



FIRST 5 ALAMEDA COUNTY SUB-COMMITTEE MEETING AGENDA

Monday, March 5, 2018

**First 5 Alameda County
1115 Atlantic Ave.
Alameda, CA 94501
Conference Room E**

5:30 PM – 7:30 PM

Sub-Committee Commissioners: Renee Herzfeld, Cecilia Echeverría , Wilma Chan, Lori Cox, Scott Coffin, Kimi Watkins-Tartt

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- 1. Public Comment (for items not listed on the agenda) - Limited to 3 minutes per speaker**
 - 2. Alameda County & City of Oakland Child Care and Early Education Initiatives**
 - **Ad Hoc update**
 - **County update**
 - i. **Adopted Ordinance**
 - ii. **Program Plan**
 - iii. **Next Steps**
 - **City of Oakland update**
 - 3. Adjournment**

Information about the First 5 Conference Center

- The First 5 Conference Center is wheelchair accessible. Please notify us 3 business days in advance if you need special assistance so we can make reasonable arrangements to ensure accessibility.
- Please refrain from wearing strongly scented products to the Conference Center in consideration of those who may experience chemical sensitivities.

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THE CHILDREN'S INITIATIVE OF 2018

SEC. 1. Title.

This Act shall be known and may be cited as "The Children's Initiative of 2018."

SEC. 2. Findings and Declarations.

The People of the City of Oakland hereby find and declare the following:

A. Regardless of the zipcode of their birth, the children of Oakland are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our City.

B. Research shows that 90% of a child's brain develops during the first five years of life, and this critical period is a window of opportunity to lay the foundation for all of the years that follow.

C. Research demonstrates that public investment in quality early education programs produces some of the highest returns on investment, with up to \$8.90 for every public dollar we spend, with reduced costs for special education, welfare, and public safety.

D. Only 43% of assessed OUSD students entered "kindergarten-ready," and more specifically, while 82% of white students and 82% of children from families making more than \$100,000 entered kindergarten-ready, just 36% of African American students, 29% of Latino students, and 34% of students from families making less than \$35,000 were ready for kindergarten in 2015.

E. Parents and caregivers and support for them are crucial to a child's development, but many marginalized families, including the working poor, are unable to access quality child care, early education services, particularly in preschool deserts, and post-secondary education supports. The homeless population in Oakland in particular includes hundreds of children who cannot equitably access the educational system.

F. Kindergarten readiness has a demonstrated impact on success in a child's early elementary school years, and research suggests that students who are not reading proficiently by 3rd grade are four times less likely to graduate by age 19 than their peers who are proficient readers. Poverty compounds the effect of third grade literacy on high school graduation rates. Students who face poverty and are not proficient readers are 13 times less likely to graduate than proficient readers from wealthier families.

G. Low- and moderate-income students with as little as \$500 in dedicated savings for post-secondary education are three times more likely to attend college and four times more likely to graduate from college than youth without college savings.

H. College graduates will earn up to \$900,000 more than those with a high school diploma over a

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lifetime all else equal, and college graduates are far less likely to suffer from poverty, unemployment, poor health outcomes, or to be involved with the criminal justice system.

I. In 2016, only 68% of Oakland Public School graduates completed the comprehensive course requirements for enrollment in a California state university, including just 51% of African American graduates and 74% of Latino graduates, compared to 83% of white graduates.

J. According to the Oakland Unified School District's latest data, only 15% of high school freshmen are completing a four-year college degree within six years of graduation. Only 8% are completing a two-year degree.

K. 63.4% of the OUSD class of 2016, including just 54% of African American students and 59% of Latino students, enrolled in 2-year or 4-year college the fall after graduating, compared to 79% of White students.

L. Studies have shown that compensation for early educator workers is one of the most effective guarantees of quality early education, and low compensation for early educators combined with a lack of outreach to immigrant and newcomer communities drives turnover and hampers the ability to attract and retain skilled educators, which in turn undermines stable, continuous relationships that are essential to children.

M. Professionals in many industries have long recognized the value of joining together in professional organizations to facilitate their participation in training opportunities, provide a collective voice to improve their professions, and make it easier for them to jointly provide feedback to policymakers. However, early educators face barriers to participating in professional organizations, including low pay, high turnover, and isolation of the workforce. Facilitating early educators' participation in professional organizations would help to strengthen and professionalize the workforce, which would in turn improve the quality and stability of early education paid for with city funds, including for city employees.

N. All students have the capacity to learn and be successful, but current systems, policies, and norms in place cumulatively benefit certain populations and disadvantage others, and thus reinforce and perpetuate inequities, such as those related to race, income, wealth, and language background, which ultimately affect educational, health, wealth, and general life outcomes. As a result, the City has a fundamental interest in working across traditional silos to comprehensively support educational equity from a child's earliest days.

SEC. 3. Purpose and Intent.

In enacting this Act, it is the purpose and intent of the people of the City of Oakland to expand support for children from their earliest years until their successful completion of a two-year, four-year college or accredited technical degree, by expanding access to early care and education and high quality preschool; increasing early college awareness and expectations in children and their families; instilling a college-bound identity in students and college-going culture in schools; increasing college savings and family economic well-being starting early in a child's life; increasing preparedness for elementary, middle and

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high school; increasing college and career- awareness, preparedness, planning, and eligibility, and college application, admission, and enrollment rates; increasing college affordability, including by expanding access to public and private student financial aid, and direct scholarships to students; increasing college persistence and graduation rates, such as by expanding access to mentoring; and ultimately to reduce disparities, such as those related to income and wealth or for children traditionally underrepresented in higher education.

SEC. 4. The Charter of the City of Oakland is hereby amended by adding Article XVI, to be titled “The Children’s Initiative of 2018”, to the Appendix of the Charter as follows:

SEC 1600. Definitions.

- (a) “Act” shall mean the Children’s Initiative of 2018.
- (b) “Citizens’ Oversight Commission” shall mean the Children’s Initiative Citizens’ Oversight Commission created by Section __ of this Act.
- (c) “College” shall mean a not-for-profit post-secondary educational institution including two-year, four-year, or accredited career technical educational degrees.
- (d) “Early Education Fund” shall mean the Oakland Early Education Fund established by Section __ of this Act.
- (e) “Early Education Implementation Partner” shall mean the public agency, joint powers authority, or nonprofit organization, or program within such a body, selected to implement the early education program, either directly or through subcontracts, pursuant to Section __ of this Act.
- (f) “First 5 Alameda County” shall mean the independent county agency established by the County of Alameda pursuant to Section 130140 of the California Health and Safety Code.
- (g) “Guidelines” shall mean strategic guidelines developed by the accountability officer and adopted by the Citizens’ Oversight Commission every five years for the Early Education and Oakland Promise Funds to outline the priorities for programs supported by the Funds in support of the Purpose and Intent and consistent with the Act.
- (h) “High need” shall mean a child experiencing homelessness, or other criteria as determined by the Citizens’ Oversight Commission, such as homelessness as broadly defined by the McKinney Vento Homeless Assistance Act, child abuse or neglect, trauma, interaction with the foster care system, interaction with the criminal-justice system including incarceration or deportation, linguistic isolation, domestic violence, a child or family with disabilities or special needs, or children living in areas of high concentrated poverty, or children facing other similar challenges.

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(i) “Preschool” shall mean a developmentally-appropriate, evidence-based educational program for children prior to kindergarten.

(j) “Oakland Promise Fund” shall mean the Oakland Promise Fund established by Section ___ of this Act.

(k) “Oakland Promise Implementation Partner” shall mean the public agency, joint powers authority, nonprofit organization, entity, or program within such a body, selected to implement the Oakland Promise program, either directly or through subcontracts, pursuant to Section ___ of this Act.

(l) “Oakland Public School” shall mean a K-12 educational institution in Oakland that is supported with public funds and that is authorized by action of and operated under the oversight of a publicly constituted local or state educational agency.

(m) “Oversight and Accountability Fund” shall mean the Oversight and Accountability account established by Section ___ of this Act.

(n) “Proceeds of the parcel tax” shall mean all revenue derived from the parcel tax imposed by this Act net of Alameda County’s cost of collection.

The Children’s Initiative Oversight and Accountability.

SEC. 1601. The Children’s Initiative Citizens’ Oversight Commission.

(a) **Establishment.** There is hereby established the Children’s Initiative Citizens’ Oversight Commission.

