair Chavez
11.	ADJOURNMENT	Chair Chavez
NOTE:	NEXT REGULAR MEETING – MARCH 11, 2026	2405 Tulare St. Fresno, CA 93721

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CONSENT AGENDA

(Any Commissioner may pull any Consent Item for discussion or separate vote.)

ITEM	SUBJECT	PRESENTER
6a. Action Pg. 5	DECEMBER 10, 2025 REGULAR COMMISSION MEETING MINUTES	F. González, E.D.
6b. Action Pg. 7	INTERNAL POLICIES AND PROCEDURES – ANNUAL REVIEW Supporting Documents	F. González, E.D. A. Hillis, Staff
6c. Action Pg. 79	EMPLOYEE HANDBOOK – ANNUAL REVIEW Supporting Documents	F. González, E.D. K. Rangel, Staff

FIRST 5 FRESNO COUNTY
ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

REGULAR BUSINESS MEETING

January 28, 2026 - 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

AGENDA ITEM NO. 4

TO: Children & Families Commission of Fresno County
FROM: Fabiola González, Executive Director
SUBJECT: Election of Commission Officers

RECOMMENDED ACTION:

Nominate and approve Commission Officer positions of Chair, Vice-Chair, and Secretary/Treasurer.

BACKGROUND:

Commission Officers are considered for election annually at the start of every calendar year. First 5 Fresno County By-Laws state the officer roles of the Commission shall be of a Chair, Vice-Chair, Secretary/Treasurer.

The By-Laws state the Commission Chair, shall preside over meetings of the Commission, and shall perform the duties of the Secretary/Treasurer in the absence of that officer. The Chair shall execute agreements approved by the Commission.

The Commission Vice-Chair is required to preside over Commission meetings in the Chair's absence and perform other duties of the Chair for emergency situations when the Chair is out-of-county and pending matters must be performed before the Chair's return.

The Secretary/Treasurer of the Commission shall perform the periodic review of documentation supporting financial reports for internal control.

CONCLUSION:

Once elected, Commission Officers shall serve for a 12-month period.

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REGULAR BUSINESS MEETING

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AGENDA ITEM NO. 5

TO: Children & Families Commission of Fresno County
FROM: Fabiola González, Executive Director
SUBJECT: Committee Membership Appointments

RECOMMENDED ACTION:

Appoint and approve the Commission's Committee Memberships effective January 2026.

BACKGROUND:

Committee membership is revisited on an annual basis, thus giving Commissioners the opportunity to serve on different committees, as desired. The Commission has adopted two standing committees to assist with the ongoing work of the Commission in the core areas of: administration, finance (including audit support) and program review (including evaluation).

Each standing committee should have a minimum of two Commissioners (all Commissioners can serve as alternates for each committee). One additional community member may be appointed to each of the standing committees by the Commission if the Commission chooses to. The overarching role of each committee is as follows:

Administrative Committee

The Administrative Committee is typically chaired by the Commission Chair and is responsible for providing guidance and support to the Executive Director on issues related to personnel administration (i.e., staff compensation ranges, agency benefits, etc.), legal matters, office space, real estate, major purchases, policy and partnerships and communications concerns. Historically both the Chair and Vice Chair serve on the administrative committee and are responsible for facilitating the annual evaluation of the Executive Director and recruitment of the Executive Director when the position is vacant.

Finance and Program Review Committee

The Finance and Program Review Committee is typically chaired by the Commission's Vice Chair and is responsible for providing guidance on issues related to the Commission's financial matters and oversight of the programmatic and evaluation components of the Commission's Strategic Plan. Financially, the committee assures appropriate internal controls are in place, an independent audit is conducted each year, reviews and provides feedback on the Commission's annual budget, and supports ongoing financial analysis for the organization. The Committee's programmatic oversight responsibilities include the review of new program models, evaluation results and criteria for

programs to receive continued funding, as well as support to staff in the monitoring of existing programs, projects and initiatives.

For reference, the previous year's committee membership was as follows:

Administrative Committee	Finance and Program Review Committee
<i>Committee Chair:</i> Commission Chair Chavez <i>Committee Member:</i> Commissioner Gilbert <i>Committee Member:</i> Commissioner Sablan	<i>Committee Chair:</i> Commissioner Morales <i>Committee Member:</i> Commissioner Susan Holt <i>Committee Member:</i> Commissioner Beavers

CONCLUSION:

Upon approval, staff will work with each committee to set meeting dates as needed.

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CONSENT AGENDA

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ITEM	SUBJECT	PRESENTER
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FIRST 5 FRESNO COUNTY
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REGULAR BUSINESS MEETING

January 28, 2026 – 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

CONSENT AGENDA ITEM NO. 6a

RECOMMENDED ACTION:

Approve the December 10, 2025, Commission Meeting Minutes.

ACTION SUMMARY MINUTES

December 10, 2025 – 12:00 p.m.

PRESENT: Luis Chavez, Sabrina Beavers, Erika Martinez, Hugo Morales (teleconference), Marcia Sablan

ABSENT: Kari Gilbert, Susan Holt

STAFF: Fabiola González, Ashley Hensley, Alix Hillis, Hannah Norman, Lupita Ramirez, Karen Rangel, Liliana Salcedo, Alex Treas, Craig Armstrong (Legal Counsel)

Due to a lack of an in-person quorum, the Commission moved informational items to the top of the agenda. The items were discussed in the following order.

1. FISCAL YEAR 2024-25 EVALUATION ACTIVITIES UPDATE

First 5 staff are actively working with Learning for Action, new evaluation contractor, to develop a theory of change, for the new strategic plan, which will be finalized in early 2026. Once finalized First 5 staff will share with the Commission, along with, what evaluation activities will form under the new strategic plan.

Public Comment: None heard.

No action required.

2. STRATEGIC PLAN FOCUS AREA PRESENTATION: EARLY LEARNING

Public Comment: None heard.

No action required.

3. CALL TO ORDER: 12:29 p.m.

Commissioner Martinez entered the meeting at 12:29 p.m.

4. POTENTIAL CONFLICTS OF INTEREST

None heard.

5. PUBLIC COMMENT

None heard.

6. CONSENT AGENDA – ITEMS 4a

The Commission approved the Consent Agenda.

Motion by: Sablan Second by: Beavers
Ayes: Chavez, Beavers, Martinez, Morales, Sablan
Noes: None heard.

7. AGREEMENT WITH CHILDREN'S FUNDING PROJECT FOR A CHILD CARE COST MODELING COHORT

The Commission approved an agreement with Children's Funding Project for Fresno County's participation in the California Strategic Public Financing Cohort focused on child care cost modeling in an amount not to exceed \$18,000 for an 18-month term.

Public Comment: None heard.

Motion by: Beavers Second by: Sablan
Ayes: Chavez, Beavers, Martinez, Morales, Sablan
Noes: None heard.

8. FINANCIAL REPORT FOR PERIOD ENDING SEPTEMBER 2025

The Commission approved the financial report for period ending September 30, 2025.

Public Comment: none heard

9. EXECUTIVE DIRECTOR'S REPORT

Public Comment: None heard.

No action required.

10. ANNOUNCEMENT / INFORMATION SHARING

Public Comment: None heard.

No action required.

11. ADJOURNMENT: 1:14 p.m.

FIRST 5 FRESNO COUNTY
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REGULAR BUSINESS MEETING

January 28, 2026 - 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

AGENDA ITEM NO. 6b

TO: Children & Families Commission of Fresno County

FROM: Fabiola González, Executive Director

SUBJECT: Internal Policies and Procedures - Annual Review

RECOMMENDED ACTION:

Approve the updated (1) Accounting Policies and Procedures Manual, (2) Investment Policy, (3) Procurement Policies and Procedures Manual, (4) Travel Policies and Procedures Manual, and (5) Capital Assets and Depreciation Policy.

BACKGROUND:

On an annual basis, internal policies and procedures are reviewed to incorporate updates resulting from potential legislation, general practices, and any other needed revision. In this instance, updates to the Accounting Policies and Procedures Manual, Investment Policy, Procurement Policies and Procedures Manual, and Travel Policies and Procedures Manual are presented. No edits are being recommended at this time for the Capital Assets and Depreciation Policy.

On January 21, 2026, the Administrative Committee reviewed and moved this item forward for full Commission consideration.

1. Accounting Policies and Procedures Manual:

The Commission's Accounting Policies and Procedures ensure internal procedures align with Governmental Accounting Standards Board (GASB), the First 5 Association Financial Management Guide, and industry standards. Accounting policies provide high-level guidance and focus attention on critical executive responsibilities associated with accounting for the Commission.

- Various suggested updates to language to clarify language by legal counsel
- Update to references to other policies to refer the reader to the other policies rather than duplicate content

2. Investment Policy

The Commission's Investment Policy provides the framework for investment decision-making for the future of the Commission. In collaboration with PFM Asset Management, LLC (PFM), the Commission's investment firm, staff review and update the Investment Policy annually to ensure internal procedures align with the First 5 Association Financial Management Guide, Governmental Accounting Standards Board (GASB), and industry standards. PFM, the Commission's asset management company, and the Commission's Legal Counsel have reviewed and following edits are being recommended.

- Various suggested updates to language to clarify language, update code references, and match other policies in the Policy by legal counsel
- Page 5: Due to the passage of SB 595, update to extend the maximum maturity of commercial paper from 270 to 397 days. Added by PFM.
- Page 8: Due to change in code, update the date to allow for investment in U.S. Government-backed securities that may yield zero interest. Added by PFM.

3. Procurement Policies and Procedures Manual

The Commission is required by ordinance to develop and adhere to procurement policies and procedures related to its purchasing of and/or contracting for goods and services that are consistent with applicable federal and state laws and regulations. Commission staff and Legal Counsel reviewed and recommend the following updates for review and approval:

- Various non-material updates to language to simplify the Policy by legal counsel
- Increase to the threshold for purchase quotes from \$3,000 to \$5,000
- Update to the Executive Director's signing authority from \$10,000 to \$20,000
- Page 4: The addition of the Request for Bids option for formal procurement for the Commission to have as a potential procurement method
- Page 5: Update to the definition of an RFQ
- Page 11:
 - Authority Section: at the suggestion of legal counsel, moved language from the Accounting Policy to this policy (no language change)
 - No Personal Benefits Section: section added by legal counsel

4. Travel Policies and Procedures Manual

The Commission's Travel Policies and Procedures ensure official travel taken on behalf of the Commission is accomplished in a manner that meets business needs and minimizes cost. Commission staff and Legal Counsel reviewed and recommend the following updates for review and approval:

- Various non-material updates to language, including definitions, to clarify language in the Policy added by legal counsel

5. Capital Assets and Depreciation Policy:

The Commission's Capital Assets and Depreciation Policy is a guide for tracking and reporting capital assets. This year, no material updates are presented for review and approval to this manual. Since there are not updates to the Policy, it can be found on the website at <https://first5fresno.org/about/#board-tools>, under Commission Documents.

Fiscal Impact: Action on this agenda item will have no fiscal impact.

CONCLUSION:

Annual review and updates to Commission's policies ensure efficiency, further transparency, cost effectiveness and internal controls. If approved, the revised policies will be finalized and published.



Accounting Policies & Procedures Manual

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1. GENERAL

A. Introduction

The purpose of this Accounting Policies and Procedures Manual (this Policy) is to provide documented procedures related to fiscal policies, accounting principles, internal controls, operating procedures, and reporting requirements for the Children & Families Commission of Fresno County, also known as First 5 Fresno County (the Commission), also known as First 5 Fresno County (F5FC).

Use of this manual will assist Commission staff by:

- Describing methods for processing accounting information
- Documenting the accounting process so that execution of procedures is not completely dependent upon one individual
- Providing a training device and reference material for staff
- Providing a source of information to help eliminate uncertainties and confusion
- Ensuring consistent application of accounting policies and procedures
- Describing the principles, procedures, and forms to be used to process and generate financial reports prepared in accordance with generally accepted accounting principles and governmental accounting standards

B. Authority

The California Children and Families First Act of 1998 (Proposition 10) created the California Children and Families Commission (State Commission). Through the creation of the State Commission, 58 County Commissions were established.

Fresno County Ordinance Number 99-009 established the Fresno County Children and Families Commission pursuant to the provisions of the Health and Safety Code, Section 130140. Section 2.38.020, item G, of the Fresno County Ordinance states, "The Commission shall comply with Government Finance Officers Association (GFOA) financial management guidelines and Governmental Accounting Standards Board (GASB) accounting requirement standards."

The Commission is responsible for updating the manual as needed, at a minimum on an annual basis, and ensuring that revised policies are appropriately considered at a public meeting by the Commission.

C. Role of Fresno County Auditor-Controller/Treasurer-Tax Collector

The Fresno County (County) Auditor-Controller/Treasurer-Tax Collector (FCACTT) provides maintenance of the Commission Trust Fund held by the County for the Commission, referred to as a trust account (Trust Account). The FCACTT role to the Commission is that of a trustee nature. The Commission retains final authority over the Commission Trust Funds, and access to these funds, upon proper authorization, shall be performed by the FCACTT in a timely and efficient manner.

D. Lighthouse for Children, Inc.

Lighthouse for Children, Inc. (LFC) is a California 501(c)(3) non-profit public benefit corporation created by the Commission, in 2012, as a Qualified Active Low Income Community Business (QALICB) to take advantage of a New Markets Tax Credit financing structure used to build a

facility within a low-income community in Fresno County as the Commission was not eligible to be the QALICB. The LFC is considered a component unit of the Commission for financial reporting purposes and, as such, is included in the Commission's annual financial report.

As a component unit of the Commission, the LFC has a financial and operational relationship with the Commission ~~which that~~ meets the reporting entity definition criteria of GASB Statement No. 14, The Financial Reporting Entity, as amended by GASB Statements No. 39 and No. 61, and thus is included in the financial statements of the Commission. Although a legally separate entity, LFC is reported in ~~LFC's~~ Commission's financial statements using the blended presentation method because it provides services exclusively or almost exclusively to the Commission, and a financial benefit relationship exists between the Commission and the component unit.

~~Lighthouse for Children, Inc.~~ LFC must follow the policies and procedures as outlined in this Manual Policy unless otherwise noted in the sections below.

2. ACCOUNTING POLICIES

Accounting policies provide high-level guidance and focus attention on critical executive responsibilities associated with accounting. The policies assist the Commission in making decisions necessary for the daily operations of the agency:

- Accounting is conducted in accordance with Generally Accepted Accounting Principles (GAAP) ~~as promulgated by the Governmental Accounting Standards Board (GASB)~~, and in accordance with the guidance in Governmental Accounting, Auditing, and Financial Reporting (GAAFR) published by the Government Finance Office Association (GFOA)
- Accounting transactions are recorded in a manner to facilitate **outcome-based accountability**
- Accounting procedures and records ensure expenditures are made only for the purposes authorized by the California Children and Families Act of 1998 (as amended), and in accordance with the Commission's approved Strategic Plan in effect for the fiscal year
- Accounting procedures are adopted and followed to safeguard financial resources

A. General Accounting Procedures

The following general accounting procedures are the major elements that define and drive the accounting system:

1. Generally Accepted Accounting Principles	7. Program Accounting
2. Fund Accounting	8. Cost Allocation
3. Modified Accrual Basis of Accounting	9. Budgetary Accounting
4. Account Classification	10. Internal Control

1. Generally Accepted Accounting Principles (GAAP)

In order to maintain public trust, the Commission's operations, reporting, accounting policies, practices, and systems conform to ~~Generally Accepted Accounting Principles (GAAP) as promulgated by the Governmental Accounting Standards Board (GASB)~~.

2. Fund Accounting

Government accounting systems are organized and operated on a fund basis to provide strong accountability for the use of public funds.

Fund accounting focuses on the inflow and use of current financial resources, whereas private sector accounting focuses on profit and net worth. Fund accounting includes three broad classifications of funds:~~s~~. Governmental funds typically ~~are~~ used to account for tax-supported activities.~~s~~ Proprietary funds ~~are~~ used to account for a government's business-type activities ~~like a water department or an airport~~; and Fiduciary funds ~~are~~ used to account for resources that are held by the government as a trustee or agent for parties outside the government. Fiduciary funds cannot be used to support the government's own programs.

One type of governmental fund is the general fund. The general fund is the chief operating fund of most governments and is used by the Commission. Another type of governmental fund is a special revenue fund. A special revenue fund accounts for the proceeds of a specific revenue source that is restricted by law or administrative action to be expended only on a specified purpose(s). Special revenue fund accounting is commonly used when revenue sources are exclusively designated for a specific purpose.

3. Accounting Methods

There are three basis of accounting: cash accounting, accrual accounting, and modified accrual accounting.

A. Modified Accrual Basis of Accounting

~~There are three bases of accounting: cash accounting, accrual accounting, and modified accrual accounting.~~ Commissions are recommended, by the First 5 Association Fiscal Management Guide, to use the modified accrual method of accounting because it more effectively recognizes increases and decreases in financial resources.

The modified accrual basis of accounting is a method of accounting in which expenditures are recorded at the time liabilities are incurred and revenues are recorded when received in cash or are considered available for use.

B. Accrual Basis of Accounting

The LFC utilizes the accrual basis of accounting. The accrual basis of accounting is a method of accounting in which expenditures and revenues are recorded at the time they are incurred, not necessarily when cash is paid~~s~~ or received.

4. Account Classification (Chart of Accounts)

The Commission engages in a wide range of financial activities. An account classification system called a Chart of Accounts is used to record and organize this financial activity. The chart of accounts provides the organizing framework for budgeting and substantially enhances reporting capabilities.

The Chart of Accounts includes all accounts in the general ledger – assets, liabilities, fund balance, revenues, and expenditures. Asset, liability, and fund balance accounts reflect the financial resources of the Commission, and separately LFC, and are referred to as balance sheet accounts.

5. Program Accounting

Account classification creates a structure to account for assets, liabilities, fund balance, revenues, and expenditures. In addition, the Commission often needs information on programs. **A program is a set of specific activities taken on by the Commission to accomplish a particular goal.** A program may have more than one revenue source and may require expenses to be allocated to multiple accounts and/or funds.

Because ~~of~~ the Commission's ~~is legally mandated to ensure for~~ outcome-based accountability and ~~to comply with the program evaluation requirements associated with grant funds~~~~grant-related program evaluation requirements~~, the Commission ~~has employed~~ ~~uses~~ program accounting. ~~To accurately~~ ~~In order to~~ capture all ~~allocated~~ costs to ~~their~~ ~~the~~ appropriate funding ~~sources~~, outcomes, and results areas, the Commission has ~~implemented~~ ~~developed~~ program accounting ~~within~~ ~~their~~ ~~its~~ internal accounting system. Program costs are captured based on funding mechanism, focus areas, and funding source. The Commission has also employed a data reporting system that provides result area-based expenses attached to programmatic reporting.

6. Cost (Expense) Allocation

Most accounting for the Commission's activities is accomplished directly by processing transactions. Transactions are coded and charged to designated fund accounts and programs. However, certain situations require special allocation steps to accurately account and report the cost of Commission activities.

To provide clarity, the Commission has defined administrative costs within this Policy. Therefore, cost items that ~~comport conform~~ to the Commission's definition of administrative costs are charged directly to an administrative area in the accounting system. Cost allocation is used when costs need to be estimated and apportioned among different programs or organizational units. Examples of costs that may need to be allocated include office rent, telephone, and personnel costs.

Once it is determined that costs need to be allocated or apportioned, an allocation formula is created to obtain a reasonable estimate. At least once every two years, the Commission conducts a time-study of all staff positions to properly compute expenses. The time-study ~~shows provides an estimate of~~ the percentage of each staff position's time that is spent on each Commission program, evaluation, and internal administrative activities.

7. Budgetary Accounting

The Commission's budget is consistent with GAAP and governmental accounting standards. The budget is a commitment for the allocation of available resources for the upcoming budget period. The budget is shaped by the goals and objectives contained in the Commission's Strategic Plan and the financial direction set in the long-term financial plan.

An annual budget authorizes and provides the following:

- a. Basis for control of the financial operations of the Commission
- b. Estimates revenues made on a modified accrual basis, as anticipated to be earned for that budget year
- c. Estimates carryover fund balance made on a modified accrual basis, as anticipated to be on hand at the close of the fiscal year
- d. Estimates appropriation requirements made on a modified accrual basis

- e. These aforementioned estimates reflect expenditures and encumbrances for all obligations to be incurred during the budget year

The Commission will adopt the proposed budget at least one month prior to the beginning of the next budget period. In the adopted budget, the operating expenditures must not exceed the operating resources (forecasted revenues and reserves). That is, the total of all appropriations for the budget year may not exceed the total of estimated revenues for the budget year, plus the estimated unencumbered carryover fund balance from the current year.

8. Internal Controls

Commission staff administers and monitors the adopted budget during the year to establish budgetary control. Specific steps are taken to establish that control.

Initially, the budget is aligned with the modified accrual accounting system. The budget includes estimated allocations to the various program components that support the Commission's goals for early childhood development. The program accounting structure is aligned with the programs in the budget. Revenue and expenditure line items in the budget are aligned with the Chart of Accounts to effectively compare "actual" revenues and expenditures with "budgeted" revenues and expenditures.

Secondly, a component of budgetary accounting is encumbrance accounting. An encumbrance system is needed to control the expenditure side of the budget. Encumbrances represent the estimated amount of future expenditures that will result when unperformed work is completed within a contract term. Essentially, the encumbrance reserves a portion of a budget. When the work outlined in a contract is performed, expenditures will be recorded in the accounting system (and the encumbrance will be reversed). Until the expenditure is recorded, encumbrances are used so the Commission does not over-commit funds.

Thirdly, staff uses the budget document as a guide for expenditures throughout the budget period so that actual expenditures do not exceed the total adopted budget. Regular reporting is used to identify budgeted and actual amounts and fund balance, ensure resources are used for the appropriate purposes, and ensure resources are not expended too quickly.

Lastly, during the year, amendments are made to the original budget as circumstances change. The Commission must approve any appropriation transfers when it is necessary to move appropriations between expenditure objects. Objects are defined as Salaries and Benefits, Services and Supplies, and Program Contracts. The Executive Director or designee of the Commission may approve appropriation transfers between line item accounts within an expenditure object. The Commission may increase appropriations during the fiscal year on a 2/3-majority vote by Commissioners present at a regularly scheduled meeting of the Commission. The appropriation amounts must be matched by realized revenue or carryover, or additional anticipated revenue, in excess of amounts anticipated in the budget. Mid-year budget increases are made by resolution of the Commission. Records of the original budget and all amendments are maintained. At year-end both the "original" budget and "final amended" budget amounts are reported in the annual audit.

3. ACCOUNTING PROCEDURES AND PROCESSES

The accounting system consists of records and procedures which recognize, record, classify, summarize, and report information on the Commission's financial position and results of operations. The major

elements used in presenting financial information in governmental accounting are assets, liabilities, fund balance and/or equity, revenues, and expenditures.

The accounting procedures and processes below describe the methods used in accounting for the Commission's financial transactions. The goal of the accounting process is to produce financial reports that accurately summarize the financial position of the organization at a certain point in time and its revenues and expenditures for the fiscal period.

A. Revenue

A. Proposition 10 Revenue

Revenue received for the operation of the Commission is initiated and submitted from the California State Children and Families Commission on a monthly basis, based on Proposition 10 funds collected by the State of California. The revenue allocated and transferred to the Commission is based on the percentage of Fresno County live births to California State live births. The funds are remitted directly to the Fresno County Treasury where they are placed in the Children and Families Trust Fund.

The State releases a Monthly Distribution of Tax Revenues, which reflects funds distributed to counties for the month. The revenue remitted by the State is reviewed and documented by Commission staff each month to determine the reasonableness of the revenue.

B. Other Revenue

The Commission may receive other revenue not otherwise related to its Proposition 10 funding allocation from such sources, including but not limited to the State Commission, other state departments, local or federal government agencies, and private foundations. These funds may be restricted in how they are used and require special accounting information to track and report periodically. The acceptance of these revenues ~~must have~~ requires Commission approval and a formal grant, funding/lease agreement, or written use description including a budget or plan establishing restrictions and parameters of the use of the funds.

B. Cash

The Commission is responsible for several cash accounts. These accounts include the following:

1. Commission Trust Account

The Commission Trust Account (~~trust account~~), ~~occasionally referred to as the Children and Families Trust Fund~~, is maintained by the ~~County Fresno County Auditor-Controller/Treasurer Tax (FCACTT) Collector~~ for the Commission, ~~as noted in the General section of this policy~~. Monies are transferred to the cash accounts described below for the operations of the Commission.

Since the County has established that funds in the ~~T~~rust ~~A~~ccount are not operational funds, there is a need to have some excess funds in the Commission's cash accounts. The County only allows two, non-operational transfers per 30-day period, and the transfers must be 10 days apart between withdrawals. Commission management and the Commission's Secretary/Treasurer will establish the amount of funds to be held by a bank.

Commission management will make a transfer request to the FCACCTT in writing, on the Commission's letterhead, based upon projected future cash flow requirements. The authorized signer for transfers is the Commission's Executive Director. Transfer amounts for non-operational funds cannot exceed the amount allowed by the Fresno County.

Transfers may be made by check or wire transfer only to the Commission's program checking account.

Each month, the County submits a Monthly General Ledger Trial Balance Report and a Monthly Transaction Register to the Commission, which documents the activity for the month and the cash balance in the Trust Account.

The Commission will transfer sufficient monies to the operating account as needed for agency operations. There is no limit on the number or amounts of operations transfers within a 30-day period.

2. Operating Checking Account

The operating checking account is maintained to process transactions for the general operations of the Commission. The account requires two authorized individuals' signatures, designated by the Commission, on payments/checks over \$500.00.

Account signers are the Executive Director and a designee. Wire transfers must be authorized, in writing, by the Executive Director or designee.

The Executive Director has been delegated the authority to authorize payments for all recurring budgeted costs [no dollar limit] and up to \$3,000.00 for non-recurring operating costs.

Splitting payments to avoid the approval limit is contrary to Commission policy and is not allowed. Payments authorized by anyone other than the primary designee will be presented to the primary designee for review and the primary designee will initial their subsequent review and approval of the expenditure. The primary designees are designated as the Executive Director and the management staff (or designee).

3. Program Checking Account

The program checking account will segregate the funds necessary for financing current activity of programs/grants. The account requires two approvals on the account and will be as follows:

Authorized individuals shall be the Executive Director and a designee. Wire transfers must be authorized, in writing, by the Executive Director or designee and two signatures are required for checks over \$500.00.

Splitting payments to avoid the approval limit is contrary to Commission policy and is not allowed. Payments authorized by anyone other than the primary designee will be presented to the primary designee for review and the primary designee will initial their subsequent review and approval of the expenditure. The primary designees are designated as the Executive Director and the management staff (or designee).

Program funds are requested from the Trust Account on an as-needed basis as outlined in section B-1 of this Policy. A Commission staff designee verifies, within the accounts receivable procedures, funds have been deposited to the appropriate bank account.

4. Petty Cash Fund

The Commission maintains a petty cash fund for minor business expenses that is replenished as needed in an amount not to exceed \$200.00. A custodian is assigned the responsibility of maintaining this fund. Reconciliation by a designee, independent of the custodian function, is performed twice a year, at minimum. The petty cash fund is not used ~~for to make~~ change ~~funds~~. The process for petty cash is as follows:

1. Petty cash funds are secured in a locked petty cash box with the custodian.
2. Petty cash for a minor business expense is requested from the custodian.
3. The custodian completes a petty cash voucher with the date, amount disbursed, details of expense, account to debit the expense, and name of the person to whom the petty cash was paid.
4. The voucher is stapled to the receipt and stored in the locked petty cash box.
5. The expense is recorded in a spreadsheet that updates the running cash balance.
6. At the end of every quarter, the locked box is given to the designee to perform a reconciliation between the balance in the spreadsheet and ~~the~~ cash balance in the petty cash box.
7. Journal entries are then recorded by the designee for each expense by applying a debit to the expense account and a credit to the petty cash account.
8. Receipts and vouchers are scanned and attached to the journal entry batch and filed in the bank reconciliation/journal entry file.

5. Accounts Receivable

An accounts receivable process is maintained to identify, and bill all amounts due on a timely basis. The process will identify overdue receivables and provide timely collection notices.

The accounts receivable process is as follows:

1. Services and/or goods will be billed by a Commission staff designee.
2. The invoice generated will be recorded - a debit to accounts receivable in the amount of the invoice and a credit to the revenue - in the accounts receivable module of the Commission's accounting software.
3. After the ~~bill invoice~~ is issued, the timing of the outstanding ~~bill invoice~~ will be tracked so that the receivables can be aged.
4. Follow-up correspondence will be sent to the vendor/ Funded Partner if payment is not received by the due date listed on the invoice.
5. When the vendor/ Funded Partner remits payment on the invoice, the payment will be recorded in the accounting system by a staff designee and submitted to the Business Director or a separate designee for deposit.
6. Once the deposit is made, the staff designee receives the bank deposit slip and records it in the accounts receivable module, by debiting cash and crediting accounts receivable.
7. The Business Director checks that the deposit is accurately recorded and posts the receivable to the General Ledger.

6. Investments

The Commission has developed an Investment Policy that is updated annually, as needed, by Commission staff and appropriately considered at a public meeting by the Commission.

C. Bank Reconciliation

Bank reconciliation is performed on a monthly basis for all cash and investment accounts. The following describes the procedures related to the bank reconciliation process:

- a. The bank statement is received via email directly to the Early Childhood Initiatives Director, who is separate from the payment process, ~~who~~ reviews and forwards it to the Business Director or designee.
- b. Staff prepare monthly journal entries based on the bank statement. All journal entries must be accompanied ~~with~~by proper supporting documentation and filed appropriately. The Business Director or Business Manager then prepares the bank reconciliation and, upon completion, forwards it to the Executive Director.
- c. The Executive Director initials the bank reconciliation verifying the review and returns the bank reconciliation to the Business Director.

D. Payment Approval Authorizations

As outlined in the Commission's Procurement Policies and Procedures Manual, The Executive Director is authorized to approve payments of \$~~1015~~000.00 or less ~~as outlined in the Commission's Procurement Policies and Procedures Manual~~. Payments for non-recurring amounts over that amount~~\$10,000.00~~ require Commission approval.

As stated above, manual checks valued at more than \$500.00 require two signatures. Authorized designees are detailed by account.

The Executive Director and the Early Childhood Initiatives Director, who do not have access to the Commission's bank accounts, and the Commission's Vice-Chair and/or the Commission's Secretary/Treasurer are the payment authorizers. In the absence of the Executive Director, the Commission's Vice-Chair acts as a payment authorizer. The Commission requires payment authorizers to be updated upon the end of a Commissioner's term and updated to reflect incoming Commission members.

The Executive Director or designee may not approve authorizations payable to their supervisor; Commission Chair approval is required.

E. Fidelity Bond Insurance

The Commission is required to maintain fidelity bond insurance. The Commission has authorized the fidelity bond to cover all sums of the Commission's Trust Fund that are removed from the County Treasury. Currently the insurance amount maintained by the Commission is \$5,000,000.

F. ~~Policy of Cash Funds~~Investment of Funds

Funds may be invested by ~~management~~Commission staff in investments allowed by State Law and approved by the Commission. ~~Funds held by the banks must be collateralized with acceptable~~

~~securities with a value of 110% or more for funds in excess of FDIC (Federal Deposit Insurance Corporation) limits.~~ Please refer to the Commission's Investment Policy for further details.

G. Capital Assets

Capital assets include such items as land, structures and improvements, and furniture and equipment owned by the Commission. Under the modified accrual basis of accounting, the Commission charges capital asset purchases as expenditures. The following are safeguards to control capital assets:

- All individual capital assets, having a value of \$5,000.00 or more and a useful life of one year or more, are monitored through inventory controls
- Commission approval of all capital asset purchases, regardless of dollar amount, is required
- Pertinent data on capital assets (including description, cost, source of funds, and data acquired) is recorded as soon as capital assets are acquired, and data is available
- All items are tagged with a pre-numbered identification sticker
- Performance of annual physical inventories ~~are~~is made
- Maintenance of a listing of expendable equipment (assets that do not meet the specified dollar amount to be classified as a capital asset, but require control) that could easily be misappropriated, as well as periodic inventory of this equipment
- Recording of donated capital assets at fair market value as of date of donation
- Insurance requirements for fixed assets are reviewed on an annual basis to ensure coverage is adequate

The Commission has developed a Capital and Depreciation Policy that provides further detail. ~~This~~These policy is regularly reviewed for updates by Commission staff.

H. Purchasing/Receiving

The Fresno County Ordinance 99-009, Section 2.38.020; Item (I) states: "The Commission shall develop purchasing and contracting policies and procedures consistent with applicable federal and state laws and regulations."

The Commission has developed the Procurement Policy and Procedures Manual which is updated annually by Commission staff and considered at a public meeting by the Commission. The competitive bidding process is used in acquiring goods and services based on certain dollar thresholds.

I. Public Relations Purchases

Expenditures submitted to the Commission for public/community relations expenses must be made in accordance with the funding source requirements, consistent with good business practice, and adhere to the Commission's Procurement Policies and Procedures, Conflict of Interest Policy, and this Policy as appropriate.

Where funds are received for research, grants, or special projects, additional documentation must be maintained as required by the entity providing the funds. In the administration of restricted funds, the Commission must maintain adequate documentation to be able to demonstrate that the expenditures are made in a manner consistent with the restrictive conditions.

