COMMISSIONERS PRESENT:

Commissioners:
Jane Boeckmann
Renatta Cooper
Jonathan Fielding (Alternate)
Neal Kaufman
Don Knabe (Chair)
Elizabeth Lowe
Maria Veloz (Vice Chair)
Carolyn Wilder

Ex-Officio Commissioners:
Jacquelyn McCroskey

STAFF PRESENT:
Evelyn V. Martinez, Executive Director
Victor Abalos, Director of Communications
Casey Beyer, Director of Government Affairs
Lisa Brabo, Director of Grants Management
Armando Jimenez, Director of Research & Evaluation
Marilyn M. Morton, Director of Management Services
Teresa Nuno, Director of Planning & Development
Raoul Ortega, Interim Senior Staff Accountant
Maria Romero, Executive Assistant

LEGAL COUNSEL:
Craig Steele, Attorney-at-Law

COMMISSIONERS ABSENT:

Commissioners:
Marvin Southard

Ex-Officio Commissioners:
Chuck Hurewitz
Matt Rezvani
Deanne Tilton

CALL TO ORDER / ROLL CALL

1. Chair Don Knabe called the meeting to order at 1:05 p.m.

COMMISSION: (Item 2)

2. Approval of the Los Angeles Universal Preschool (LA-UP) Contract, Including the Proposed Membership of the Board of Directors, that will Govern the Independent Non-Profit Entity Being Created to Operate Universal Preschool in Los Angeles County

Chair Knabe welcomed Nancy Daly Riordan, UPK Transition Team Member. She expressed gratitude to the members of the UPK Transition Team, Robert Hertzberg and Joe Byrne from the law firm of Mayer, Brown, Rowe & Maw, the Board of Supervisors, First 5 LA staff and Commissioners for their hard work and dedication to universal preschool. Ms. Riordan stated that the proposed governing LA-UP Board of Directors was composed of ethnically diverse, philanthropic, business acumen, and early childhood experts. The UPK Transition Team was also proposing to increase the
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membership of the governing Board of Directors from 13 to 15 members. The additional two seats would be occupied by philanthropic and business acumen experts.

Craig Steele, Legal Counsel, stated that Evelyn V. Martinez, Executive Director, and he had met with each member of the Board of Supervisors, the respective Supervisorial Appointee to the Commission, and designated Supervisorial staff to address specific concerns and answer questions.

Legal Counsel reviewed the most recent draft of the proposed Los Angeles Universal Preschool (LA-UP) contract with the Commissioners. The proposed contract included three attachments: Attachment A–UPK Master Plan; Attachment B–Scope of Work for Year 1 Operations; Attachment C–Budget Forms.

The proposed contract was reviewed by the Operations Committee and the following changes are being recommended to the full Board of Commissioners.

1. Administrative expenses will be capped at 5% per year.
2. The definition of administrative expenses will be an accounting definition developed by First 5 LA finance staff in conjunction with LA-UP finance staff.
3. There will be strict compliance of all audit and research/evaluation requirements.
4. There will need to be an alignment between UPK and other First 5 LA initiatives, as applicable, (i.e., Healthy Kids).
5. The real property clause will be further expanded to include a provision for the repayment of First 5 LA’s investment should the property be sold or transferred to a private party. If the property is to be purchased by the County, it will be assessed based on the property value prior to the First 5 LA investment including capital investments
6. Any transfer of property must be approved by First 5 LA.
7. The Executive Director will be given the authority to execute the contract as well as have delegated authority to make minor contractual modifications, none of significant fiscal or programmatic value.
8. The data collected will reside with the contractor but First 5 LA will have an unlimited license to the data in every form including its raw form.
9. Section 7.4 needs to include “end of term”.
10. Funding allocation will be limited to $580 million with a maximum allocation of $110 million per year contingent upon the continued funding of Proposition 10.
11. The proposed 13 member LA-UP Board of Directors must meet at least six times per year and must comply with the requirements of the Brown Act.
12. The terms of office for LA-UP Board of Directors will be staggered to ensure continuity.

Chair Knabe asked that the language in Section 10.2 be further strengthened to include proprietary language.

The Operations Committee was not able to reach consensus on the status of the LACOE seat on the LA-UP Board of Directors. Discussion centered on whether the seat on the LA-UP Board of Directors would be voting or ex-officio, non-voting and not be included in the total Board membership of 13 seats.

Discussion ensued regarding the LACOE seat on the LA-UP Board of Directors. Commissioner Cooper stated that the LACOE seat should be a voting member of the LA-UP Board of Directors since public/private partnerships were going to be built and LACOE could provide valuable insight.

Commissioner Veloz commented that she also believed the LACOE seat on the LA-UP Board of Directors should be a voting position. Commissioner Veloz proposed that one of the two early childhood education seats on the LA-UP Board of Directors be specifically designated for the LACOE representative.
Commissioner Lowe shared her concerns regarding oversight as the Commission Board of Directors had a LACOE seat. Commissioner Lowe expressed her preference for having the LACOE seat on the LA-UP Board of Directors be an ex-officio, non-voting member.

In addition, Commissioner Lowe commented that she wholeheartedly agreed that parents should be involved in the decision-making process of universal preschool. Further, she commented that she envisioned the LA-UP Board of Directors, working with all of its expertise, to be able to provide children with the opportunity of universal preschool.