(b) **Membership; Appointment Process; Qualifications.** The Citizens’ Oversight Commission shall be composed of nine (9) to fifteen (15) members. Members of the Citizens’ Oversight Commission shall be appointed by the Mayor and confirmed by the Council pursuant to Section 601 of the Charter. The Mayor shall request recommendations from members of the City Council and the Oakland Unified School District Board of Education and Superintendent at least 14 days prior to submitting any appointments for confirmation. The composition of the Commission should be reflective of the diversity of Oakland and shall include the following members:

(1) At least one member with professional expertise in early childhood education policy;

(2) At least one member with professional expertise in, or who is a provider of, early childhood care or education;

(3) At least one member with at least two years of experience teaching TK-12 or who has professional expertise in TK-12 education;

(4) At least one member with professional expertise in college completion, college or university leadership, or support for traditionally underrepresented college students;

(5) At least one member with experience in budgeting, auditing, or finance, or asset building;

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- (6) At least one member with at least two years of experience teaching in early childhood education;
- (7) At least one member of a union or labor advocacy group who is employed by the City of Oakland Head Start, the Oakland Unified School District, or a participating early care and education provider;
- (8) At least one homeowner who is subject to the parcel tax imposed by Section __;
- (9) At least one parent, who within five years from the time of appointment, has had a child of preschool age who attended a preschool program benefiting from public subsidy, or was on a waitlist for such a program;
- (10) At least one member who is, or who within five years from the time of appointment was, enrolled in an Oakland public school, or who has graduated from an Oakland public school and enrolled in college within five years from the time of appointment, or who is the first in their immediate family to graduate from College; and

(c) **Qualifications; Conflicts.** A majority of the members of the Commission shall be residents of Oakland. The members in paragraphs (7) through (10) must be residents of Oakland. The members set forth in paragraphs (1) through (6) must reside or work in Oakland. At least one member in paragraphs (1) or (2) must be an employee of the Oakland Unified School District. One member may satisfy more than one of the requirements set forth in paragraphs (1) through (11) of subdivision (b). Members may not receive income from or serve as an officer, director, or employee of an Implementation Partner.

(d) **Terms.** A member shall serve no more than four full, consecutive terms. A member may be removed for cause pursuant to Section 601 of the Charter, or for the failure to attend three consecutive meetings of the Citizens' Oversight Commission or more than fifty percent (50%) of the meetings in a 12-month period. For the initial nine appointments only, one-third of the members shall be appointed to serve for four years, one-third shall be appointed to serve for three years, and one-third shall be appointed to serve for two years. Subsequently, all terms shall be for three years.

(e) **Quorum.** A majority of the appointed members of the Commission shall constitute a quorum, but in no case shall a quorum be fewer than five members.

(f) **Compensation.** Members shall serve without compensation, provided that members may request and receive reimbursement for actual transportation and childcare expenses, not to exceed \$500 annually.

(g) **Responsibilities.** It shall be the responsibility of the Citizens' Oversight Commission to:

(1) Approve subsequent five-year Guidelines for the Early Education and Oakland Promise Funds after the expiration of the initial Guidelines.

(2) Review the analysis and recommendations of the accountability officer for the selection of implementation partners, approve or reject the recommendation for the selection of implementation partners for the Early Education and Oakland Promise Funds, ensure that the selection is consistent with

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the Act, and submit the selection to the Oakland City Council for its adoption without amendment.

(3) After considering the recommendation of the accountability officer, approve any extensions of the term of an implementation partner, by a two-thirds vote, or any termination of an implementation partner for reasons as specified in section ____, by a two-thirds vote, if extension or termination would further the purposes of the Act.

(4) Review and approve the results of annual independent financial audits of each of the Funds.

(5) Review the performance appraisals of the implementation of the Early Education and Oakland Promise programs presented by the accountability officer.

(6) Review the external evaluations of the implementation of the Early Education and Oakland Promise programs presented by the accountability officer.

(7) Perform such other functions and duties as may be prescribed by the City Administrator.

SEC. 1602. The Children's Initiative Accountability Officer.

(a) Establishment. The City Administrator shall establish a position that serves as an accountability officer for the Children's Initiative in a classification and at a salary scale commensurate with the duties of the position. The City Administrator or his/her designee shall hire, in consultation with the Superintendent of the Oakland Unified School District, and oversee the work of the accountability officer for the Children's Initiative. The City Administrator may appoint an interim Children's Initiative accountability officer to carry out the duties set forth in subdivision (b) until such time as a permanent appointment is made or if the position is vacant.

(b) Responsibilities. The accountability officer shall be responsible for:

(1) Overseeing the Early Education and Oakland Promise programs and ensuring that programs further the purposes and intent of the Act, supporting and providing recommendations to the Citizens' Oversight Commission, and bringing any required items to City Council.

(2) Preparing the five-year Guidelines for the Early Education and Oakland Promise Funds, which shall be created through an assessment of the local context and needs and national evidence-based best practices in the field, and which shall identify metrics for each program to assess the achievement of outcomes central to the identified goals in support of the statement of Purpose and Intent and consistent with the Act.

(3) Leading the selection process and contracting for the Early Education and Oakland Promise Implementation Partners, consistent with the Act, and making a recommendation to the Citizens' Oversight Commission for the selection of the Implementation Partners, and developing the scope of services, including performance standards and mechanisms for monitoring and reporting progress to the Citizens' Oversight Commission at least every two years.

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(4) Ensuring that an independent financial audit of expenditures from the Funds of the implementation of the Early Education and Oakland Promise programs are conducted, and presenting the audits to the Citizens' Oversight Commission;

(5) Monitoring the performance of the Implementation Partners through a formal performance appraisal, consistent with the metrics established for the Implementation Partners, and reporting at least once every two years regarding the Implementation Partners' performance to the Citizens' Oversight Commission;

(6) Overseeing a rigorous and reliable external evaluation or evaluations of the Implementation Partner's performance, including the selection of external evaluation partners or the utilization of existing external evaluations as applicable, and presenting the results of such evaluations to the Citizens' Oversight Commission;

(7) Carrying out such other duties as may be delegated by the City Administrator; and

(8) Providing or coordinating training for members of the Citizens' Oversight Commission;

SEC. 1603. Funding for Oversight, Accountability and Evaluation.

(a) **The Fund.** There is hereby established the Oakland Children's Initiative Oversight, Accountability and Evaluation Fund.

(b) **Revenue.** For each fiscal year, 7.5 percent of the proceeds of the parcel tax imposed pursuant to Section _ of this Act shall be deposited in the Children's Initiative Oversight and Accountability Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Use.** Moneys in the Children's Initiative Oversight, Accountability and Evaluation Fund shall be used to support all costs of the oversight and accountability costs of the Citizens' Oversight Commission, including but not limited to the costs of Commission and Accountability staff, operations and meetings, financial management, audits, strategic and implementation planning, and communications and outreach. At least forty percent (40%) of the moneys deposited in the Oversight, Accountability and Evaluation Fund shall be reserved for independent third-party evaluations.

(d) **Transfer to Program Funds.** To the extent that the oversight and accountability costs of the Citizens' Oversight Commission amount to less than 7.5 percent of the proceeds of the parcel tax, two-thirds of the funds remaining shall be transferred to the Early Education Fund and shall be available for appropriation to achieve the goals of the Early Education Fund, and one third shall be transferred to the Oakland Promise Fund and shall be available for appropriation to achieve the goals of the Oakland Promise Fund.

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The Oakland Early Education Program.

SEC. 1604. Early Education Fund.

(a) **The Account.** There is hereby established the Oakland Early Education Fund.

(b) **Revenue.** For each fiscal year, 62 percent of the proceeds of the parcel tax imposed pursuant to Section _ of this Act shall be deposited in the Early Education Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Use.** Moneys in the Early Education Fund shall be used to support programs to expand access to, or to enhance the quality of early care and education and preschool for children who reside in Oakland or whose parents resided in Oakland at the time of their enrollment in such programs, including the collection and maintenance of data to enable evaluation over time, in order to increase educational outcomes, such as kinder-readiness, and to reduce educational inequality, such as by disparities related to income and wealth or for children traditionally underrepresented in higher education, as further specified in the five-year Guidelines.

(d) Non-Supplantation.

(1) Moneys in the Early Education Fund shall only be used to expand access to, or enhance the quality of, early care and education, provided, however, that if federal, state, non-City, or restricted Oakland Unified School District funding was committed for the purpose of providing such services and subsequently ceases to be provided and is not replaced by other federal, state, non-City, or restricted Oakland Unified School District funding committed for that same purpose, then moneys in the Early Education Fund may be expended to the extent necessary for such services to continue.

(2) Moneys in the Early Education Fund shall not be used for K-12 school day services except for the purpose of expanding transitional kindergarten eligibility to additional four-year old children.

SEC. 1605. Early Education Implementation Partner.

(a) **Selection.** The accountability officer shall recommend and Oversight Commission shall select the Early Education Implementation Partner pursuant to a request for proposals. The implementation partner must meet the following minimum criteria:

(1) Be a non-profit corporation in good standing or a governmental agency or joint powers authority;

(2) Have a primary mission consistent with the purposes of the Early Education Fund and the capability to implement all the Guidelines of the Early Education Fund;

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(3) Have expertise in early education or a record of successfully implementing programs or services for children age zero to five; and

(4) At the time of application and while acting as Early Education Implementation Partner, not be a private preschool provider in the City of Oakland.

(b) Alternative Selection Process.