In accordance with this section, allowable Commission expenditures may include, but are not limited to:

1. Membership and participation in the activities of community groups, including but not limited to service clubs, forums, and community-wide organizations of leading citizens in early learning, child development, education, business and/or government which serve the needs of young children and their families and promote the engagement of the Commission within the community.
2. Commission programs/activities that promote and support optimal early childhood development, strengthening of the Commission's public relations; and/or donor cultivation and stewardship. Such activities may include, but are not limited to community receptions, cost of meetings, speaker fees, public ceremonies, Commission and committee meetings.
3. Hospitality expenses including the provision for meals, catered events, promotional materials, and other related expenses that are necessary to conduct official Commission business with external partners. Eligible costs associated with travel for guests of the Commission will adhere to the Commission's Travel Policies and Procedures Manual.
4. Promotional materials distributed to promote the name and brand of the Commission.
5. Flower/Plant purchases, with non-restricted funds, for official Commission functions such as community receptions, ceremonies, seminars, and other Commission events.

No reimbursement shall be allowed for the following expenses:

- Employee birthday, baby shower, wedding, wedding anniversary, etc.
- Clothing rental
- Political contributions
- Tobacco and alcohol purchases
- Daily reimbursement of lunches
- Amounts that are unreasonable given the circumstances in which the expenses were incurred and/or the benefit they provided to the Commission
- Membership or participation in organizations that discriminate based on race, color, religion, national origin, ancestry, age, gender, sexual orientation, marital status, veteran status, or disability

Refer to the Commission's adopted Community Event Sponsorship Guidelines for parameters on the activity/event-related support to community partners.

For the allowable expenditures described above, a Payment Authorization Form indicating the public relations purchase must be approved by the Executive Director or designee. The Executive Director or designee approving the authorization is responsible ~~to ascertain for ascertaining~~ the necessity and reasonableness of the authorization and that adequate documentation is attached to support the authorization.

The following justification information is required to be documented upon request for payment authorization of public relations purchases:

- **Purpose** - Be specific regarding the purpose for the expenditure. Generic statements such as "promotes positive relations", "community relations" or "employee relations" are not acceptable.
- **Relationship** - Names of the persons, including their employer and occupation or title, demonstrating the business relationship to the Commission.

- **Receipts** - Original receipts are required that include the amount, date, place and description of the expenditure. In cases where receipts cannot be obtained or have been lost, a statement to that effect shall be made and attached to the authorization.
- **Highest Position Responsible for Payment** - The highest-ranking Commission staff in attendance at a business-related activity is deemed to be responsible for making the payment to the vendor and he/she will subsequently seek approval to be reimbursed if needed with approval from their immediate supervisor.

J. Electronic Funds Transfer (EFT) – Automated Clearing House (ACH) Payments

Electronic Funds Transfer (EFT) is a system of transferring money from one bank account directly to another without paper money changing hands.

Automated Clearing House (ACH) payment is ~~the a~~ method of electronic remittance to individuals or entities that ~~are is~~ made electronically within the banking system. ACH payments have many benefits. They eliminate the need to print and mail checks, ensure payees receive payments by a specific date, provide an efficient, cost-effective, and payee-friendly means of making payments, are environmentally friendly due to the reduced use of paper, postage, office supplies, processing time, and storage space, and provide payees with an option to receive payment quickly.

The Commission utilizes EFT – ACH payments in lieu of issuing checks and mailing remittances. A check will be issued if no method of EFT exists, upon ~~the~~ Executive Director's approval.

The Commission will make every effort to make all vendor payments through ACH. Vendors must submit an EFT Authorization Form to the Commission. ~~This~~ form is located on the Commission's website. It is the responsibility of the vendor to ensure the ACH information submitted to the Commission is accurate and complete. Failure to maintain accurate and complete information may result in delayed payments.

K. Credit Cards

At times, the use of payment via credit card may be deemed necessary for recurring payments when ACH payment is not available. Credit cards are not intended for purchases that can otherwise be paid by issuing an EFT/ACH or check payment. Instead, they are intended to be used for vendors that do not accept these forms of payments, small purchases, travel, and emergency purchases.

A credit card will only be provided to the Commission's Executive Director and Business Director to provide a level of purchasing flexibility to conduct Commission business. Executive and Business Directors utilizing agency credit cards will be solely responsible for the safeguarding of the credit card and account number, as well as complying with this Manual Policy, internal procedures, and the Commission's Procurement Policies and Procedures Manual regarding purchasing, maintaining documentation, providing receipts, and reconciling the bill on a monthly basis. The Executive and Business Directors will work with Commission staff to ~~assure ensure~~ procedures are properly followed. Once the monthly credit card statement is reconciled, the statement and all purchases must be reviewed and approved for payment by the designee.

Use of the business card for personal reasons is not permissible at any time, even with the intention of not seeking reimbursement.

If the Executive or Business Directors terminate~~s~~ employment with the Commission, the credit card must be surrendered to the Commission immediately for cancellation.

L. Accounts Payable/Cash Disbursements

Invoices received for goods and services are approved by the Executive Director or designee and forwarded for payment processing. The following table outlines the procedures for processing accounts payable and the associated four methods of cash disbursement:

1. The invoice is received and ~~F5FC~~ Commission staff reviews the invoices and approves that the goods have been received or/and services have been performed. Then the invoice is forwarded for processing.
2. The Business or Operations Manager reviews the invoice for accuracy and matches the invoice to the supporting documentation and authorization to pay information. The Business or Operations Manager enters the invoice into the accounting system ~~and~~ prepares the Open Invoice Report, and forwards the report to the Business Manager/Director.
3. The Business Manager/Director reviews all invoices for completeness and accuracy. The reviewed invoices are submitted to the Executive Director and/or designee with all invoices and supporting documentation for approval.
4. The Executive Director or designee reviews the Report and approves payments in the Commission's accounting system. A secondary approval is completed by the Early Childhood Initiatives Director or designee. The Executive Director and the secondary approval designee email the Business Manager/Director documenting approval of invoices in the accounting system. The reviews do not need to occur in a particular order, so long as both reviews and approvals are documented as stated above.
5. Upon receiving approval from the Executive Director and designee, the Business Manager/Director releases all payments and saves payment receipts/confirmation reports.

EFT/ACH and Wire Transfers	Online (Bank Draft)	Credit Card	Check
6. The Business Director/ Manager creates and exports ACH files from the accounting database system in the proper ACH format. The ACH file is imported and transmitted directly to the bank.	The Business Director/ Manager processes payment online.	The Business Director/ Manager processes payment over the phone or online.	The Business Director/ Manager prints checks and forwards to Executive Director and designee for signatures, tracking the handling of checks via the check tracking stamp.
7. Transaction is confirmed with the bank and the ACH Batch Summary Report is saved in the payments folder.	Receipt is retained.	Receipt is retained.	The Business Director/Manager prepares each check for mailing utilizing the check tracking stamp.
8. Payment notifications are emailed to vendors.	Paid invoices are filed.	Paid invoices are filed.	Paid invoices, check stubs, and check tracking documentation are filed.

M. Payroll

The Commission utilizes a contracted payroll service to process payroll. Payroll is processed every two weeks. Physical control over personnel records is limited.

The Following are procedures related to the payroll function:

1. Time is entered into the payroll system, and payroll is prepared for review by the Business Director or designee.
2. The Executive Director or designee reviews, approves, and signs the draft payroll register/journal.
3. The Business Director or designee processes and submits payroll.
4. Paid time off (PTO) accrual is then reconciled for accuracy by the Operations or Business Manager. Pay stubs are delivered by the payroll service or electronically, and payroll direct deposit is issued every other Friday. If check stubs are delivered physically, a Commission staff member, who is independent of the preparation and authorization of the payroll submission, distributes payroll remittances.
5. Payroll reports prepared by the payroll service are reviewed by the Business Manager, not responsible for entering/submitting payroll, for any unusual items. If any unusual items occur, they should be remedied with the Commission staff submitter or otherwise reported to the Executive Director.
6. The Business Manager prepares and posts journal entries for all payroll liabilities and expenses to be reflected in the accounting system.

Payroll increases follow the established Compensation Policy and are then documented in memo format and submitted to the Executive Director for approval. Changes to the Executive Director's payroll ~~is-are~~ authorized by the Commission. The staff member who maintains personnel files will place the original payroll increase memos in personnel files.

N. Salaries and Benefits Policy

The Commission has developed, and appropriately considered at a public meeting, a Compensation Policy, as amended, to state procedures and policies for establishing salaries. Details regarding employee benefits are outlined in the Commission's Employee Handbook.

O. Compensated Absences

Compensated absences are absences for which employees will be paid, such as paid time off (PTO). A liability for compensated absences for services already rendered and that are not contingent on a specific event shall be accrued as employees earn the rights to the benefits. The compensated absence liability shall be calculated based on the pay or salary rates in effect at the balance sheet date. Staff can reference additional details found within the financial statements included in the annual audit report.

P. Accounting for Leases

Leases entered into by the Commission are accounted for pursuant to the Governmental Accounting Standards Board, GASB, standards. A lease is defined as a contract that conveys the control of the right to use another entity's nonfinancial asset (the underlying asset) as ~~specific~~-specified in the contract for a period of time in an exchange or exchange-like transaction. Commission staff shall refer to GASB standards and guidance when accounting for leases.

Q. Travel/Expense Reimbursements

Commissioners and staff are authorized to receive reimbursement for travel and business expenses incurred while attending official functions. Travel expenses shall be reasonable, prudent, and appropriate for the business of the Commission. Travel expense reimbursements by Commission staff and Commission members shall be properly authorized. Refer to pursuant to the, Authorization for travel is approved by the Executive Director or designee for all employees. The Commission approves travel for Commissioners through the budget process. When possible, the Executive Director shall notify the Commission prior to incurring out of County travel related expenses. In the event such notice is not possible, the designee shall sign off on the travel and then report to the Commission at the next regularly scheduled meeting. Further travel related expense procedures can be found in the Commission's Travel Policy and Procedures Manual, as amended that is maintained and updated as needed by Commission staff. as long as the expenses are reasonable, prudent, and appropriate for the business of the Commission. Travel expense reimbursements by Commission staff and Commission members shall be properly authorized.

R. Debt

The General Long-Term Debt Account Group is used to record liabilities of governmental funds. These liabilities may be long-term debt, such as bonds and notes, or long-term liabilities such as leases, claims and judgments, personal and major medical leave, and pension costs.

General fixed assets and intangible assets acquired via lease agreements shall be recorded in accordance with GAAP and GASB standards and guidance.

S. Journal Entries

Journal entries may be performed in order to bring an account to the correct balance and to record monthly activity. An adjusting journal entry is prepared for these types of changes. Monthly journal entries are prepared to record the monthly activity.

Staff prepares adjusting and monthly journal entries within the accounting system on an as-needed basis. Journal entry supporting documentation is filed/saved upon entry into the accounting system.

4. CONTRACT ADMINISTRATION

The purpose of this section is to set forth recommended contracting and contract administration guidelines for the Commission. The guidelines are based on best practices in public procurement. Best practice in governmental contracting requires a selection process that is based on the open and fair identification and selection of vendors qualified to render a particular service, taking into consideration both technical qualifications and price.

A. Procedures

1. Provider Selection

The Commission has developed the Procurement Policies and Procedures Manual based on best practices in public procurement which clearly identifies and describes the different methods of the administrative and programmatic procurement and contracting process. These

Manual is reviewed and updated annually, if needed, by the Executive Director and/or the Commission. Details can be found within the aforementioned Manual.

B. Contractor Payments

1. Advance Payments

Any provider seeking the release of funds prior to the commencement of work under the contract may make such a request in writing, on company letterhead, specifying the reason(s) advance funds are needed.

Advance funds are contingent upon the Commission's availability of cash flow. Approval is contingent upon the Funded Partner's performance in meeting contractual requirements and is based on the nature of each project.

~~The schedule details of advance payments allowed are outlined in the Commission's Funded Partner Manual, as amended. A single cash advancee usually consists of 25% of the annual contract amount and may not exceed 50% of the agreed-upon annual contract amount. Once 50% of the annual contract amount has been advanced, additional funds will not be released until 75 percent of the previously released funds have been expended and reported. The final quarter advancee of the fiscal year will only be two thirds of the quarterly advancee amount. The last month of each fiscal year is on a reimbursement basis.~~ Based on the service or agreement type, Commission staff has the authority to set the frequency and amount of the advance.

~~If, at the end of the contract period (i.e. fiscal year), the Funded Partner has not utilized any portion of the funds advanced, the Funded Partner shall return that amount to the Commission. If the amount is not returned, the Commission will withhold funds from the subsequent year's contract (if applicable). The Commission will make every attempt to negotiate a solution before pursuing litigation. Other details on advancees are outlined in the Commission's Funded Partner Manual.~~

2. Progress Payments

~~As outlined in the Commission's Funded Partner Manual, Funded Partners formally request reimbursement for services by submitting an invoice via the Commission's online programmatic database, unless advised otherwise. Funded Partners are required to upload expense details, which produces a report comparing actual expenditures to the project budget.~~

Payments of invoices are contingent upon compliance with all contractual requirements, including the achievement of performance standards and the timely submission of program data and fiscal reports. ~~The~~ Commission staff contract managers verify satisfactory progress has been made toward project objectives, as determined by the Commission's performance monitoring and reporting system and verify that all reported expenditures are allowable under the terms of the contract.

Contractor reimbursement process ~~is~~ as follows:

- a. A program progress report, as defined in the contract (which could be monthly, quarterly, or semi-annually), is required to be submitted by each Funded Partner by certain dates specified in the contract.

- b. The request for reimbursement (financial report) documents the Funded Partner's outlays for the period, by budget line item, and includes any disbursement amounts received and any reimbursements due (documentation is required by each Funded Partner to support the expenditures referenced on the financial status report).
- c. The contract manager reviews the Funded Partner's request for reimbursement (financial report) to verify the accuracy of the report.
- d. The contract manager:
 - 1. Verifies that satisfactory progress has been made toward project objectives.
 - 2. Approves the request for reimbursement.
 - 3. Prints/saves the approved financial report and the reimbursement summary for review.
- e. The approved financial report is then forwarded through the process outlined in the Accounts Payable/Cash Disbursements section of this Manual.

C. Budget Modifications

Funded Partner budget modifications are required when any main line item (Personnel, Operating Expenses, Professional Services, Evaluation, Capital, Equipment, and Indirect) is anticipated to exceed 10% of the original budget. Changes within sub-line items (Salaries, Benefits, Payroll Taxes, Operational Expenses, Travel/Training, Misc. Charges, and Program Expenses) do not require a budget revision. Details of how a contractor requests and submits a budget modification is outlined in the Commission's Funded Partner Manual, as amended.

Budget modification requests are considered as follows:

- ~~Submission of a Contract Amendment Request (CAR) form prior to the submission deadline (Deadlines may be found on the Commission's website)~~
- ~~Reasonable and necessary movement of funds throughout the budget excluding the increase/decrease of the Personnel category that would require additional rationale~~
- ~~Submission of a revised Scope of Work, if necessary~~

Requests are submitted prior to expenses incurred allowing the Commission to determine its appropriateness and minimizing any disallowed costs to the Funded Partner.

Budget modifications are reviewed by the ~~F5FC~~ Commission contract manager and approved by the Executive Director or designee, based on appropriate justification.

D. Authority

The Executive Director has been delegated ~~the~~ authority by the Commission to ~~enter into execute program contracts, make payments and authorize activities and to carry out the business of the Commission. The Commission has various policies including: Capital Assets and Depreciation Policy, Investment Policy, Travel Policy, Procurement Policies and Procedures Manual, all of which are maintained and reviewed annually. amendments to those contracts as long as there are no material changes in the scope of work or the dollar amounts does not exceed the original approved contract amount. The Executive Director has been delegated the authority by the Commission to execute operating contracts that are administrative in nature and affect the day to day operations of the Commission (no dollar limit).~~

E. Contract Management

1. Contract Term. Upon a contract's renewal period, if staff is unsatisfied with performance, staff will contact the contractor and schedule a review of the matter which will be presented to the

appropriate committee. Otherwise, the Commission delegates the Executive Director to renew agreements within the originally approved term, including its approved renewal period, and within the approved contract amount without additional Commission approval.

2. No Cost-Extension. In the event a contract requires additional time to meet the agreed-upon intent of the funding opportunity, the Executive Director may extend the agreement term without additional Commission approval so long as staff is satisfied with performance and no additional dollars are added to the originally approved contract amount.

Process to execute contracts, including signatures by Legal Counsel and Commission Chair, will still be followed, as required based on contract amounts.

5. FINANCIAL REPORTING

The goal of the accounting process is to produce financial reports, which accurately summarize the financial position of the organization at a particular point in time and provide information related to the revenues and expenditures for the reporting period.

A. Legal Requirements

California law requires that the State and local county Commissions adhere to specific reporting requirements (California Code Health and Safety Code Sections 130100-130155). The following are summaries of applicable statutory requirements for financial reporting; to the extent any of these summaries conflict with the law (due to subsequent amendments to the law or otherwise), staff shall adhere to the requirements of the law:

- Counties are to have a process to track and monitor administrative costs with periodic reports to the Commission (quarterly in many counties) (Section 130140(d)(5)) and 130151(b)(2).
- Policies are needed to assess and communicate the financial condition of the Commission (Section 130151(b)(6))
- Commissions are to track evaluation expenditures and document results of expenditures (Section 130151(b)(7))
- County Commission Reporting. On or before October 15 of each year, the State Commission and each county Commission shall conduct an audit of, and issue a written report on, the implementation and performance of their respective functions during the preceding fiscal year. At a minimum, this report shall include which funds were expended, the progress toward and the achievement of program goals and objectives, and the measurement of specific outcomes through appropriate indicators (Section 130150).
- The County Commission shall conduct at least one public hearing prior to adopting any annual audit and report (Section 130140 (G))
- Each County Commission shall make copies of its annual audits and reports available to members of the general public on request and at no cost (Section 130150 (d))
- The audits and reports of each county Commission shall be transmitted to the State Commission and the State Controller's Office by November 1 (Section 130150 (a))
- County Commission Reporting of State Commission Information. The State Commission shall make copies of each of its annual audits and reports available to members of the general public on request and at no cost. The State Commission shall furnish each county Commission with copies of those documents in a number sufficient for local distribution by the county Commission to members of the general public on request and at no cost (Section 130150 (c)).

- The County Commission shall conduct at least one public hearing on each annual report by the State Commission prepared pursuant to subdivision (b) of Section 130150 (Section 130140 (H))

B. Procedures

Annual financial statements are prepared in accordance with GAAP. Likewise, annual financial statements are independently audited in accordance with Generally Accepted Government Auditing Standards (GAGAS).

To supply appropriate individuals with the right information, at the proper time and in the correct format, the Commission reports their-its financial information at regular Commission meetings and on an annual basis within the audit report. Specifically, management will take steps to achieve the following goals for external and internal reports:

- *Content* – financial reports balance competing demands for completeness and conciseness
- *Timeliness* – information is received soon enough to take effective action
- *Currency* – the information communicated is current
- *Accuracy* – the information is reliable
- *Access* – the information is accessible to those who need it

1. External Reporting

External reporting refers to the annual public distribution of “general-purpose” financial statements designed to meet the basic financial information needs of a variety of potential users, including taxpayers and citizens, oversight and legislative bodies, and investors and creditors. The goal of external reporting is to provide the information needed by interested parties to gain a fair understanding of the government’s financial position and results of operations. External reports are developed in conformity with GAAP. GAAP requirements are designed to provide all primary users of general-purpose external financial reports with the reliable information needed to assess an entity’s finances.

a. Audit - Audit Requirements

All Commissions are required to conduct an independent audit of the basic financial statements. The audit requirements refer to an external review required by an independent audit firm to determine the financial statements fairly present the financial position of the agency being audited in accordance with GAAP. Auditors make this determination based on a review and testing of financial data maintained by the Commission.

Particular audit requirements include: internal controls, management letter, single audit, and acceptance of annual financial audit by the Commission.

b. Expanded Audit

In addition to the standard financial audit, the Commission is also required to go through an expanded audit pursuant to Health and Safety Code ~~per state code~~ section 130151 ~~(1 through 8)~~.

The Commission contracts with that same auditor to complete the financial and expanded audits, and both are presented and submitted as one package. The Commission views the expanded and financial audit as one audit with two components: 1) the financial audit, which is monitored by First 5 California, and 2) the compliance audit, which is monitored by the State Controller's Office (SCO).

The expanded audit covers the following items:

- Contracting and procurement policies: a policy consistent with state law and adopted in a public meeting and a legal representation letter shall be in place. A new legal representation letter is required annually even if the policy did not change.
- Administrative costs: administration costs shall be defined and a cap shall be established at a public meeting. Costs shall be monitored.
- County ordinance creating county Commission: policies and procedures ensure compliance with the county ordinance. The auditor reviews the Commission's strategic plan.
- Long-range financial plans: the plans have been formally adopted by the commission in a public hearing.
- Financial condition of the Commission: policies and practices for reporting financial condition are in place.
- Amount spent on program evaluation and related results: a policy regarding evaluation is available to the auditor. The auditor verifies that the amount spent on evaluation complies with the policy and that evaluation data was collected.
- Salaries and benefits: policies and procedures for establishing employee salaries and benefits are in place.
- When audit findings have been reported in prior years, the current audit report must include a schedule of prior audit findings.

Per expanded audit requirements, the Commission has adopted the Conflict of Interest Policy for Commission members that is consistent with applicable state law. The Policy ensures the Commission complies with all applicable state and local conflict of interest statutes and regulations. The Conflict of Interest Policy is reviewed and updated every two years. The policy is in compliance as follows:

- The Conflict of Interest Policy was adopted in a public meeting. ~~The (minutes of the meeting and the policy are available for auditors) and~~ available to auditors
- Obtain a letter from legal representative that states that Commission's policy is consistent with applicable state and local laws and regulations on an annual basis
- Minutes documenting appropriate abstentions for contract award actions are available
- Review Form 700 (economic interest) filings

2. Internal Reporting

This section does not represent reporting in accordance with GAAP, but rather reporting in accordance with budgeting processes. As was noted earlier, external financial reports that follow GAAP generally have a different look and focus than the internal reports. Internal reporting is designed to accomplish two goals:

- a. Allow management to monitor compliance with legal and contractual provisions applicable to the management of public funds
- b. Provides management and the Commission with the information on current performance data that it needs to make future financial plans

To fulfill the ~~these~~ goals, Commission staff prepares a financial report and submits ~~the report~~ to the Executive Director for review. Upon the Executive Director's approval, a final financial report is prepared for submission and acceptance at the Commission meeting.

C. Administrative Costs

Under the ~~First 5 Fresno County (F5FC) Commission's~~ Strategic Plan, the role of Commission staff is broader than just that of contract development and oversight, and includes support of programmatic services and ~~running management of~~ internal programs. The definition of administrative costs simplifies program administration in the way program services will be delivered under the Commission's ~~S~~trategic ~~P~~lan.

1. Defining Administrative, Program, and Evaluation Costs

~~As a result, T~~he Commission has adopted ~~a~~ this written policy that defines administrative costs and sets ~~a~~ 10% of the Commission's operating budget as the limit for administrative costs. Below are definitions for the three cost categories of which the Commission allocates costs.

- a. **Administrative Costs**- Costs incurred for administrative functions defined (below) by the local Commission in support of funded programs and its operations. Administrative costs are general in nature. This principle distinguishes between those costs that specifically and directly benefit a business unit, program, or evaluation activity from those that do not. Administrative costs support the Commission's basic mission rather than specific program goals. This principle distinguishes between the nature of costs that provide direct value to achieving specific program goals and objectives from those that do not.

Administrative functions performed are the following: general accounting/financial reporting; local annual reporting activities; financial planning; Commission/Association meetings and travel; human resources services; legal services and consulting; audit; strategic planning; financial and cash management; procurement and purchasing; property management; payroll and personnel management; developing and operating systems and procedures, including information systems, required for administrative functions; and oversight and monitoring of administrative functions. Only these administrative functions are to be charged as administrative costs.

- b. **Program Costs**- Costs incurred by the Commission readily assignable to a program or Funded Partner (other than for evaluation activities) and/or in the execution of direct service provision. Even though they are often associated with general organizational management, two types of costs that are typically classified as administrative costs, preparing program-level budgets/program scopes of work, and negotiating MOU's and other program-level agreements, are classified as program costs. Costs of such

activities as information systems development and operation, travel, and evaluation are charged to program costs or administration costs, according to whether the underlying functions which that they support are classified as programmatic or administrative. Program functions include direct services, program outreach and education, program and community agency technical assistance and support, and program database management.

- c. Evaluation Costs- Costs incurred by the Commission in the required evaluation of funded programs based upon their accountability framework and data collection and evaluation for required reporting to state and local stakeholders. Evaluation functions include evaluation technical assistance, evaluation database, and travel and training related to evaluation.

2. Organizing Procedures and Accountability Mechanisms

To ensure accountability, Commission staff abide by the following guidelines:

- a. Establish cost elements for each of three categories: administrative, program, and evaluation.
- b. Conduct analysis to determine and document an upper percentage limit for administrative costs.
- c. Establish within the accounting and reporting system a methodology for tracking and reporting on program, administrative, and evaluation costs.
- d. Maintain auditable records to ensure compliance with the administrative cost policy.
- e. Provide annual reports on administrative and evaluation costs that go to the public (budgets and annual financial reports).

D. Fund Balance

The Fund Balance includes funds committed for multi-year initiatives and programs. Proper reporting of fund balance provides an opportunity for the Commission to report how it has committed funds over a period of years.

The total fund balance represents the value of the funds available to the Commission. Fund balance is broken down into five components: nonspendable, restricted, committed, assigned, and unassigned. Each component is defined below.

1. Nonspendable Fund Balance

The nonspendable fund balance is defined as only an approximate measure of liquidity. One reason is that some of the assets reported in governmental funds may be inherently nonspendable from the vantage point of the current period:

- a. Assets that will never convert to cash (e.g., prepaid items and inventories of supplies)
- b. Assets that will not convert to cash soon enough to affect the current period (e.g., the long-term portion of loans receivable and non-financial assets held for resale, such as foreclosure properties)
- c. Resources that must be maintained intact pursuant to legal or contractual requirements (e.g., principal of an endowment or the capital of a revolving loan fund)

The key defining concept of nonspendable funds is that they are associated with it is the a legal obligation for by the Commission, based on an executed contractual agreement. Examples of nonspendable funds include, but are not limited to:

- a. Future payments due to providers of services to children and families
- b. Future payments due on professional services contracts
- c. Future payments due under lease arrangements

In all cases, amounts can only be classified as nonspendable if (a) there is a fully executed written contract or purchase order detailing obligations, (b) the payment obligation is not due in the current period, and (c) it is probable or expected that future expenditures will be made in accordance with the contract terms. The latter provision means that if it is likely that a contract will be amended or terminated before all scheduled payments are made, the encumbrance must be limited to the total amount of payments that are expected to actually be incurred (if less than the full contract value).

2. Restricted Fund Balance

The restricted fund balance is defined as amounts constrained for a specific purpose by external parties, constitutional provision or enabling legislation. The restricted fund balance describes the portion of the fund balance that reflects resources that are subject to externally enforceable legal restrictions. Funds that have been received by the Commission from sources other than the county's proportionate share of Proposition 10 revenues and that contain restrictions imposed by the funding source regarding how the money can be used, by definition, are committed to the purpose designated by the funding source. Examples that fall into this category include but are not limited to:

- a. Money received from the State Commission for specific programs or initiatives, such as school readiness, or quality child care funds, that must be used exclusively for the purpose designated by the State Commission
- b. Grants received from private foundations that contain restrictions in the grant agreement regarding how the funds may be used

3. Committed Fund Balance

The committed fund balance is described as the portion of the fund balance that represents resources constrained by limitations that the government imposes upon itself at its highest level of decision making (the Commission) and that remain binding unless removed in the same manner. The underlying action that imposed the limitation would need to occur no later than the close of the reporting period.

This category covers situations in which the Commission has explicitly authorized and directed staff to enter into an agreement with a specified agency, but the contract has not actually been executed. In order to be categorized as committed, funds must meet the following requirements:

- a. Formal action to approve the grant(s) and contract(s) must have been taken by the Commission and reflected in the public meeting minutes.

- b. The grant(s) and contract(s) must not have been executed yet, thereby avoiding any double-counting. These funds must be executed within a one-year period. After the one-year period funds will be designated to the unassigned fund.
- c. Funding that has been set aside for previously executed legally enforceable contracts but not yet spent, including multi-year contracts, if such contracts have been approved by the Commission and if cancellation of such contracts would require Commission approval.

4. **Assigned Fund Balance**

The assigned fund balance is the portion of the fund balance that reflects the Commission's intended use of resources. Such intent would have to be established by either the Commission or by a body thereof (e.g., finance committee).

There are two essential differences between committed fund balance and assigned fund balance. First, committed fund balance requires action by the Commission, whereas assigned fund balance allows the authority to be delegated to some other body. Second, formal action is necessary to impose, remove, or modify a constraint reflected in committed fund balance, whereas less formality is necessary in the case of assigned fund balance. Funds are appropriately included in this component if they fall under one of four types:

- a. Funds to operate a specific program or project in the current or future fiscal years that have not yet been committed or authorized for definite contracts, where all the following criteria are met:
 - A written plan has been developed describing the program or project and the time period covered by the plan
 - The plan contains a detailed budget or expenditure plan showing the amount of funds expected to be expended and the nature of the expenditures for each fiscal year covered by the plan
 - The Commission has formally approved the plan and budget in a public meeting, as documented in the meeting minutes
 - The Commission certifies that it intends, to the best of its ability, to expend the funds in accordance with the plan and budget
- b. Funds that have been set aside for long-term program sustainability, where all of the following criteria are met:
 - A long-range financial plan has been prepared that shows the specific dollar amounts that must be reserved for program sustainability in each of the early years of the plan, the timing for when sustainability funds will start to be drawn down, and the nature of the expenditures that are envisioned in each year covered by the plan
 - The Commission has formally approved the long-range financial plan in a public meeting, as documented in the meeting minutes
 - The Commission certifies that it intends, to the best of its ability, to manage the sustainability fund in accordance with the provisions of the long-range financial plan
 - The Commission has adopted its annual budget consistent with the assumptions and plans

- c. Funds that are established to handle unexpected debts that are outside the range of the Commission's operating budget. The funds are to protect the Commission against any possible losses in the event of an emergency situation. Details of the funds are outlined in Section E & F within this Policy.
- d. Funds designated specifically to fill any gaps of existing and future capital projects. The account is established to accumulate resources on an annual basis from year end de-obligations. Use of funds must be approved by the Commission.

5. Unassigned Fund Balance

The unassigned fund balance represents funds that can be spent at the discretion of the Commission. This category includes the remainder of the fund balance: funds that either have not yet been allocated for a specific purpose or have been identified in only a general manner where the Commission has significant flexibility in changing the amount or nature of the designation.

E. Contingency Fund Policy

1. Definition and Purpose of Contingency Fund

In an effort to be proactive, the Commission has set aside a fund to handle unexpected debts that are outside of the Commission's operating budget. The funds are to protect the Commission against any possible losses in the event of an emergency situation. To ensure the Contingency Fund reflects the Commission's administrative costs as well as facility management costs associated with the Commission-owned ~~Lighthouse for Children (LFC)~~ facility, funds are set aside to allow for a quicker and more effective recovery from an operational setback. The probability of a significant business disruption is small; however, having a Contingency Fund may save the Commission from potential failure to recover in the event that a risk materializes.

2. Contingency Fund Target Level

The Contingency Fund shall remain at \$1,500,000 (~~One mMillion fFive hHundred T~~ thousand ~~D~~ollars) as approved by the Commission. The balance of the fund represents approximately four (4) to six (6) months of both the Commission's operational budget and the ~~operational~~ costs of the LFC facility. Commission staff will review the fund amount at ~~a~~ minimum every two years. If a change to the fund amount is warranted, for example due to a significant change in these budgets, Commission staff would be required to seek approval from the Commission during the formal budget modification process.

3. Conditions for Use of Contingency Fund

Use of ~~these~~ funds will be determined by circumstance and level of severity, ~~considering with the following non-exhaustive criteria: Please note this list is non-exhaustive.~~

Table 1 – Contingency Fund: Conditions for Use

Moderate	Severe
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<ul style="list-style-type: none"> • State and local legislation affecting revenue or requiring compliance • Lawsuits against F5FC Commission or LFC • Unexpected default or a decline in State and local revenues 	<ul style="list-style-type: none"> • Unanticipated major repairs or replacement of an asset used in the daily operations of the building or service to the Commission staff • Acts of terrorism against the building or other infrastructure causing a financial hardship • Natural disasters • Expenditures arising from a claim or judgment that is otherwise not covered by insurance
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The Contingency Fund shall be reported in the Committed Fund Balance in the agency's budget at the beginning of each fiscal year. The fund may not be used to address anticipated Proposition 10 revenue shortfalls. Imbalances of this nature are generally addressed through a formal budget modification process. Appropriations for program service expenses are independent of the Contingency Fund as they are considered relevant to the Strategic Reserve Fund.

If a need arises for the potential drawing of funds allocated to the Contingency Fund outside of the above-mentioned guidelines, Commission staff shall present the request to the Commission for consideration and approval at a regularly scheduled meeting.

4. Authority of Contingency Fund Use

For unanticipated circumstances considered ~~m~~Moderate, as described in Table 1 above, staff must seek approval from the Commission prior to use of the Contingency Fund.

For unanticipated circumstances considered ~~s~~Severe, as described in Table 1 above, and that require immediate redress, the Executive Director or designee shall exercise full discretion of its appropriation in order to mitigate substantial loss of productivity. The Executive Director must report to the Commission, at the next regular meeting following the use of funds, with full explanation of how the portion of the Contingency Fund was used or is being used.

For any method employed, the process of appropriating the Contingency Fund will adhere to the guidelines within this ~~manual~~ Policy to minimize risk while striving to safeguard the Commission's assets.