Commissioner Kaufman thanked everyone for a phenomenal job done by all those involved. He commented that he would like to point out that all voices should be heard. Commissioner Kaufman stated that he liked a smaller board because of practicality. He personally preferred to have a governing LA-UP Board of Directors with a membership of 9–11 members but would be comfortable with a membership of 11-13. Commissioner Kaufman stated that if the LA-UP Board membership was to be increased, then consideration should be given to the parent/community engagement component rather than increasing the content experts or fundraisers.

Commissioner Fielding commented that he was honored to be part of a historic moment and that he supported parent involvement as much as possible. Commissioner Fielding further commented that he felt that parents should have stronger voice. He also stated that in looking at the mission of universal preschool, he would like to see business involvement and felt this expertise should be strongly considered. Commissioner Fielding also shared Commissioner Kaufman’s sentiment of smaller governing boards being better.

Commissioner Wilder commented that she was supportive of parent involvement.

Chair Knabe stated that he strongly felt that a smaller governing Board of Directors would be better. Furthermore, Chair Knabe expressed that the LACOE seat on the proposed LA-UP Board of Directors should be ex-officio, non-voting.

Commissioner Veloz commented that she preferred a smaller Board of Directors and only suggested making the LACOE seat a voting member, when and if, the membership was increased. Commissioner Veloz also commented that she wanted to ensure an ethnic and geographical balance on the proposed Board of Directors.

MOTION #1: Approval of the LACOE seat as an ex-officio, non-voting member of the proposed LA-UP Board of Directors.

M/S (Elizabeth Lowe / Neal Kaufman)  APPROVED AS RECOMMENDED

ROLL CALL VOTE: 

Jane Boeckmann  No
Renatta Cooper  No
Jonathan Fielding  Yes
Neal Kaufman  Yes
Don Knabe  Yes
Elizabeth Lowe  Yes
Maria Veloz  No
Carolyn Wilder  Yes

Nancy Daly Riordan expressed her dismay with the size of the proposed LA-UP Board of Directors. She commented that many hours had been devoted by the members of the UPK Transition Team in the selection process and she would not be supportive of a Board membership comprised of 13 seats. Ms. Riordan felt that at least four seats should be occupied by philanthropic and business acumen experts as the task of raising money for universal preschool was monumental. Furthermore, Ms. Riordan stated that she was willing to give the responsibility to the Commission
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Board as she felt that the UPK Transition Team had done all that could be possible in trying to select potential LA-UP Board members. In her view, the proposed list of 15 members could not be further reduced.

Chair Knabe accepted the responsibility, on behalf of the Commission Board, of selecting the members of the LA-UP Board of Directors. He thanked Ms. Riordan and the UPK Transition Team for their input.

It was the consensus of the Commissioners that the LA-UP Board membership should not be greater than 13 seats. Commissioner Lowe suggested increasing the ex-officio, non-voting members on the proposed Board by two since the Transition Team had nominated six names instead of four. The LA-UP Board would then have 13 voting members, 2 ex-officio, non-voting members, in addition to the LACOE representative.

Chair Knabe proposed that the current list of names suggested by the UPK Transition Team be considered for the LA-UP Board as presented, if their areas of expertise satisfied the needs of the future LA-UP Board. He asked that the contract be approved and for the final proposed membership list for the LA-UP Board to be presented at the August Commission meeting for a vote. Of the six names, two names would be designated as ex-officio, non-voting members with a development (fundraising) expertise.

Commissioner Kaufman commented that the Operations Committee could make a recommendation to the Commission Board on the proposed LA-UP membership. Chair Knabe commented that if the Commission Board had no objections, then the Operations Committee would be bringing a recommendation before the Commission Board on August 12, 2004 for approval.

MOTION #2: Approval of the Los Angeles Universal Preschool (LA-UP) contract between First 5 LA and LA-UP, Inc., delegating authority to the First 5 LA Executive Director to make minor, non-substantive changes to the agreement, and authorize the Executive Director to execute the agreement on behalf of First 5 LA after it is approved by LA-UP, Inc. The Operations Committee will recommend to the Commission the final list of potential LA-UP Board members for approval at the meeting scheduled for August 12, 2004.

M/S (Elizabeth Lowe / Jonathan Fielding) APPROVED AS RECOMMENDED

3. Public Comment

Yolie Aguilar-Flores, Co-Chair, UPK Parent Engagement Task Team
Kirby Alvy, Center for the Improvement of Child Caring
Nancy Daly Riordan, Co-Chair, UPK Advisory Board
Betsy Hiteschew, Chair, UPK Curriculum Task Team
John Jackson, ACORN
Veronica Melvin, Alliance For A Better Community
Carol Mooney, SPA Council 8
Molly Munger, Chair, UPK Facilities Task Team
Rob Reiner, Chair, First 5 California
Ignacio Rojas, Co-Chair, UPK Parent Engagement Task Team
ADJOURNMENT

The meeting adjourned at 4:57 p.m.

The next Commission meeting is scheduled for:

August 12, 2004 at 2:46 p.m.
Multi-Purpose Room
333 S. Beaudry Avenue, Suite 2100
Los Angeles, CA  90017

Meeting minutes recorded by Maria Romero.