(1) Within 30 days of the appointment of a quorum of Commission members, the accountability officer may recommend First 5 Alameda County as the Early Education Implementation Partner to the Citizens' Oversight Commission, without issuing a request for proposals, provided that:

(A) The voters of Alameda County have approved a tax to fund child care and early education in June 2018 and that First 5 Alameda County is the entity selected to implement the child care and early education programs; and

(B) First 5 Alameda County is willing, and has the capacity, to serve as the Early Education Implementation Partner.

(2) The accountability officer may recommend administering the program through a City of Oakland department, which shall serve as the Early Education Implementation Partner, without issuing a request for proposals.

(c) Term of the Early Education Implementation Partner.

(1) The Early Education Implementation Partner shall act as the Early Education Implementation Partner for a period of up to five years with an opportunity for renewal for an additional term of up to five years, provided that it remains in good standing and continues to carry out the requirements specified in this Act and is not terminated prior to the expiration of its term pursuant to paragraph (2).

(2) The accountability officer may recommend, and the Citizens' Oversight Commission may approve, by a vote of two-thirds (2/3) of its members, the termination of the Early Education Implementation Partner before the expiration of a five-year period, if the Early Education Implementation Partner breaches its agreement with the City, is unwilling or unable to carry out the purposes of this Act, or engages in gross negligence, fraud, or unlawful activity. In the event of termination, the accountability officer shall recommend an Early Education Implementation Partner in accordance with subdivisions (a) or (b) of this Section for a five-year period.

(3) At the expiration of the five-year period, the accountability officer may recommend, based on the Early Education Implementation Partner's performance, that the Citizens' Oversight Commission renew the contract for an additional term of up to five years, without issuing a request for proposals, or select an Early Education Implementation Partner in accordance with subdivisions (a) or (b) of this Section for a five-year period. Thereafter, the accountability officer shall recommend the Early Education Implementation Partner through a request for proposals or as outlined in subdivision (b). There is no limit on the number of years an implementation partner may serve.

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(d) Requirements for the Early Education Implementation Partner. The City Administrator shall have the authority to enter into a contract with the Implementation Partner that includes legally required terms and terms deemed to be in furtherance of the purposes of this Act, such as but not limited to the following:

- (1) performance metrics and benchmarks;
- (2) plans for consultation or engagement with experts, community members, and program beneficiaries;
- (3) annual independent financial audits;
- (4) data sharing agreements including disaggregation by race and income of program beneficiaries; and
- (5) accounting practices that securely segregate Fund revenues and expenditures in order to ensure appropriate accounting of receipts and expenditures.

The Oakland Promise Program.

SEC. 1606. The Oakland Promise Fund.

(a) **The Account.** There is hereby established the Oakland Promise Fund.

(b) **Revenue.** For each fiscal year, 30.5% of the proceeds of the parcel tax imposed pursuant to Section _ of this Act shall be deposited in the Oakland Promise Fund, and shall be appropriated, together with any interest that accrues thereon, for the purposes specified in subdivision (c) of this Section.

(c) **Eligible Use.** Moneys in the Oakland Promise Fund shall be used exclusively to achieve the following public purposes for Oakland residents and children who attend Oakland Public Schools, as further specified by the five-year Guidelines, and including the collection and maintenance of data to enable evaluation over time:

- (1) Increase early college awareness and expectations in children and their families, as well as instill a college-bound identity in students and college-going culture in schools;
 - (2) Increase college savings and family economic well-being starting early in a child's life.
 - (3) Increase preparedness for elementary, middle and high school;
 - (4) Increase college and career- awareness, preparedness, planning, and eligibility;
 - (5) Increase college application, admission, and enrollment rates;
 - (6) Increase college affordability, including by expanding access to public and private student financial aid, and direct scholarships to students;
 - (7) Increase college persistence and graduation rates, such as by expanding access to mentoring;
- and

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- (8) Reduce disparities in career success and college access and completion for students traditionally underrepresented in post-secondary education, such as disparities by wealth and income.

SEC. 1607. Oakland Promise Implementation Partner.

(a) **Selection.** The accountability officer shall recommend and the Oversight Commission shall approve the Oakland Promise Implementation Partner pursuant to a request for proposals. The implementation partner must meet the following minimum criteria:

(1) Be an Oakland-based non-profit organization in good standing or a governmental agency, including joint powers authority; or an entity, project, or program within the aforementioned entities;

(2) Have a mission consistent with the purposes of the Oakland Promise Fund and the capability to achieve all of the purposes of the Oakland Promise Fund through direct provision or through partnership agreements;

(3) Have capability to successfully implement, either directly or through subcontracts, evidence-based programs or services for children from birth through college graduation and experience serving populations reflective of the diversity of Oakland, in service of all Oakland Promise Fund eligible uses;

(4) Have the ability to leverage other funding sources, such as private philanthropy, grants, or an endowment, to achieve the purposes of the Oakland Promise Fund; and

(5) Have the ability to enable the external evaluation of programs, demonstrated through means such as having an existing data-evaluation system or an existing relationship with a credible external evaluator.

(b) Term of the Oakland Promise Implementation Partner.

(1) The Oakland Promise Implementation Partner shall act as the Oakland Promise Implementation Partner for a period of up to five years with opportunity for renewal for an additional term of up to five years, provided that it remains in good standing and continues to carry out the requirements specified in this Act and is not terminated prior to the expiration of its term pursuant to paragraph (2).

(2) The accountability officer may recommend, and Citizens' Oversight Commission may approve, by a vote of two-thirds (2/3) of its members, the termination of the Oakland Promise Implementation Partner before the expiration of a five-year period, if the Oakland Promise Implementation Partner breaches its agreement with the City, is unwilling or unable to carry out the purposes of this Act, or engages in gross negligence, fraud, or unlawful activity. In the event of termination, the accountability officer shall recommend a new Oakland Promise Implementation Partner in accordance with subdivision (a) of this Section for a five-year period.

(3) At the expiration of the five-year period, the accountability officer may recommend, based on the Oakland Promise Implementation Partner's performance, that the Citizens' Oversight Commission renew the contract for an additional term of up to five-years, without issuing a request for proposals. In the

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event an existing contract is not extended, the Oakland Promise Implementation Partner shall be selected in accordance with subdivision (a) of this Section for a five-year period. There is no limit on the number of years an implementation partner may serve. In any event, the Oakland Promise Implementation Partner must be selected pursuant to a request for proposals at least once every 10 years.

(c) Requirements for the Oakland Promise Implementation Partner. The City Administrator shall have the authority to enter into a contract with the Implementation Partner that includes legally required terms and terms deemed to be in furtherance of the purposes of this Act, such as but not limited to the following:

- (1) performance metrics and benchmarks;
- (2) plans for consultation or engagement with experts, community members, and program beneficiaries;
- (3) annual independent financial audits;
- (4) data sharing agreements including disaggregation by race and income of program beneficiaries; and
- (5) accounting practices that securely segregate Fund revenues and expenditures in order to ensure appropriate accounting of receipts and expenditures.
- (6) ensure that students who receive a financial benefit through a program funded by initiative are not deprived of that financial benefit for as long as they are eligible to participate in the program.

SEC 1608. Implementation of the Act for the First 5 Year Cycle

(a) Early Education Guidelines for the First Five Years. For the first five years following the appointment of a quorum of the Oversight Commission, in order to expedite implementation and ensure the people of Oakland begin to feel the benefit of the approval of the Act, the Guidelines for the Early Education Fund, which are based upon an assessment of the local context and needs and national evidence-based best practices in the field, shall be as follows and may not be amended:

(1) Increase overall attainment and reduce socioeconomic disparities, such as those by income and wealth, in child educational outcomes, and provide family support services, to achieve the following outcomes prioritized as follows, such that plans to fund a lower priority outcome may only be implemented if the Early Education Implementation Partner has determined that the next highest priority goal is reasonably achievable within the five year period:

(A) Make available free or affordable and high-quality early education and preschool for four-year old children from low- income families, such as those who make less than eighty-five-percent (85%) of the state median income, with a priority on serving the children of families with the lowest incomes or those who are in high need, while also supporting families who need family, friend and neighbor care.

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(B) Increase the availability of free or affordable and high-quality early education and preschool for three-year old children from low-income families , with a priority on serving the children of families with the lowest incomes or those who are in high need, while also supporting families who need family, friend and neighbor care.

(C) Increase the affordability and/or quality of preschool for all four-year old children, with a priority on serving the children of families with the lowest incomes or those in highest need, while also supporting families who need family, friend and neighbor care.

(D) Increase the affordability and/or quality of preschool for three-year old children, with a priority on serving the children of families with the lowest incomes or those in highest need, while also supporting families who need family, friend and neighbor care.

(E) Increase the availability and/or quality of child development support services for children and families from low-income backgrounds with children from birth through age three, while also supporting families who need family, friend and neighbor care. .

(2) Provide for a rigorous external evaluation of the impact of the early education programs, such as on child outcomes data including kindergarten readiness, that will facilitate assessment of whether the early education programs are achieving the goals of the Act and provide information on how to mitigate disparities, such as those by wealth and income or for children in high-need.