5. Contingency Fund Replenishment

In the event the Contingency Fund or a portion thereof is used, Commission staff will aim to restore the fund to the recommended amount, mentioned above, by the closure of the fiscal year, only if there are enough cost savings available for replenishment without impacting other budgetary commitments. If restoration cannot be accomplished within such time without severe hardship to the Commission, staff will prepare a financial plan to restore the Contingency Fund in the subsequent fiscal years until the target level is met.

F. Strategic Reserve Fund

1. Definition and Purpose of Strategic Reserve Fund

The Commission sets aside a fund to guard against any future immediate and unanticipated Proposition 10 revenue deficits or shortfalls. Funds are set aside to allow for a quicker and more effective recovery from programmatic setbacks. The probability of a significant business disruption is small; however, having a Strategic Reserve Fund may save the Commission from potential failure to recover in the event that a deficit materializes.

2. Strategic Reserve Fund Target Level

The Strategic Reserve Fund shall remain at \$2,000,000 (~~two-Two million Million dollars~~) as approved by the Commission. If a change to the fund amount is warranted, for example due to a significant change in these budgets, Commission staff would be required to seek approval from the Commission during the formal budget modification process.

3. Conditions and Authority of Strategic Reserve Fund Use

Use of funds will be determined by the Commission based on circumstances and level of severity. The Strategic Reserve Fund shall be reported in the Committed Fund Balance in the agency's budget at the beginning of each fiscal year.

If a need arises for the potential drawing of funds allocated to the Strategic Reserve Fund, Commission staff shall present the request to the Commission for consideration and approval at a regularly scheduled meeting.

The process of appropriating the Strategic Reserve Fund will adhere to the guidelines within this ~~manual Policy~~ to minimize risk while striving to safeguard the Commission's liabilities.

4. Strategic Reserve Fund Replenishment

In the event the Strategic Reserve Fund or a portion thereof is used, Commission staff will aim to restore the fund to the recommended amount, mentioned above, by the closure of the fiscal year, only if there are enough cost savings available for replenishment without impacting other budgetary commitments. If restoration cannot be accomplished within such time without severe hardship to the Commission, staff will prepare a financial plan to restore the Strategic Reserve Fund in the subsequent fiscal years until the target level is met.

G. Record Retention

Financial records and contractual hard copy agreements are required to be retained a minimum of five years after the annual audit and are subject to inspection, monitoring, copying and audit by the Bureau of State Audits.

APPENDIX A

Glossary of Terms

Accounting Procedures

The day-to-day operation of a particular system so that accounting information will be reflected in the accounting records in a consistent, proper and orderly manner.

Accounting System

All the records, formal and informal, together with the procedures related to the assembling, classifying, recording and reporting of information concerning the financial operations and conditions of a fiscal entity.

Accrual Basis of Accounting

Transactions are recorded when they occur regardless of when cash is paid or received. The Commission uses a modified form of accrual accounting (see Modified Accrual Basis) for Governmental funds. However, the accrual basis of accounting is used for the preparation of annual government-wide financial statements where governmental reported (governmental activities are defined later).

Administrative Costs

Costs incurred for a common or joint purpose that benefits more than one cost objective, supports the general management and administration of the Commission, and/or those costs not readily assignable to a specifically benefited cost objective.

Advance Payment

Any payment made to a contractor before work has been performed or goods have been delivered.

Appropriation

A statutory authorization granted by the legislative body to an agency allowing it to incur obligations and make expenditures for specific purposes within a specified period of time and generally for a maximum dollar amount.

Assigned

Amounts that are intended by the Commission to be used for specific purposes, but are neither restricted nor limited, shall be reported as assigned fund balance. Intent may be expressed by the Commission itself or a subordinate high-level body or official possessing the authority to assign amounts to be used for specific purposes in accordance with policy established by the Commission. This would include ANY activity reported in a fund other than the general fund that is not otherwise restricted more narrowly by the above definitions.

Automated Clearing House (ACH)

ACH payment is the method of electronic remittance to individuals or entities that are made electronically within the banking system.

Balance Sheet

The financial statement disclosing the assets, liabilities and equity of the governmental funds (which includes general funds and special revenue funds). Governments are also required to disclose assets, liabilities and equity on a "government-wide entity" basis, using accrual accounting. This is known as the Statement of Net Assets.

Budget

A plan of proposed expenditures and the means of financing them with respect to a specific period of time.

Cash

Currency, checks, postal and express money orders, and banker's drafts on deposit.

Capital Assets

Land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all other tangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period. Capital assets historically were also referred to as fixed assets, but that terminology is no longer used in practice.

Cash Basis of Accounting

Basis of accounting that recognizes transactions or events when related cash amounts are received or disbursed.

Chart of Accounts

A numeral listing of all assets, liability, fund balance/equity, revenue and expenditure accounts used to record accounting transactions.

Committed

Includes amounts that are committed for specific purposes by formal action of the Commission. Amounts classified as “committed” are not subject to legal enforceability like restricted fund balance; however, those amounts cannot be used for any other purpose unless the Commission removes or changes the limitation by taking the same form of action it employed to previously impose the limitation.

Compensated Absences

A liability for future personal, major medical and other leave benefits accrued by an employee and for which the employee may be paid upon termination of employment.

Contingency

A provision to cover an unexpected expense, future event or circumstance that is possible but cannot be predicted with complete certainty.

Contract

A legally binding agreement between two parties for the provision of goods or services.

Electronic Funds Transfer (EFT)

EFT is a system of transferring money from one bank account directly to another without paper money changing hands.

Encumbrances

Contractual obligations to make future payments. Encumbrances represent the estimated amount of future expenditures that will result when, for example, purchase orders are placed and contracts are signed. Since the amount of an appropriation cannot be legally exceeded, the placing of purchase orders and the signing of contracts are critical events in controlling the Commissions' funds. The financial resources of a fund are said to be encumbered when a transaction is executed that requires performance on the part of another party before the Commission becomes liable to perform its part of the transaction (make payment to the entity).

Evaluation Costs

Costs incurred by the Commission in the evaluation of funded programs, in accordance with their accountability framework, and data collection and evaluation for required reporting to state and local stakeholders.

Expenditures

Take place when a vendor or contractor performs on a contract or a purchase order, as well as when goods or services are received. An expenditure and a corresponding liability or cash disbursement will be recorded at the time goods or services are received or at the time funds are granted to an authorized recipient.

Fiduciary Funds

Funds used to report assets held in a trustee or agency capacity for others and which therefore cannot be used to support the Commission's own programs. The fiduciary fund category includes pension (and other employee benefit) trust funds, investment trust funds, private-purpose trust funds, and agency funds.

Fixed Assets

Assets of a long-term nature which are intended to be held or used. These include land, buildings, improvements, machinery, furniture and other equipment.

Fund Balance

The value of the funds available to the Commission. Fund balance is the difference between fund assets and fund liabilities of governmental funds.

GAAP

Abbreviation for "Generally Accepted Accounting Principles," which are conventions, rules, and procedures that serve as the norm for the fair presentation of financial statements. The Governmental Accounting Standards Board (GASB) is responsible for setting GAAP for state and local governments.

Governmental Accounting Standards Board (GASB)

Ultimate authoritative accounting and financial reporting stand-setting body for state and local governments. The GASB was established in June 1984.

Governmental Accounting

The activity of analyzing, recording, summarizing, reporting and interpreting the financial transactions of governmental units and agencies.

Governmental Funds

Funds generally used to account for tax-supported activities. There are five different types of governmental funds: the general fund, special revenue funds, debt service funds, capital projects funds, and permanent funds.

Internal Control

The methods and measures adopted within a fund or agency to safeguard its assets, check the accuracy and reliability of its accounting data, promote operational efficiency, and encourage adherence to prescribed managerial policies.

Long-term Financial Plan

A plan that assesses the long-term financial implications of current and proposed policies, programs, and assumptions and develops appropriate strategies to achieve its goals. A financial plan illustrates the likely financial outcomes of particular courses of actions or factors affecting the environment in which the government operates. A financial plan is not a forecast of what is certain to happen but rather a device to highlight significant issues or problems that must be addressed if goals are to be achieved.

Modified Accrual Basis of Accounting

The basis of accounting adapted to government fund accounting where revenues are recognized when received in cash or when resources are considered available (except for material or available revenues which shall be accrued to reflect properly the taxes levied and the revenues earned – not applicable to county Commissions). Expenditures are recognized when the related fund liability is incurred.

Non-Spendable

Includes amounts either not in spendable form or legally or contractually required to be maintained intact. This would include inventory, prepaids, and non-current receivables.

Program Costs

Costs incurred by the Commission readily assignable to a program, grantee, or Funded Partner (other than post-contract program evaluation activities) and/or in the execution of direct service provision.

Progress Payments

Partial payments related to steps or phases toward the completion of the required services under a contract.

Progress Reports

A report on contract performance or fiscal compliance made at specific interval during the term of a contract.

Proprietary Funds

Funds that focus on the determination of operating income, changes in net assets (or cost recovery), financial position, and cash flows. There are two different types of proprietary funds: enterprise funds and internal service funds.

Purchase Order

A document that authorizes the delivery of specified merchandise or the rendering of certain services.

Reserve Fund Balance

The portion of a government funds' balance that is not available for appropriation (i.e., not available for the following period's budget). Legal restrictions or even third-party entities may impose a limitation on the use of funds or resources that may not be available for spending.

Restricted

Reflects the same definition as restricted net assets: constraints placed on the use of amounts are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or imposed by law through constitutional provisions or enabling legislation. This would generally include amounts in bonded capital projects funds, debt service funds, and cafeteria and center program funds funded with federal program dollars.

Statement of Activities

A government-wide presentation of its activities by function or program using the accrual basis of accounting. The statement presents revenues, expenditures, and a reconciliation of net assets.

Statement of Net Assets

The government-wide presentation of assets, liabilities and equity of governmental activities which includes all funds. It is the government-wide balance sheet. The Statement of Net Assets is presented on an accrual basis.

Statute

A law enacted by the legislature.

Unassigned

Includes any remaining amounts after applying the above definitions. Planned spending in the subsequent year's budget would be included here and can no longer be described as "designated" unless formally committed or assigned.



INVESTMENT POLICY

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1. Introduction

This investment policy (this “Policy”) provides the framework for decision-making in the investment approach for the future of the Children & Families Commission of Fresno County, also referred to as First 5 Fresno County (the “Commission”).

The investment policies and practices of the Commission are based on state law and prudent money management. It is the policy of the Commission that public funds not needed for the immediate, ongoing, and/or regular operating expenses of the Commission should, to the extent reasonably possible, be prudently invested or deposited consistent with applicable law. All funds will be invested in accordance with the Commission's Investment Policy and Section 53600 et seq. of the California Government Code. The Commission will invest its funds in a manner that will attain a rate of return consistent with safety and liquidity considerations.

2. Policy

This Policy applies only to idle funds in the Commission's possession or immediate control. “Idle funds” means funds the use of which is not required to meet the demands of cash flow for the succeeding month and all trust funds held by the Commission, including bond security funds, which are unnecessary to make debt service payments within the next six months. Investments will be made under the terms and conditions of Sections 53600 through 53683 and Sections 16429.1 through 16429.3 of the Government Code.

This Investment Policy applies to all funds of the Commission. These funds are accounted for in the Commission's annual audited financial report.

2.3. Prudence

All persons authorized to make investment decisions on behalf of the Commission are considered trustees and therefore fiduciaries who are subject to the prudent investor standard established by state law, Title 5, Government Code sSection 53600.3.

This standard shall be applied in the context of managing an overall portfolio. Commissioners, the Executive Director and/or designee, and Commission staff, acting in accordance with the Commission's written Accounting Policies and Procedures Manual and Investment this Policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

3.4. Objectives

The primary objectives, in priority order, of the Commission's investment activities shall be:

- a) Safety: Safety of principle is the foremost objective of the investment program. Investments of the Commission shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio. Investments may be made in securities of high quality to avoid credit risk and loss of principal. Investments susceptible to wide price fluctuations due to market volatility shall be avoided.

- b) Liquidity: The Commission's investment portfolio will remain sufficiently liquid to enable the Commission to meet any operating requirements that might be reasonably anticipated or respond to opportunities for investments arising from changing market conditions.
- c) Return on Investments: The Commission's investment portfolio shall be designed with the objective of attaining a market rate of return throughout economic cycles commensurate with the Commission's investment risk constraints and cash flow considerations.

4.5. Delegation of Authority

The Commission's Bylaws state the authority to manage the Commission's investment program is assigned as follows: Management responsibility of the investment program is hereby delegated to the Commissioners of the Commission. Pursuant to Government Code sections 53607, 27000.1, and 27000.3, the Commissioners have delegated management of the investment program to the Commission's Treasurer for a period of one (1) year, Executive Director and/or designee who shall maintain written procedures for the operation of the investment program consistent with this Investment Policy. Each year at the January Board meeting, the Commission will consider the renewal of authority to invest funds to the Commission's Treasurer, who shall thereafter assume full responsibility for those transactions until the delegation of authority is revoked or expires.

The Commission may delegate its investment duties decision making and execution authority to an investment advisor. The advisor shall follow the policy statement and such other written instructions as are provided.

5.6. Ethics and Conflicts of Interest

Commissioners, Executive Director and/or designee, and Commission staff involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions.

6.7. Borrowing for Purposes of Making Investments

The Commission is prohibited from the practice of borrowing for the sole purpose of making investments.

7.8. Authorized Financial Dealers and Institutions

To provide for the optimum yield in the Commission's portfolio, the Commission's procedures are designed to encourage competitive bidding on transactions from an approved list of broker/dealers.

The Commission Treasurer, Executive Director and/or designee, or the Commission's investment advisor, shall maintain a list of authorized broker/dealers and financial institutions that are approved for investment purposes. The maintenance of this list will require a comprehensive credit and capitalization analysis to indicate if the firm is adequately financed to conduct business with public entities. It is the policy of the Commission to purchase securities only from those authorized institutions or firms.

8.9. Authorized & Suitable Investments

The following instruments are authorized for investment of Commission funds:

- a) United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

- b) Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- c) Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue-producing property owned, controlled or operated by the state or any local agency or by a department, Commission, agency or authority of the state or any local agency. Obligations eligible for investment under this subdivision shall be rated in a category of "AA" or better, or the equivalent, by a nationally recognized statistical rating organization (NRSRO).
- d) Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California. Obligations eligible for investment under this subdivision shall be rated in a category of "AA" or better, or the equivalent, by an NRSRO.
- e) Repurchase Agreements used solely as short-term investments not to exceed 30 days.

The Commission may enter into Repurchase Agreements with primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York.

The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in VII. 1 and 2 will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to the Commission's custodian bank versus payment or be handled under a properly executed tri-party repurchase agreement. The total market value of all collateral for each Repurchase Agreement must equal or exceed 102 percent of the total dollar value of the money invested by the Commission for the term of the investment. For any Repurchase Agreement with a term of more than one day, the value of the underlying securities must be reviewed at least weekly. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day.

Market value must be calculated each time there is a substitution of collateral.

The Commission or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.

The Commission will have properly executed a Public Securities Association (PSA) agreement with each counter party with which it enters into Repurchase Agreements.

- f) Banker's Acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of Banker's Acceptances may not exceed 180 days maturity or 40 percent of the Commission's investment portfolio. No more than 10 percent of the Commission's investment portfolio may be invested in the Banker's Acceptances of any one commercial bank.

g) Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by an NRSRO. The entity that issues the commercial paper shall meet all the conditions in either paragraph (i) or paragraph (ii) below:

i. The entity meets the following criteria:

1. Is organized and operating in the United States as a general corporation.
2. Has total assets in excess of five hundred million dollars (\$500,000,000).
3. Has debt other than commercial paper, if any, that is rated in a category of "A", its equivalent or higher, by an NRSRO.

ii. The entity meets the following criteria:

1. Is organized within the United States as a special purpose corporation, trust, or limited liability company.
2. Has program-wide credit enhancements including, but not limited to, over-collateralization, letters of credit, or surety bond.
3. Has commercial paper that is rated "A-1" or higher, or the equivalent, by an NRSRO.

Purchases of eligible commercial paper may not exceed 270 days maturity.

Purchases of commercial paper may not exceed 25 percent of the Commission's investment portfolio and the Commission may invest no more than 10 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

h) Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Medium-term corporate notes shall be in a rating category of "A", or its equivalent, or better by an NRSRO.

Purchase of medium-term corporate notes may not exceed 30 percent of the Commission's investment portfolio, and the Commission may invest no more than 10 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

i) Federal Deposit Insurance Corporation (FDIC) insured or fully collateralized time certificates of deposit in financial institutions located in California, including U.S. branches of foreign banks licensed to do business in California. All time deposits must be collateralized in accordance with California Government Code section 53630 et seq, either at 150% by promissory notes secured by first mortgages and first trust deeds upon improved residential property in California eligible under section (m) or at 110% by eligible marketable securities listed in subsections (a) through (l) and (n) and (o). The Commission, at its discretion and by majority vote of the Commissioners, on a quarterly basis, may waive the collateralization requirements for any portion of the deposit that is covered by federal insurance.

j) Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank; provided that the senior debt obligations of the issuing institution are rated in a rating category of "A" or better, or the equivalent, by an NRSRO.

The Commissioners, Executive Director and/or designee, or other officials of the Commission having legal custody of the Commission's money are prohibited from investing the Commission's funds, or funds in the custody of the Commission, in negotiable certificates of deposit issued by a state or federal credit union if a member of the Commission or any person with investment decision making authority is a part of staff, serves on the board, or any committee appointed by the board, the credit committee, or the supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.

Purchase of negotiable certificates of deposit may not exceed 30 percent of the Commission's investment portfolio.

- k) State of California's Local Agency Investment Fund (LAIF): Investment in LAIF may not exceed the maximum set by the Local Investment Advisory Board. LAIF shall be reviewed periodically.
- l) The Fresno County Treasury Pool.
- m) Insured savings account or bank money market account. In accordance with California Government Code Section 53635.2, to be eligible to receive local agency deposits, a financial institution must have received a minimum overall satisfactory rating for meeting the credit needs of California Communities in its most recent evaluation.
- n) Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision, these companies shall either: (1) attain the highest-ranking letter or numerical rating provided by no less than two NRSROs or (2) have an investment advisor registered or exempt from registration with the Securities and Exchange Commission with no less than five years experience managing money market mutual funds and with assets under management in excess of five hundred million dollars (\$500,000,000).

The purchase price of shares shall not exceed 15 percent of the investment portfolio of the Commission, and the Commission may invest no more than 10 percent of its total investment assets in shares of beneficial interest of any one mutual fund.

- o) A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond.

Securities eligible for investment under this subdivision not issued or guaranteed by an agency or issuer identified in subdivision (a) or (b) above, the following limitations apply:

- i. Securities shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and have a maximum remaining maturity of five years or less.
- ii. Purchase of securities authorized by this paragraph shall not exceed 20 percent of the agency's surplus moneys that may be invested pursuant to this section.

- p) Shares of beneficial interest issued by a joint powers authority organized pursuant to California Government Code Section 6509.7 that invests in the securities and obligations

authorized in California Government Code 53601 subdivisions (a) to (q), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria: (1) The adviser is registered or exempt from registration with the Securities and Exchange Commission; (2) The adviser has no less than five years of experience investing in the securities and obligations authorized in California Government Code 53601 subdivisions (a) to (q), inclusive; (3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000). This investment must be rated AAA, or the equivalent as provided for by an NRSRO.

- q) United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA" or better, or the equivalent, by an NRSRO and shall not exceed 30 percent of the Commission's moneys that may be invested pursuant to this section.

Credit criteria and maximum percentages listed in this section 9 refer to the credit of the issuing organization at the time the security is purchased. The Commission may from time to time be invested in a security whose rating is downgraded. In the event a rating drops below the minimum allowed rating category for that given investment type, the investment advisor shall notify the Executive Director and/or designee and recommend a plan of action. The Executive Director and/or designee shall immediately notify the Commission Chair and/or Treasurer of both the downgrade and the investment advisor's recommendation.

9.10. Ineligible Investments

The Commission shall not invest any funds in inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgages, or in any security that could result in zero interest accrual if held to maturity.

Notwithstanding the prohibition in the above paragraph, the Commission may invest in securities issued by, or backed by, the United States government that could result in zero- or negative-interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates. The Commission may hold these instruments until their maturity dates. This permission shall remain in effect only until January 1, 20262031, and as of that date is repealed.

A security purchased in accordance with this Policy Section 10 shall not have a forward settlement date exceeding 45 days from the time of investment.

10.11. External Investment Managers

The Commission may contract with external investment managers to provide investment management services. These managers may be hired to actively invest Commission Idle fundsfunds not needed for liquidity. The Commission's benchmark is the Merrill Lynch 1-5 year U.S. Treasury Note Index.

External investment managers are required to provide timely reports to ensure that the manager's actions comply with the requirements of the law and this Investment Policy.

The manager's performance shall be reviewed against the agreed-upon benchmarks.

11.12. Diversification

The investments of the Commission shall be diversified by security type and institution.

12.13. Maximum Maturity

Investment maturities shall be based on a review of cash flow forecasts. Maturities will be scheduled to permit the Commission to meet all projected obligations.

The maximum maturity will be no more than five (5) years from purchase date to maturity date. For purposes of compliance with this Policy, an investment's term or remaining maturity shall be measured from the settlement date to final maturity.

13.14. Safekeeping and Custody

The assets of the Commission shall be secured through the third-party custody and safekeeping procedures. Bearer instruments shall be held only through third-party institutions. Collateralized securities, such as repurchase agreements, shall be purchased using the delivery vs. payment procedure.

14.15. Internal Control

The investments shall be subject to an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with the Commission's Investment Policy.

15.16. Performance Standards

Performance of the investments of the Commission will be reflected in financial reports from the investment manager's quarterly reports.

The investment portfolio shall be designed with the objective of obtaining a market rate of return throughout economic cycles, commensurate with investment risk constraints and cash flow needs.

16.17. Market Yield/ Benchmark

The Commission's investment strategy is active. Given this strategy, the benchmark used to compare returns will be the ICE Bank of America Merrill Lynch 1-5-year U. S. Treasury note index. The benchmark may change over time based on changes in market conditions or cash flow requirements.

17.18. Reporting

The Commission Treasurer and Executive Director or designated representative shall closely monitor the actions of the investment advisor to ensure consistency with this Policy and require that the Commission's contracted investment advisor provide, at a minimum, quarterly investment reports that comply with the requirements of state law. The Commission's contracted investment advisor is required to provide timely reports to the Commission that provide These investment reports must provide a clear picture of the status of the Commission's current investment portfolio. The investment report shall include comments on the fixed income and equity markets and economic conditions, discussions regarding restriction on percentage of investment by categories, possible changes in the portfolio structure going forward, and thoughts on investment strategies.

The Commission Treasurer or Executive Director and/or designee may provide an investment report to the Commission at a minimum on an annual monthly, at minimum, or quarterly basis (CA law, Government Code Section 53646(a)(2)). The investment report shall include the following information for each individual investment:

- Description of investment instrument
- Issuer name
- Yield on cost
- Purchase date
- Maturity date
- Purchase price
- Par Value
- Current market value and the source of the valuation

The report also shall (i) state compliance of the portfolio to the Investment Policy Statement, or manner in which the portfolio is not in compliance, (ii) include a description of any of the Commission's funds, investments or programs that are under the management of contracted parties, including lending programs, and (iii) include a statement denoting the ability of the Commission to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

-To the extent all of the Commission's surplus or idle funds are invested in LAIF, an insured account in a credit union, a bank or savings and loan association account insured by FDIC, in a county investment pool, or some combination thereof, the investment report may consist of the last statement from the institutions holding the funds plus each of the items set forth in section (i)-(iii) above.

18.19. Investment Policy Adaptations

The Executive Director and/or designee may annually render or review the Investment Policy to/with the Commission. Any updates to the policy shall be considered by the Commission at a public meeting.

19.20. Trading and Sales of Investments

Permitted investments may be purchased with the intent of holding them until maturity. However, in an effort to increase the total return of the portfolio (and subject always to the investing objectives of this Policy), permitted investments may be sold prior to their maturities when economic circumstances warrant a sale of the securities to enhance the Commission's overall portfolio quality, duration, yield, and/or total return.

Glossary

AGENCIES: ~~Federal agency securities and/or Government sponsored enterprises.~~

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): ~~A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.~~

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters. [Also referred to as Federal Agencies.](#)

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per entity.

FEDERAL FUNDS RATE: ~~The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open market operations.~~

FEDERAL HOME LOAN BANKS (FHLB): ~~Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank.~~

FEDERAL RESERVE SYSTEM: ~~The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.~~

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes. **LOCAL GOVERNMENT**

INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: ~~A written contract covering all future transactions between the parties to repurchase—reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer lender to liquidate the underlying securities in the event of default by the seller borrower.~~

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, ~~bankers' acceptances~~, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: ~~An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.~~

QUALIFIED PUBLIC DEPOSITORYES: ~~A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.~~

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.

REPURCHASE AGREEMENT (REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this.

REVERSE REPURCHASE AGREEMENT (REVERSE REPO): A reverse-repurchase agreement (reverse repo) involves an investor borrowing cash from a financial institution in exchange for securities. The investor agrees to repurchase the securities at a specified date for the same cash

value plus an agreed upon interest rate. Although the transaction is similar to a repo, the purpose of entering into a reverse repo is quite different. While a repo is a straightforward investment of public funds, the reverse repo is a borrowing.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECURITIES & EXCHANGE COMMISSION: ~~Agency created by Congress to protect investors in securities transactions by administering securities legislation.~~

STRUCTURED NOTES: ~~Notes issued by Government Sponsored Enterprises (FHLB, FNMA, SLMA, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.~~

TREASURY BILLS: ~~A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.~~

TREASURY BONDS: ~~Long term coupon bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.~~

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

UNIFORM NET CAPITAL RULE: ~~Securities and Exchange Commission requirement that member firms as well as nonmember broker dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.~~

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.



Procurement Policies and Procedures Manual

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PURPOSE

The purpose of the Children and Families Commission of Fresno County (the Commission), also referred to as First 5 Fresno County, Procurement Policies and Procedures Manual ([this Policy](#)) is to document the Commission's policies and procedures related to its purchasing of and/or contracting for administrative and programmatic goods and services. This Policy defines various methods of procuring goods and services, establishes when competitive procurement is required, sets forth exemptions and exceptions from the competitive procurement requirements, and specifies applicable procurement processes and required documentation.

Fresno County Ordinance 99-009, Section 2.38.020, item (IE) states "The [C]ommission shall develop purchasing and contracting policies and procedures consistent with applicable federal and sState laws and regulations." Similarly, the Commission is required by law to abide by ~~s~~Section 130140(d)(4)(B) of the Health and Safety Code, which requires county commissions to adopt, in a public hearing, contracting and procurement policies consistent with State law. This includes, but is not limited to, Government Code sections 54201-54205, Public Contract Code sections 2000-2002, 3410 and 22150-22154, and California Labor Code section 1771, *et seq.*

STATEMENT

The Commission recognizes the importance of diversity of vendors/contractors that reflects the communities the Commission serves and, as such, is committed to ensuring that its procurement opportunities are implemented in an equitable way.

By adoption of this Policy, the Commission is empowering the Executive Director and designated Commission Representatives, where and when necessary, with certain duties and responsibilities that are essential for the day-to-day operation of the Commission.

PROCUREMENT

A. Public Works Projects

In the event that the Commission desires to enter into a Public Works Contract, as defined in Public Contract Code section 1101, the Commission shall comply with those provisions described in Article 3.5 of the Public Contract Code (~~s~~20120 *et. seq.*). The Commission shall be the final decision-maker with respect to all Public Works Contracts.

B. Informal and Formal Competitive Purchases for Goods and Services (Non-Construction Projects)

1. Thresholds & Executive Director Signing Authority

Purchases for goods and services for the operations of the Commission are authorized by the Executive Director and/or the Commission. For informal and formal competitive procurements alike, the Commission reserves the right to reject any or all proposals, waive informalities, and award procurement contracts that are in the best interests of the Commission. The competitive procurement process shall be used to acquire goods and services based upon the following dollar thresholds:

For Purchases	Type of Procurement	Required # of Proposals/Quotes	Minimum Approval Required
\$0.01 to \$3,000 <u>5,000</u> .00	N/A - Routine Purchase	N/A	Executive Director or designee

\$3,000 5,000 .01 to \$50,000.00	Informal	Three (3)	a. Executive Director approval up to \$1020,000.00 b. Full Commission approval \$21020,000.01 and greater
\$50,000.01 and greater	Formal	No Minimum	Full Commission

Purchases \$35,000.00 or less are considered routine (day-to-day) and do not require proposals or quotes. These purchases can be made by using a Commission credit card with the Executive Director's (or designee's) approval so long as they meet the requirements otherwise described in this Policy and that of the Commission's Accounting Policies and Procedures Manual.

The Executive Director (or designee) shall have authority to execute contracts for amounts less than \$1015,000.01 without prior Commission approval. The Executive Director shall inform the Commission during the regular Commission meeting immediately following the execution of such a contract within the Executive Director's signing authority of (i) the subject matter of the contract; (ii) the amount and term of the contract; and (iii) the contracting parties. Neither the Commission nor its staff shall piecemeal contracts in an effort to make the contract amounts fall below any particular monetary threshold.

2. **Informal Selection Process – Up to \$50,000.**

The informal selection process allows the Commission staff to obtain a written price and scope of work via e-mail, or other writing by at least three vendors for goods or services valued at \$50,000.00 or less. This includes the use of Purchase Orders (POs) for administrative or operational purposes, which shall be signed by the Executive Director. The vendor that best fits the Commission's needs, using price, quality, and/or the ability to provide deliverables within the Commission's timeframe as the primary factors shall be selected. If the Commission is unable to obtain at least three written quotations using reasonable efforts, Commission staff shall document accordingly and provide as much available information to the Commission regarding why it could not obtain the minimum number of quotations. The Commission reserves the right to use a formal procurement process for purchases \$50,000.00 or less, especially if there is uncertainty about the types of goods or services the Commission is seeking to obtain. If informal quotations for goods or services were collected and it was found that the cost would be beyond \$50,000.01, the quotes will be rejected, and the formal procurement process shall take place. All agreements resulting from the informal selection process require Legal Counsel review prior to execution.

3. **Formal Procurement Process for Administrative Goods or Services – \$50,000.01 or More.**

For formal procurements, the Commission will use a Request for Bids (RFB), Request for Proposals (RFP) or a Request for Quotations (or Qualifications) (RFQ), as best determined by the Commission or its staff. All contracts entered into as a result of the formal procurement process shall be approved by the Commission, and receive Legal Counsel's review and sign-off prior to obtaining the signature from the Executive Director and the Commission Chair (or designee).

(a) An RFB, modified here for the Commission, is used when the Commission desires a specific type of good or service that is subject to, and generally includes, a defined set of plans and/or specifications. The Commission, unless specified otherwise, will issue a written notice to bidders, inclusive of a stated bid opening date, specifications, and the requirement that all bids are to be sealed until opened at specific bid opening or they will not be accepted. All submitted bids shall include all costs, including appropriate taxes. Unless any or all bids are rejected, the Commission may select the lowest responsible and responsive bidder.

(b) An RFP is used when the Commission cannot precisely set forth its needs. Rather than including specifications, the Commission shall provide vendors a statement of work and the vendors are then asked to propose solutions. The RFP will detail what items the vendors are to submit, the desired qualifications of the vendor, the cost of their proposals, how the Commission will evaluate the proposals, select the vendor, and develop the contract. The RFP award is based upon various factors, including the lowest price, expertise of the Proposer, including prospective service providers and vendors, and/or technical superiority of the proposal as compared to the other proposals submitted to the Commission. The RFP award is not always solely based on the lowest price. Proposals in response to an RFP are subject to negotiation after they have been submitted to the Commission.

(c) An RFQ is used when the Commission cannot precisely set forth its needs and cannot draft a statement of work predictive of the services needed. The RFQ shall contain all items contained in the RFP, except that vendors may not be asked to include the precise cost of their proposals. Rather, vendors shall be asked to submit a Statement of Qualifications (“SOQ”) that may include their general hourly rates or service charges or an estimate based on an assumed set of circumstances, but shall detail their experiences, capability, capacity and performance in the area requested by the Commission. The Commission shall determine whether or not the vendor meets the required qualifications. Proposals in response to an RFQ are subject to negotiation after they have been submitted to the Commission. is used when the Commission has determined precisely what goods and services it needs. Similar to an RFP, an RFQ award is not necessarily based upon the lowest price, but upon a service or good that best fits the requirements within a reasonable proximity to the other proposals submitted to the Commission. The terms contained in an RFQ are typically not negotiable.

4. Formal Procurement Process for Programmatic Services

For formal procurements for programmatic services, the Commission will use a RFP, RFQ, or Request for Applications (RFA) as best determined by the Commission or staff. All agreements resulting from the formal procurement process for programmatic services shall be approved by the Commission and receive Legal Counsel's review and sign-off prior to obtaining a signature from the Executive Director and the Commission Chair (or designee).

(a) The RFP is used when the Commission cannot precisely set forth its needs. Rather than including specifications, the Commission shall provide proposed prospective grantees a statement of work and the proposed prospective grantees are then asked to propose solutions. The RFP will detail what items the proposed prospective grantees are to submit, the desired qualifications of the Proposer, the cost of their proposals, how the Commission will evaluate the proposals, select the proposed grantee, and develop the contract. The RFP award is based upon various factors, including the lowest price, expertise of the Proposer, cultural responsiveness, innovation of approach, and/or demonstrated technical ability of the proposal as compared to the other proposals submitted to the Commission. The RFP award is not always solely based on the lowest price. Proposals in response to an RFP are subject to negotiation after they have been submitted to the Commission.