(3) Ensure that funding streams from federal, state and local sources, including Head Start, are coordinated to reduce the administrative burden of program beneficiaries in accessing services, and to ensure that existing high-quality early education programs are not made financially unviable;

(4) Ensure that professional development and coaching are generally available for educators, and that participating preschool programs generally are able to do the following within a reasonable timeframe:

(A) Achieve a rating of at least three on the regional Quality Rating and Improvement System (QRIS), or a successor system, with higher quality provision for those programs serving children highest in need, which could include enhanced services or a higher rating on the QRIS, or a successor system, as resources allow.

(B) Utilize a developmentally appropriate curriculum aligned with California Department of Education standards that is an evidence-based and/or has demonstrated success in improving preparation for kindergarten.

(C) Conduct formative assessments to shape instruction; and

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(D) Participate in valid, regular, and reliable assessments of early education quality in order to foster continuous improvement and to reduce disparities, such as those by income and wealth, in child outcomes.

(b) Additional Requirements for the Early Education Fund for the First Five Years.

(1) Administration by a Public Agency.

The Alameda County Children and Families First Commission, known as First 5 Alameda County, or another public entity, will be selected by the Citizens' Oversight Committee to be the Early Education Implementation Partner and to administer the program.

(2) Expanding Existing Public Services.

First funding priority shall be given to public agencies to expand public programs in all areas of the City that meet a baseline quality level and can accommodate more children using empty classrooms and/or filling vacancies, particularly programs at Oakland Unified School District and City of Oakland Head Start. This could include converting part-day OUSD preschool to full-day OUSD preschool at OUSD sites, hiring additional OUSD staff, or expanding the hours of service to better meet the needs of working families, subject to capacity limitations determined by OUSD and City of Oakland Head Start in consultation with the Implementation Partner. After OUSD and Head Start sites have reached agreement with the Implementation Partner on ensuring funding to reach capacity as outlined above, the Early Education Fund may contract with private nonprofit agencies that show a commitment to and interest in serving low income children, and adhere to the privatization requirements set forth in paragraphs (3) and (4) of this subdivision.

(3) Private Contractor Requirements.

(A) Maintenance of Wage Standards: All contracted nonprofit agencies receiving Fund dollars must pay all employees at least \$15 per hour, to be adjusted annually by the San Francisco-Oakland- San Jose Consumer Price Index (CPI). This is the minimum wage with or without benefits and no reduction in total compensation that existed prior to the contract should occur.

(B) All contracted agencies must present as a part of the contracting process: (i) a list of current employees with employee names and job classifications, on a biannual basis. The contractor will also provide length of continuous employment of those employees provided that employer tracks length of employment; (ii) the annual rate of current staff turnover for early educators and teaching assistants; (iii) the number of hours of training planned for each employee in subject matters directly related to providing services to state residents and clients; (iv) a self-certification which requires the contractor report whether the contractor has or has not violated any applicable federal, state or local rules, regulations or laws, including laws governing employee safety and health, labor relations and other employment requirements, and any citations, court findings or administrative findings for violations of such federal, state or local rules, regulations or laws. In the case where a contractor has violated aforementioned laws or regulations, contractor must disclose the date, enforcement agency, the rule, law or regulation involved and any additional information the contractor may wish to submit; and (v)

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any collective bargaining agreements or personnel policies covering the employees who^[A1] provide services.

(C) (i) Union Neutrality: Moneys from the Early Education Fund shall not be used to support or oppose unionization, including but not limited to, preparation and distribution of materials which advocate for or against unionization; hiring or consulting legal counsel or other consultants to advise the contractor about how to assist, promote or deter union organizing or how to impede a union which represents the contractor's employees from fulfilling its representational responsibilities; holding meetings to influence employees about unionization; planning or conducting activities by supervisors to assist, promote, or deter union activities; or defending against unfair labor practice charges brought by federal or state enforcement agencies.

(ii) Contractors are prohibited from retaliating against early educators for participating in or contributing to a professional organization. Violation of this provision shall constitute an immediate breach of contract.

4. Worker Organization and Payroll Deduction.

(A) The Early Education Implementation Partner will regularly convene organizations representing parents and/or early educators, as appropriate, to receive input on program development and implementation. They will collaborate with parent and early educator organizations and providers and other stakeholders to disseminate information in public meetings or other means, such as pamphlets, to families, child care providers and early educators and others about initiative-funded programs and to support robust involvement in Guideline components.

(B) Funding agreements with participating child care and early education programs paid for with Early Education Fund dollars will require these programs to honor their early educator employees' written, voluntary requests to contribute part of their pay via payroll deduction to a professional organization of their choosing. Funding agreements will require the participating child care and early education program operators to notify early educators about the programs' contractual obligation to honor their written request to contribute.

(C) Early educators will be informed about their rights under this program during an orientation. The Early Education Implementation Partner or a contracted third party will convene regular in-person orientation sessions for family childcare center providers and their assistants, family, friend and neighbor providers, and center early educator employees who work in programs receiving funding from the initiative. These staff at participating programs will be required to attend an informational orientation session within a certain period of time after programs are contracted to participate in initiative funded components. For agencies who are unable to document full participation of staff, information may be shared in alternative formats on a case-by-case-basis. Effort will be made to ensure that this information will include program overview, quality and other guidelines, and information on other city-related resources and programs will not deter participation in these initiative-funded activities. These information sessions shall also include presentations by qualified professional early childhood education organizations and other stakeholders with goals, missions, or resources related to the initiative's goals, including training and professional development at which qualified professional

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organizations will be invited to participate. Attendance sheets for orientation sessions and qualifying staff rosters will be made available twice per year upon request in order to allow professional organizations to monitor participation.

(D) Professional organizations will be required to meet minimum criteria, including nonprofit status, connecting early educators to professional development and training opportunities, and improving the ability of early educators to advocate for improvement to the child care system.

(b) Applicability of Requirements After Five Years.

(1) The requirements set forth in subdivision (a) shall remain in effect for a minimum of five years, and shall remain in effect thereafter unless the Citizens' Oversight Commission recommends, and the City Council approves, deeming that any of the requirements set forth in paragraph (2) shall not apply.

(2) Prior to the Citizens' Oversight Commission's consideration of funding guidelines for each five year period, the Early Education Implementation Partner shall convene a meeting of stakeholders, including organizations representing parents and early educators, to assess whether the requirements set forth in subdivision (a) are serving the purposes of the Act and to consider whether the requirements should be deemed not to apply for the purposes of the next five year funding period. The Early Education Implementation Partner shall present any recommendations that the requirements should be deemed not to apply that it considers necessary to further the purposes of the Act to the Citizens' Oversight Commission for its consideration, and if the Citizens' Oversight Commission recommends adoption of any recommendations, the recommendations shall be presented to the City Council for approval so that the changes are in place for the next five year period. In addition, upon a finding of a fiscal emergency by the Citizens' Oversight Commission, the Early Education Implementation Partner shall follow the process outlined above and present any recommendations that the requirements should be deemed not to apply that it considers necessary to address the fiscal crisis to the Citizens' Oversight Commission for its consideration, and if the Citizens' Oversight Commission recommends adoption of any recommendations, they shall be presented to the City Council for approval.

(3) Notwithstanding paragraph (1), the requirement in subparagraph (A) of paragraph (3) of subdivision (a) that all contracted nonprofit agencies receiving Fund dollars pay all employees at least \$15 per hour may not be amended. In addition, if, in any fiscal year, the percentage increase in the San Francisco-Oakland- San Jose Consumer Price Index (CPI) is greater than the percentage increase in the proceeds of the parcel tax, or if the proceeds of the parcel tax decline, the requirements in subparagraph (A) of paragraph (3) of subdivision (a) that the minimum wage be adjusted annually by the San Francisco-Oakland- San Jose Consumer Price Index (CPI) and that no reduction in total compensation occur shall not be apply for that fiscal year.

(4) When considering whether the requirement set forth in paragraph (2) of subdivision (a) should be deemed not to apply, the Citizens' Oversight Committee and the City Council shall consider the ability and the capacity of public agencies to serve the early care and education needs of children age three and below in determining whether the funding priority is consistent with achieving the purposes and intent of the Act.

(c) Oakland Promise Guidelines for the First 5-Years.

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(a) For the first five years following the appointment of a quorum of the Oversight Commission, in order to expedite implementation and ensure the people of Oakland begin to feel the benefit of the approval of the Act, the Guidelines for programs supported by the Oakland Promise Fund, which are based upon an assessment of the local context and needs and national evidence-based best practices in the field, shall be, consistent with the public purposes expressed in the Act, as follows and may not be amended :

(1) Reduce socioeconomic disparities, such as those related to wealth and income, for children from an early age, in College readiness, access, affordability, applications, enrollment, retention and completion, particularly for students in high-need or who are traditionally underrepresented in post-secondary education.

(2) Increase early College savings and asset building for families with children ranging in age from zero to grade five, such as through the creation and seeding of college savings accounts and the provision of financial coaching and supports to families;

(3) Increase the expectations and resources to attend College among children and families of all socioeconomic backgrounds in Oakland through strategies such as increasing school-based programming that builds the college-bound identity of students and a college-going culture in elementary, middle and high schools.

(4) Increase College awareness, preparedness, application, and eligibility, as measured by increases in completing courses required for College enrollment, such as those required by the University of California, and in College acceptance rates of Oakland Public School students, through means such as providing College access services that are integrated into schools.

(5) Increase College affordability, including by expanding access to public and private student financial aid, such as by increasing FAFSA or Dream Act Application completion rates, increasing the direct provision of College scholarships including multi-year last dollar scholarships, and partnering with educational institutions in order to provide institution-specific scholarships and to reduce tuition costs.

(6) Increase College admission, matriculation, and enrollment rates, such as increasing the percent of students who enroll in College in the fall directly following high school graduation through a focus on the above strategies.

(7) Increase full-time College persistence rates for students enrolled in College, especially persistence between their first and second year of enrollment, through means such as mentoring, peer advising, and on-campus supports.

(8) Increase the number of Oakland students graduating from College within six years of high school graduation.

SEC. 5. Parcel Tax

SEC. 5.1. Definitions.

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For purposes of Section 8 only, the following terms shall be defined as set forth below:

(a) “Building” shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word “Building” includes the word “structure.”

(b) “Family” shall mean one or more persons related by blood, marriage, domestic partnership, or adoption, legal guardianship, who are living together in a single residential unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single Residential Unit and maintain a common household.

(c) “Hotel” shall mean as defined by Oakland Municipal Code Section 4.24.020.

(d) “Multiple Residential Unit Parcel” shall mean a parcel zoned for a Building, or those portions thereof, that accommodates or is intended to contain two or more residential units.

(e) “Non-Residential” shall mean all parcels that are not classified by this Act as Residential Parcels, and shall include, but not be limited to, parcels for industrial, commercial and institutional improvements, whether or not currently developed.

(f) “Occupancy” shall be as defined by Oakland Municipal Code Section 4.24.020.

(g) “Operator” shall be as defined by Oakland Municipal Code Section 4.24.020.

(h) “Owner” shall mean the Person having title to real estate as shown on the most current official assessment role of the Alameda County Assessor.

(i) “Parcel” shall mean a unit of real estate in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.

(j) “Person” shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(k) “Possessory Interest” as it applies to property owned by any agency of the government of the United States, the State of California, or any political subdivision thereof, shall mean possession of, claim to, or right to the possession of, land or Improvements and shall include any exclusive right to the use of such land or Improvements.

(l) “Residential Unit” shall mean a Building or portion of a Building designed for or occupied exclusively by one Family.

(m) “Single Family Residential Parcel” shall mean a parcel zoned for single-family residences, whether or not developed.

(n) “Transient” shall mean any individual who exercises Occupancy of a hotel or is entitled to Occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any individual so

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occupying space in a Hotel shall be deemed to be a Transient until the period of thirty (30) consecutive days has elapsed.

SEC. 5.2. Imposition of Parcel Tax

For each year beginning in year 2019-2020 and ending in 2048-49, there is hereby imposed a special tax on all Owners of parcels in the City of Oakland for the privilege of using municipal services and the availability of such services. The tax imposed by this Section shall be assessed on the Owner unless the Owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of any Possessory Interest in such parcel, unless such holder is also by law exempt from taxation. The tax is imposed as of July 1 of each year on the person who owned the parcel on that date. The tax shall be collected at the same time, by the same officials, and pursuant to the same procedures as the one percent property tax imposed pursuant to Article XIII A of the California Constitution.

The tax hereby imposed shall be set as follows subject to adjustment as provided in Section __ of this Act:

(a) For owners of all Single Family Residential Parcels, the tax shall be at the annual rate of \$198 per Parcel.

(b) For owners of all Multiple Residential Unit Parcels, the tax shall be at the annual rate of \$135.25 per occupied Residential Unit. Owners of units that are vacant for six months or more per year may apply to the Director of Finance to have the rate reduced by 50% to \$67.62 per vacant Residential Unit located on the Parcel.

(c) The tax for Non-Residential Parcels is calculated using both frontage and square footage measurements to determine total single family residential unit equivalents (SFE). A frontage of 80 feet for a commercial institutional parcel, for example, is equal to one (1) single family residential unit equivalent. (See matrix.) An area of 6,400 square feet for the commercial institutional parcel is equal to one (1) single family residential unit equivalent. For tall buildings (more than 5 stories), the single family residential unit equivalent computation also includes one (1) single family residential unit equivalent for every 5,000 square feet of net rentable area. The tax is the annual rate \$198 multiplied by the total number of single family residential unit equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)	BUILDING AREA (SF)
Commercial/Institutional	80	6,400	N/A
Industrial	100	10,000	N/A
Public Utility	1,000	100,000	N/A
Golf Course	500	100,000	N/A
Quarry	1,000	250,000	N/A
Tall Buildings > 5 stories	80	6,400	5,000

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Example: assessment calculation for a Commercial Institutional Parcel with a Frontage of 160 feet and an Area of 12,800 square feet:

$$\begin{aligned} \text{Frontage} & \quad 160 \text{ feet} \div 80 = 2 \text{ SFE} \\ \text{Area} & \quad 12,800 \text{ square feet} \div 6,400 = 2 \text{ SFE} \\ & \quad 2 \text{ SFE} + 2 \text{ SFE} = 4 \text{ SFE} \\ & \quad 4 \text{ SFE} \times \$198 = \$792 \text{ tax} \end{aligned}$$

(e) The tax imposed by this Act shall be imposed on each Hotel within the City as follows:

(1) **Residential Hotels.** Rooms in a Hotel occupied by individuals who were not Transients for 80% or more of the previous Fiscal Year shall be deemed Residential Units and the parcel on which they are located shall be subject to the Parcel tax imposed on Multiple Residential Unit Parcels. The remainder of the Building shall be subject to the applicable tax computed in accordance with the single family residential unit equivalent formula set forth in Section 7.2(c) of this Act.

(2) **Transient Hotels.** Notwithstanding the previous subsection, if 80% or more of the Operator's gross receipts for the previous Fiscal Year were reported as rent received from Transients on a return filed by the Operator in compliance with Section 4.24.010 of the Oakland Municipal Code (commonly known as the Uniform Transient Occupancy Tax of the City of Oakland), such Hotel shall be deemed a Transient Hotel. The entire Building shall be deemed a Non-Residential Parcel, categorized as Commercial/Institutional, and shall be subject to the applicable tax computed in accordance with the single family residential unit equivalent formula set forth in Section 7.2(c) of this Act, and the parcel tax imposed on Multiple Residential Units shall not apply.

SEC. 5.3. Exemptions.

(a) **Low income household exemption.** The following is exempt from this tax: an Owner of a Single Family Residential Unit (1) who resides in such unit and (2) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as "low income" for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.,) for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.

(b) **Senior household exemption.** The following is exempt from this tax: an Owner of a single family residential unit (1) who resides in such unit, (2) who is 65 years of age or older and (3) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as "low income" for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.,) for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax

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returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.

(c) **Exemption for for affordable housing projects.** Rental housing owned by nonprofit corporations and nonprofit-controlled partnerships for senior, disabled and low income households that are exempt from ad valorem property tax pursuant California Revenue and Taxation Code Sections 214(f), (g) and (h) are exempt from this tax. .

(d) **Rebate to tenants in foreclosed single family homes.** The City will provide a rebate of one-half of the tax and subsequent increases thereto to tenants in single family homes that have been foreclosed upon who have paid a passed through Parcel Tax. To qualify for this rebate, a tenant must: (1) have lived in the unit before foreclosure proceedings commenced; and (2) be at or below the income level qualifying as “very low income” for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.,) for such year. The City will provide this rebate for every month that the tax was applied and the tenant occupied the unit. The City will provide this rebate at the end of each year, or when the tenant vacates the unit, whichever is earlier. The City Administrator will promulgate regulations to effectuate this subdivision.

(e) Real property owned by a religious organization or school that is exempt from property taxes under California law is exempt from this tax. To qualify for this exemption, each religious organization or school seeking such exemption shall submit such information required to determine eligibility for such exemption.

SEC. 5.4. Reduction in Tax Rate; Rate Adjustment.

Beginning in the Fiscal Year 2020-2021, and each year thereafter, the City Council may increase the tax imposed hereby only upon making one of the following findings:

(a) That the cost of living in the immediate San Francisco Bay Area, as determined by the 12-month Annual Percentage Change in the Consumer Price Index (CPI) for all items in the San Francisco Bay Area as published by the U.S. Department of Labor Statistics, has increased; or

(b) That the fiscal year change in California per capita personal income, as determined by the California State Department of Finance and shown in the Price Factor and Population Information Report issued each May, has increased

The increase of the tax imposed hereby shall not exceed the verified increase in either a) the cost of living in the immediate San Francisco Bay Area, using 2019 as the index year, or b) California per capita personal income, using Fiscal Year 2018-2019 as the index year, whichever is greater.