(b) An RFA is a formal announcement by the Commission of an opportunity to apply for funds with specific strategies and parameters in order to achieve the Commission's strategic goals and outcomes. An RFA contains specific requirements regarding the application and evaluation processes, and how such funds shall be used. Proposals in response to an RFA are subject to negotiation after they have been submitted to the Commission.

(c) An RFQ is used when the Commission cannot precisely set forth its needs and cannot draft a statement of work predictive of the services needed. The RFQ shall contain all items contained in the RFP, except that vendors may not be asked to include the precise cost of their proposals. Rather, vendors shall be asked to submit an SOQ that may include their general hourly rates or service charges or an estimate based on an assumed set of circumstances, but shall detail their experiences, capability, capacity and performance in the area requested by the Commission. The Commission shall determine whether or not the vendor meets the required qualifications. Proposals in response to an RFQ are subject to negotiation after they have been submitted to the Commission. An RFQ is used when the Commission has determined precisely what services it needs. Similar to an RFP, an RFQ award is not necessarily based upon the lowest price, but upon a service or good that best fits the requirements within a reasonable proximity to the other proposals submitted to the Commission. The terms contained in an RFQ are typically not negotiable.

(d) Intent to Partner (ITP): With respect to programmatic RFPs or RFAs, the Commission may select certain service providers by engaging in community-based planning efforts in which stakeholders come together for the purpose of identifying specific needs and the providers best able to meet those needs. Funds ~~should will~~ not be awarded during these meetings. The natural bias toward competitive procurement should apply, and any exceptions should adhere to the guidelines outlined in this Policy procedure.

C. Public Notice

It is the Commission's policy to provide notice to the public of all formal procurement opportunities. Such notices shall be posted publicly to ensure competition. Public notice will be on the Commission's website, and when determined by Commission staff to achieve the greatest response, in a trade newspaper or business journal or other appropriate medium, and/or posted via the internet on public online exchanges. Print and electronic publication shall be no less than the day of the release of the procurement opportunity, when possible. The Commission may opt to create and maintain a vendor list for specific professional services so long as such vendor(s) have been selected through an informal or formal selection process, as the case may be. Commission staff shall keep evidence of posting of such notices as part of the project.

D. Contacts During Procurement Period

As of the issue date of the RFB/RFP/RFQ/RFA and continuing through the public notification of the award, all Commission staff and Commissioners are specifically directed not to hold any unscheduled meetings, conferences, or technical discussions regarding the RFB/RFP/RFQ/RFA with prospective service providers or vendors. "Off the record" contact can potentially taint the Commission's decision-making process.

Proposers may only contact the individual identified in the RFB/RFP/RFQ/RFA as the point of contact in response to any matter pertaining to that RFP/RFQ/RFA. Proposers are prohibited from directly contacting any other Commission staff member or Commissioner regarding any matter directly or indirectly related to the RFP/RFQ/RFA. Such prohibited contact may result in the disqualification of the proposer and the potential contractor's proposal.

Proposers are encouraged to review the Commission's Conflict of Interest Policy found on the Commission's website.

E. Limitations on Those Who May Submit Proposals

1. No Subcontractors or Consultants

No consultant or subcontractor who provides advice to the Commission for a project may submit a proposal for an RFB/RFP/RFQ/RFA for the same project. This prohibition does not include those who may have engaged in generalized discussions with Commission staff or Commissioners regarding the Commission's Strategic Plan investments, outside of the direct development and release of procurement opportunity documents.

2. No Conflicts of Interest

Pursuant to the Commission's Conflict of Interest Policy and Conflict of Interest Code, no Commissioner or Commission staff may make, participate in making, or use their official position to influence the making of any governmental decision which may have a direct or indirect foreseeable material financial effect on that respective Commissioner or staff person. Therefore, no entity in which a Commissioner or Commission staff person has a material financial interest may submit a proposal to the Commission.

Additionally, any Commissioner or designated Commission staff running for elected office must immediately disclose and recuse themselves from any Commission matter or action involving a contributor (whether direct or in-kind) to the campaign of that Commissioner or Commission staff. Under no circumstances may Commission staff accept a campaign contribution (whether direct or in-kind) from a Commission contractor in which that Commission staff member has direct or indirect oversight over that contractor's service, contract, or activities. Commissioners and Commission staff are strongly encouraged to seek guidance from the Commission's Legal Counsel if there are any questions regarding the requirements contained in this paragraph. The violation of this provision may result in disciplinary action for Commission staff and dismissal for Commissioners.

3. Financial Dependents/Relatives

A financial dependent of a Commissioner or Commission staff, who has a material financial interest, may not respond to any Commission procurement. Relatives (which shall include, but not be limited to, spouses, parents, adult children, siblings, aunts and uncles) of Commissioners or Commission staff who are not dependents are discouraged from responding to any Commission procurement. If a Commission staff person becomes aware that his or her non-financially dependent relative has submitted or will submit a proposal, that Commission staff person shall immediately disclose the existence of this relationship to the Executive Director and/or the Commission. Moreover, that Commission staff person shall immediately be screened from the proposal process and such relationship shall be disclosed to the Commission prior to any approval by the Commission. If a Commissioner is aware that his or her non-financially dependent relative has submitted or will submit a proposal, that Commissioner shall disclose the relationship at a public meeting and may choose to recuse himself or herself from any part of the decision-making process on any Commission procurement.

F. Disallowed Costs

The Commission shall not reimburse any potential contractors for any expenses that potential contractor incurs in the preparation of a proposal to the Commission. A potential contractor is solely responsible for his/her/its own costs regarding the preparation of and/or submitting submission of any proposal.

G. Time and Due Date

The amount of time proposers may prepare their responses to formal procurement opportunities shall be determined by the Commission but, shall be no less than ten (10) calendar days after release of RFB/RFP/RFQ/RFA and shall provide sufficient time for proposers to prepare and submit their proposals.

The Commission reserves the right to amend the proposal due date at any time. Such changes shall be issued in writing in the form of an addendum to all prospective proposers who received the original request documents, and posted on the Commission's website. The Commission shall timestamp all proposals it receives, or if the RFB/RFP/RFQ/RFA allows for electronic submission, Commission staff shall keep evidence of the date and time such electronic correspondence is received. The Commission will make a reasonable effort to have multiple submission options available to help meet proposers' needs. The Commission IS NOT RESPONSIBLE IF IT DOES NOT RECEIVE A PROPOSER'S ELECTRONIC SUBMISSION.

H. Addendum of Procurement Opportunities

The Commission reserves the right to amend any RFB/RFP/RFQ/RFA. The Commission shall make a reasonable effort to provide all vendors who received an RFB/RFP/RFQ/RFA with written notice of such action. Any oral interpretations of contract specifications by any Commissioner or Commission staff to the vendor regarding terms or conditions shall not be binding on the Commission. All procurement amendments shall also be posted on the Commission's website and be part of the original RFB/RFP/RFQ/RFA.

I. Mistakes in Proposals Prior to Submission Deadline

Mistakes in proposals detected prior to the submission deadline may be corrected by the Proposer by withdrawing the original and submitting a corrected proposal to the Commission *before* the due date. Alternatively, the Proposer or an authorized representative may correct the mistake on the face of the original proposal, provided that such revision occurs prior to the due date and time and, in the Commission's sole judgment, the revision is not ambiguous and resolves the mistake. A corrected proposal must follow the time and due date procedures in Section G above. The Commission will not accept corrections to proposals after the proposal time and due date unless otherwise outlined in the procurement document (e.g. a four-hour window to submit missing supportive documents).

J. Acceptance, Review, and Selection

Proposals shall be accepted without alteration or correction, except as authorized in this Policy, and shall be evaluated based upon the requirements set forth in the RFB/RFP/RFQ/RFA, which may include certain criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the proposal's price and be considered in the evaluation for award, shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs.

The Commission shall assign a Commission staff person to facilitate the creation of a selection committee and/or process to review the proposals. Commission staff may participate in the selection committee as applicable to the procurement opportunity in order to provide contracting history, institutional insight, and guidance of the Commission's Strategic Plan. The resulting contract file shall contain a written explanation of the selection decision.

Points may be assigned to portions of procurement documents to aid in the scoring of submissions. If a required component of a submission is not included in the submission or submitted as specified in the procurement document, subject to the Commission's discretion, the submission may not automatically be rejected. In such an event, the omitted/incorrectly submitted piece(s) may result in partial points being awarded to the proposal. The Commissioner may, in its sole discretion, waive any irregularities or exceptions in each proposal received.

The Executive Director, or designee, shall make a final recommendation to the Commission based on the results of the selection committee. The Executive Director, or designee, shall notify all Proposers of the

recommendation no less than five (5) weekdays before the Commission approves the award. Final approval of the award shall be made by the Commission.

All contracts and purchases shall be based strictly upon the face value of the proposals received. The Commission shall not factor into its procurement selection any hidden rebates, discounts, and other price considerations not described in the proposals.

A formal award notification shall be issued to the selected vendor, specifying the amount awarded and indicating that funds will be released upon compliance ~~of with~~ a signed contract establishing the terms and conditions of all parties. Non-selected vendors shall receive written notice of the Commission's action. Commission staff shall keep evidence of the sent award and non-selection letters as part of the project.

K. Notice of Cancellation or Rejection of Proposals

The Commission may, at its discretion, cancel or reject any or all proposals. In the event of such a cancellation or rejection, all proposers shall be notified in writing as soon as possible and the reason(s) shall be documented in the procurement file.

L. Determination of Non-Responsiveness

Failure of a proposer to promptly supply information requested by the Commission may be grounds for the Commission to determine that the proposer is non-responsive, in which case the proposal may be rejected.

M. Disclosure of Results

After the award by the Commission, all submissions received by the Commission shall be open to public inspection at the offices of the Commission during normal business hours or by electronic means, as agreed to by Commission staff. The Commission shall keep the non-selected proposals for a minimum of two (2) years after the completion of the project. The Commission is subject to the California Public Records Act ("CPRA"), and the submitters must assume that any submission it submits to the Commission is subject to disclosure under the CPRA. The Commission assumes no responsibility for the confidentiality of any information provided in the proposals. The Commission shall not retain, during the normal course of its activities, the identity of any proposal reviewer. The Commission may retain blind scoring sheets and documents containing feedback of each proposal. The disclosure of such materials shall be in accordance with the CPRA. The Commission shall not disclose any records during a procurement or the Commission reasonably anticipates that procurement opportunity will be released by the Commission within the next 60 days, that could result in an unfair advantage to any submitter.

N. Protests

1. **Formal Procurement or Commission Approved Informal Purchases:** Upon notice by the Commission of a proposed award, any proposer may file a formal written protest regarding a potential or recent procurement by the Commission. The protest shall be filed in writing with the Executive Director no later than forty-eight (48) hours before the day of the meeting at which the Commission is scheduled to (i) award the subject contract or (ii) approve or disapprove a purchase that requires approval pursuant to the informal selection process described in Section B.2 above. The protest shall contain the exact basis for the protest, and proof that the protester is a viable and responsible provider of the supplies, equipment or services sought. The protest should provide evidence that the award violated the Commission's procurement procedures or State law. Mere disagreement with the decision of the Commission or Executive Director shall not be the basis for a successful protest. Commission staff shall keep record, according to its record retention

practices, of any and all protests made by proposers. The Commission shall consider timely protest(s) at its next public meeting after the Executive Director has received the protest(s). The Commission's determination on a protest shall be final.

2. **Informal Procurement within Executive Director's Signing Authority** - Under \$1020,000.01: Upon notice by the Commission of a proposed award of a procurement not going before the Commission in a regular item, any proposer may file a formal written protest regarding a potential procurement. The protest shall be filed in writing with the Executive Director no later than forty-eight hours after the notice of award. The protest shall contain the exact basis for the protest, and proof that the protester is a viable and responsible provider of the supplies, equipment or services sought. The protest should provide evidence that the award violated the Commission's procurement procedures or State law. Mere disagreement with the decision of the Commission or Executive Director shall not be the basis for a successful protest. The Executive Director shall make a determination ~~as to~~ on a protest to an informal procurement. A proposer may file an appeal of such a determination with the Commission. Commission staff shall keep record, according to its record retention practices, of any and all protests made by proposers. The Commission's determination on the appeal shall be final.

O. Exceptions to a Competitive Selection Process

All goods and services shall be procured by an informal or formal competitive selection process unless the Commission or the Executive Director determines that one or more of the circumstances described below is satisfied. The Commission shall document, in writing, the justification for using such an exception.

1. **Sole Source Procurement:** The Commission may procure materials or services that are available from only one source. In order for the Commission to justify a sole source procurement, one or more of the following factors must be present:
 - a. The vendor capabilities and experiences are so unique (including the vendor's possession of patents or trademarked materials) that no other vendor may comparably meet the Commission's needs;
 - b. Only one product is available to reasonably meet the Commission's needs; or
 - c. Only one vendor has the ability to provide goods or services to the Commission within the Commission's required time frame.
2. **Emergency:** Emergency purchases may be made by the Executive Director or designee when the materials or services so purchased are necessary to continue Commission operations or services. For all emergency purchases, the Executive Director shall use his or her best efforts to consult with the Commission Chair prior to making any such purchases. Such emergency purchases shall be submitted to the Commission for ratification at its next regular Commission meeting. The Commission expects the use of such emergency purchases to be seldom used.
3. **State or County Vendors:** The Commission may use a vendor under a leveraged purchase agreement without a competitive selection process if the leveraged purchase agreement itself was procured via a competitive selection, and the vendor accepts the same terms as those contained in the leveraged purchase agreement, and the scope of work is a reasonable extension of the previously awarded contract.

4. **External Grant Opportunity:** From time to time, the Commission may apply, as a grantee, for competitive or non-competitive grant opportunities and submit such applications within a short window of time. The opportunity must align with the Commission's Strategic Plan in order to enhance the Commission's impact. On such occasions, the Commission may, at its discretion, partner with contractors selected without a competitive process. While the Commission will make every effort to adhere to the requirements under this policy, there may be circumstances where Commission staff may, at its discretion, hold grant submission development conversations and/or select a subcontractor or designee in order to submit a strong application in a timely manner. This provision shall only apply to opportunities where the Commission would be considered a grantee~~contractors providing services~~. It shall not apply to public works contracts.

P. Strategic Plan

All contractors must provide services in a manner consistent with the objectives in the Commission's current Strategic Plan. In order to carry out these objectives, the Commission may, from time to time and in its sole discretion, request that a contractor work with other Commission-affiliated service providers in order to integrate the services into other programs funded directly or indirectly by the Commission. All contractors must make reasonable efforts to comply with the Commission's request.

Q. Funded Partner Manual

With respect to RFB/RFPs/RFQs/RFAs, contractors must comply with all policies and procedures set forth in the Commission's Funded Partner Manual. The Commission may review and amend the Funded Partner Manual as the Commission considers necessary in its sole discretion. The Manual can be found on the Commission's website at <https://first5fresno.org/what-we-do/#contracting-documents>.

R. Commission Business Continuation

In the event of an emergency and the Commission is unable to convene to take action (i.e., natural disaster or a pandemic deemed by the applicable local, state or federal governmental entities), the Commission Chair and/or Vice Chair, in concert with the Executive Director, or designee, may approve contracts for the sole purposes of ensuring that agency business and services may continue during such times of emergency. Any such actions shall be brought to the Commission at the next regular Commission meeting after such an event. Any agreement executed under these circumstances shall contain a provision stating that, in the event the Commission fails to affirm the terms in the contract, the contract may be terminated by the Commission without penalty.

S. Authority

The Executive Director has been delegated authority by the Commission to execute program contracts and amendments so long as there are no material changes in the scope of work or the dollar amount does not exceed the original approved contract amount. The Executive Director has been delegated the authority by the Commission to execute operating contracts that are administrative in nature and affect the day-to-day operations of the Commission (no dollar limit).

R. No Personal Benefits.

Commissioners and Commission staff shall avoid actual and perceived conflicts of interest throughout the entire procurement and contract management process. Commissioners and Commission staff shall not use their official positions to obtain benefits, directly or indirectly, for themselves or anyone else.



TRAVEL POLICIES AND PROCEDURES MANUAL

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1. OBJECTIVE

This Travel Policies and Procedures Manual (this “Policy”) establishes guidelines and procedures for all official travel taken on behalf of the Children and Families Commission of Fresno County (“the “Commission”) by Commissioners, employees, and authorized representatives while conducting official Commission business. All official travel must be accomplished in a manner that meets business needs and minimizes the cost to the Commission, while also adhering to general California travel guidelines and guidelines of the U.S. General Services Administration (“GSA”) all while taking into consideration the safety of the Commission’s employees.

2. POLICY

All official Commission travel shall be properly authorized, reported, and reimbursed in accordance with this documentPolicy. Commission travelers are expected to exercise good judgment in the use of public funds. Personal travel is not to be charged to, or partially funded by, the Commission.

3. SCOPE & AUTHORITY

This Policy applies to all official Commission travel, regardless of funding sources, and includes special rules for Commission employees, authorized non-employees, and board members (Commissioners). These procedures apply to all employees and representatives,individuals authorized to travel on Commission business. The Executive Director of the Commission or designee is authorized to issue interpretations and take other actions appropriate to implement provisions of these this proceduresPolicy.

4. DEFINITIONS

For the purposes of these this proceduresPolicy, the following definitions will apply:

1. Commission:

Commission refers to the Children and Families Commission of Fresno County, also known as First 5 Fresno County.

2. Commissioners:

Commissioners means those seven members of the Commission appointed by the Fresno County Board of Supervisors to carry out the Commission’s work.

3. Employee:

Employees are full-time and part-time persons employed by the Commission.

4. Headquarters:

The place where the employee spends the largest portion of regular workdays or the place where the employee returns on completion of special assignments. For all employees, the headquarters will be the Commission office.

5. Meal and Incidental Expense (M&IE):

M&IE and prorated M&IE are allowed when the traveler is on travel status for more than 12 hours in a 24-hour period. The M&IE amount is to cover the cost of meals and necessary incidental expenses including tips, laundry expenses, etc.

2.6. Residence:

A place of primary dwelling shall be designated for each employee. The primary dwelling shall be defined as the actual dwelling place of the employee.

3.7. Travel Expenses:

Expenses that are ordinary and necessary to accomplish official business purposes of a trip. Travel expenses include:

- **Subsistence Expenses** include charges for meals, lodging and charges for personal expenses incurred while on travel status.
- **Business Expenses** consist of charges for business phone calls and communications, supply purchases and all other charges necessary to complete official business.

4.1. Employee:

Employees are full time and part time persons employed by the Commission.

5.1. Meal and Incidental Expense (M&IE):

M&IE and prorated M&IE are allowed when the traveler is on travel status for more than 12 hours in a 24 hour period. The M&IE amount is to cover the cost of meals and necessary incidental expenses including tips, laundry expenses, etc.

5. AUTHORIZATION TO TRAVEL

- A. All official Commission travel must have prior approval in writing by the Executive Director or designee. Such approval must be obtained prior to making any travel arrangements. Out of state travel requests must be requested made at least sixty (60) business days prior to the first day of travel, and local travel requests must be requested made at fifteen (15) business days prior to travel date. In rare circumstances the Executive Director can may waive the 60 or 15 day notice requirement.
- B. All travel requests must be submitted using the Conference/Training Travel Request Form (the “Request Form”). The Request Form may be found/obtained from the Commission’s shared drive, and must include purpose of travel, dates of travel, destination, estimated costs, funding source, and brief explanation of how the training/conference supports his or her role within the Commission and how it aligns with the Commission’s Strategic Plan. The Form is used to request attendance for a conference or training and outline details of travel. The completed Request Form must be submitted to the designated staff to create a cost estimate. Once the cost estimate is complete, the Request Form is forwarded to the designee(s) responsible for budget monitoring to review and affirm that the estimate is within budget constraints. The Request Form is then forwarded for approval by the traveler’s supervisor and final approval by the Executive Director or designee.
- C. Travel requests for the Executive Director will be approved by the Commission Chair.

6. PAYMENT OF TRAVEL (TRAVEL EXPENSE CLAIM PROCEDURE)

- A. Prepaid expenses for Employees must be charged directly to the Commission whenever possible. These prepaid expenses are required to be documented in the Travel Expense Form upon completion of travel.
- B. Original, supporting receipts and the Request Form must be ~~attached to Travel Expense Form and~~ submitted to the designee responsible for budget monitoring within five (5) working days of the date the Employee returns from travel ~~expenses were incurred~~. The ~~designated staff~~Employee will complete a Travel Expense Form, ~~attaching the supporting receipts and the traveler's Request Form, and submit provide it~~ to the traveler, who will then ~~forward submit the complete Travel Expense Form~~ to their supervisor for approval. ~~The reviewing supervisor may request additional supporting documentation from the traveler prior to approving the Travel Expense Form. Upon approval, the reviewing supervisor will then forward the approved Travel Expense Form For final approval, to~~ the Executive Director or designee ~~for final will~~ review and ~~sign off approval~~. Receipts submitted beyond the five (5) ~~working days period~~ will not be reimbursed, unless there are extraordinary circumstances that justify the late submission.
- C. All expense claims shall be properly itemized, accompanied by the original, supporting receipts and approved by the traveler's supervisor via signature. The supervisor approving the claim is responsible for determining the necessity and reasonableness of the travel claim and that adequate documentation is attached to support the claim. The Executive Director or designee may disallow unreasonable, unapproved, or excessive travel expenses claimed.
- D. No travel expense reimbursement shall be paid unless submitted on a Travel Expense Form.
- E. Travel expense claims from the Executive Director will be approved by the Commission Chair and reported at the next regular Commission meeting.
- F. In order to meet Internal Revenue Service ("IRS") requirements, the Travel Expense Form must include:
 1. The inclusive dates for each trip and the times of departure and return.
 2. The purpose or objective of each trip.
 3. The Headquarters' address and the Employee's Residence ~~primary dwelling~~ address.
 4. Certification that the travel expenses were incurred in accordance with Commission policies and on official business of the Commission. ~~In the Conference/Training Travel Request Form, the traveler must explain how the training or conference supports their role within the Commission and how it aligns with the Commission's Strategic Plan.~~
 5. An itemized list of expenditures such as transportation, lodging and/or meals.
 6. The destination, location or area of travel. Use the name and address of each destination. General destinations such as "Fresno and vicinity" are not acceptable.

- G. In the case where receipts cannot be obtained or have been lost, a statement, in memoranda form, to that effect should be made and attached to the Travel Expense Form.
- H. Travel advances must be noted and deducted from subsequent reimbursements. (See section 11 regarding travel advances)
- I. Reimbursable expenses, as outlined in this Policy, are offered to Commission ~~E~~mployees. If an employee chooses to forgo the offered travel accommodations, (rental car, room arrangements, etc.) the Commission is not responsible to cover the expenses.

7. PER DIEM SUBSISTENCE ALLOWANCE

In computing the per diem subsistence allowance for authorized travel lasting more than ~~twelve (12)~~ hours in any ~~twenty-four (24)~~-hour period, the following maximum reimbursements will be allowed for expenses incurred out of ~~Fresno~~ County:

- A. *Meals and Incidental Expenses (M&IE):* The following table shows the general breakdown of breakfast, lunch, and dinner components of the maximum *daily* reimbursement (per diem) rates for meals and incidental expenses while on travel status. The M&IE rates differ by travel location, departure and actual return time. View the per diem rate of your primary destination in order to determine which M&IE rates applies. Refer to the current fiscal year Domestic Per Diem Rates issued by the ~~U.S. General Services Administration (GSA)~~ Department for guidance on deducting these amounts from per diem reimbursement claims.

The appropriate M&IE for a day is the rate prescribed for the community in which the traveler is receiving the training or conference. On the day of return, a traveler is entitled to the M&IE applicable for the preceding day. On the day of departure and return, the traveler receives a prorated M&IE based upon scheduled departure and actual return times as follows:

Day of Departure			
Departure Time	Before 9:00 AM	Before 2:00 PM	Before 11:00 PM
M&IE	Full Day	Lunch & Dinner	Dinner

Day of Return			
Return Time	12:00 PM	Before 5:00 PM	After 5:01 PM
M&IE	Breakfast	Breakfast & Lunch	Full Day

In circumstances where the traveler is required by the airline to report to the terminal more than two hours prior to departure, the traveler is to state on the travel expense claim the additional time required by the airline and the traveler's actual check in time. This

additional time (beyond two hours) is added to the departure time in the above table to allow the traveler an M&IE as may be appropriate. For example, if the airline required the traveler to report three hours before flight time, the "Before 9:00 AM" departure time would be adjusted to "Before 10:00 AM."

B. *Meals provided to travelers:* Occasionally, a traveler is provided with a meal while at a conference, training seminar, etc., or as part of a lodging package or included as part of the conference/meeting. When a traveler is provided with a meal in these or similar circumstances, the traveler is not eligible for the related M&IE allowance.

8. TRANSPORTATION EXPENSES

Travelers are responsible to coordinate transportation arrangements with the designated staff responsible. Travelers are expected to make every effort to obtain the most economical rates, use the most economical mode of transportation, and use the most usually traveled route consistent with the purpose of the trip.

Transportation expenses consist of the charges for commercial airline fares; vehicle rental; private car mileage allowances; overnight and day parking for cars; bridge and road tolls; taxi, bus, streetcar, train, rideshare, micro-mobility transportation, rapid transit fares; and all other charges essential to the transport to and from the Commission's official ~~H~~eadquarters. Reimbursement will be made only for the approved method of transportation that is in the best interest of the Commission, considering both the direct expense as well as the traveler's time. Concerning air travel, economy/coach class shall be used and flight changes for personal convenience are not reimbursable. Travelers, however, may opt out of the most reasonable/economical travel method, but may be required to pay the difference between the most reasonable/economical travel method and the method selected.

A. Transportation by Automobile

Reasonable charges for necessary parking, as well as charges for ferries, bridges, tunnels, or toll roads while on official travel or away from regular duties, may be claimed. Travelers must submit proof of liability coverage for use of their privately-owned automobile use for business prior to the date of travel. Minimum prescribed liability insurance coverage under this policy is:

- \$15,000 for personal injury to, or death of, one person
- \$30,000 for injury to, or death of, two or more persons in one accident
- \$5,000 for property damage

1. *Privately Owned Automobiles:* Employees are required to conform to public policy regarding fiscal responsibility. Travelers will utilize their privately-owned automobile if this mode of travel is deemed ~~as~~ the most reasonable.
2. *Mileage Reimbursement:* Mileage reimbursement is intended to cover the cost of routine repairs, tires, gasoline, and other automobile expense items due to use for Commission business. Travelers will be reimbursed, via the Mileage Reimbursement Form, the maximum current rate that is approved by the IRS for use of their privately-owned vehicle. Mileage shall ordinarily be computed using the distance between the

~~traveler's workstation~~ ~~Commission's Headquarters~~ and the ~~common~~ destination or airline terminal, as applicable. Expense claims between the traveler's ~~R~~esidence and the Commission's ~~H~~eadquarters will not be allowed. However, mileage expenses shall be allowed between the traveler's ~~R~~esidence and/or Headquarters, whichever is less, to the destination or common airline terminal, if business travel for the Commission originates or terminates during a regularly scheduled day off.

When a traveler is authorized to drive a private vehicle to or from a common airline terminal, mileage may be reimbursed as follows:

- One round trip, including parking for the duration of the trip; or
- Two round trips, including short-term parking expenses, when an employee is driven to the airport or picked-up from the airport.

3. *Auto Allowance:* At the discretion of the Commissioners, the Executive Director may receive an auto allowance for usage of his or her private vehicle and out-of-pocket travel expenses for activities performed in representing the Commission. An Auto Allowance will be budgeted within the Commission's agency budget and paid via payroll services and is offered in lieu of mileage reimbursement, etc. Travel for Commission business under ~~200~~~~190~~ miles (one way) is covered under this allowance. As detailed in this ~~P~~olicy, liability coverage requirements apply.
4. *Vehicle Rental:* Vehicle rentals may be used when, in a specific situation, it's considered more advantageous to the Commission than the use of taxis, rideshare, or other means of transportation. Travelers are responsible ~~to coordinate for coordinating~~ travel arrangements with the designated staff responsible. Commission Staff is responsible for obtaining the best available rate through corporate accounts that meets the requirements of the trip. Vehicle rental costs will be billed directly to the Commission whenever possible. Reimbursement for actual and necessary costs of fuel will be made to the traveler. No reimbursement will be made if a traveler authorizes non-staff drivers without prior approval of the Executive Director or designee.
 - Receipts are required to be submitted for vehicle rental and fuel.
 - A cost-efficient economy or midsize rental car shall be the category used by travelers, ~~if~~. If a traveler chooses to upgrade, the employee must pay the difference between the economy/midsize and the selected car. A larger vehicle may be paid for by the Commission if more than four travelers will be traveling together.

B. Transportation by Aircraft

Travelers are responsible ~~to coordinate for coordinating~~ travel arrangements with the designated staff responsible ~~to obtain for obtaining~~ the best possible rate. As with all travel types, it is the Commission's policy to be cost-conscious when booking airline travel. Tickets and associated booking fees will be purchased and paid in advance by the Commission. When it is necessary for the traveler to coordinate their own travel (except as described in subsection 1 below), they will be reimbursed for the ticket price and associated fees for use of a commercial airline, so long as the travel is for Commission business. Travel by aircraft shall be considered when it is the most reasonable or economical option or when travel to the destination is greater than roughly 190 miles (one way) from ~~First 5 Fresno County's primary office~~ ~~the Commission's Headquarters~~. A traveler may still opt for ground travel.

1. *Indirect or Interrupted Itineraries.* Travelers are responsible for any additional expenses resulting from the use of an indirect route or stops along the way for personal reasons. Reimbursement is limited to the actual costs incurred or to the costs that would have been incurred using the normally traveled route and dates, whichever is less. Any excess of personal travel time will be charged to the traveler's accrued Paid Time Off hours. Travelers are responsible ~~to ensure for ensuring~~ early arrival to the air terminal for the purpose of completing processes required for travel by aircraft (check-in, security screening, etc.). If a flight is missed as a result of the traveler's oversight ~~or negligence~~, the traveler will solely bear responsibility for any additional costs.
2. *Use of Ground Transportation in Lieu of Air Travel.* A traveler may choose to use ground transportation, for personal reasons, even if air travel is the appropriate mode of transportation. In that case, reimbursement may not exceed the amount for airfare the Commission would have paid if air travel had been used, plus the normal cost of ground transportation to and from airports. The cost of meals, lodging, tolls, ferries, and parking while in transit via ground transportation may be reimbursed if the total amount reimbursed does not exceed the cost of airfare that would have been paid, plus cost of potential ground transportation to and from at the air terminal.
3. *Extended Travel to Save Costs.* Additional expenses associated with extended travel in order to save costs (e.g., Saturday night stay for domestic travel), may be reimbursed when the cost of airfare would be less than that of the cost of airfare had the traveler not extended the trip. Such expenses, which include lodging, car rental, and M&IE, shall not exceed the amount the Commission would have paid, had the traveler not extended the trip.
4. *Cancelled or Postponed Travel.* In the event airline travel booked for Commission business is cancelled or postponed, the traveler must notify their supervisor immediately. Any airline credit or reimbursement, because of the disruption, shall be returned to the Commission. In the event travel is rescheduled, the traveler shall restart the estimate and authorization to travel process.

C. No reimbursement will be made for the following transportation expenses:

- Expenses arising from travel between the traveler's ~~R~~esidence and Commission ~~H~~eadquarters;
- Personal travel to and from hotel lodging ~~for entertainment/recreational purposes~~ (i.e. shopping, restaurants, touring, etc.)
- Traffic/parking tickets or fines;
- Expenses for spouses/family/friends traveling with the traveler;
- First class airfares and/or seat or boarding priority upgrades;
- Motorcycle transportation costs;
- Overweight checked baggage fee; ~~and~~
- Any other expenses not reimbursable pursuant to this Policy.

9. LODGING EXPENSES

Travelers are responsible for coordinating lodging arrangements and verifying the reasonableness of the accommodations with the designated staff. Lodging rates should be comparable to those arising from the use of good, moderately priced establishments catering to the general public. As with all travel expenses, arrangements should be made in advance using the Commission credit card whenever possible. This may require the traveler to request from and return to the lodging company, a Credit Card Authorization Form. Reasonable lodging expenses supported by a receipt are reimbursable. Actual lodging expenses will be allowed when documented by an itemized receipt that indicates how the expense was paid. Credit card receipts are not acceptable, as many charges could be included that are not reimbursable lodging expenses. Travelers are asked to include a receipt from the lodging company in their Travel Expense Form.

- A. Hotel accommodations prior to a conference, meeting, etc. are acceptable when the start time is 9:00 AM or earlier AND travel time is more than 3 hours or flights are not available. Hotel accommodations are acceptable after a conference, meeting, etc., if estimated ground travel return time is later than 8 PM and driver will travel more than 90 miles. Estimated time of arrival should not include time added due to personal deviations. Weather conditions must be taken into account for the safety of staff~~Employees~~. The Executive Director can approve lodging outside of these timeframes on a case-by-case basis.
- B. An incidental allowance of \$5.00 per day may be claimed for each complete 24-hour period while on official travel status. This allowance is designed to cover incidental expenses, including, but not limited to, laundry, dry cleaning, personal phone calls, and fees and tips for waiters and baggage handlers. Receipts are not required for incidentals. It is not designed to include cab fares and business telephone calls for which reimbursement may be claimed. Details regarding incidentals should be defaulted to guidelines on the [GSA website](#).
- C. Business-related meals must follow the Accounting Policies and Procedures Manual ("the Accounting Policies") and cannot be claimed on the Travel Expense Form. If permissible per the Accounting Policies, a Payment Authorization Form must be used for this type of claim.
- D. No reimbursement will be made for room service, valet services, or liquor/bar bills.

10. MISCELLANEOUS TRAVEL EXPENSES

Miscellaneous travel expenses are reimbursable when they are ordinary and necessary to accomplish the official business purpose of a trip. The Travel Expense Form must include an explanation of why such expenditures are being claimed and, at minimum, have verbal pre-authorization from the traveler's supervisor and/or the Executive Director or designee.

Allowable miscellaneous expenses may include the following: Business office expenses such as word processing services; equipment rentals; fax and computer expenses; copy/print services; overnight delivery/postage; purchase of materials and supplies (when normal purchasing procedures cannot be followed); internet charges; checked baggage (when travel consists of three, 24 hour periods or longer or when deemed approved in advance~~necessary~~); books, supplies, and materials that pertain to the Commission's mission and approved prior to travel, within the travel estimate.

11. TRAVEL ADVANCES

A Payment Authorization Form and written request must be completed and approved by the traveler's supervisor and the Executive Director or designee for an advance on travel expenses. The completed Form and documentation must be submitted no later than ten (10) days prior to the travel/training. Cash advances will be issued within ten (10) days of when an expense is to be paid or incurred in order to satisfy IRS regulations. The amount requested shall not exceed seventy-five percent (75%) of the reasonably estimated out-of-pocket expenses needed for the trip.

Travel advances issued must be deducted when the Travel Expense Form is submitted for the concluded trip. Travel advances in excess of itemized expenses must be repaid by the traveler to the Commission within thirty (30) days from the end of the trip. No new travel advances or expense reimbursements will be issued to an individual who has an outstanding travel advance repayment that is more than thirty (30) days old. The travel advance must be repaid to the Commission immediately when a trip is cancelled or postponed.

Since a traveler should have only one outstanding cash advance at a time, each advance should be accounted for before another advance is granted. The traveler must submit a Travel Expense Form even if he or she is not owed any additional reimbursement, in order to document the business purpose for which the advance was issued and the final expense amount of the trip.

12. COMMISSIONERS TRAVEL FOR BUSINESS

Except for those specifically covered in statute, each day that a Commissioner is in travel status for business of the Commission, the member is entitled to reimbursement for travel expenses to the same extent, in the same manner, and under the same conditions as provided to Employees.

Commissioners are also entitled to receive reimbursement for attending monthly Commission meetings and/or special events on behalf of the Commission as outlined in this policy.

Commissioners shall make the request to travel as representatives of the Commission; in writing to the Executive Director. The Executive Director will direct, and Commission staff will arrange logistics. The cost to the Commission for the Commissioner's travel, and its costs to the Commission, will be reported during the next Commission regular meeting in the subsequent Executive Director's report within the regular business meeting. All policies provisions within this Manual Policy applies apply to Commissioner travel.

13. TRAVEL EXPENSES FOR NON-EMPLOYEES

The Commission will reimburse authorized non-employees, for pre-approved business-related travel and expenses made on behalf of the Commission. Prior written approval from the Executive Director is required.

Non-employees traveling or incurring business business-related expenses on behalf for of the Commission are subject to and are required to comply with this Policy. Reimbursement to non-employees will be issued in accordance with the procedures outlined above. Travel expenses properly substantiated, documented, and reported on the Travel Expense Form will not be reported by the Commission to the IRS as income. A non-employee's signature is not required on the Travel Expense Form, provided some accompanying correspondence or email is attached

outlining the expenses that have been incurred and requesting reimbursement. A signed W-9 and EFT (Electronic Funds Transfer) form should be attached if the person is a U.S. citizen and is being paid by the Commission for the first time. Amounts exceeding the substantiated business expenses that are not accounted for within three (3) months from the last day of travel a reasonable period of time, are reportable to the IRS on Form 1099.

14. COMMISSION TRAVEL CLAIM REVIEW RESPONSIBILITIES

Prior to the approval from the Executive Director or the designee, reimbursement for business-related travel and expenses in the travel claim will be reviewed by, the Commission's staff responsible for operations will review all travel claims in order to:

- Ensure compliance with the Commission's and all other appropriate policies;
- Ensure that per diem rates are adhered to;
- Ensure that supporting documentation matches the travel claim request;
- Ensure that all claims have been properly approved with an original or electronic signature; and
- Ensure that all travel advances are timely and properly deducted or reimbursed by/to the Commission

Failure to comply with this Policy will result in follow up with the traveler, which may cause a delay in processing the reimbursement. An attempt will be made to communicate any discrepancies to the traveler and/or the travel claim will be returned to the claimant for completion. If discrepancies cannot be resolved, it may result in discipline.

15. Conflicts of Interest

Travelers must avoid any conflict of interest, or appearance of conflict, when making travel arrangements. Travelers shall not accept any gifts, favors, or benefits that might improperly influence the performance of their duties. Any potential conflict must be reported immediately to the Executive Director or Commission Chair.

FIRST 5 FRESNO COUNTY
ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

REGULAR BUSINESS MEETING

January 28, 2026 – 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

CONSENT AGENDA ITEM NO. 6c

TO: Children & Families Commission of Fresno County
FROM: Fabiola González, Executive Director
SUBJECT: Employee Handbook – Annual Review

RECOMMENDED ACTION:

Approve the updated Employee Handbook.

BACKGROUND:

The Employee Handbook sets forth the major policies and procedures of the Commission as well as benefits provided to Commission employees. On an annual basis, the Employee Handbook is reviewed and updated in partnership with the Commission's contracted human resources firm to include any changes and/or updates to state and/or federal labor laws. A summary of the proposed updates and the Employee Handbook with red-line edits are attached.

On January 21, 2026 the Administrative Committee reviewed and approved the Employee Handbook for full Commission consideration.

CONCLUSION:

The practice of an annual review of the Employee Handbook ensures the Commission's employee policies and procedures remain accurate and relevant in addition to the incorporation of necessary labor law updates. Once annual updates are reviewed and approved by the full Commission, employees will receive an updated copy of the Employee Handbook.



Summary of Employee Handbook Updates for 2026

Sierra HR Partners is happy to assist First 5 Fresno County in updating the Employee Handbook for 2026. The following policies have been edited or added, based on new California legislation or recommended by Sierra HR for employee and manager reference.

Equal Employment Opportunity

Added guidelines for engaging in an interactive process with an employee to determine reasonable accommodations for a disability.

Sierra HR recommendation

Anti-Harassment, Discrimination & Bullying

New information regarding bias mitigation training. An employee's assessment, testing, admission, or acknowledgment of their own personal bias made in good faith and solicited or required as part of training does not, by itself, constitute unlawful discrimination.

2025 Senate Bill 303

Reporting and Investigation Procedures

Added information about an employee's right to contact the California Civil Rights Department or the federal EEOC regarding potential harassment or discrimination.

Required by California law

Notices and Postings

New policy describing notices that must be provided to employees at hire and during employment.

- [“Notice to Employee”](#) provided upon hire.
- [“Survivors of Violence and Family Members of Victims Right to Leave and Accommodations”](#) provided upon hire, annually, and upon request. This form is also available in [Spanish](#).
- Notice regarding the [Workplace Know Your Rights Act](#) provided upon hire and annually. This form is also available in [Spanish](#).

2025 Senate Bill 294 (Workplace Know Your Rights Act)

The Use of Social Media

New policy describing employees' rights and responsibilities when making social media posts that may negatively impact their work or the Commission.

Sierra HR recommendation

Salary Information

New policy stating that an employee may request the pay scale for the position the employee currently holds. Updated for 2026 to include a revised definition of “pay scale” and an employer’s obligation to provide wage records to the Labor Commissioner (rather than to an employee.)

2025 Senate Bill 642

Access to Your Own Personnel Records

New policy describing an employee’s right to view or receive a copy of certain personnel records. Updated for 2026 to include education and training records as information that will be provided when an employee make this request.

2025 Senate Bill 513

Remote Work Policy

Updated by First 5 Fresno County

State Mandated Paid Sick Leave

Updated with additional details regarding the use of paid sick leave for reasons relating to jury duty, witness duty, and qualifying acts of violence.

2025 Assembly Bill 406

Reproductive Loss Leave

Added details regarding taking this leave consecutively following pregnancy disability leave or other leave entitlement.

Sierra HR recommendation

California Family Rights Act

Added details regarding the use of PTO or paid sick leave, benefits continuation, and medical certification for leave.

Sierra HR recommendation

Pregnancy Disability

Added details regarding the amount of leave available, use of PTO or paid sick leave, benefits continuation, and medical certification for leave.

Sierra HR recommendation

Time Off to Vote

Edited to clarify that paid time off is only available if a non-exempt employee’s work schedule prevents his/her from voting on election day.

Sierra HR recommendation

Victims of Violence Leave

Several updates regarding leave and accommodations due to qualifying acts of violence, the use of paid sick leave, and the definition of a “victim.”

2025 Assembly Bill 406

Paid Family Leave

Effective **7/1/2028**, employees may access PFL benefits when taking a leave of absence to care for a “designated person” as defined in the California Family Rights Act (CFRA).

2025 Senate Bill 590

Jury Duty or Witness Leave

Edited to remove the 10-day cap on paid jury duty leave and provide full compensation for the duration of required jury or witness service, consistent with the County of Fresno’s policy.

Updated by First 5 Fresno County’s Administrative Committee



Employee Handbook

20256

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INTRODUCTION

On November 3, 1998, California voters approved Proposition 10, “The Children and Families Act of 1998.” The Act increased tobacco excise taxes to provide funds for early childhood development and smoking prevention and cessation programs throughout the state and established county commissions to administer these funds including the Children and Families Commission of Fresno County, more commonly known as First 5 Fresno County. The passage of this Act created an unprecedented opportunity for counties to create an integrated, coordinated system of care that supports and enhances the lives of expectant parents, children from the prenatal stage up to age five, and their families.

This employee handbook sets forth the entire agreement between you and the Commission as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this handbook or in any other personnel document creates or is intended to create a promise or representation of continued employment for any employee.

This handbook replaces any previously distributed handbooks. With or without prior notice, First 5 Fresno County (“the Commission”), reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules or benefits stated in this handbook or in any other related document. Any written changes to this handbook will be distributed to all employees so that they will be aware of the new policies or procedures. No oral statements or representations can in any way change or alter the provisions of this handbook.

OUR VISION AND MISSION

We, at First 5 Fresno County, envision a future where ~~all young~~ children and their families are healthy, loved, and nurtured.

We ~~run pursue after~~ this vision by partnering with, advocating for and investing in our community to create a seamless system of quality, accessible services that support the well-being of every child and family.

GENERAL POLICIES & PROCEDURES

Equal Employment Opportunity

The Commission is an equal opportunity employer and makes decisions related to compensation and all terms, conditions, and privileges of employment on the basis of merit.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Commission will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result. The intent of a reasonable accommodation is to allow an employee to perform the essential job duties; therefore, a reasonable accommodation will be directed to the limitations created by the identified disability.

If you require an accommodation in order to perform the essential functions of the job, contact your supervisor or the Commission’s contracted Human Resources (“Human Resources” or “HR”) firm to request an accommodation. You should specify what accommodation you need to perform the job. A member of management will meet with you to identify and discuss possible accommodations, if any, which may assist you in performing the job. Once an accommodation has been determined, the Commission will continue to provide the accommodation until it is no longer needed or becomes

unreasonable. You are responsible to request an accommodation and to communicate with Commission representatives to determine effective reasonable accommodations. This duty to communicate remains throughout the accommodation period. If you fail to communicate, the Commission will be compelled to make decisions with the limited information in its possession.

In order to fully evaluate your needs and to determine possible accommodations, we expect all parties to engage in an open, interactive discussion. The interactive discussion may consist of multiple communications, including ongoing efforts to accommodate a disability, the identification of vacant positions which you may be qualified to perform, and consideration of your ideas for potential accommodations. In considering possible accommodations, the Commission cannot eliminate essential functions of a position in an effort to place an employee in a particular position. We will also ask you to provide documentation from a health care provider of your limitation(s) as well as possible accommodations.

The Commission is unable to provide an employee with an indefinite leave of absence as an accommodation. Indefinite leaves of absence typically arise when a health care professional cannot provide a reasonable time frame for an employee's return to work. An indefinite leave of absence may also arise when a health care professional provides multiple excuses from work for a specific period of time but fails to provide a reasonable return date.

Employment At-Will

All employees are “at-will” employees. This means that employment may be terminated with or without cause, and with or without notice, at any time by either an employee or the Commission. No implied contract concerning any employment-based decision or terms and conditions of employment can be established by any other statement, conduct, policy, or practice.

The Executive Director, with the approval of the Commission, has the exclusive authority to create an employment relationship other than on an “at-will” basis, and any such agreement must be in writing.

Anti-Harassment, Discrimination & Bullying

The Commission is committed to providing a work environment free of unlawful discrimination, and harassment and prohibits any unlawful harassment and/or discrimination by any of its employees based on pregnancy, childbirth or related medical conditions, sex, reproductive decision making, religious creed, race, color, national origin or ancestry, age, physical or mental disability, medical condition, genetic information, marital status, sexual orientation, gender identity and expression, natural hairstyles, military and veteran status, or any combination thereof, or any other consideration made unlawful by federal, state or local laws. The Commission prioritizes a safe, professional, and inclusive workplace promoting fairness, respect, and equity for all employees. This Anti-Harassment Policy applies to all persons involved in the operation of the Commission and prohibits unlawful discrimination and/or harassment by any employees of First 5 Fresno County, including supervisors, Directors and those in management, agents, independent contractors, as well as persons and third parties doing business with or for the Commission.

Harassment includes but is not limited to:

- Verbal harassment such as abusive, derogatory comments or slurs that are gender based;
- Physical harassment, such as an assault, or interference with normal work or movement that is gender based;
- Visual forms of harassment such as derogatory posters, cartoons or drawings that are gender based;

- Unwanted or unwelcome sexual advances which condition an employment benefit upon an exchange of sexual favors.

You may view online sexual harassment training courses developed by the Civil Rights Department (CRD) at <https://calcivilrights.ca.gov/shpt/>. The Commission requires all employees to attend periodic trainings on discrimination and harassment prevention. If this training includes bias mitigation training, an employee's assessment, testing, admission, or acknowledgment of their own personal bias made in good faith and solicited or required as part of training will not, by itself, constitute unlawful discrimination. Bias mitigation training is education and activities provided by an employer for the purpose of educating employees on understanding, recognizing, or acknowledging the influence of conscious and unconscious thought processes and their associated impacts.

Anti-Bullying Policy

The Commission is committed to providing a safe and harassment-free workplace for all employees. As part of that commitment, the Commission prohibits any form of intimidation, threats, or other types of abusive behavior ("bullying"). This workplace bullying policy is intended to supplement, not to supersede, other harassment or workplace violence policies already in place at the Commission. Employees found in violation of this policy will be subject to discipline, up to and including termination.

Anti-Retaliation

It is illegal to retaliate against an employee because they complained about harassment, bullying or discrimination, even if no harassment, bullying or discrimination ever occurred. The Commission's policy strictly prohibits any form of retaliation against an employee.

Reporting and Investigation Procedures

Do not assume that the Commission has knowledge of any form of illegal discrimination, harassment, bullying or retaliation. Any employee who believes that this policy has been violated should immediately report that belief to their direct supervisor, their Director, the Executive Director, or another member of the management team. Employees can also ~~call contact the Employee Complaint Hotline, 559-825-4601 HR directly at 559-431-8090, 888-8421~~. If you do not feel comfortable reporting to these persons, you can notify the California Civil Rights Department. The Commission will take immediate steps to stop the inappropriate behavior and to conduct a thorough, objective investigation and, if appropriate, take corrective action. Supervisors have an obligation to report complaints to the Executive Director. The Commission will conduct a fair, timely, and thorough investigation. The Commission will not retaliate against you for filing a complaint and will not willingly permit retaliation by management, other employees, third parties and/or your co-workers.

If you believe you have been the victim of unlawful discrimination or harassment or suffered retaliation you may also contact the California Civil Rights Department or the federal Equal Employment Opportunity Commission. These agencies may investigate or assist you in resolving any dispute. A local governmental entity may also provide you with assistance. The CRD and EEOC, if they prosecute the case, can obtain various remedies for a person including imposing fines or damages for emotional distress against the employer or persons who violated the law; order the employer to hire or reinstate you; order back pay or a promotion; order the employer to change or modify its workplace practices.

While it is not required that you exhaust the resolution process before contacting a governmental agency, we hope that you will take advantage of the Commission's process for resolving workplace concerns and complaints. We believe that prompt reporting of concerns will allow us to work in an environment that allows everyone to perform his/her job in a positive manner.

Notices and Postings

At the time of hire, you will be provided with many documents related to your employment, benefits, rules and policies. You will receive a "Notice to Employee" form which describes the name and address of the Commission, compensation information, pay days, the workers' compensation insurer and paid sick leave benefits. You will also receive a notice about the Workplace Know Your Rights Act. This notice informs you of your right to workers' compensation benefits, notice of immigration agency inspections, protections against unfair immigration-related practices, the right to organize and your constitutional rights when interacting with law enforcement agencies. You will also receive a form entitled "Survivors of Violence and Family Members of Victims Right to Leave and Accommodations" describing the rights and duties of employers and employees with respect to this issue. Federal and state employment posters and all other postings are located in our office. In addition, you can view a copy of Wage Order No. 4 via the internet at: www.dir.ca.gov/iwc/WageOrderIndustries.htm

Reporting Compliance Irregularities

We are committed to maintaining high professional and ethical standards and expect all employees to comply with all applicable laws. If you have any concern or question regarding any policy or practice of the Commission, we encourage you to speak up. Please refer to the Commission's reporting procedures. When in doubt, contact HR, your supervisor or the Executive Director.

WORKPLACE SAFETY

Injury Reporting Procedure & Auxiliary Policies

Whether working on- or off-site, the Commission wants to ensure that employees are provided with a safe working environment. Safety is a team effort. Employees shall review the auxiliary policies or plans, as amended, including the Commission's Injury and Illness Prevention Program (IIPP) and the indoor Heat Illness Prevention plan. Upon review, employees shall contact their supervisor if there are questions or concerns. Failure to abide by the procedures outlined in the IIPP will lead to disciplinary action, up to and including termination.

Employees are required to *immediately* report any work-related injury or illness, no matter how small, to their supervisor. The Commission will provide the employee with any required paperwork. The employee is expected to be cooperative in the reporting process and required policy training scheduled as outlined in each policy.

Use of Cellphone While Driving

Employees are prohibited from talking on a phone (whether with or without a handsfree device), composing text messages, and reading text messages on a cell phone while operating a personal or a Commission-owned vehicle for Commission business. Failure to adhere to this policy will result in disciplinary action up to and including termination.

Workplace Violence Policy

The Commission has a zero-tolerance policy for workplace violence, verbal and nonverbal threats and related actions. Firearms and weapons cannot be brought into the workplace or any Commission

sponsored event at any time. Employees who violate this policy are subject to immediate discipline, up to and including termination.

Employees should immediately report incidents of violence or threats of violence to their supervisor. The Commission will not retaliate against any employee for reporting such an incident and will not knowingly permit any retaliation by management or non-management employees.

As required by [Labor Code \(LC\) section 6401.9](#), the Commission has established a Workplace Violence Prevention Policy (WVPP). A WVPP training is provided to all new employees and annually thereafter. All employees will have a copy of the WVPP, and the Plan is available by request.

Security within Workplace

The security of our workplace as well as the welfare of our employees requires that every individual be constantly aware of potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner, in or around the Commission's workplace, or when keys or similar items are lost or misplaced.

Employees entrusted with keys to the office or other Commission facilities/property are responsible for the safekeeping of the keys, the security and protection of Commission property, as well as any activity taking place while the employee is present, and the office is closed. All keys are checked out to employees and record of ownership is kept.

EXPECTATIONS & EMPLOYEE CONDUCT

Grooming/Attire

Commission employees must demonstrate professionalism and good judgment in matters of dress in the workplace. While attire does not speak for the quality of work, we are laying out parameters as a guide and to standardize expectations. The following are general and mostly universal guidelines to help guide attire.

Business Casual: Often, a Business Casual appearance will be appropriate for the nature of our work. Keep in mind there is a distinction between "casual" and "business casual" and dress should still be appropriate for a professional office environment. Business Casual includes appropriate jeans, Dockers, blouses, polo shirts, etc.

Business Professional: While the Commission generally observes a business casual dress environment, there will be situations requiring more formal attire (e.g. conducting or attending public meetings, seminars, roundtables, presentations, etc.). Business Professional attire should include business wear shoes, slacks, pantsuits, dresses and skirts, dress shirts, sweaters or turtlenecks, socks and ties. If you are in doubt as to whether the item of clothing is Business Professional per this handbook, err on the side of being conservative.

Personal appearance should be a matter of concern for each employee. If your supervisor feels your attire and/or grooming is inappropriate, you may be asked to leave the workplace until you are properly attired and/or groomed. This time away will be considered unpaid time off. Employees who violate dress code standards may be subject to appropriate disciplinary action.

This policy will not be enforced in a manner that discriminates against anyone based on a protected class, such as race, sex, gender identity or gender expression, religion, national origin or any other class protected by federal, state or local law. Employees who need a reasonable accommodation because of religious beliefs, observances or practices should contact the [ir supervisor or HR Executive Director and to](#) discuss the need for accommodation.

Punctuality & Attendance

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees must report to work as scheduled and remain at work for their entire work schedule, except for rest and meal periods or when required to leave on authorized business. Late arrival, early departure or other unapproved absences from scheduled work hours are disruptive and must be avoided. Excessive absenteeism may be grounds for discipline up to and including termination of employment. Each situation of excessive absenteeism or tardiness shall be evaluated on a case-by-case basis.

If you will be absent from work or tardy due to unforeseen reasons, you must contact your ~~Director~~/supervisor as soon as possible, but no later than your scheduled start time. If you are not able to reach your supervisor, you are expected to advise the Executive Director, a Director, or designee of your absence. An Employee Leave Report to request paid leave for an unforeseen absence such as personal illness, family illness or bereavement leave should be completed upon return to work. An employee who fails to notify the Commission of an absence in accordance with this policy for three consecutive workdays will be considered to have voluntarily resigned employment with the Commission, absent of a reasonable explanation.

Personal Cell Phone Policy

While working, employees should be completely focused on their job duties. Employees are expected to use their personal cell phones during designated meal and rest periods. If an employee's use of their cell phone interrupts, delays or interferes with the Commission's business, the employee may be disciplined.

The Commission does not require employees to use their personal cell phone for Commission business.

Commission Computers & Electronic Equipment

Commission electronic equipment and its accessories and supplies, including computers, office telephones, printers, and iPads, are to be used for Commission business only. Commission electronic equipment belongs exclusively to the Commission and must be maintained according to Commission rules and regulations. The Commission reserves the right to inspect all Commission electronic equipment to ensure compliance with its rules and regulations, with or without notice and not necessarily in the employee's presence.

Commission voicemail and email are to be used for business purposes only. The Commission reserves the right to monitor voicemail and e-mail messages to ensure compliance with this rule, with or without notice to the employee and not necessarily in the employee's presence.

The Commission may periodically need to assign and/or change "passwords" and employee codes used by the employee on equipment and/or electronic devices provided by the Commission. Employees do not have any expectation of privacy in the codes and/or passwords used to access Commission owned electronic equipment, applications or software.

Access to any website that is offensive or discriminatory is prohibited. You may not use Commission technology to state positions or opinions that give the impression that ~~(s)he is~~you are speaking on behalf of the Commission unless you are specifically authorized to do so.

The communication systems should not be used to send or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

Under no circumstances should any confidential or sensitive materials be disclosed to third parties except for appropriate and authorized business purposes.

Additionally, the safe use and safekeeping of equipment checked out to the employee is her/his/their responsibility. In the instance equipment belonging to the Commission is damaged, broken, lost, or stolen, the employee must notify their supervisor detailing the incident and circumstances. Employee may be responsible for costs associated with fault.

The Use of Social Media

The Commission recognizes the importance of social media in engaging with our community and promoting our facilities and work events. Employees are encouraged (never required) to share posts from the Commission's social media accounts, and/or use their own personal accounts to share news, events, and other items that bring positive attention to our work and programs.

We also need to emphasize our commitment to legal compliance and remind employees of our desire to protect our organization's reputation and public image, and the legal rights of others.

You may not use Commission property to create, maintain, view, download, or contribute to posts or blog entries on the internet (whether through a social network of any form, or using another method), unless you have prior authorization to do so. Do not use Commission equipment to post or disseminate any copyrighted materials or other intellectual property belonging to someone other than you.

The Commission has access to all Commission-provided electronic equipment and property, and may from time to time, and without notice, inspect the condition of the equipment and the communications, content, data and imagery stored on it. You have no privacy rights in any communications, content, data or imagery in Commission-provided digital equipment you access, view, create or save. Those communications, content, data and imagery are also subject to monitoring by the Commission.

You may be subject to discipline if any comments, material or information you post, blog, tweet, comment or disseminate on non-Commission-owned equipment:

- Violates the privacy rights of another Commission employee;
- Discloses the trade secrets or confidential business information of the Commission or any affiliated business entity, the Commission's clients, suppliers or vendors;
- Discloses business plans, strategy or prospects of the Commission or any affiliated business entity;
- Criticizes or disparages clients or vendors of the Commission or any affiliated business entity;
- Purports to represent the position, viewpoint, statements, opinions or conclusions of the Commission or any affiliated business entity;
- Violates laws that prohibit defamation, harassment, discrimination, or retaliation;
- Disparages the Commission's programs or services;
- Displays contemptuous, opprobrious or abusive comments about the Commission or its representatives; or
- Suggests that the Commission endorses or promotes a particular product, commercial enterprise, opinion, social cause or political candidate.

This policy does not, however, prevent you from engaging in concerted activities for the purpose of collective bargaining or other mutual aid.

Remember, you are personally responsible for any posting that you make. You can be held personally liable for any statements deemed to be defamatory, obscene, harassing, discriminating, or retaliatory, violate privacy rights, include confidential or copyrighted information (e.g., music, videos or texts that belong to someone else) or are otherwise unlawful. The Commission is not responsible for protecting you from the consequences of any information that you post.

PROHIBITED CONDUCT

Illegal Drugs, Controlled Substances, Alcohol and Marijuana Policy

Any employee who violates this policy is subject to discipline, including termination. All employees are prohibited from doing any of the activities listed below, at any time during working hours (including meal and break periods), while on Commission property (leased or owned), while representing the Commission at an outside event on or off Commission property, or while performing work related duties (whether on or off Commission property):

1. Possessing or using alcohol or marijuana
2. Possessing or using illegal drugs
3. Being under the influence of alcohol, marijuana, a controlled substance or an illegal drug
4. Driving a personal or rented vehicle for Commission business while under the influence of alcohol, marijuana, an illegal drug, or controlled substance
5. Distribution, unlawful manufacturing, sale, attempted sale or purchase of an illegal drug or controlled substance

“Controlled substance” means those substances defined as such by the federal Controlled Substances Act, and includes marijuana, even if medically prescribed or used for recreational purposes. “Illegal drug” means any drug or intoxicant that is not legally obtainable, as well as any drug or intoxicant that is legally obtainable but was obtained illegally or being used, sold, or distributed in an unlawful manner. “Reasonable Suspicion” in relation to this policy is, but is not limited to, when observable, objective, and documented behaviors indicate an employee may be impaired and unable to perform their job duties safely and effectively.

The above prohibitions do not include the proper use of prescribed medications, provided that the employee complies with their physician’s orders and the employee’s use of the prescription medication does not create a safety hazard, work ability, or job performance for the employee or other individuals. It is the employee’s responsibility to use appropriate personnel procedures (e.g., call in sick, request a leave of absence) when impaired or likely to be impaired by a legally prescribed medication or over-the-counter medication. In reporting such use, the employee must not identify the medication or specify the reasons why medication is taken.

In order to promote a safe, productive, and efficient workplace, if there is reasonable suspicion of a substance use or possession during the aforementioned scenarios, a supervisor will meet privately with the employee to discuss observations respectfully and in confidence; an HR representative may be contacted to be present as a third party. Employees have the right to explain observed behavior if reasonable suspicion is raised. The Commission reserves the right to inspect desks, lunchboxes, purses, backpacks, and other objects brought onto Commission property that might conceal alcohol and/or controlled substances or illegal drugs. Any personal item inspection or search will be conducted as a self-search in the presence of two observers, one Commission representative and an HR representative; all of which will maintain a respectful and confidential environment.

Law enforcement officials will be informed whenever illegal drugs or controlled substances are found in the possession of any employee during working time or on agency premises. Violation of this policy may result in disciplinary action.

Smoking, Vaping & Use of Tobacco Related Products

The Commission is committed to a philosophy of good health and a safe workplace. It is important that the work environment reflect the Commission's concern for good health. With this in mind, employees are prohibited from using tobacco products in/on Commission owned property, client sites, and offices. This includes any electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, pipe or hookah, smoking, vaping, and chewing. This does not include the use of tobacco cessation products.

Prohibited Conduct & Behavior

Conduct that is counter to our mission will not be tolerated. Below are examples of prohibited conduct, however, is not intended to be an exhaustive list of all prohibited conduct and/or behavior. Employees must also consider other applicable federal, state, and local laws. This statement of prohibited conduct does not alter the Commission's policy of at-will employment.

Examples of prohibited conduct and behavior include:

1. Making false statements or omitting pertinent information on Commission applications, records of employment, forms, or in the course of participation in Commission investigations or in responding to management inquiries.
2. Committing any act of violence or intimidation or making threats of violence, fighting, or using abusive or profane language at the workplace, including at Commission sponsored events or while representing the Commission.
3. Theft, unauthorized removal, or willful damage of property or assets belonging to the Commission, other employees, or customers.
4. Disregard of safety rules, safety procedures or workplace security rules.
5. Substandard or unsatisfactory work performance.
6. Any other conduct that is prohibited by law.
7. Unprofessional, rude, disrespectful or discourteous treatment of non-managerial staff, customers, vendors and sub-contractors.

There is no substitute for good judgment and common sense. Employees who engage in conduct prohibited by the Commission will be subject to discipline, up to and including termination.

Employee Separation

Neither the employee nor the Commission has entered into a contract regarding the duration of the employee's employment. The employee is free to terminate their employment with the Commission at any time with or without reason. All Commission-owned property (including but not limited to written materials, computer equipment and files, manuals, credit cards, and keys) must be returned upon request. Personal items, including electronic files, business-related contact information and calendars, left in the workplace after the last date of employment, are subject to disposal if not claimed at the time of your separation.

Benefits will be terminated as of the last day of the month in which the separation occurred. The Executive Director or designee will send a separation letter to the departing employee with details such as continuation of insurance, if applicable, and options with regard to any other benefits.

Questions on benefit status should be directed to the Executive Director. Any accrued, unused Paid Time Off (PTO) time and unpaid expense or mileage reimbursement with Commission documentation, will be paid at the time of separation.

The resigning employee may be invited to meet with the Executive Director for an exit interview to assure proper handling of personal and business matters. Information provided in the exit interview questionnaire and during the exit interview may be shared with appropriate individuals in order to improve employment conditions at the Commission.

TIMEKEEPING & PAY

Classification of Employees

Full-time employees are those who are regularly scheduled to work no less than 40 hours per workweek. Full-time employees are paid on either an hourly or salary basis.

Part-time employees are those who are scheduled to work less than 40 hours per week. Part-time employees are generally paid on an hourly basis and may not be eligible for any or some benefits. If you have questions regarding your eligibility for particular benefits, see the Executive Director. The conditions of eligibility for benefits are set forth in the particular plan documents for each benefit.

Special project (temporary) employees are those employees hired to perform a special job task or work for a limited time period. An example of a special project employee is a student, hired to perform services during the summer months. Special project employees may not be eligible for any or some benefits. If you have questions regarding your eligibility for particular benefits, see the Executive Director. The conditions of eligibility for benefits are set forth in the particular plan documents for each benefit.

Grant-funded employees are those employees whose salary comes completely or partially from a grant awarded to the Commission. Any Commission position partially funded by a separate funding source, other than Proposition 10 funds, requires approval by the Commission and the designated funding source authority. All employees holding grant-funded positions are subject to the contractual requirements of the grant.

Salary Information

The Commission will not seek or request salary history information about an applicant for employment. However, if an applicant voluntarily discloses it, we may rely on the information to determine the pay rate of the applicant.

We will provide a pay scale for a position to an applicant who requests it. The Commission will also provide the pay scale to an employee, upon request, for the position the employee currently holds. "Pay scale" means a good faith estimate of the salary or hourly wage range that we reasonably expect to pay for the position upon hire.

We will maintain and make available to the Labor Commissioner records of job title and wage rate history for each employee for the duration of the employment plus three years after the end of the employment.

Workday

A workday is defined as any consecutive 24-hour period beginning at the same time each calendar day. The workday begins at 12:00 am.

Workweek

A workweek is a fixed and regularly recurring period of 7 consecutive 24-hour periods. The workweek coincides with the Commission's pay periods and begins Thursday at 12:00 am.

Work Hours

General office hours are 8:00 am to 5:00 pm Monday through Friday. Any work schedule that differs from the regular office hours must be approved in advance.

Timekeeping

Non-exempt employees are required to record hours worked using the Commission's timesheets. While exempt employees are not required to complete timesheets, they must track their work hours through their shared online calendars. Employees shall record the time at the beginning and at the end of each workday and the beginning and end of meal periods. Commission policy prohibits engaging in off-the-clock or unrecorded work. Any failure to record time accurately must be brought to the immediate attention of your supervisor.