SEC. 5.5. Duties of the Director of Finance; Notice of Decisions.

It shall be the duty of the Director of the Finance to collect and receive all taxes imposed by this Act. The Director of Finance is charged with the enforcement of this Act and may adopt rules and regulations relating to such enforcement.

SEC. 5.6. Examination of Books, Records, Witnesses; Penalties.

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The Director of Finance or the Director of Finance's designee is hereby authorized to examine assessment rolls, property tax records, records of the Alameda County Recorder and any other records of the County of Alameda deemed necessary in order to determine ownership of Parcels and computation of the tax imposed by this Act.

The Director of Finance or the Director of Finance's designee is hereby authorized to examine the books, papers and records of any person subject to the tax imposed by this Act, including any person who claims an exemption, for the purpose of verifying the accuracy of any petition, claim or return filed and to ascertain the tax due. The Director of Finance, or the Director of Finance's designee is hereby authorized to examine any person, under oath, for the purpose of verifying the accuracy of any petition, claim or return filed or to ascertain the tax due under this Act and for this purpose may compel the production of books, papers and records, whether as parties or witnesses, whenever the Director of Finance believes such persons have knowledge of such matters. The refusal of such examination by any person subject to the tax shall be deemed a violation of this Act and of the Oakland Municipal Code and subject to any and all remedies specified therein.

SEC. 5.7. Collection of Tax; Interest and Penalties.

The tax shall be delinquent if the City does not receive it on or before the delinquency date set forth in the notice mailed to the Owner's address as shown on the most current assessment roll of the Alameda County Tax Collector; and the tax shall be collected in such a manner as the City Council may decide. The City may place delinquencies on a subsequent tax bill.

A one-time penalty at a rate set by the City Council, which in no event shall exceed twenty-five percent (25%) of the tax due per fiscal year, is hereby imposed by this Act on all taxpayers who fail to timely pay the tax provided by this Act. In addition, the City Council may assess interest at the rate of one percent (1%) per month on the unpaid tax and the penalty thereon.

Every penalty imposed and such interest as accrues under the provisions of this Act shall become a part of the tax herein required to be paid.

The City may authorize the County of Alameda to collect the taxes imposed by this Act in conjunction with and at the same time and in the same manner as the County collects property taxes for the City. If the City elects to authorize the County of Alameda to collect the tax, penalties and interest shall be those applicable to the nonpayment of property taxes.

SEC. 5.8. Collection of Unpaid Taxes.

The amount of any tax, penalty, and interest imposed under the provisions of this Act shall be deemed a debt to the City. Any person owing money under the provisions of this Act shall be liable to an action brought in the name of the City for the recovery for such amount.

SEC. 5.9. Refund of Tax, Penalty, or Interest Paid More than Once, or Erroneously or Illegally Collected.

Whenever the amount of any tax, penalty, or interest imposed by this Act has been paid more than once, or has been erroneously or illegally collected or received by the City it may be refunded provided a

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verified written claim for refund, stating the specific ground upon which such claim is founded, is received by the Director of Finance within one (1) year of the date of payment. The claim shall be filed by the person who paid the tax or such person's guardian, conservator, or the executor of her or his estate. No representative claim may be filed on behalf of a taxpayers or a class of taxpayers. The claim shall be reviewed by the Director of Finance and shall be made on forms provided by the Director of Finance. If the claim is approved by the Director of Finance, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the person from whom it was collected or by whom paid, and the balance may be refunded to such person, or such person's administrators or executors. Filing a claim shall be a condition precedent to legal action against the City for a refund of the tax.

SEC. 6. Savings Clause.

If any provision, sentence, clause, Section or part of this Act is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such provision, sentence, clause, Section or part of this Act and shall not affect or Act any of the remaining provisions, sentences, clauses, Sections or parts of this ordinance. It is hereby declared to be the intention of the city, that the City would have adopted this Act had such unconstitutional, illegal or invalid provision, sentence, clause Section or part thereof not been included herein.

If any tax or surcharge imposed by this Act is found to be unconstitutional, illegal or invalid, the amounts, services, programs and personnel required to be funded from such taxes and surcharges shall be reduced proportionately by any revenues lost due to such unconstitutionality, illegality or invalidity.

SEC. 7. Regulations.

The City Administrator is hereby authorized to promulgate such regulations as he or she shall deem necessary in order to implement the provisions of this ordinance.

SEC. 8. Amendment.

This Act may not be amended by action of the City Council without voter approval.

SEC. 9. Challenge to Tax.

Any action to challenge the taxes imposed by this ordinance shall be brought pursuant to Government code section 50077.5 and Code of Civil Procedure section 860 et seq.

SEC. 10. Severability.

If any provision of this Act, or part of this Act, or the application of any provision or part to any person or circumstances, is for any reason held to be invalid, the remaining provisions, or applications of provisions, shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable. If a court were to find in a final, unreviewable judgment that the

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exclusion of one or more entities or activities from the applicability of the Act renders the Act unconstitutional, those exceptions should be severed and the Act should be made applicable to the entities or activities formerly exempt from the Act. It is the intent of the voters that this Act would have been enacted regardless of whether any invalid provision had been included or any invalid application had been made.

SEC. 11. Conflicting Initiatives.

(a) In the event that this measure and another measure addressing the educational development and potential of Oakland children and youth shall appear on the same City ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

(b) If this measure is approved by the voters but superseded by law by any other conflicting measure approved by voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.

SEC. 12. Liberal Construction.

This Act shall be liberally construed to effectuate its purposes.

SEC. 13. Effective Date.

This Act shall take effect the day after the election at which it is adopted.

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SECOND READING - CONTINUED FROM 02/06/2018

AGENDA # _____, February 6, 2018



REVISED

1401 LAKESIDE DRIVE, OAKLAND, CALIFORNIA 94612 510 208 9700 FAX 510 208 9711
WWW.ACGOV.ORG/GSA/

January 31, 2018

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

Dear Board Members:

**SUBJECT: APPROVE A PROPOSED CHILD CARE AND EARLY EDUCATION
ORDINANCE TO ADD TO THE BALLOT OF THE ELECTION TO BE
HELD ON JUNE 5, 2018**

RECOMMENDATION:

Adopt an Ordinance adding Article VI to Chapter 2.08 of the Alameda County Ordinance Code, imposing a one-half percent transactions and use tax, for the purpose of providing additional support for high quality child care and early education services for low and middle income children and families in Alameda County and to improve wages for child care providers and early educator who provide these services, to be included in the June 5, 2018 ballot.

SUMMARY:

Limited access to quality, affordable child care and early education is resulting in children not ready for kindergarten, parents unable to find child care they can afford, and early educator pay that is so low that it is difficult for early educators to provide the basics for their own families. The County seeks to address these issues by bringing to the voters a Measure allowing the County to implement a one-half percent sales tax for 30 years to fund expanded access to child care and early education for low-and middle-income families and to raise wages for child care providers and early educators to a minimum of \$15 per hour.

Monies raised by the sales and use tax would go into a special fund and use of tax proceeds or any interest accrued on tax proceeds is restricted and will be used exclusively to provide high quality child care and early education services to benefit low-and middle-income children and families in Alameda County and to improve wages for child care providers and early educators.

The Ordinance requires a 3rd party, such as First 5 Alameda County or a similar entity, to implement the program. Your Board shall have the right and discretion to select a different entity or to identify additional entities to implement the program or portions of it. The intent is for the administering agency to have broad authority to implement the programs funded by this Measure with specific terms and conditions established by a Program Plan which your Board will adopt at a later date and a contract between the County and the administering agency.

The Ordinance also requires your Board designate a 3rd party, such as the Alameda County Early Care and Education Planning Council or a similar entity, to act as an advisory and planning body for the fund. Finally, the Ordinance has a non-supplantation provision forbidding the County from using proceeds from the Measure to supplant County investment in direct child care and early education services.

If your Board approves the first reading of this Ordinance, the Ordinance will come back to your Board at your next meeting for a second reading along with a Resolution to place the tax Measure on the ballot. If the Measure is approved by 2/3rds of the voters, this tax will go into effect October 1, 2018. The County is estimating this Measure will raise approximately \$140 million annually with that amount changing based on economic activity in the County.

The proposed ballot Measure language is:

ALAMEDA COUNTY CHILDCARE AND EARLY EDUCATION MEASURE.

To expand access to childcare and preschool for low- and middle-income families; help homeless and at-risk children, including help preventing child abuse and neglect; attract and retain quality childcare workers; and add spaces for childcare at locations throughout the county, shall the County of Alameda enact a 30-year ½% sales tax providing approximately 140 million dollars annually with citizens' oversight, public disclosure of spending, and mandatory annual audits?