Recording time for another employee and/or falsifying time entries will result in discipline, up to and including termination. Remember that commuting to work should not be included in tracked work hours. Rather, arrival at the worksite should mark the start of your workday.

Meal and Rest Periods

The Commission will provide for meal and rest periods as required by law. The Commission will designate your normal work hours and schedule your meal and rest periods. Non-exempt employees are required to start scheduled meal periods by no later than the end 5th hour of work and cannot perform any work during the meal period. Meal periods must be at least 30 minutes and are unpaid. Non-exempt employees are required to use the Commission's timesheet document to record their meal periods.

Ten-minute paid rest periods are provided for every four hours of work or major portion thereof; generally mid-morning and mid-afternoon. Meal and rest periods cannot be combined, nor may these breaks be used to substitute for late arrival or early departure.

If an employee is unable to take their meal period, or their rest break, at the time designated by the Commission the employee should immediately notify their supervisor.

Overtime

Overtime will be paid to hourly, non-exempt employees as required by California and federal law. Employees may be required to work overtime to meet Commission needs. In California, an employee is entitled to receive overtime pay for any hours worked in excess of 8 hours a day or 40 hours a week.

An employee needing to work overtime must obtain prior approval from their supervisor or the Executive Director. Failure to obtain prior approval for overtime will result in disciplinary action.

Day of Rest

Employees are entitled to one day of rest during each workweek. Employees wishing to voluntarily forgo this required day of rest may complete a waiver with their supervisor. The waiver may be revoked at any time.

The Commission does not encourage nor require employees to waive their day of rest.

Paydays

Commission employees are compensated in accordance with all applicable state and federal laws. The Commission expects each employee to carefully review each paycheck and to promptly notify the Commission of any errors (e.g. your wages have been subject to any improper deductions, your pay does not accurately reflect all hours worked, or you have been inadvertently overpaid). State and federal tax deductions and garnishments must be made in accordance with the law.

Employees will be paid bi-weekly on Friday.

Meetings and Training Courses

Employees may be asked to attend meetings or trainings on behalf of the Commission. Unless otherwise specified by your supervisor, after 90 days of employment, employees are eligible to travel for conferences or trainings.

On occasion, non-exempt employees will be required to travel to meetings and/or training courses. Whether travel time constitutes hours worked will depend on the kind of travel involved. All staff are expected to refer to and follow the Commission's Travel Policies and Procedures Manual.

Off Duty Activities

Participation in any off-duty recreational, social, or athletic activity offered by the Commission is strictly voluntary.

PERSONNEL POLICIES

Representing the Commission

Our reputation is an asset that can make us successful in achieving the goals of the Commission. It is of paramount importance that each employee treats each other, community partners, clients, vendors and the general public with the utmost respect and consideration not only during work hours, but after hours as well. You should also recognize that clients and others may view or have access to posts you make electronically on any social media platform. How we behave both at work and after hours is a reflection on our agency.

This portion of the handbook is intended to promote the legitimate and substantial business interests of the Commission including protecting and preserving the Commission's computer resources, protecting employee privacy and communicating acceptable use of Commission's property. This policy is not intended to interfere with or burden employees' rights to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of the Commission's policies contained in this handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director.

The Commission may use social media for defined business purposes. Use of internet-based social media platforms by Commission staff may be used only as authorized by the Commission to perform job duties in furtherance of the agency strategic plan. Any authorization is limited to business purposes. Personal use of social media during work hours or on the Commission's equipment is discouraged. If use of social media during work hours contributes to a decline in job performance,

disciplinary action may be taken. Employees may use their own personal devices to engage in social media during non-working times, such as breaks and meal periods; however, all other policies against inappropriate usage apply, including the Commission's no tolerance for discrimination, harassment, or retaliation in the workplace, and protection of confidential or trade secret information. Please refer to The Use of Social Media section of this Handbook for more details. ~~Employees may not use the Commission logo or any other trademarks without prior written permission from management, except for purposes protected under Section 7 of the National Labor Relations Act, including when discussing wages, working conditions, or other employment related matters protected by the NLRA. Employees are not to provide usernames or passwords for personal social media accounts to the Commission.~~

Child-Friendly Workplace

The Commission knows happy parents make better employees, and this can be accomplished in a child-friendly workplace. Thus, employees may request flexible work schedules to accommodate child/family needs or the ability to bring child(ren) to work. We will make every effort to accommodate requests. Employees should keep in mind we need to limit these privileges may need to be limited if they have their child/children in the workplace becomes disruptive to the workplace and/or apparent that the employee's work performance is suffering. Employees should contact their supervisor to discuss their own child/family needs. By bringing their child/children to work, the parent/guardian employee is fully responsible for the safety and wellbeing of their child/children and releases the Commission of any liability associated with having their child/children at the workplace and its surrounding areas.

Lactation Policy & Accommodation

The Commission offers employees who want to express breast milk while at work full access to our Breastfeeding Friendly Lactation Room. The room is shielded from view and free from intrusion. The Breastfeeding Friendly Lactation Room provided by the Commission complies with all the minimum requirements of the law, including surface space to place personal items, a place to sit, access to electricity, running water and a refrigerator suitable for storing breastmilk.

The Commission provides a reasonable amount of break time to allow employees to express breast milk (pump) at work. The break time shall, if possible, run concurrently with any break time already provided to the employee. Employees requiring a lactation accommodation in accordance with this policy may request such accommodation by contacting their ~~direct~~ supervisor. The Commission is obligated to respond to an employee's request for a lactation accommodation. Any employee who believes the Commission has not met its obligation to respond to a lactation accommodation or has violated any law has the right to file a complaint with the Labor Commissioner.

Lighthouse for Children - Child Development Center

The Lighthouse for Children Child Development Center on the first floor of our building is operated by Fresno County Superintendent of Schools and Commission employees are welcome to enroll their children in the Center. The Commission offers a Tuition Scholarship, on a sliding scale, for eligible families to enroll their children in the Child Development Center. Please note, in order to avoid any conflict of interest, Commission employees, Commissioners, and/or their domestic partners are not eligible to be recipients of the First 5 Fresno County Tuition Scholarship.

Confidentiality of Commission Information

In the course of your employment, you will be exposed to information that the Commission considers and protects as confidential, proprietary information. It is your responsibility to in no way reveal or divulge any such information except in the performance of your duties, and as required by the

California Public Records Act and the Brown Act. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated, and the Commission may take legal action. Even after your employment with the Commission terminates, you are required to maintain the confidentiality of this information and not disclose it for any reason.

The confidential information to which you are privy and which you must maintain as confidential includes, but is not limited to, client names and contact information, billing, payment, budgets, and other financial information relating to the Commission; business and marketing strategies or practices; any information disclosed to the Commission in the course of representation; and client files and all information contained in those files. To guard against dissemination of confidential information, employees should not access an e-mail message for the first time in the presence of others.

You may be given a personal password to log onto the Commission's computer system. Passwords are given to certain employees to allow us to control and restrict access to information. Employees are prohibited from giving their password to others or allowing others to access Commission data using their password. Nor should they ever, directly or indirectly, copy, download or disseminate or help another copy, download or disseminate Commission information for a non-Commission purpose. You should never download information to take with you when you leave the Commission's employment, even if you created the document. Engaging in these activities could subject you to civil and/or criminal liability.

Media Conduct

No employee may, in any circumstance, release information on behalf of the Commission or call a press conference without the permission of the Executive Director or designee. All inquiries by the press to employees must be referred to a Director, or designee.

Conflicts of Interest

Employees of the Commission must adhere to the Conflict of Interest Code and Policy adopted by the Commission. In addition, the Commission has adopted the terms of Title 2, California Code of Regulations, section 18730, and the amendments to it adopted by the Fair Political Practices Commission, as its Conflict of Interest Policy. A copy of Title 2, California Code of Regulations, section 18730, can be found online as www.fppc.ca.gov. Both the Code and Policy can be found on the Commission's website. Additionally, staff may be required by Code or Policy to complete a Form 700.

You have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The purpose of these guidelines is to provide general direction so that you can seek further clarification on issues related to the subject of acceptable standards of operation.

A "conflict of interest" generally means a situation where the organization's interests and an employee's interests may differ. A potential conflict of interest may exist where the interests of the organization and the employee may differ, but the employee is presented with a decision or other arrangement from which the employee could personally benefit, and the question arises whether the employee's interest could influence the decision. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Commission's business dealings. Employees must take care to avoid not only actual impropriety, but also the appearance of impropriety. Potential conflicts of interest include, but are not limited to:

Outside Employment and Business Activities: Employees must report any outside employment to his/her supervisor so that we can assess whether the activity presents a conflict of interest. Employees will not be permitted to work for an organization that receives funding or other support from the Commission.

Romantic Relationships: Personal or romantic involvement with an external community partner, co-worker or Board Member, which impairs an employee's ability to exercise good judgment on behalf of the Commission, creates an actual or potential conflict of interest. We recognize that employees may develop personal relationships in the course of their employment. However, in an effort to prevent favoritism, morale problems, disputes, misunderstandings or potential sexual harassment claims, supervisors are not permitted to engage in romantic relationships with employees that are in their chain of command. All employees should consider the potential conflicts of interest or problems that may arise from a consensual romantic relationship at work. The Commission will take appropriate action if such a relationship begins to adversely affect the work environment.

Nepotism: Persons hired, who are related to the Commission staff, will not work for the relative in a subordinate capacity or within the supervisor's line of authority. A relative, for the purpose of this policy, includes a spouse, domestic partner, child, parent, sibling, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent or stepchild.

Acceptance of Gifts: Employees are prohibited from accepting direct gifts, money, or gratuities from persons receiving benefits or services, performing services under contract, or in exchange for a benefit from the employee's action. To note: Employees may be required to complete a Form 700 based on state reporting requirements.

Attorney-Client Confidentiality

On occasion, you may be a participant in discussions involving confidential Commission business, including matters that are the subject of a pending or potential lawsuit. The dissemination of this information to you and others is necessary to communicate litigation strategy and implement the advice of counsel. You must maintain the confidentiality of this information. The information is protected by the attorney-client privilege. The privilege is owned by the Commission. As a result, only the Executive Director can authorize the dissemination of any litigation information. You cannot discuss the information with others including co-workers, family, spouses, or friends.

Access to Your Personnel Records

Pursuant to Labor Code section 432, the Commission will give an employee a copy of any document the employee has signed relating to the obtaining or holding of employment.

Pursuant to Labor Code section 1198.5, you have the right to inspect or receive a copy of personnel records the Commission maintains related to your performance or any grievance concerning you. Documents relating to your performance include education and training records.

We will make personnel records available within 30 days of receipt of your written request. If needed, we will provide you with a form you may use to make the written request.

Upon request, the Commission will provide you with a copy of your itemized wage statements or a computer-generated document showing information such as hours worked, compensation earned, and deductions. We will provide you with these records within 21 days of your written request. You will be responsible for paying the actual costs of reproduction.

Solicitations

In order for employees not to be bothered at work and to avoid disruption of our operations, non-employees will not be permitted to solicit employees during work hours. Solicitations by employees will be allowed during rest and meal periods.

Health Care and Other Group Benefits

Full-time employees and their dependents including spouses, children, registered domestic partners and children of the registered domestic partner may be eligible for coverage under the Commission's medical plan. Employees may be required to pay all or a portion of the insurance premiums. Leaves of absence may affect coverage under the medical plan.

The Commission also offers an employer-paid 401(a) Retirement Plan, an employee-paid 457 Retirement Plan, and a Section 125 Flexible Benefit Plan for full-time employees.

The official plan documents set forth the specific terms, conditions, and limitations regarding program eligibility and benefit entitlement. This handbook is not part of any official plan document of any benefit program, nor does it restate all of the features of the health care benefits program. Official plan documents should be consulted for further information regarding each benefit program. Questions and requests for copies of official plan documents should be directed to the Executive Director.

While it is the Commission's present intention to continue these benefits, we reserve the right to modify, curtail, reduce or eliminate any benefit, in whole or in part, either with or without notice. The Commission will give employees reasonable notice of modification, curtailment, reduction or elimination whenever possible. Finally, neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment. As noted elsewhere in the handbook, employment is at-will and may be terminated at any time, either at the option of the employee or the organization.

Remote Work Policy

~~Working remotely is the practice of employees doing their jobs from a location other than a central office. For the Commission, remote work is the option for an employee to work some or most of their work hours from their home or another established location under terms outlined.~~

~~The Commission considers remote working to be a viable, flexible work option after a minimum of one month of continuous, regular employment, when both, the employee and the job are suited to such an arrangement. An employee who opts in to working remotely must take responsibility for ensuring that the quality, quantity, and timeliness of his/her/their work product is satisfactorily maintained. Terms and conditions of employment with the Commission remain the same regardless of work site, and the employee must abide by all federal laws, state laws, county and agency policies, and contractual obligations.~~

~~Arrangements for a regular remote work schedule must be discussed and pre-approved by the supervisor and Executive Director. Once in a remote work arrangement, if at any time, the employee chooses to discontinue their participation and modify their schedule, the employee must notify/discuss with their supervisor. A minimum number of days for non-remote work may be required. If, for any reason, the remote work arrangement is not working for the Commission or the employee, the agreement regarding remote can change.~~

Communication During Remote Work

~~Employees must receive and respond to communications (i.e., Microsoft Teams, Mitel Connect, phone calls, e-mail, etc.) from other staff, supervisors, contractors, community partners, and/or the public while working remotely. Communication methods and frequency will be determined by the supervisor and employee.~~

~~Remote Work Location~~

~~If the remote work offsite location is in a home, employees must designate a workspace that is maintained in safe condition, free from distractions or other hazards. The remote work location is provided exclusively by the employee, and not by the Commission. The employee is exclusively responsible for maintaining a safe and appropriate work environment and remains liable for injuries to third persons and/or members of the employee's family on employee's premises. Any injury and/or accident must be brought to the immediate attention of the supervisor.~~

~~The Commission is not responsible for damage to the employee's real or personal property while working remotely. Employees are advised to check with their insurance advisor on the availability of incidental office liability coverage. If the remote worksite is in a home, the Commission is not responsible for the payment of utilities incurred, maintenance costs, or any additional premium charges incurred from or while working at home.~~

~~Remote Equipment~~

~~The Commission will check out the technical equipment necessary (i.e. laptop) upon approval of the remote work arrangement. The Commission will make every effort to make remote work comfortable for the employee so long as accommodations are justifiable and within reason. The employee is responsible for setting up their agency provided computer equipment at home or alternative work site. No in-house installation or support will be provided.~~

~~Use of equipment is limited to authorized staff persons for purposes relating to Commission business only. The employee is responsible for ensuring that equipment is used properly. Upon change of employment, the exiting employee must return all Commission owned equipment issued. The Commission may take legal action if the equipment is not returned.~~

~~The remote worker will take all precautions necessary to secure Commission information and equipment in his/her/their home and prevent unauthorized access to any Commission system or information, damage or theft. In the instance that equipment, issued by the Commission, is broken, damaged or stolen, the employee must detail the incident to their supervisor.~~

~~The employee must provide his/her/their own Internet Service Provider (ISP) that will provide sufficient internet speed to run agency applications.~~

~~Disturbance to Work/ Discontinuation~~

~~If the employee is scheduled to work remotely and their work is disturbed (i.e., slow or failing internet or equipment, distracting remote work environment, etc.) causing a hindrance to work productivity or deadlines, the employee should contact their supervisor, and immediately commute to agency headquarters or take PTO, whichever is applicable and agreed upon with their supervisor.~~

~~Any violation or non-compliance with these terms and conditions or issues in productivity due to remote work may result in preclusion from the remote work arrangement option and/or disciplinary action, up to and including dismissal. Employee agrees not to engage in employment activities other than the Commission assignments, during the work hours as outlined in this Handbook.~~

~~Discontinuation of the option to work remotely or changes to this policy may be made at anytime at the discretion of the Commission management. Every effort will be made to provide a 30 days' notice, at minimum, of such change to accommodate issues that may arise from the termination of a remote work arrangement. There may be instances, however, when a 30 days' notice is not possible.~~

Remote Work Overview

We have found that our small but mighty team works most efficiently and best maintains the work-culture we have, in person. Remote work allows employees to perform their duties outside of the Commission headquarters. The Commission has the capabilities for their staff to work remote, however no role is full-time remote. After three months of continuous, regular employment, employees may request a remote work schedule if their job responsibilities allow. The Commission expects that employees maintain the same quality, quantity, and timeliness of work as when working onsite and comply with all federal, state, county, and agency policies.

Eligibility and Approval

A remote work schedule must be discussed and approved in advance by the employee's supervisor and the Executive Director. Employees will keep their calendars up to date and communicate regularly with their team and supervisor while working remotely. Employees must maintain the same workday hours (including taking the necessary breaks) as scheduled, unless otherwise established with their supervisor ahead of time.

Either the Commission or the employee may modify or discontinue a remote work arrangement at any time. The Commission may require a minimum number of onsite workdays. If the arrangement no longer meets the needs of the Commission or the employee, it may be changed with notice, when possible. Positions requiring in-person client contact may be excluded.

From time to time the Commission's main headquarters are closed. Preplanned building closure dates are distributed each year with the annual employee holiday calendar. Unless they take PTO, all staff are expected to work remotely. This includes any impromptu building closures of which staff will be notified as far in advance as possible.

Remote status does not eliminate the responsibility to appear onsite when needed and employees will be required to attend onsite meetings, trainings, or events and should plan accordingly.

Communication Expectations

While working remotely, employees must be reachable and responsive through approved communication platforms (e.g., Microsoft Teams, phone, email, etc.) just as they would be while working in the office. It is the employee's responsibility to be prompt and attentive throughout the day-keeping meetings, check ins, and correspondence with partners and teammates.

Remote Work Location

Employees working remotely from home must maintain a dedicated, safe workspace free from hazards and distractions. Employees are responsible for the condition, safety, and appropriateness of their remote workspace and for any workspace-related injuries including to household members or visitors.

Employees are responsible for obtaining and maintaining an adequate Internet connection to perform their work. The Commission is not responsible for damage to the employee's personal property or cost of utilities, home maintenance costs, or insurance premiums associated with working remotely. Employees should consult their insurance provider about any necessary coverage. All injuries or accidents must be reported to the supervisor immediately.

Equipment and Security

The Commission will provide essential equipment (e.g., laptop) as needed for remote work. Employees must install and set up this equipment themselves; in-home installation or support is not provided.

Commission equipment is to be used only for Commission business and must be returned upon separation from employment. Employees are responsible to secure equipment and protect Commission data from unauthorized access, loss, or theft. Any incident involving damaged, stolen, or malfunctioning equipment must be reported promptly to the supervisor.

Work Disruptions/ Discontinuation

If remote work is disrupted (e.g., internet failure, equipment issues, unsafe or distracting environment, etc.) and work cannot be completed, the employee must notify their supervisor immediately and either report onsite or use Paid Time Off, as determined with the supervisor.

A decline in work performance related to remote work, if a supervisor deems the remote work schedule hinders workload output, or failure to comply with this policy may result in modification or termination of the remote work arrangement and/or disciplinary action, up to and including dismissal. Employees may not engage in outside employment during work hours.

The Commission may modify or discontinue the remote work program at any time. When possible, employees will be given at least 30 days' notice; however, circumstances may require shorter notice.

BENEFITS

Paid Time Off

The Children & Families Commission of Fresno County maintains a Paid Time Off (PTO) program. The PTO program is designed in response to employees' need for time off and allows eligible employees to receive their wages for qualified time off from work. PTO may be used for any reason, including illness. PTO benefits used for the illness, injury or medical appointment of an employee or a family member will be administered in compliance with California's Paid Sick Leave law.

Full-time employees are eligible to accrue PTO benefits beginning the first day of employment at a rate of 6.154 hours per pay period (20 days per year). After five years of continuous employment, the accrual rate will increase to 7.69 hours per pay period (25 days per year.) You will not accrue PTO benefits if you are on a leave of absence or are suspended or do not work the full pay period.

PTO may be taken in hours, days, or weeks. The amount of PTO you may accumulate must not exceed 300 hours. Once you have accrued the maximum amount of PTO, you cannot accrue additional time until you begin using your accrued PTO.

Non-exempt employees must use PTO for any absence from their normally scheduled shift during a pay period, unless otherwise prohibited by state or federal law. If an exempt employee is absent from work for personal reasons for a period of four (4) hours or more, the Commission will deduct accrued PTO in no less than 4-hour increments. Personal unpaid time off may be granted with the advance approval of the employee's immediate supervisor and the Executive Director.

Payment in lieu of PTO will not be made, except at the time of employment status change, i.e., from a position that earns PTO to a position that does not earn PTO, or at the time of termination of employment.

The scheduling of your PTO depends in part on the Commission's operational needs and the requests for PTO and leaves of absence of other employees. Your supervisor and the Executive Director or

designee must approve PTO requests in advance. Please do not make unchangeable plans, such as buying an airline ticket, until you know your request has been approved.

For extenuating circumstances when prior approval is not possible (e.g. sudden illness), employees must call or message their supervisor as soon as possible to communicate the need for PTO.

If you have been absent for a period of (5) days or more due to an illness, injury or disability, the Commission may require medical certification of your ability to return to your position and duties. You may be asked to provide a physician's statement that verifies the illness, injury or disability, its beginning and ending dates, and/or your ability to return to work without endangering your own health and safety or the health and safety of others. When requested, such verifications and releases may be a condition of returning to work.

State Mandated Paid Sick Leave

Employees who are not eligible for PTO benefits will accrue state-mandated paid sick leave ("PSL").

PSL accrues at the rate of one hour per every 30 hours worked (or .0334 hours of PSL for every 1 hour worked). You must keep an accurate record of hours worked so that we can properly account for accrued sick leave. An employee is entitled to use accrued PSL beginning on the 90th day of employment.

Sick leave may be used to care for yourself, a family member, or a designated person for:

- the diagnosis, care or treatment of an existing condition, or
- an existing health condition, or
- preventive care, such as medical/dental check-ups and wellness visits, or
- needs arising from being a victim of a qualifying act of violence (QAOV). QAOV's include domestic violence, sexual assault, stalking or any act or pattern of conduct that causes bodily injury or death, involves a firearm or other dangerous weapon or involves force, or the threat of force to cause injury or death, or
- time off as required by law to serve on a jury or appear as a witness in court, or
- any additional reasons mandated by Federal or State law.

Employees must use PSL in at least two-hour increments.

An employee may accrue a maximum of 80 hours of PSL. Once the maximum is reached, the employee must reduce accrued PSL before accrual will recommence. An employee can use no more than 40 hours of PSL in each year of employment. The Commission will not lend PSL to employees in advance of accrual. Unused PSL will not be paid to the employee at the separation of employment. However, if the employee is rehired within one year of the date of separation, previously accrued but unused PSL will be reinstated at rehire.

Make-Up Time

The Commission allows the use of make-up time when non-exempt employees need time off to tend to personal obligations. You may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the workweek, to make up for time that will be taken off later in the workweek. Make-up time worked will not be paid at an overtime rate. Make-up time requests must be submitted in writing to your supervisor, using the "Make-Up Time Request" form provided by the Commission. Requests will be considered for approval based on the legitimate business needs of the Commission at the time the request is submitted. A separate written request is required for each occasion you request make-up time.

If you request time off that you will make up later in the week, you must submit your request at least 24 hours prior to the desired time off. If you ask to work make-up time first to take time off later in the week, you must submit your request at least 24 hours before working the make-up time. Your make-up time request must be approved in writing before you take the requested time off or work make-up time, whichever is first.

All make-up time must be worked in the same workweek as the time taken off. Our workweek is Thursday through Wednesday. You may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to personal obligations.

If you take time off and are unable to work the scheduled make-up time for any reason, the missed hours would be paid as PTO or sick time. If no PTO or sick time is available, the hours missed will be unpaid.

Holidays

The Commission observes the paid holidays set forth below, whenever the dates listed fall on normally scheduled workdays Monday through Friday. Full-time employees are eligible for the following paid holiday benefits. Part-time employees are eligible for a pro-rated amount for the following paid holidays.

January 1
Third Monday in January
Third Monday in February
March 31/ Last Monday in March
Last Monday in May
June 19
July 4
First Monday in September
November 11
Fourth Thursday in November
Fourth Friday in November
December 24
December 25
December 31

New Year's Day
Martin Luther King Jr.'s Birthday
Presidents' Day
Cesar Chavez Day
Memorial Day
Juneteenth National Independence Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Friday After Thanksgiving
Christmas Eve
Christmas Day
New Year's Eve

*When a holiday falls on a Sunday, the holiday is observed on the following Monday. When a holiday falls on a Saturday, the holiday is observed on the proceeding Friday unless preceded by another holiday, which, in this case, the holiday will then be observed on the following Monday unless otherwise noted within the schedule.

A holiday schedule will be published and distributed to employees each year. Holiday Schedules may be reevaluated annually.

To be eligible for holiday pay, you must have worked/shown up for work, or been available to work, the days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by the Executive Director or designee.

If you are a non-exempt employee, eligible for paid holiday benefits and are required to work on a paid scheduled holiday, you will be paid for your work hours plus holiday pay (the number of hours you are regularly scheduled to work). Employees on leaves of absence are ineligible for paid holiday benefits.

Years of Service Milestone Incentive

As a recognition of an employee's tenure, after ten years of continuous employment, the Commission will **match** an employee's retirement contribution, up to one percent. After 15 years, an employee is eligible for an additional one percent match and subsequently at each five-year increment thereafter. The match is separate from the established initial contribution. This benefit will take effect January 1, 2025.

LEAVES OF ABSENCE

Expectations During Leave

The Commission will make every effort to communicate with employees during any leave of absence. The employee will also be required to maintain communication and update the Commission on any change in status and the estimated date of return.

Leaves of absences provided by the Commission are unpaid unless otherwise noted. Unless prohibited by law, employees are required to use any accrued, unused vacation before taking any unpaid leave.

Bereavement Leave

Upon the death of an immediate family member, employees will be granted leave of up to 5 working days with 3 of those days being paid. The leave does not have to be taken consecutively but must be taken within 3 months from the date of the family member's death. Documentation may be required to confirm the need for leave. For purposes of bereavement leave, "immediate family" includes the employee's spouse, registered domestic partner, child (including stepchildren), parent (including stepparent and in-law), grandparent, grandchild, brother or sister.

Prior approval of absence in order to receive pay for time off must be received by the employee's manager. Employees may use paid sick leave or other paid time off benefits to cover lost wages.

Reproductive Loss Leave

Employees who have been with the Commission longer than thirty (30) days and have experienced a reproductive loss event may take up to five (5) unpaid days of leave. A reproductive loss event is defined as the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction. The leave does not have to be taken consecutively but must be taken within 3 months from the event triggering the leave. The maximum amount of leave that can be taken for multiple reproductive loss events in a 12-month period is 20 days. ~~Employees may use paid time off benefits to cover lost wages.~~

You may elect to use accrued PTO or paid sick leave. You may elect, but will not be required, to provide documentation of the loss.

If, prior to or immediately following a reproductive loss event, you are on or you choose to take leave due to pregnancy disability, or for a qualified reason under the California Family Rights Act or any other leave entitlement under state or federal law, you must complete the reproductive loss leave within three months of the end date of the other leave.

Military Leave

The Commission will follow any and all applicable federal and state laws concerning military leave. Generally, an employee returning from military leave is guaranteed reemployment and other rights as long as they comply with certain notification requirements, as required by federal or state law. When an employee must return to work after the completion of service depends on the duration of the military service.

Service members and their families will receive health benefits in accordance with federal and state law. Health care coverage may be available under USERRA or COBRA.

Family and Medical Leave of Absence

As a public agency, the Commission is considered a covered employer under the federal Family and Medical Leave Act (“FMLA”). Eligible employees will be provided with family and medical leave in accordance with the requirements of applicable state and federal law. An “eligible employee” is an employee that (1) has worked for the Commission for a total of at least 12 months, (2) has worked at least 1,250 hours during the 12 months prior to the requested leave, and (3) works at a location with at least 50 employees within a 75-mile radius.

Family Medical Leave Under the California Family Rights Act

The Commission provides family and medical leave in accordance with state law. To be eligible for family and medical leave benefits, you must: (1) have worked for us for a total of at least 12 months and (2) have worked at least 1,250 hours over the previous 12 months in the 12-month period immediately preceding the start of leave.

Eligible employees may receive up to a total of 12 workweeks of unpaid leave during a 12-month period. A 12-month period begins on the date of your first use of family and medical leave. Leave may be used for any of the following reasons:

- The birth or placement of a child for adoption or foster care.
- To care for an immediate family member, defined as a spouse, registered domestic partner, child, child of a registered domestic partner, grandchild, sibling, parent, parent-in-law, grandparent or designated person with a serious health condition.
- You are unable to work because of your own serious health condition.
- For any qualifying exigency because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

A leave taken due to a “qualifying exigency” related to military service must be supported by written proof of its necessity.

When approving CFRA Leave, we will guarantee employment in the same or a comparable position upon the termination of the leave. During CFRA Leave, the employee will retain employment status. CFRA Leave is not a break in service for any purpose.

CFRA Leave is separate and distinct from Pregnancy Disability Leave (leave taken for disability on account of pregnancy, childbirth, or related medical conditions) In addition to CFRA Leave, an employee is entitled to Pregnancy Disability Leave, if the employee is otherwise qualified for that leave.

If the employee is receiving benefit payments through the State Disability Insurance (SDI) or Paid Family Leave (PFL) programs, the Commission will not require the use of accrued PTO or paid sick leave. The Commission may require the use of PTO during the 7-day waiting period before SDI payments begin.

During the employee's absence for CFRA Leave, the Commission will maintain coverage under its group health plans for the duration of the leave, not to exceed 12 workweeks in a 12-month period, at the same level and under the same conditions that coverage would have been provided if the employee were working. If the employee contributes to monthly insurance premiums, payments must be maintained during the CFRA Leave. Failure to make timely payments may result in cancelation of insurance coverage.

An employee must provide reasonable advance notice (generally, at least 30 days) of the need for CFRA Leave if it is foreseeable. If the employee's need for CFRA Leave is foreseeable due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to avoid disruption to our operations, subject to the approval of the health care provider of the individual requiring the treatment or supervision.

The Commission will require a request for leave due to the employee's own health condition or to care for a family member to be supported by medical certification issued by the health care provider of the individual requiring care. We may also request, as a condition of a return from CFRA Leave taken due to the employee's own serious health condition, certification from the employee's health care provider that the employee is able to resume work.

Pregnancy Disability Leave

In compliance with California State law, if an employee is disabled by pregnancy, childbirth or related medical conditions, the employee is eligible to take a pregnancy disability leave (PDL). If the employee is affected by pregnancy or a related medical condition, the Commission will make every effort possible to accommodate the employee during the employee's pregnancy.

The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth, or related medical conditions up to four (4) months (or eighty-eight (88) workdays if you are a full-time employee) per pregnancy.

This leave is unpaid. Employees may be eligible for state disability insurance during the leave. The Commission wants to assist its employees who are pregnant to continue to work as long as they are able, and to take the appropriate amount of time off for the birth of the baby and for recovery. We have adopted this policy to achieve these goals.

If you are disabled by pregnancy, childbirth, or related medical conditions, you are eligible to take no more than four months of unpaid leave. Four months means the number of days you would normally work within a four-month period, which is 17 $\frac{1}{3}$ weeks. If your schedule varies month to month, a monthly average of hours worked over the four months prior to the beginning of the leave period will be used to calculate your normal work month. If you normally work 40 hours per week, four months means 693 hours of leave entitlement (40 hours x 17 $\frac{1}{3}$ weeks).

Leave can be taken continuously, as intermittent leave, or as a reduced work schedule. For example, you could take intermittent leave for medical appointments.

You may be entitled to an accommodation if medically advisable and the accommodation is reasonable. The Commission will consider factors such as your needs, the duration of the requested

accommodation, the cost to the organization, and available personnel to assist. We expect you to engage in a good faith interactive process to identify and implement a reasonable accommodation.

During your leave, the Commission will continue to provide benefits, for up to a maximum of four months over a 12-month period, under our group health plan(s) at the level and under the conditions that coverage would have been provided if you had continued in employment continuously for the duration of the leave.

You are guaranteed the right to return to the same position or duties. However, you do not have any greater right to reinstatement than you would have had if you had been continuously working. For example, if you would not have been employed in the same position at the time of reinstatement for legitimate business reasons unrelated to your leave or transfer, the Commission is excused from returning you to that position.

In that case, you will be reinstated to a comparable position unless the Commission would not have offered you a comparable position had you been continuously at work or there is no comparable position available. A position is available if it is open on your scheduled date of reinstatement or within 60 calendar days for which you are qualified. We will provide you with notice of available positions during the 60-day period.

In order to provide you with information regarding rights and responsibilities under the law, you will be provided with a notice entitled "Your Rights and Obligations as a Pregnant Employee." Please reach out to HR if you have any questions. We want this wonderful time in your life to be as free from worry and concern as possible.

Time Off to Vote

The Commission will provide employees with time off to vote in accordance with state law. It encourages all employees to vote and participate in the election process. When possible, the employee should make every effort to vote prior to or after their scheduled working hours, and most polling places are open for sufficient hours to allow for this. However, if your work schedule would prevent you from voting on Election Day, the Commission will give you up to two hours paid time off to vote. You must present a voter's receipt before you will receive paid time off to vote.

No employee will be penalized or retaliated against for requesting time off to vote.

Victims of Violence Leave

The Commission provides crime victims leave in accordance with state law. You may take unpaid time off from work if you, an immediate family member (spouse, registered domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather) needs to seek medical attention for injuries caused by a qualifying act of violence (QAV) to obtain services from prescribed entities as a result of a QAV, to obtain psychological counseling or mental health services related to a QAV, or to participate in safety planning and to take other actions to increase safety from future crimes or abuse. This leave is also available for a person whose immediate family member is deceased as the direct result of a crime.

QAVs include:

- domestic violence, sexual assault, stalking or
- any act or pattern of conduct that causes bodily injury or death to another or,
- brandishing, exhibiting, or drawing a firearm or other dangerous weapon or,
- or a perceived or actual threat to use force against another to cause physical injury or death.

~~You may use vacation or other accrued time off, if available. Please contact your supervisor for more information regarding leave for proceedings involving crime victims' rights.~~

~~The Commission is concerned about the welfare of its employees. We will not take adverse action against you because of your need for time off for the reasons described in this policy. We will maintain the confidentiality of any employee requesting leave for these reasons.~~

We may limit the total leave taken under this policy to 12 weeks. Employees are not entitled to exceed time off available under the CFRA. Leave taken by you will run concurrently with leave taken under the CFRA.

You may elect to use accrued PTO or paid sick leave (PSL) during time off for any of the reasons listed below.

The Commission will not take adverse action against you because:

- You are a victim and took time off from work to obtain or attempt to obtain any relief, including a temporary restraining order, restraining order, or other injunctive relief, to help ensure your health, safety, or welfare or the health, safety, or welfare of your child. Reasonable advance notice should be provided unless it is not feasible.
- You or a family member is a victim and took time off from work in order to attend judicial proceedings related to that crime, including, but not limited to, any delinquency proceeding, a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding where a right of that person is an issue. Reasonable notice of your intent is required unless it is not feasible.

The Commission may ask you to provide a certification of your need for an absence. The certification can be:

- A police report indicating that you or a family member was a victim.
- A court order protecting or separating you or a family member from the perpetrator of an act of violence, or other evidence from a court or prosecuting attorney that you or a family member has appeared in court.
- Documentation from a licensed medical professional, domestic violence counselor, a sexual assault counselor, victim advocate, licensed health care provider, or counselor that you or a family member was undergoing treatment or seeking or receiving services directly related to an act of violence.
- Any other form of documentation that reasonably verifies that an act of violence occurred, including a written statement signed by you or your agent, certifying that the absence is related to that act of violence.

Volunteer Emergency Services Providers' Leave

If you are a volunteer firefighter or a reserve peace officer, or if you provide certain emergency rescue services, upon request the Commission will grant you unpaid leave when performing certain emergency duties, as defined by state law.

Jury Duty or Witness Leave

Employees are permitted to take leave for jury duty, as is required by state law. Reasonable notice of your intent is required unless it is not feasible.

After three months of service, full time employees are eligible to receive full compensation as though they were performing their regular duties during such time as they are required to appear in any court or before the Grand Jury as a juror or witness in a criminal or civil case. take up to 10 days of paid jury

~~duty leave in any 12 month period. Employees can substitute paid time off benefits PTO or paid sick leave for any additional time needed to serve.~~ Employees should continue to report for work on those days or parts of days when excused from jury duty ~~or if~~ when jury duty or selection does not conflict with the employee's work schedule. Employees may retain any mileage allowance, or related fees, paid by the court for jury or witness service. Employees who receive a subpoena to be a witness at a hearing or trial (not related to Commission Business) will be granted unpaid leave. The notice and verification requirements listed above for jury duty also apply to witness leave. For both types of leave, proof of summons/attendance is required.

The Commission will not discriminate against an employee in any manner for any of the following:

- taking time off to serve as required by law on an inquest jury or trial jury, ~~so long as the employee gives reasonable advance notice;~~
- taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding; or
- taking time off to obtain or attempt to obtain a restraining order or other injunctive relief, to help ensure the health, safety, or welfare of the employee or their child where the employee is a victim of a QAV.

It is the employee's responsibility to report to work immediately following the expiration of approved leave, unless utilizing PTO. Failure to do so may be considered a voluntary termination.

Time Off to Appear at a School Site

Employees who are the parent, grandparent, aunt, uncle, or guardian of a pupil are permitted to appear at a school site for a school event, meeting, or to volunteer to help with class functions. If the time outside of work is four hours or more, the Employee may be asked to utilize hours from their accrued PTO. Employees are required to give reasonable notice to their immediate supervisor and reasonable proof of your need to appear may be required. Again, keep in mind that these privileges may need to be reevaluated if they become disruptive to the employee's work performance.

2026 EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

By signing this form, I acknowledge receipt of the handbook. I understand that this handbook does not imply or constitute a contract or employment agreement for a specified term between myself and the Commission.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it. If I have any questions about the handbook, or any employment matters, I will contact my Director/supervisor or the Executive Director.

I understand that this handbook contains general statements about current Commission policy, and that the Commission retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

Employee Signature _____

Employee Name Printed _____

Date _____

FIRST 5 FRESNO COUNTY
ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

REGULAR BUSINESS MEETING
January 28, 2026 – 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

AGENDA ITEM NO. 7

TO: Children & Families Commission of Fresno County
FROM: Fabiola González, Executive Director
SUBJECT: 2025-2026 Proposed Revised Agency Budget

RECOMMENDED ACTION

Approve the First 5 Fresno County (F5FC) 2025-2026 Proposed Revised Budget.

BACKGROUND

The agency budget implements the Commission's adopted Strategic Plan in order to fund programs, partnerships, and efforts designed to synergistically shape the systems that impact families with young children in Fresno County. In June 2025, the Commission approved the 2025-2026 budget. The current budget revision being presented is necessary due to the completion of the fiscal year 2024-25 audit and the subsequent designation of available fund balance to support Strategic Plan Investments.

On January 21, 2026, the Administrative Committee reviewed and moved this item forward for full Commission consideration.

Key Points of the 2025- 2026 Proposed Revised Budget:

Revenue -- Increased by \$210,700

- Other Revenue: The sale of the Huron property (net \$198,000) in October 2025 is the main cause of the increase to the Revenue section.

Fund Balance -- Increased by \$4,350,000

- Unassigned Fund Balance: With the completion of the 2024-25 audit report, year-end de-obligations and unspent funds are allocated to fill any gaps of existing funding in FY 2025-2026, based on the Commission's Accounting Policies and Procedures Manual. The amount of \$4.35 million is made available for awards by the Commission.

Program Allocations (Strategic Plan Investment Areas) – Increased by \$4.54 million

- Increases made to these investments are due to the available Unassigned Fund Balance which allows the Commission to invest in multi-year contracts. The Strategic Plan identifies the

Commission's priorities and approaches to community investments. All known adjustments in funding have been identified in the cost analysis and justification section.

Accountability and Evaluation – No change

Operations Contingency Fund & Strategic Reserve – No change. An assessment of the Fund and Reserve levels, as outlined in the Accounting Policies and Procedures Manual, will take place at the creation of the next budget.

Operating Expenses – Increased by \$18,692

- Capital Equipment Expense: Increase to this line item from the addition of audio/visual equipment in the Commission meeting space.
- Commissioner/Advisory Expense: Increase due to more costs associated to Commission meetings with the seventh seat on the Commission being filled in 2025.
- Program Development/ Strategic Planning Expense: Increase to have funds available for printing of the new strategic plan, etc.

Fiscal Impact: Approval of the 2025-2026 Proposed Revised Budget will provide an updated financial framework to allocate funds and cover operational costs for the Commission.

CONCLUSION:

The mid-year revision to the agency budget accounts for unanticipated revenue and cost savings from the prior year offering the Commission the opportunity to allocate funding for the Programmatic Investments of the Strategic Plan through fiscal year 2025-2026. Upon approval, staff will finalize the 2025-2026 Proposed Revised Agency Budget.



2025-2026
PROPOSED REVISED BUDGET

2405 Tulare Street, Suite 200 | Fresno, CA 93721
(559) 558-4900 | www.first5fresno.org

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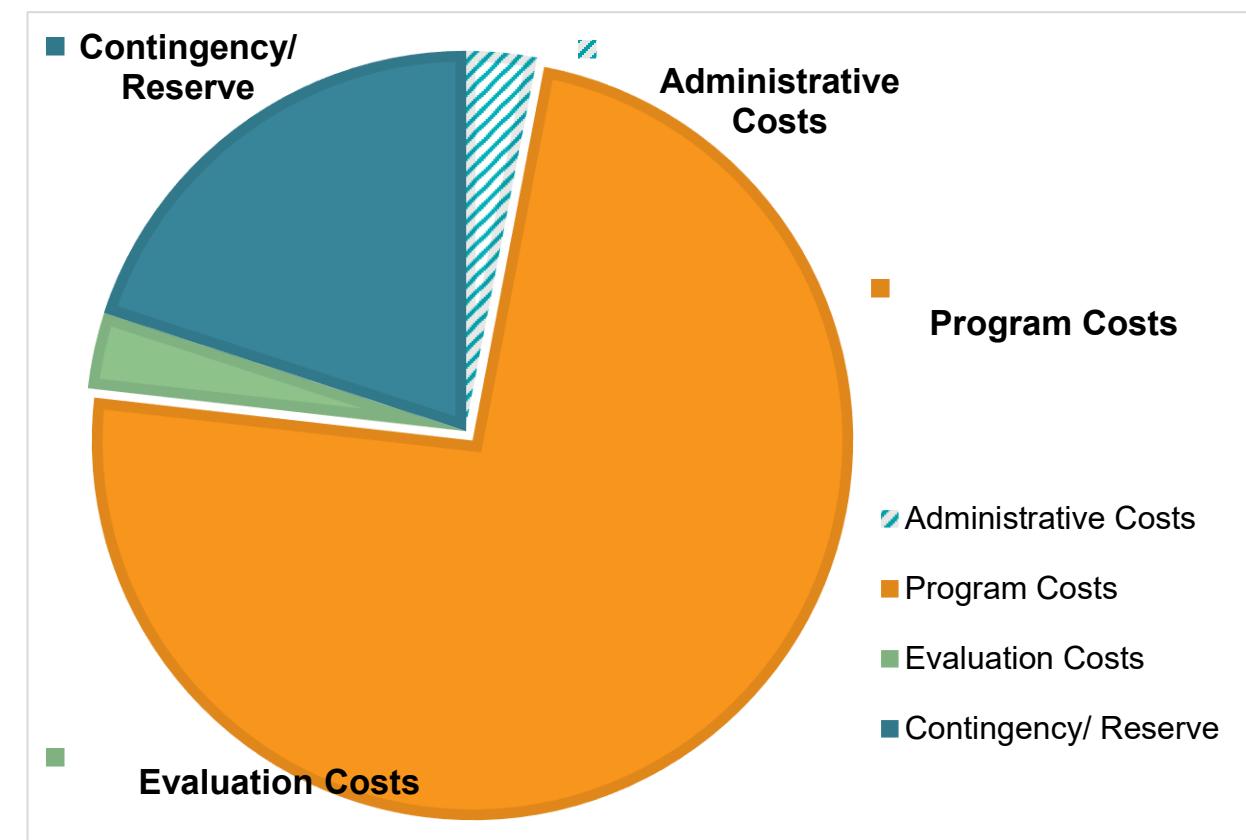
EXECUTIVE SUMMARY

First 5 Fresno County is committed to honoring and supporting families raising children throughout the county to have access to all they need to thrive. We envision a future where all children and their families are healthy, loved, and nurtured. By the age of five, 90% of a child's brain is developed. Rooted in this fact, California voters passed Proposition 10, the California Children and Families Act, in 1998. As a result, a 50-cent tax on all tobacco products was established 'to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development.' Proposition 10 funds are distributed to California counties based on the county's birthrate.

FY 2025-2026 BUDGET

The anticipations within the FY 2025-2026 Budget are focused on honoring our commitment to the outgoing 2020 – 2025 Strategic Plan and the incoming 2025-2030 Strategic Plan which was drawn up incorporating experiences and expertise from our community. Our efforts have been focused on incorporating what we heard as possible opportunities for the Commission to lead or support. This budget demonstrates our continued focus on supporting the early childhood system of care in Fresno County in innovative ways, while keeping long-term sustainability in mind. We invite our community to envision new ways of addressing the needs of children and families – and creating the early childhood system of care of the future, today. For details on the agency's vision, mission and more, refer to the full Strategic Plan on our website www.first5fresno.org.

The breakdown of 2025-2026 Budget expenses by cost category, as detailed in the Cost Analysis, is as follows:



Cost Category	%	Budget Amounts
Administrative Costs	3.0%	\$528,703
Program Costs	73.8%	\$12,933,138
Evaluation Costs	3.2%	\$566,393
Contingency/ Reserve	20.0%	\$3,500,000
	100%	\$17,528,233

**FIRST 5 FRESNO COUNTY
2025-2026 PROPOSED REVISED
BUDGET SUMMARY**

	2025-2026 Approved Budget	2025-2026 Proposed Revised Budget	Variance
Revenue			
Proposition 10 Revenue	\$6,240,728	\$6,240,728	\$0
First 5 CA IMPACT Regional Fiscal Agent	\$21,600	\$21,600	\$0
First 5 CA IMPACT Regional Hub Program	\$2,641,620	\$2,641,620	\$0
Other Revenue	\$100,221	\$298,221	\$198,000
Interest Revenue - County Treasury	\$205,375	\$205,375	\$0
Investment Earnings (Unrealized)	\$257,990	\$270,690	\$12,700
Total Revenue	\$9,467,534	\$9,678,234	\$210,700
Fund Balance			
Assigned Fund Balance for Operations Contingency & Strategic Reserve	\$3,500,000	\$3,500,000	\$0
Unassigned Fund Balance*	\$0	\$4,350,000	\$4,350,000
	\$3,500,000	\$7,850,000	\$4,350,000
	\$12,967,534	\$17,528,234	\$4,560,700
Revenue & Fund Balance			
*With the Audit Report for period ending June 30, 2025 complete, this budget revision is proposed incorporating the available Fund Balance amount assigned to Strategic Plan Investment Areas of the Commission.			
Strategic Plan Investment Areas			
Maternal, Child and Family Health			
Patient-Centered Prenatal Care	\$361,800	\$212,691	(\$149,109)
African American Infant Mortality Prevention	\$821,501	\$1,450,325	\$628,824
Home Visitation	\$0	\$1,500,000	\$1,500,000
Thriving Families			
Thriving Families Direct Service Investments	\$844,900	\$3,237,575	\$2,392,675
Lighthouse for Children Community Learning Center	\$431,742	\$421,360	(\$10,382)
Early Learning			
QRIS - Child Care Workforce Quality Training & Technical Assistance	\$1,265,000	\$1,415,000	\$150,000
Systems-Building			
Help Me Grow Fresno County & Central Valley	\$250,000	\$250,000	\$0
Innovation & Learning Partnerships	\$215,000	\$215,000	\$0
Communications	\$198,300	\$228,300	\$30,000
Strategic Plan Investments Total	\$4,388,243	\$8,930,251	\$4,542,008
Externally Funded Programs			
First 5 CA IMPACT Legacy - Regional Fiscal Agent	\$21,600	\$21,600	\$0
First 5 CA IMPACT Legacy - Regional Hub Program	\$2,641,620	\$2,641,620	\$0
Total Externally Funded Programs	\$2,663,220	\$2,663,220	\$0
Accountability and Evaluation			
Accountability Contract Management Database System	\$175,000	\$175,000	\$0
Evaluation Services	\$300,000	\$300,000	\$0
Accountability and Evaluation Total	\$475,000	\$475,000	\$0
Total Strategic Plan Investment Areas	\$7,526,463	\$12,068,471	\$4,542,008
Reserve			
Operations Contingency Fund	\$1,500,000	\$1,500,000	\$0
Strategic Reserve Fund	\$2,000,000	\$2,000,000	\$0
	\$3,500,000	\$3,500,000	\$0

**FIRST 5 FRESNO COUNTY
2025-2026 PROPOSED REVISED
BUDGET SUMMARY**

	2025-2026 Approved Budget	2025-2026 Proposed Revised Budget	Variance
Operating Expenses			
Salaries & Benefits			
Salary Expense	\$771,495	\$771,495	\$0
Payroll Tax Expense	\$73,565	\$73,565	\$0
Retirement Expense	\$67,429	\$67,429	\$0
Employee Benefits Expense	\$276,492	\$276,492	\$0
Worker's Compensation Expense	\$4,086	\$4,086	\$0
	Total Salaries & Benefits Expenses	\$1,193,067	\$0
Services & Supplies			
Audit Expense	\$29,000	\$30,000	\$1,000
Capital Equipment Expense	\$10,000	\$15,000	\$5,000
Commissioner/Advisory Expense	\$1,400	\$3,000	\$1,600
Dues & Subscriptions Expense	\$72,187	\$72,187	\$0
Equipment Rental/Maintenance Expense	\$70,858	\$70,858	\$0
General & Administrative Expense	\$40,000	\$40,000	\$0
Insurance Expense	\$209,807	\$209,807	\$0
Local Travel Expense - Local Mileage	\$3,900	\$4,000	\$100
Materials & Supplies Expense	\$6,700	\$10,000	\$3,300
Overhead Expense	\$175,000	\$175,000	\$0
Professional Services Expense	\$78,980	\$81,672	\$2,692
Program Development/Strategic Planning Expense	\$10,000	\$15,000	\$5,000
Staff Training & Conference Expense	\$21,000	\$21,000	\$0
Telephone Expense	\$19,172	\$19,172	\$0
	Total Services & Supplies Expenses	\$748,004	\$766,696
	Total Operating Expenses	\$1,941,071	\$1,959,763
			\$18,692

Budget Summary

Total First 5 Fresno County Budget	\$12,967,534	\$17,528,234	\$4,560,700
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REVENUE

2025-2026 PROPOSED REVISED REVENUE BUDGET

TOTAL **\$9,678,234**

Proposition 10 Revenue	\$6,240,728
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The State collects the state tobacco tax revenue and distributes each proportionate share to the 58 California counties based on birth-rate, in accordance with the Children and Families Act of 1998. This also includes Back-fill from Proposition 56, the California Electronic Cigarette Excise Tax and any other-related revenue received.

External Revenue	\$2,663,220
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First 5 California IMPACT

These funds allow First 5 Fresno County (F5FC) to serve as the Lead Fiscal Agency and the Regional Hub Lead for the IMPACT Legacy project and partner with other counties in the Central Valley Region to provide ongoing coordination and focused support to neighboring counties working to raise the quality of early care and education in their communities to ensure children have the skills, knowledge, and disposition necessary to be ready for school and life.

Other Revenue	\$298,221
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This includes rents collected from Lighthouse for Children (LFC) tenants (approximately \$10,700/month) used to offset operating costs, minimal revenue from use of conference space by external partners at the LFC facility, and other outside revenue not captured above.

REVISED: The Commission sold property in Huron, California, increasing this line by \$198,000.

Interest Revenue - County Treasury	\$205,375
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Interest collected from the Proposition 10 funds held on deposit in the County of Fresno's Treasury Pool account.

Investment Earnings	\$270,690
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Anticipated unrealized, net investment income (interest, dividends, gains, and losses) from F5FC investments managed by the Commission's Investment firm for future program allocation.



COST ANALYSIS

BUDGET LINE ITEM DETAIL

This portion of the budget, the Cost Analysis, provides the details to the numbers. The line items are itemized for easy reading.

STRATEGIC PLAN INVESTMENT AREAS		
Strategic Plan Investments		2025-2026 Proposed Revised Budget
Maternal, Child and Family Health		
Patient-Centered Prenatal Care		
Original Justification:		
Resources are allocated for the group prenatal care project, Glow!, which is harnessing the project's pilot phase (2017-2020) and the recently concluded EMBRACE Study. The Study was a four-year, \$5.6 million grant awarded to University of California, San Francisco's Preterm Birth Initiative-California (UCSF-PTBi) from the Patient-Centered Outcomes Research Institute (PCORI). The grant allowed UCSF-PTBi to research two enhanced prenatal care models (group prenatal care named Glow! and comprehensive prenatal services program (CPSP)) in the Central Valley. The pilot was initiated after the publishing of the Commission-funded African American Infant Mortality Needs Assessment. There, group prenatal care was a recommendation to reduce stress and disrespectful care which contribute to high rates of preterm births and infant mortality.		
At the windown of the EMBRACE Study and the anticipation of the published outcomes, the Commission is in the process of maintaining and developing partnerships with clinics and pregnancy care settings to continue to implement group prenatal care in the Central Valley as we band together with our partners to advocate for policy change to center the patient in prenatal care. Glow! includes partnerships with Community-Based Organizations to act as Glow! program facilitators (known as the Glow! Contracted Network) who work with physicians to administer the program. This portion of the budget is to fund the Network with proper trainings, Staff coordination, and program expansion efforts as outlined below.		
Glow! Facilitation Expense	Glow! Contracted Network Contracts	<u>Original</u> <u>Revised</u>
	Glow! Future Expansion Post EMBRACE Study	\$170,000 \$0
Glow! Coordination Expense	Group Prenatal Care - First 5 Fresno Staff Liason (1 FTE F5FC)	\$12,600 \$25,000
	Programmatic Materials (Curriculum Materials, Site Licenses, etc.)	\$127,333 \$137,665
	Trainings: CenteringPregnancy Curriculum, Respectful Care Trainings, Materials	\$40,467 \$38,887
		<u>Total</u> <u>\$361,800</u> <u>\$212,691</u>
Patient-Centered Prenatal Care		<u>\$212,691</u>
Original Amount	Revised Amount	Variance
361,800	212,691	(149,109)
Revised Justification: A decrease for this budget area due to the contracts for the facilitation of the Glow! Group Prenatal Care program entered into no-cost extensions requiring no new funding for that area.		
African American Infant Mortality Prevention		
Original Justification:		
The Commission remains committed to working with the community and its professionals to tackle the high rates of infant mortality among Fresno's African American community. Embracing our unique role as a county-wide convener and coordinator in the early childhood system, the Commission will continue to explore innovative and collaborative ways to address societal issues that contribute to infant mortality through investment and partnerships. Within the 2020-2025 Strategic Plan, it is the Commission aspires to dedicate approximately 20-25% of its total program investments to infant mortality prevention in the African American community.		
Some innovative projects include but are not limited to infusing the Glow! Group Prenatal Care curriculum with culturally appropriate content, organizational capacity building to support those serving Fresno's African American 0-5 population, and direct investment into trusted community organizations like Cultural Brokers, Inc. to implement safe-sleep education and supports focused on the African American community as well as the continued development of the Black Child Legacy Campaign- a community-driven movement working to reduce deaths of African American children. There is potential within this portion of the budget to support innovative pilot efforts and community-driven grant making to reduce African American infant mortality and preterm birth. This portion of the budget also includes 0.3 FTE of F5FC staff.		
		African American Infant Mortality Prevention <u>\$1,450,325</u>
Original Amount	Revised Amount	Variance
821,501	1,450,325	628,824
Revised Justification: The increase to this portion of the budget, as a result of the incorporation of the available fund balance, allows the Commission to partner with organizations to leverage these budgeted dollars to move toward meeting its goal to increase prevention of infant mortality in the African American community as mentioned in the original justification. The Commission is involved in local coalitions and community partner groups where opportunities for supports to African American families are discussed. Opportunities to enter into contracts for this focus area will be brought to the Commission as these partnerships are developed.		

COST ANALYSIS
BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Strategic Plan Investments Cont'd			
Home Visitation			Home Visitation <u>\$1,500,000</u>
Original Amount	Revised Amount	Variance	
0	1,500,000	1,500,000	
<p>Revised Justification: In the original budget the Commission's Home Visitation investment was folded into the Thriving Families portion of the budget. In the new Strategic Plan, Home Visitation is within the Maternal, Child & Family Health focus area. The Commission has been in contract with the Department of Public Health for three home visitation programs each program utilizes the Commissions investment as leverage to draw down state dollars ultimately bringing more dollars to Fresno County. The contracts for these three models: Nurse Liaison, Nurse Family Partnership, and Community Health teams, a local model carried out by CBO subcontractors, are reaching the end of their initial terms and have the option to renew. With these contracts in good standing, staff recommend renewing these contracts through the term of the procurement mechanism.</p>			
Thriving Families			
Thriving Families Direct Service Investments			
<p>Original Justification:</p> <p>This long-standing area of investment is a compilation of community- based partnerships that provide direct support to families across the county. Under this area, contracts with local Community-Based Organizations and grassroots entities, the Commission remains committed to funding an effective, and culturally responsive network of direct services to fill gaps in the early childhood system of care. In May 2023, the Commission awarded 20 organizations* contracts which were the results of the Thriving Families Direct Service procurement. The funds for those contracts were committed in prior budgets in order to secure multi-year funding for these partners, a best practice in grant making. Further dollars are set aside in this budget for this area, for assigning as the new strategic plan is finalized.</p> <p>This portion of the budget also includes dollars set aside for other expenses such as funded partner training costs, collaborative meeting expenses and translation services, community storytelling from families- what we call Community Scientists, and funds to purchase Ages & Stages Questionnaires (ASQ) kits for funded partners and potential ASQ trainings. This area is also where development of programs, that align with the Commission's Strategic Plan, would originate.</p>			
Thriving Families Service Programs			<u>\$3,237,575</u>
Original Amount	Revised Amount	Variance	
858,000	3,237,575	2,379,575	
<p>Revised Justification: With the completion of the prior year's audit, available dollars are allocated back to programmatic efforts. The increase to this line item, allows the Commission to release a new multi-year funding opportunity for non-profits directly serving families. These funded partners are filling gaps in the system that supports families with young children.</p>			

COST ANALYSIS

BUDGET LINE ITEM DETAIL

Lighthouse for Children Community Learning Center

Original Justification:

The Lighthouse for Children Community Learning Center (CLC) is the space for a network of community partners working together to provide classes and workshops that encourage and foster healthy relationships between young children and their caregivers all while increasing early literacy, language, and school readiness. Along with family services, the CLC supports professionals working with young children. Staff is currently facilitating a Family-Centered Design program to assess and further refine the use of the space including the services provided by local agencies to families with young children. This section of the budget contains the 0.3 FTE for a First 5 Fresno staff who are the liaison for the CLC and the budget includes the overhead and operating costs (phones, internet, utilities, program supplies, etc.) of the CLC space and the other partner space at the Lighthouse for Children.

	Original Budget	Revised Budget	
CLC Staff Time Expense (Salaries, Benefits, etc.)	36,626	\$37,060	
Overhead & Operating Expense	395,146	\$384,300	
Total	\$431,772	\$421,360	
			Community Learning Center \$421,360
	Original Amount	Revised Amount	Variance
	431,742	421,360	(10,383)

Revised Justification: A slight decrease to this line item as staff continue to explore how to best use this space in the Lighthouse for Children.

Strategic Plan Investments Cont'd 2

2025-2026 Proposed
Revised Budget

Early Learning

QRIS - Child Care Workforce Quality Training & Technical Assistance

Original Justification:

The Commission's investments like the Quality Rating and Improvement System (QRIS) leverages dollars received from First 5 California's IMPACT project to increase technical assistance and training opportunities for early childhood providers throughout the county. This portion of the budget sets aside funds for a contract extension, to not have a gap in services, as the First 5 California current investment begins to sunset. This portion of the budget also includes the overhead expense (\$235k) for the LFC Child Development Center, a high-quality demonstration childcare site that stands as a model for center-based childcare. The Office of the Fresno County Superintendent of Schools Early Care and Education Department operates the space that the Commission provides. This section also includes \$1,000,000 in development dollars for the Commission to explore how to begin thinking of ways to change the complex childcare system.

	QRIS - Local High Quality Training & Technical Assistance	\$1,415,000
	Original Amount	Revised Amount
	1,265,000	1,415,000
		Variance
		150,000

Revised Justification: The increase to this portion of the budget, as a result of the incorporation of the available fund balance allows for an increase in a potential match (\$1.15m total) to explore an innovative pilot or partnership to support the Fresno County childcare infrastructure. This could take shape possibly through convening partners to collaborate on policy, incentivizing more providers to provide care, supplementing high quality care costs for families, or possibly a joint local measure, etc.

Systems-Building

Help Me Grow Fresno County & Central Valley

Original Justification:

Help Me Grow is a nationally utilized model of doing collaborative work for young children that promotes collaboration across sectors to build a more efficient and effective system for young children and their families. Locally, it is called Help Me Grow Fresno County (HMGFC). Acting as convener and connector, the Commission brings the community and key leaders together in support of changing the way our systems work for better outcomes for our children. A successful approach to addressing the key challenges Fresno County families are facing requires systemic change.

The amount allocated is for the future of this investment in the early childhood system of care work. In the Central Valley Region, First 5s are in contract with Valley Children's Healthcare to make a regional web of connections for the local Help Me Grow Models. With this exciting new partnership, we are working toward creating a more seamless system to connect young-child-facing services and those providing services. As system change work continues to be the work that the Commission is leading, staff continue to have conversations about collaboration to work together to make systems work for our Fresno families.

	Help Me Grow Fresno County	\$250,000
	Original Amount	Revised Amount
	250,000	250,000
		Variance
		0

Revised Justification: No change to this budget area.

COST ANALYSIS

BUDGET LINE ITEM DETAIL

Innovation & Learning Partnerships

Original Justification:

Lasting improvements to the health and development of the county's youngest residents are possible when community organizations, business, policy makers, families and the Commission find innovative ways to collaborate and create a more integrated and comprehensive support system for young children and their families. The Commission will invest in emerging, innovative partnerships that directly align with the Strategic Plan and the agency's mission along with communication strategies to further convey the importance of early childhood development.

Innovation & Learning Partnerships	\$90,000
Early Matters Fresno Policy, Administration & Leveraging	<u>\$125,000</u>
Innovation & Learning Partnerships Total	\$215,000

Original Amount	Revised Amount	Variance
215,000	215,000	0

Revised Justification: No change to this budget area.

Strategic Plan Investments Cont'd 3

2025-2026 Proposed
Revised Budget

Communications

Original Justification:

The Commission engages in communication and community relations efforts to connect with community leaders, stakeholders, businesses, elected officials, and the broader Fresno County audience. By engaging with Fresno County residents and leaders alike, the Commission has the opportunity to promote and enhance our message and advocacy of the importance of the first 5 years of life. To this end, the Commission will invest in the following:

Community Event Sponsorship Program	\$30,000
Communications Materials	\$45,300
Communicating Families Stories	\$15,000
Website Maintenance and Domain Hosting	\$50,000
Community Communications & Relations Efforts (Photos, Graphics, sponsored post, etc.)	\$88,000
Total	\$228,300
Communications Total	\$228,300

Original Amount	Revised Amount	Variance
198,300	228,300	(30,000)

Revised Justification: Included is an increase to this line item for the addition of website maintenance and to set dollars aside to procure for an update to the website and communication efforts to convey the new strategic plan to the Community.