DISCUSSION:

As your Board is aware, child care and early education in the County has become increasingly scarce and expensive, to the point that it is now out of reach for many low and middle income families, including homeless families and vulnerable populations. The General Services Agency's Early Care and Education Program made presentations about the child care and early education crisis issue to your All In Committee at its October 2017 and January 2018 meetings, and to your Board at your September 19, December 12 and January 30 retreats. County staff was instructed to explore the possibility of placing a sales tax Measure on the June 2018 ballot to provide funds to mitigate the quality child care and early education crisis.

From July 27, 2017 through January 11, 2018 a Steering Committee met bi-weekly to review and discuss child care and early education needs and possible programs to be funded from a sales tax Measure. Your Board held eight listening sessions throughout the County to solicit input from the public and stakeholders on both policy and programs related to the proposed Measure. Representatives from labor, community and child care and early education also sponsored six additional listening sessions. An Advisory Panel of 48 key child care and early education stakeholders and content experts met three times to further vet and provide feedback on the proposed program components.

In total, we conducted almost 100 group and one-on-one listening sessions reaching at least 1,000 individuals and collected and logged over 500 feedback forms to inform and improve the proposed plan. We also established a County webpage (www.acgov.org/ece/crisis) with relevant information and a dedicated phone number and email address to collect additional feedback. The

overwhelming majority of stakeholders voiced support for the Measure, especially its focus on improving child care and early education access, quality and wages.

In addition, a consulting firm conducted two telephone surveys of 600 likely June 2018 voters to provide public opinion research and ballot initiative services to advise on the Measure. Key findings from the polling data showed that 73% of voters would support the Measure.

The proposed Measure will help to mitigate the scarcity and cost of child care and early education within the County, especially for low- and middle-income families and vulnerable populations. It will also sustain and improve the quality of new and existing child care and early education, and improve wages for child care providers and early educators to at least \$15 an hour.

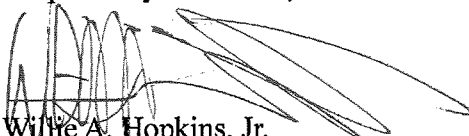
FINANCING:

Proceeds raised by this sales and use tax will be deposited into a special fund entitled "child care and early education tax fund." These funds will be restricted and shall be used exclusively to provide high quality child care and early education services to benefit low and middle income children and families in Alameda County and to improve wages for child care providers and early educators who provide these services.

We are currently estimating this tax will raise approximately \$140 million annually with that amount fluctuating based on economic activity. The non-supplantation provision in the Ordinance requires that proceeds from this tax may not be used to replace the funding level established in the FY 2016-17 County budget for direct services to support child care and early education services unless State, federal, or other non-County sources of such funding have been reduced by the same amount.

Approval of this item is a necessary step to place the tax measure on the ballot for voter approval and will have no impact on net County cost.

Respectfully submitted,



Willie A. Hopkins, Jr.
Director, General Services Agency

BOS.02.06.18.CHC.Proposed Child Care and Early Education Ordinance

Attachments

cc: Susan S. Muranishi, County Administrator
Steve Manning, Auditor-Controller
Donna R. Ziegler, County Counsel
Meryl Klein, Office of the County Administrator
Pete Coletto, Office of the County Administrator

Kimberly Gasaway, GSA Chief Deputy, Administration
Farand Kan, Deputy County Counsel
Andrea Weddle, Chief Assistant County Counsel

ORDINANCE NO. 2018-__

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA

AN ORDINANCE OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, ADDING ARTICLE VI TO CHAPTER 2.08 OF THE ALAMEDA COUNTY ORDINANCE CODE, IMPOSING A TRANSACTIONS AND USE TAX FOR THE PURPOSE OF PROVIDING ADDITIONAL SUPPORT FOR HIGH QUALITY CHILD CARE AND EARLY EDUCATION SERVICES FOR LOW- AND MIDDLE-INCOME CHILDREN AND FAMILIES IN ALAMEDA COUNTY AND TO IMPROVE WAGES FOR CHILD CARE PROVIDERS AND EARLY EDUCATORS WHO PROVIDE THESE SERVICES.

WHEREAS, the children of Alameda County are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our County; and

WHEREAS, research shows that a child's brain develops most dramatically during the first five years of life, and this critical period is a window of opportunity to lay the foundation for all of the years that follow; and

WHEREAS, children need access to quality early educators and child care programs that will give them the very best start in life during this critical period of their development; and

WHEREAS, the County of Alameda ("County") desires to provide the children living in Alameda County with every possible opportunity to be successful in school and beyond; and

WHEREAS, each student in Alameda County deserves to be supported by qualified, caring adults in safe and nurturing environments; and

WHEREAS, in 2016, only 44% of Alameda County children entered kindergarten fully ready for school, according to the most recent School Readiness in Alameda County report; and

WHEREAS, only 31% of Alameda County children with working parents have access to a space in a licensed child care or early education setting, according to the most recent California Child Care Portfolio; and

WHEREAS, child care and early education is more expensive than college, with average, full-time infant care costing more per year than tuition at the University of California Berkeley and almost three times the annual cost of California State East Bay, according to Parents and the High Cost of Child Care 2017 report; and

WHEREAS, the growing homeless population in Alameda County includes hundreds of children and their families who are not able to access quality child care and early education services; and

WHEREAS, 75% of Alameda County child care providers and early educators worry about paying monthly bills, and 54% worry about putting food on the table, as early educators' pay has not kept up with the rising cost of living in the Bay Area, according to a 2016 report from Center for the Study of Child Care Employment; and

WHEREAS, low compensation and limited work supports disproportionately affect low-income women, as early educators are almost exclusively female, with large numbers of older women, women of color, recent immigrants, and first-generation college students and mothers; and

WHEREAS, low compensation of early educators drives turnover and hampers the ability to attract and retain skilled educators, which in turn undermines stable, continuous relationships essential to children; and

WHEREAS, in 2016-17, the state of California only reimbursed providers on average less than 70% of the true cost of providing high-quality preschool for 3- and 4-year-olds, per child per year, according to the 2016 San Francisco Office of Early Care and Education Comprehensive Fiscal Analysis; and

WHEREAS, a study by Nobel Laureate Economist James Heckman shows that investing in high quality early education yields a high return on investment up to 13%, or \$8.2 billion over 10 years for the new local investment proposed in this Ordinance; and

WHEREAS, the Board of Supervisors deems it necessary and essential to approve a 30-year transactions and use tax to provide additional support for high quality child care and early education services to low- and middle-income children and families in Alameda County and to improve wages for participating child care providers and early educators so that they can earn at least \$15 per hour;

NOW, THEREFORE, the Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Chapter 2.08, Article VI (Sections 2.08.300 through 2.08.319) of the Alameda County Ordinance Code is added as follows:

Article VI – Child Care and Early Education Tax

2.08.300 Title.

A. This article shall be known as the child care and early education tax ordinance. The tax described in this article shall be referred to as the child care and early education tax (the "tax").

B. This article shall be applicable throughout the incorporated and unincorporated territory of Alameda County, California (the "county").

C. The goals of expenditures from the proceeds of the tax shall be:

(1) That Alameda County's children are prepared to succeed in kindergarten and later life and live in stable, safe and supported families and communities;

(2) That Alameda County is a family-friendly county and to support families as an important part of the county's population and civic culture;

(3) To focus on the prevention of problems, including the reduction of child abuse and neglect, and on supporting and enhancing the strengths of children and their families;

(4) That providers who serve and educate our County's children are able to be financially stable, supported in their work, and provide for their own families;

(5) That children and youth with the highest needs receive maximum benefit from the proceeds of the tax and that equity is a guiding principle of the funding process;

(6) That collaboration among public agencies and community-based organizations around shared outcomes among all service providers for children and their families will be strengthened; and

(7) That children are provided with developmentally appropriate, gender-responsive and culturally-competent services.

2.08.301 Restricted uses of the tax.

A. Proceeds from this tax shall be deposited into the county treasury in a special fund entitled "child care and early education tax fund" (the "fund").

B. Monies deposited into the fund, together with any interest that accrues thereon, shall be used exclusively to provide high quality child care and early education services to benefit low- and middle-income children and families in Alameda County and to improve

wages for child care providers and early educators who provide these services, as described below in this section.

C. In each year during the term of this article, one-hundred percent (100%) of revenue from this tax shall be allocated by the board of supervisors based on the demonstrated unmet child care and early education needs and the county's commitment to a geographically dispersed network of child care and early education providers, for any of the following purposes:

1. To increase access to affordable, high quality child care and early education services for low and middle income children from birth through 12 years of age, especially for children who are homeless and have other high priority needs;
2. To improve and maintain the quality of new and existing child care and early education services throughout the county; or
3. To improve the wages and benefits of child care providers and early educators who provide these services.

D. Proceeds from this tax may not be used to replace the funding level for direct services established in the fiscal 2016-2017 County of Alameda budget to support child care and early education services, unless the state, federal or other non-county sources of such funding levels have been reduced by the same amount.