Strategic Plan Investments Budget Total **\$8,930,251**

Total Evaluation Expense	8,930,251	x	0%	0
Total Program Expense	8,930,251	x	100%	8,930,251
Total Administration Expense	8,930,251	x	0%	0

COST ANALYSIS

BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Externally Funded Initiatives			
<p><i>These externally funded initiatives create strong partnerships while furthering the Commission's impact in the community. Funding for these projects, as detailed below, comes from revenue streams separate from the Proposition 10 Revenue received by the Commission.</i></p>			
First 5 CA IMPACT Legacy - Regional Fiscal Agent			
<p>The Commission serves as the Fiscal Lead Agency (Fiscal Lead) for the IMPACT Legacy Regional Hub grant from First 5 California. The Fiscal Lead receives the grant award funding from First 5 CA on behalf of the region and distributes the funds to counties via subcontracts. The Fiscal Lead is tasked with reviewing and recording expenditures made by the Hub and requesting reimbursement from First 5 CA on a quarterly basis. The Commission receives funding to cover employee costs related to the tasks noted above, approximately 0.20 FTE. This is a one-year grant.</p>			
First 5 CA - IMPACT Fiscal Agent Subtotal			\$21,600
Revised Justification: No change to this line item.			
First 5 CA IMPACT Legacy - Regional Hub Program			
<p>IMPACT Legacy Regional Hub- Region 5 (called the Hub) serves as the training and technical assistance (T&TA) coordination lead for IMPACT Legacy grant from First 5 California. The Hub's goal is to strengthen the early learning and care system across the region by providing regional coordination, professional development, and high-quality trainings to child care providers across seven counties in the Central Valley. As the Regional Hub Lead agency, F5FC serves as the coordinator to fulfill reporting requirements and ensure First 5 CA's goals for the program are being met and administers the Hub partner organizations' reimbursements (\$2,157,424) and other costs for regional trainings (\$432,345). Additionally, the Commission receives funding (\$51,850) to cover employee costs related to the tasks noted, approximately 0.60 FTE. This is a one-year grant.</p>			
First 5 CA - IMPACT Regional Hub Subtotal			\$2,641,620
Revised Justification: No change to this line item.			
Externally Funded Initiatives Total			\$2,663,220
Total Evaluation Expense	2,663,220	x	0%
Total Program Expense	2,663,220	x	100%
Total Administration Expense	2,663,220	x	0%
2025-2026 Proposed Revised Budget			
Accountability and Evaluation			
Original Justification:			
Accountability Contract Management System			
<p>Organizations that receive Commission funds report financial, programmatic, and evaluation data to ensure compliance with the agency's contractual obligations. The fiscal reporting structure of the Commission is modeled after the First 5 Financial Management Guide. The Commission is in contract with Bonterra (formerly known as Social Solutions, Inc.), for data management system & services, for use of their system Apricot 360. This system collects programmatic data and allows for fiscal reporting to ultimately be able to report to the state each year as per our requirements.</p>			
Contract Management Data System			\$175,000
Evaluation Services			
<p>The effectiveness of the Commission's investments is monitored regularly by staff along with a contracted evaluation firm. With evaluation being mandatory, the contracted evaluator works with the Commission, staff, and grantees to inform ongoing program practices and to evaluate progress towards the Commission's desired outcomes in line with the strategic plan. The Commission uses evaluation data to inform its decision-making; ensuring that funds are used as efficiently and effectively as possible.</p>			
Evaluation Services			\$300,000
Accountability and Evaluation Total			\$475,000
Original Amount	Revised Amount	Variance	
475,000	475,000	0	
Revised Justification: No change to this line item.			
Total Evaluation Expense	475,000	x	100%
Total Program Expense	475,000	x	0%
Total Administration Expense	475,000	x	0%

COST ANALYSIS

BUDGET LINE ITEM DETAIL

RESERVE

			2025-2026 Proposed Revised Budget
Operations Contingency Fund			\$1,500,000
Original Justification:			
The Operations Contingency Fund was established to guard against possible losses and meet unforeseen and unavoidable requirements that may arise during the budget year. Parameters of usage are outlined in the agency's Accounting Policies and Procedures Manual. This fund will remain at \$1,000,000, being deobligated and then reobligated at the start of each fiscal year.			
Original Amount 1,500,000	Revised Amount 1,500,000	Variance 0	
Revised Justification: No change to this line item.			
Total Evaluation Expense	1,500,000	x	0%
Total Program Expense	1,500,000	x	0%
Total Administration Expense	1,500,000	x	100%
			1,500,000

			2025-2026 Proposed Revised Budget
Strategic Reserve Fund			\$2,000,000
Original Justification:			
The Strategic Reserve Fund is a separate fund to guard against any future immediate and unanticipated Proposition 10 revenue deficits or shortfalls that may arise during the budget year. Parameters of usage are outlined in the agency's Accounting Policies and Procedures Manual. This fund will remain at \$2,000,000, being deobligated and then reobligated at the start of each fiscal year.			
Original Amount 2,000,000	Revised Amount 2,000,000	Variance 0	
Revised Justification: No change to this line item.			
Total Evaluation Expense	2,000,000	x	0%
Total Program Expense	2,000,000	x	100%
Total Administration Expense	2,000,000	x	0%
			2,000,000

OPERATING EXPENSES

			2025-2026 Proposed Revised Budget
Salary Expense			\$771,495
Original Justification:			
Salaries for a total of 8.25 FTE operating positions for the administration of Commission business. Salary expense for 2.75 additional program staff FTE (shown below in grey) are accounted for in the Strategic Plan Investments portion of the budget for a total of 11 FTE. All vacant positions are captured within this budget document. If the Commission requires additional or different staffing, this would be noted in the budget revision that occurs mid-year. Any potential salary increases are budgeted, recommended by supervisors, and are based on First 5 Fresno County's Employee Compensation Policy. Additionally, the budgeted amount includes compensated absences, the liability of employee banked Personal Time Off (PTO), potential overtime budget, and a portion for potential future salary increases are included here.			
Salaries Total Compensated Absences & Salary Increase	\$731,130 \$40,365	\$731,130 \$40,365	
Original Amount 771,495	Revised Amount 771,495	Variance 0	
Revised Justification: No changes to the line item total.			
Some approved positions in the Commission structure are not /may not be utilized currently and therefore not reflected in the current budget. This budget does not include two of those position levels (<i>italicized</i>). Future budget iterations and Commission needs may consider unused position levels based on evolving work of the Commission. Positions: Executive Director <i>Deputy Director</i> Director Manager Specialist			
**Represents the total amount of salaries for FTE associated with program work, funded by external revenue or program dollars.			
Total Evaluation Expense	771,495	x	3%
Total Program Expense	771,495	x	74%
Total Administration Expense	771,495	x	23%
			23,145
			570,906
			177,444

COST ANALYSIS

BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Payroll Tax Expense			\$73,565
Original Justification:			
Federal Unemployment Tax Act (FUTA). Estimated 6% on first \$7,000 earned by each employee at 8.25 FTE. The remaining 2.75 FTE is accounted for in Externally Funded Programs and Strategic Plan Investments (captured in the program portion of the budget) to total 11 FTE.			
A. Programs and in Strategic Plan Investments (captured in the program portion of the budget) to total 11 FTE.			
FTE	8.25	x	\$7,000 6% = \$3,465
B. Medicare Employer Tax. The employer's share is set by the federal government at 1.45% of each gross salary.			\$771,495 1.45% = \$11,187
C. Social Security Employer Tax. The employer's share is set by the federal government at 6.2% of each gross salary.			\$771,495 6.2% = \$47,833
D. CA State Unemployment Insurance - Estimated 6.2% on first \$7,000 earned by each employee at 8.25 FTE. The remaining 2.75 FTE is accounted for in Externally Funded Programs and Strategic Plan Investments (captured in the program portion of the budget) to total 11 FTE. (Rates subject to change)			
FTE	8.25	x	\$7,000 6.2% = \$3,581
			Other Taxes/ Unexpected Expense \$7,500
			<u>Total</u> \$73,565
	<u>Original Amount</u>	<u>Revised Amount</u>	<u>Variance</u>
	73,565	73,565	0
Revised Justification: No changes to this line item.			
Total Evaluation Expense			73,565 x 3% 2,207
Total Program Expense			73,565 x 74% 54,438
Total Administration Expense			73,565 x 23% 16,920
Retirement Expense			2025-2026 Proposed Revised Budget
Original Justification:			\$67,429
The cost of retirement benefits for full-time, permanent employees is calculated at 8.74% of each gross salary. With cost fluctuations within this line item from the vacant staff position at the start of the fiscal year, this amount also reflects the Years of Service Benefit for staff members who are with the Commission for 10, 15, 20+ years.			
	\$771,495 x 8.74% = \$67,429		
	<u>Salaries Amount</u>	<u>Percentage</u>	<u>Total Amount</u>
	\$771,495 x 8.74% = \$67,429		
	<u>Revised Salaries Amount</u>	<u>Percentage</u>	<u>Total Amount</u>
	<u>Original Amount</u>	<u>Revised Amount</u>	<u>Variance</u>
	67,429	67,429	0
Revised Justification: No changes to this line item.			
Total Evaluation Expense			67,429 x 3% 2,023
Total Program Expense			67,429 x 74% 49,897
Total Administration Expense			67,429 x 23% 15,509
Employee Benefits Expense			2025-2026 Proposed Revised Budget
Original Justification:			\$276,492
The Commission's contracted insurance benefits broker recommended a conservative 15% increase to the projected actuals assuming no large plan changes are made. The calculation shows the cost breakdown and includes the deduction of the benefits expense for Strategic Plan Investments & Externally Funded program staff FTE. Benefits for full time, permanent staff include dental, life, medical, and vision insurance and a health savings account and health reimbursement account. This line item also includes the auto allowance, up to \$400/month, for the Executive Director for the wear-and-tear and other travel-related expenses of their personal vehicle for business use in lieu of mileage reimbursement based on the County of Fresno's policy of use.			
	\$235,210 x 15% + \$6,000 = \$276,492		
	<u>FY 2024-25 Projected Actuals</u>	<u>Rate Increase</u>	<u>Auto Allowance</u>
	<u>Original Amount</u>	<u>Revised Amount</u>	<u>Variance</u>
	276,492	276,492	0
Revised Justification: No changes to this line item.			
Total Evaluation Expense			276,492 x 3% 8,295
Total Program Expense			276,492 x 74% 204,604
Total Administration Expense			276,492 x 23% 63,593

COST ANALYSIS

BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Worker's Compensation Expense			\$4,086
Original Justification: The budgeted amount for worker's compensation is based on the prior year amount provided by the Commission's contracted insurance firm which defines staff within the salesman category for contract managers' responsibility to execute county-wide site visits and in-person annual contract reviews. The Commission's insurance firm included a conservative increase of 10% to the prior full-year actual amount each fiscal year in their estimate.			
$\begin{array}{rcccl} \$3,553 & \times & 15\% & = & \$4,086 \\ \text{FY24-25 Premium} & & \text{Est. Annual Rate} & & \text{Budgeted Amount} \\ & & \text{Increase} & & \end{array}$			
Original Amount	Revised Amount	Variance	
4,086	4,086	0	
Revised Justification: No changes to this line item.			
Total Evaluation Expense	4,086	x	3%
Total Program Expense	4,086	x	74%
Total Administration Expense	4,086	x	23%
			123
			3,024
			940
			2025-2026 Proposed Revised Budget
Audit Expense			\$30,000
Original Justification: Expenses for mandatory independent audit services for the Commission are projected to be \$24,500 for the fiscal year. The estimate is based on the proposal provided by the awarded auditing firm in their submission resulting from the Commission's Request for Quotations procurement in 2020 for auditing services. These services will go out to bid toward the end of the fiscal year.			
Original Amount	Revised Amount	Variance	
29,000	30,000	1,000	
Revised Justification: No major change to this line item.			
Total Evaluation Expense	30,000	x	0%
Total Program Expense	30,000	x	0%
Total Administration Expense	30,000	x	100%
			0
			0
			30,000
			2025-2026 Proposed Revised Budget
Capital Equipment Expense			\$15,000
Original Justification: Currently, the Commission owns 12 staff workstations (computer, monitor, printer, keyboard, etc.). Staff recommends setting aside \$5,000 for possible replacement of two computers (estimated at \$2,500 per computer with taxes included) that are reaching their useful life which were not replaced in the prior fiscal year, an additional \$5,000 for unforeseen replacement or repairs of other equipment and/or furniture.			
Original Amount	Revised Amount	Variance	
10,000	15,000	5,000	
Revised Justification: An increase to this line item to account for audio-visual improvements in the Commission's conference space.			
Total Evaluation Expense	15,000	x	3%
Total Program Expense	15,000	x	74%
Total Administration Expense	15,000	x	23%
			450
			11,100
			3,450
			2025-2026 Proposed Revised Budget
Commissioner/Advisory Expense			\$3,000
Original Justification: This line item is budgeted for a maximum of seven Commissioners for potential meeting-related equipment or expenses, trainings/workshops, etc., associated with the agency's business. Examples include but are not limited to the F5 State Annual Conference attendance, F5 Advocacy Day, mileage reimbursement, etc. The estimated annual amount is budgeted at \$200 per Commissioner, maximum seven.			
Original Amount	Revised Amount	Variance	
1,400	3,000	1,600	
Revised Justification: Increase to this line item with the addition of a new Commissioner.			
Total Evaluation Expense	3,000	x	0%
Total Program Expense	3,000	x	0%
Total Administration Expense	3,000	x	100%
			0
			0
			3,000

COST ANALYSIS
BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Dues and Subscriptions Expense			\$72,187
Original Justification:			
The cost associated with dues and subscriptions for the twelve-month period comprises required dues to the First 5 Association (each county pays a proportionate share of the cost of maintaining the Association) plus the allotment for the cost of miscellaneous subscriptions, publications, and dues (i.e. Adobe Acrobat Pro, Microsoft 365 Suite, Amazon, Canva, Fresno Bee, Zoom Video Conferencing, etc.).			
FY25-26 F5 Assoc. Dues	\$47,324		
Technology- Related Subscription Fees	\$19,600		
Miscellaneous Subscriptions	\$5,263		
Total	\$72,187		
Original Amount	72,187	Revised Amount	Variance
		72,187	0
Revised Justification: No change to this line item.			
Total Evaluation Expense	72,187	x	3%
Total Program Expense	72,187	x	74%
Total Administration Expense	72,187	x	23%
			2,166
			53,418
			16,603
			2025-2026 Proposed Revised Budget
Equipment Rental/Maintenance Expense			\$70,858
Original Justification:			
Equipment Maintenance: The Commission's equipment maintenance for their copier/scanner. The estimated cost breakdown is:			
Equipment Maintenance Sub-total			\$5,628
Computer & Information Technology Maintenance: The Commission contracts out Information Technology (IT) support for workstation/desktop management, server management, anti-virus software, support for Adobe products and supports and deploys hosted email and storage via Office365.			
Computer Maintenance Sub-total			\$26,280
Software Maintenance: Monthly and annual estimated costs for each software type as quoted by the Commission's IT contractor and are based on actuals from the prior budget year. The Commission pays a flat rate for its accounting system software on an annual basis of \$14,750. Additionally, the renewal of the contract with the accounting system provider, Blackbaud, is approaching and that anticipated amount is included. Lastly, staff recommends allocating budget for unforeseen costs associated with this line.			
Software Sub-total			\$31,450
Unforeseen Expense			\$7,500
Equipment Rental/ Maintenance Expense Total			\$70,858
Original Amount	70,858	Revised Amount	Variance
		70,858	0
Revised Justification: No change to this line item.			
Total Evaluation Expense	70,858	x	3%
Total Program Expense	70,858	x	74%
Total Administration Expense	70,858	x	23%
			2,126
			52,435
			16,297
			2025-2026 Proposed Revised Budget
General and Administrative Expense			\$40,000
Original Justification:			
Costs associated with management, finances, and other expenses which are incurred by or allocated to the Commission for general management and administration of the Commission that cannot be assigned to a specific line item. Costs include bank charges, operational advertising costs, dependent care plan, etc. Bank charges average \$1,000 per month. This expense line item is based on prior year expenses.			
Original Amount	40,000	Revised Amount	Variance
		40,000	0
Revised Justification: No change to this line item.			
Total Evaluation Expense	40,000	x	0%
Total Program Expense	40,000	x	0%
Total Administration Expense	40,000	x	100%
			0
			0
			40,000

COST ANALYSIS
BUDGET LINE ITEM DETAIL

			2025-2026 Proposed	
			Revised Budget	
			\$209,807	
Insurance Expense				
Original Justification:				
The Commission is required to carry liability insurance types described below. Insurance costs typically increase year-over-year; therefore, staff is recommending the following based on actuals from the prior year and on the maximum estimated increases provided by brokers.				
	Budget Amount			
Special Property Insurance Policy	\$ 188,487			
Special Liability Insurance Policy	\$ 9,956			
Cyber Crime Insurance	\$ 3,864			
Contingency	\$ 7,500			
Total	\$ 209,807			
Original Amount	209,807	Revised Amount	Variance	
		209,807	0	
Revised Justification: No change to this line item.				
Total Evaluation Expense	209,807	x	3%	6,294
Total Program Expense	209,807	x	74%	155,257
Total Administration Expense	209,807	x	23%	48,256
			2025-2026 Proposed	
			Revised Budget	
			\$4,000	
Local Travel Expense - Local Mileage				
Original Justification:				
Annually, Commission Staff who are contract managers are required to administer Annual Contract Reviews to all funded Service Providers which may require traveling locally on behalf of the Commission throughout Fresno County. Additionally, staff occasionally travels for the Commission for various reasons including off-site technical assistance to Service Providers and various Community Partner convenings. Estimated costs are projected based on past expense trends. Currently, the GSA mileage rate is 0.70¢ per mile.				
	Original Amount	Revised Amount	Variance	
	3,900	4,000	100	
Revised Justification: No major changes to this line item.				
Total Evaluation Expense	4,000	x	3%	120
Total Program Expense	4,000	x	74%	2,960
Total Administration Expense	4,000	x	23%	920

COST ANALYSIS

BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget	
Materials and Supplies Expense			\$10,000	
Original Justification:				
This line item includes costs associated with general office supplies, postage costs, in-house and outside printing, and other expenses required for operating the Commission's business. Cost break down includes \$100 per month x 12 months for a total of \$2,400 per year. Staff recommends setting aside an additional \$5,000 for any unexpected materials costs, such as mandatory document printing, signage, etc. as we anticipate the new Strategic Plan.				
Original Amount	Revised Amount	Variance		
6,700	10,000	(3,300)		
Revised Justification: A slight increase to this line item for things like printing of the strategic plan and some other Early Matters Fresno materials.				
Total Evaluation Expense	10,000	x	3%	300
Total Program Expense	10,000	x	74%	7,400
Total Administration Expense	10,000	x	23%	2,300
			2025-2026 Proposed Revised Budget	
Overhead Expense			\$175,000	
Original Justification:				
The Commission occupies 15% of the leasable space within the Lighthouse for Children facility and so is responsible to pay its proportionate share of the overhead costs. Overhead costs include utilities (water, waste, gas & electricity, etc.), facility contracted services (security, janitorial, landscaping, etc.), insurance and taxes and a facility management services contract. The remaining amount for the facility is budgeted within the Strategic Plan Investments for the Child Development Center and Community Learning Center.				
Original Amount	Revised Amount	Variance		
175,000	175,000	0		
Revised Justification: No changes to this line item.				
Total Evaluation Expense	175,000	x	3%	5,250
Total Program Expense	175,000	x	74%	129,500
Total Administration Expense	175,000	x	23%	40,250
			2025-2026 Proposed Revised Budget	
Professional Services Expense			\$81,672	
Original Justification:				
The Commission utilizes this line item to obtain specific, technical or unique functions performed by independent contractors or consultants whose occupations are not fulfilled by Commission staff. Examples include attorneys, human resources, payroll services, investment custodial services, realty consultants, and other specialized administrative supports. Budget amounts are based on past trends, average monthly rates and quotes multiplied by 12 months. Staff recommends including budget for other miscellaneous professional services to include services for consultants, translators (services when needed), human resources coaching, real estate consultation and other short-term consultants.				
Monthly			<u>Addt'l Services</u>	
Legal Services	\$1,810	x 12 =	\$21,720	+ \$7,000 =
H.R. Services	\$675	x 12 =	\$8,100	+ \$12,000 =
Investment Services	\$1,014	x 12 =	\$12,168	=
Custodial Services	\$292	x 12 =	\$3,500	=
Payroll Services	\$170	x 12 =	\$2,040	+ \$5,500 =
Misc. Professional Services			\$28,720	\$20,100
Professional Services Total	Original Amount	Revised Amount	Variance	\$12,168
	78,980	81,672	2,692	\$3,500
Revised Justification: No changes to this line item.				
Total Evaluation Expense	81,672	x	0%	0
Total Program Expense	81,672	x	0%	0
Total Administration Expense	81,672	x	100%	81,672

COST ANALYSIS

BUDGET LINE ITEM DETAIL

			2025-2026 Proposed Revised Budget
Program Development Expense/Strategic Planning Implementation			\$15,000
Original Justification: This line item exists for additional or unforeseen costs for program development, the implementation of the Strategic Plan, and/or printing materials to showcase the Commission's Strategic Plan. Various potential costs may arise such as designing the plan, materials for the presentation of the plan, translation services, other printing, etc.	Original Amount 10,000	Revised Amount 15,000	Variance (5,000)
Revised Justification: Increase to this line item is to account for the Commission's commitment to explore a facilitated cost modeling cohort with community partners.			
Total Evaluation Expense	15,000	x	0%
Total Program Expense	15,000	x	100%
Total Administration Expense	15,000	x	0%
			2025-2026 Proposed Revised Budget
Staff Training, Travel & Conference Expense			\$21,000
Original Justification: Estimated cost for Commission staff to attend local and out of town trainings/conferences on behalf of the Commission. All trainings & conferences attended are required to be aligned with the Strategic Plan per the Commission's Travel Policy and Procedures Manual. Trainings/conferences include, but are not limited to, collaborative meetings, the First 5 State annual conference, First 5 Association quarterly meetings and summits, annual planning days, Government Finance Officer Association trainings, Early Care & Education meetings/conferences, legislative visits, State Conferences, etc. Average cost of travel for one staff on one trip is \$500 which includes transportation, lodging, registration, per diem, etc. With the relaxation of pandemic protocols and travel restrictions, travel has increased.	Original Amount 21,000	Revised Amount 21,000	Variance 0
Revised Justification: No changes to this line item.			
Total Evaluation Expense	21,000	x	3%
Total Program Expense	21,000	x	74%
Total Administration Expense	21,000	x	23%
			2025-2026 Proposed Revised Budget
Telephone Expense			\$19,172
Original Justification: Telephone expenses include the Commission's phone landlines and data lines (internet) for accessibility are necessary for the operations of the agency. Staff recommends budgeting for unforeseen expenses as the new contract for the phone lines begins in FY 2025-2026.	Original Amount 19,172	Revised Amount 19,172	Variance 0
Revised Justification: No changes to this line item.			
Total Evaluation Expense	19,172	x	3%
Total Program Expense	19,172	x	74%
Total Administration Expense	19,172	x	23%

FIRST 5 FRESNO COUNTY
ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

REGULAR BUSINESS MEETING

January 28, 2026 – 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

AGENDA ITEM NO. 8

TO: Children & Families Commission of Fresno County

FROM: Fabiola González, Executive Director

SUBJECT: 2026 Public Agency Updates

This report intends to keep the Commission informed of new laws going into effect in 2026 and changes to existing laws that affect public agencies.

SB 827: Local Agency Officials: Training

Expands and updates ethics training requirements for local agency officials and adds new financial training requirements. By July 1, 2026, local agencies must post instructions and contact information on their websites for the public to request ethics and financial training records, which must be retained for at least 5 years.

- Beginning January 1, 2026, new Commissioners must complete their initial ethics training (AB 1234) within 6 months, rather than one year, and continue to complete at least two hours of ethics training every two years.
- All local agency officials, including Commissioners, local agency executives, and designated employees who make financial decisions or recommendations, must complete at least two hours of fiscal and financial training every two years. Current officials serving as of January 1, 2026, must complete the new fiscal training by January 1, 2028, while officials starting service on or after January 1, 2026, must complete it within six months.

SB 707: Open Meetings: Meeting and Teleconference Requirements

Substantial changes to the Brown Act including new and revised teleconferencing requirements for all Brown Act legislative bodies. Most changes for small public agencies take effect January 1, 2026, and many expire January 1, 2030.

- **Serial Communications and Social Media Exception (Gov. Code, § 54952.2):** Existing law prohibits a majority of members from using intermediaries or a series of communications outside authorized meetings to discuss, deliberate, or act on agency business. During COVID-19, the law permitted a temporary exception allowing individual board members to engage separately on public internet-based social media platforms (e.g., to answer questions from the public or solicit information) without violating the serial communications prohibition, so long as there was no majority discussion of board members. A board member can respond to the public, but cannot respond to a comment made by another board member. This includes the use of emojis. SB 707 makes this exception permanent.
- **Copy of the Act Provided to Members (Gov. Code, § 54952.7):** Starting January 1, 2026, local agencies must provide a copy of the Brown Act to any person elected or appointed to a legislative body. A copy of the Brown Act is attached to this report.

- **Compensation Reporting (Gov. Code, § 54953(d)):** Before taking final action on salaries or fringe benefits for local agency executives (as defined in Gov. Code, § 3511.1(d)) and department heads or similar administrative officers of the local agency, legislative bodies must orally report a summary of recommendations in open session.
- **Recording Rights (Gov. Code, § 54953.5):** Attendees at open meetings retain the right to record proceedings, absent a finding of disruption (i.e., noise, illumination, or obstruction of view). SB 707 also removes outdated references to specific devices (e.g., audio or video recorder, still or motion picture camera).
- **Teleconferencing Uniformity (Gov. Code, § 54953; new §§ 54953.8–54953.8.7):** Revises teleconferencing rules to require roll call votes, public access via two-way audiovisual platform or (telephonic service and live webcast), real-time public comment opportunities (same time as in-person), no advance submission of comments, accommodation procedures under ADA, and other procedural requirements for all teleconferencing options.
 - **Disability Accommodations (Gov. Code, § 54953(c)):** Commissioners with disabilities may participate remotely (audio and visual, or audio-only if disability requires it) as a reasonable accommodation, which is treated as in-person for quorum and location purposes. Exempt from standard teleconference rules.
 - **Just Cause Remote Participation (Gov. Code, § 54953.8.3, expires January 1, 2030):** Quorum must be in-person at one public location clearly identified on the agenda, open to the public, and within the boundaries of the local agency. Individual remote participation limited (e.g., 2–7 meetings per year based on agency meeting frequency) for “just cause” (expanded to include caregiving, contagious illness, physical or mental condition, official business travel, immunocompromised sibling or partner, physical or family emergencies, or military duty), audio and visual required, and minutes must note the legal basis (no medical details required).
 - **Special Meetings (Gov. Code, § 54956):** All bodies must now post special meeting notices on their websites, if available (previously only applicable to specified bodies).
 - **Emergency Meetings (Gov. Code, § 54956.5):** Uniform rules for all bodies, including a one-hour notice to media who requested notice of special meeting (phone or email), posting of minutes, list of persons notified, actions, and roll call votes posted for 10 days, and closed sessions permitted upon a two-thirds vote (if less than two-thirds of the members are present, by a unanimous vote of the members present).
 - **Disruption and Removal (Gov. Code, §§ 54957.95, 54957.96):** The Chair may remove disruptors (after warning) from in-person or teleconferenced meetings, including remote participants via two-way telephonic services or audiovisual platform. “Disrupting” includes non-compliance or threats of force. Applies existing limits on authority.
 - **Agenda Exceptions for Public Comment (Gov. Code, § 54954.3):** Agendas need not allow comment on committee-considered items, unless the item substantially changed, the committee lacked in-person quorum, or the committee jurisdiction focuses on elections, budgets, police oversight, privacy, public libraries, or taxes (unless the agency has adopted a law that prohibits time limits for the item).
 - **Closed Sessions on Compensation (Gov. Code, § 54957.6):** Clarifies scope for employee and unrepresented discussions (no final action on unrepresented pay).

[Up^](#)[Add To My Favorites](#)**GOVERNMENT CODE - GOV****TITLE 5. LOCAL AGENCIES [50001 - 57607]** (*Title 5 added by Stats. 1949, Ch. 81.*)**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]** (*Division 2 added by Stats. 1949, Ch. 81.*)**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** (*Part 1 added by Stats. 1949, Ch. 81.*)**CHAPTER 9. Meetings [54950 - 54963]** (*Chapter 9 added by Stats. 1953, Ch. 1588.*)

54950. In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

(Added by Stats. 1953, Ch. 1588.)

54950.5. This chapter shall be known as the Ralph M. Brown Act.

(Added by Stats. 1961, Ch. 115.)

54951. As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(Amended by Stats. 1959, Ch. 1417.)

54952. As used in this chapter, "legislative body" means:

- (a) The governing body of a local agency or any other local body created by state or federal statute.
- (b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.
- (c) (1) A board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that either:
 - (A) Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation, limited liability company, or other entity.
 - (B) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

(Amended by Stats. 2002, Ch. 1073, Sec. 2. Effective January 1, 2003.)

54952.1. Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

(Amended by Stats. 1994, Ch. 32, Sec. 2. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)

54952.3. (a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

(Added by Stats. 2011, Ch. 91, Sec. 1. (AB 23) Effective January 1, 2012.)

54952.6. As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

(Added by Stats. 1961, Ch. 1671.)

54952.7. A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

- (i) A local agency executive, as defined in subdivision (d) of Section 3511.1.
- (ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)

54953.1. The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

(Added by Stats. 1979, Ch. 950.)

54953.2. All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(Added by Stats. 2002, Ch. 300, Sec. 5. Effective January 1, 2003.)

54953.3. A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

(Amended by Stats. 1981, Ch. 968, Sec. 28.)

54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for 142 participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) "Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well."

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. 144

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)

54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)

54953.6. No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

(Amended by Stats. 1994, Ch. 32, Sec. 6. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.

(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)

54953.8. (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)

54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)

54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(2) A contagious illness that prevents a member from attending in person.

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

(4) Travel while on official business of the legislative body or another state or local agency.

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.4. (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an

open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community

college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received. 151

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54953.8.7. (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from ~~any~~ physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

- (A) Two meetings per year, if the legislative body regularly meets once per month or less.
- (B) Five meetings per year, if the legislative body regularly meets twice per month.
- (C) Seven meetings per year, if the legislative body regularly meets three or more times per month.
- (D) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

- (A) A legislative body that includes representatives from more than one county, city, city and county, or special district.
- (B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)

54954. (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)

54954.1. Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a link to a website that contains the documents by email or by other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(E) For purposes of this paragraph, both of the following definitions apply:

(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons

exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)

54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in

public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)

54954.4. (a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

(Added by Stats. 1991, Ch. 238, Sec. 1.)

54954.5. For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

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or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)

54954.6. (a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision.

Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)

54955. The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

(Amended by Stats. 1959, Ch. 647.)

54955.1. Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

(Added by Stats. 1965, Ch. 469.)

54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)

54956.5. (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)

54956.6. No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

(Added by Stats. 1980, Ch. 1284.)

54956.7. Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

(Added by Stats. 1982, Ch. 298, Sec. 1.)

54956.75. (a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.

(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)

54956.8. Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)

54956.81. Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

54956.86. Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status, or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)

54956.87. (a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, "health plan trade secret" means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

(1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.

(2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)

54956.9. (a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(1) Litigation, to which the local agency is a party, has been initiated formally.

(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).

(4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

(1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

(2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

(4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

54956.95. (a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

(Added by Stats. 1989, Ch. 882, Sec. 3.)

54956.96. (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

(i) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor entity, adopts a policy or bylaw ¹⁶⁶ includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of

Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)

54956.96. (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)

54956.97. Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

(a) A loan or investment decision.

(b) A decision of the internal audit committee, the compliance committee, or the governance committee.

(c) A meeting with a state or federal regulator.

(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)

54956.98. (a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential.

However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)

54957. (a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of

performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)

54957.1. (a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be ~~169~~ reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed

against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

(f) This section is necessary to implement, and reasonably within the scope of, paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)

54957.2. (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

54957.5. (a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without

delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or

compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

- (1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.
- (2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.
- (3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.
- (4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.
- (5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.
- (6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)

54957.7. (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)

54957.8. (a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)

54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be

allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)

54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)

54957.96. (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

(b) For purposes of this section, the following definitions apply:

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)

54957.10. Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)

54958. The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

(Added by Stats. 1953, Ch. 1588.)

54959. Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to

which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54960. (a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)

54960.1. (a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation

Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)

54960.2. (a) The district attorney or any interested person may file an action to determine the applicability of this chapter to past actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To _____:

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

[Chairperson or acting chairperson of the legislative body]

(2) An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

(3) An action shall not be commenced to determine the applicability of this chapter to any past action of the legislative body for which the legislative body has provided an unconditional commitment pursuant to this subdivision. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as "Rescission of Brown Act Commitment," provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)

54960.5. A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)

54961. (a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)

54962. Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)

54963. (a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

- (1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.
- (2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.
- (3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

- (1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.
- (2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.
- (3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)

FIRST 5 FRESNO COUNTY
ADMINISTERED BY CHILDREN & FAMILIES COMMISSION OF FRESNO COUNTY

REGULAR BUSINESS MEETING

January 28, 2026 – 12:30 p.m.

2405 Tulare Street
Fresno, CA 93721

AGENDA ITEM NO. 9

TO: Children & Families Commission of Fresno County

FROM: Fabiola González, Executive Director

SUBJECT: Executive Director's Report

This report intends to keep the Commission informed of the Executive Director's local and statewide activities and involvement that further the vision and mission of the Commission and are in support of strengthening our early childhood systems of care.

General Administration Update

- We welcomed one new team member: Navdeep Singh, Business Manager who will be primarily responsible for spearheading accounting, fiscal and business-related tasks for the agency and Lighthouse for Children, Inc. Navdeep obtained a Bachelor's degree in Business Administration with an emphasis on Accounting. Prior to joining our team, Navdeep served in a Governmental Advisory Services staff role at Price Paige and Company.
- Procurement season is upon us! We currently have four open procurement opportunities ranging from facility services, database services and direct services for families. As a reminder, per our Procurement Policies and Procedures, Commissioners and staff are specifically directed NOT to hold any meetings, conferences, or technical discussions regarding these procurements with prospective applicants. More information can be found at: <https://first5fresno.org/what-we-do/#funding-opportunities>. All inquiries must be directed to funding@first5fresno.org.

Facility/Operations

- Request for Quotations (RFQ) – Janitorial Services – Deadline February 20th
- Request for Quotations (RFQ) – Unarmed Security and Patrol Services- Deadline February 20th

Database

- Request for Proposals (RFP) – Data Management System – Deadline February 25th

Direct Services

- Request for Proposals (RFP) – Strengthening Protective Factors for Families – Deadline March 4th

Local and Statewide Involvement in Early Childhood Efforts

- On January 13th and 14th, we partnered with Matterlab, a social impact consultancy that works

with leaders to improve life outcomes with and for young people, to facilitate a Leadership Coaching Session for members of the Early Matters Fresno (EMF) Executive Leadership Team. The goal of this session was to build the Executive Leadership's understanding of how the Early Matters Fresno coalition will share its story of impact and look forward to the year ahead.

Administrative Agreements and Renewals

Pursuant to the Commission's Accounting Policies and Procedures, which grant the Executive Director the authority to "execute operating contracts that are administrative in nature and affect the day-to-day operations of the Commission (no dollar limit)" and, "to renew agreements within the originally approved term, including its approved renewal period, and within the approved contract amount without additional Commission approval," the following agreements will be renewed based on satisfactory performance:

Promoting Equity & Quality

Purpose: This program provides coaching, training and support to child care providers to promote equity and quality in early learning and care settings.

Agency: Fresno County Superintendent of Schools

Amount: \$950,000

FY2025-26 Proposed Revised Budget Line Item: QRIS - Child Care Workforce Quality Training & Technical Assistance

Term: July 1, 2026-June 30, 2027

Help Me Grow Fresno County

Purpose: Exceptional Parents Unlimited (EPU) serves as Fresno County's Help Me Grow Centralized Access Point (CAP): the 'go-to' place for family members, child health care providers, and other professionals seeking information, support and referrals for children with developmental or behavioral concerns.

Agency: Exceptional Parents Unlimited

Amount: \$200,000

FY2025-26 Proposed Revised Budget Line Item: Strategic Plan Investments System-Building - Help Me Grow Fresno County

Term: May 1, 2026 - April 30, 2027