E. Proceeds from this tax may not be used for kindergarten through grade 12 (K-12) school day services except for the purpose of expanding transitional kindergarten eligibility to additional four-year old children.

F. This article is not intended to alter any family child care providers' existing independent business owner status, and shall not be construed to classify family child care providers or early educators as county employees.

2.08.302 Citizen oversight committee.

A. Upon enactment of this article, the board of supervisors shall establish and appoint a citizen oversight committee.

B. The citizen oversight committee shall annually review the expenditure of the child care and early education tax fund for the prior year and shall report to the board of supervisors on the conformity of such expenditures to the purposes set forth in Section 2.08.301.

2.08.303 Planning and advisory council.

The board of supervisors will designate an entity whose members have expertise in early child care and education, such as the Alameda County Early Care and Education Planning Council (California Education Code sections 8499.3 *et seq.*) or a similar entity, to act as the planning and advisory council for the fund.

2.08.304 Child care and early education program implementation.

The Alameda County Children and Families First Commission, known as "First 5 Alameda County," was created as a legal public entity separate from the county in Chapter 2.130 of the Administrative Code. First 5 Alameda County or a similar entity will be identified by the board of supervisors as the entity to implement the program that will be established by the board of supervisors for the expenditure of the tax. The board of supervisors shall have the right and discretion to select a different entity or to identify additional entities to implement the program or portions of it.

2.08.305 Operative date.

"Operative date" means the first day of the first calendar quarter commencing more than one hundred and ten (110) days after adoption of this article.

2.08.306 Enactment of retail transaction and use tax.

A. This article is adopted to achieve the following general purposes:

1. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 and of Sections 7285.5 and 7292.2 of Part 1.7 of Division 2 of the California Revenue and Taxation Code that authorize the county to adopt this article, and such tax shall be operative if a two-thirds majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose;
2. To enact a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the state of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the California Revenue and Taxation Code;
3. To enact a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization and State Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization and Department of Tax and Fee Administration in administering and collecting the California sales and use taxes; and
4. To enact a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon each person subject to taxation under the provisions of this article.

B. The provisions of this article shall be interpreted in order to accomplish the purposes that are set forth in this section.

2.08.307 Contract with state.

Prior to the operative date, the county shall contract with the California State Board of Equalization, the California Department of Tax and Fee Administration, or other appropriate state agency, to perform all functions incident to the administration and operation of this article; provided that, if the county shall not have contracted with the appropriate state agency prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

2.08.308 Transactions tax rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of Alameda County at the rate of one-half of one percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this article.

2.08.309 Place of sale.

A. For purposes of this article, all retail sales are consummated at the place of business of the retailer, unless the tangible personal property sold is delivered by the retailer or his or her agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made.

B. In the event a retailer has no permanent place of business in the state of California or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization and State Department of Tax and Fee Administration.

2.08.310 Use tax rate.

An excise tax is hereby imposed on the storage, use or other consumption in the incorporated and unincorporated territory of Alameda County of tangible personal property purchased from any retailer on and after the operative date of this article for storage, use or other consumption in said territory at the rate of one-half of one percent of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

2.08.311 Incorporation of provisions of state law.

Except as otherwise provided in this article and except insofar as any provisions of this article may be inconsistent with Part 1.6 of Division 2 of the California Revenue and Taxation Code, all of the provisions of Part 1 (commencing at Section 6001) of Division

2 of the California Revenue and Taxation Code are hereby adopted and made a part of this article as though fully set forth herein.

2.08.312 Limitations on adoption of state law and collection of use taxes.

The following requirements shall be followed in applying the provisions of Part 1 of Division 2 of the California Revenue and Taxation Code to this article:

A. Wherever the state of California is named or referred to as the taxing agency, the name of this county shall be substituted therefor. However, said substitution shall not be made when:

1. The word "state" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Department of Tax and Fee Administration, State Treasury or the Constitution of the state of California;

2. The result of that substitution would require action to be taken by or against this county or any agency, officer or employee thereof, rather than by or against the State Board of Equalization or State Department of Tax and Fee Administration, in performing functions incident to the administration or operation of this article;

3. In those sections, including but not limited to sections referring to the exterior boundaries of the state of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property that would not otherwise be exempt from this tax, while such sales, storage, use or other consumption remain subject to tax by the state under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property that would not be subject to tax by the state of California under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the California Revenue and Taxation Code.

B. The word "county" shall be substituted for the word "state" in the phrase "retailer engaged in business in this state" in Section 6203 and in the definition of that phrase in Section 6203 of the California Revenue and Taxation Code.

2.08.313 Permit not required.

If a seller's permit has been issued to a retailer under Section 6067 of the California Revenue and Taxation Code, an additional transactor's permit shall not be required by this article.

2.08.314 Exemptions and exclusions.

A. In addition to any other exemption or exclusion required by law, there shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the state of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from computation of the amount of transactions tax imposed by this article, gross receipts from:

1. The sale of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this state, the United States or any foreign government;

2. The sale of property to be used outside the county which is shipped to a point outside the county pursuant to the contract of sale, by delivery to such point by the retailer or his or her agent or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this subsection, delivery to a point outside the county shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the California Vehicle Code, aircraft licensed in compliance with Section 21411 of the California Public Utilities Code and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the California Vehicle Code; by a combination of registration to an out-of-county address and a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by a combination of registration to a place of business out of county and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property, if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this article;

4. The lease of tangible personal property that constitutes a continuing sale of such property for any period of time for which the lessor is obligated to lease the property for an amount that was fixed by a lease executed prior to the operative date of this article; and

5. For the purposes of subsections (B)(3) and (B)(4), the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional

right to terminate the contract or lease upon notice, regardless of whether such right is exercised.

C. There are exempted from computation of the amount of the use tax imposed by this article, gross receipts from the following storage, use or other consumption of tangible personal property:

1. Any sale that has been subject to a transactions tax under any state-administered transactions and use tax ordinance;

2. The sale of other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this state, the United States or any foreign government. This exemption is in addition to the exemptions set forth in Sections 6366 and 6366.1 of the California Revenue and Taxation Code;

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract that was entered into prior to the operative date of this article;

4. If the possession of or the exercise of any right or power over the tangible personal property shall arise under a lease that constitutes a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease that was executed prior to the operative date of this article;

5. For the purposes of subsections (C)(3) and (C)(4), the storage, use, or other consumption or the possession of or exercise of any right or power over tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, regardless of whether such right is exercised;

6. Except as provided in subsection (C)(7), a retailer engaged in business in Alameda County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into Alameda County or participates within Alameda County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in Alameda County or through any representative, agent, canvasser, solicitor, subsidiary or person in Alameda County under the authority of the retailer; and

7. "A retailer engaged in business in Alameda County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the California Vehicle Code, aircraft licensed in compliance with Section 21411 of the California Public Utilities Code and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the California Vehicle Code. The retailer shall be required to collect

use tax from any purchaser who registers or licenses the vehicle or aircraft at an address in Alameda County.

D. Any person subject to use tax under this article may credit the amount of such tax against any transactions tax paid to a county or district imposing or a retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the California Revenue and Taxation Code with respect to the sale of property or the storage, use or other consumption of which is subject to the use tax.

2.08.315 Amendment of state law.

After the operative date of this article, all amendments to Part 1 of Division 2 of the California Revenue and Taxation Code relating to sales and use taxes that are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the California Revenue and Taxation Code and all amendments to Part 1.6 and Part 1.7 of Division 2 of the California Revenue and Taxation Code, shall automatically become a part of this article; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this article.

2.08.316 Enjoining of collection forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the state or the county, or against any officer of the state or the county, to prevent or enjoin the collection under this article or Part 1.6 of Division 2 of the California Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

2.08.317 Severability.

If any provision of this article or the application thereof to any person or circumstance is held invalid, the remainder of the article and the application of such provision to other persons or circumstances shall not be affected thereby.

2.08.318 Savings clause.

This article shall not be interpreted in any manner that conflicts with the laws or constitutions of the United States or the state of California.

2.08.319 Termination of transactions and use tax.

This article shall remain in effect only until September 30, 2048 and as of that date it shall be repealed by operation of this section unless a later ordinance is adopted prior to September 30, 2048 that shall have the effect of deleting or extending the termination date set forth herein.

SECTION II

This Ordinance, and all the provisions thereof, shall become effective only upon affirmative passage by a two-thirds majority vote of the eligible voters of this county pursuant to California Constitution, Article XIII A, section 4 and Article XIII C, section 2; California Government Code section 53722; California Revenue & Taxation Code section 7285.5; and California Elections Code section 9140.

Before the expiration of 15 days after its adoption by the Board of Supervisors, this ordinance shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on February ____, 2018, by the following called vote:


- AYES:
- NOES:
- EXCUSED:

President of the Board of Supervisors
County of Alameda, State of California

ATTEST:
Clerk of the Board of Supervisors

By: _____

Approved as to form:
DONNA R. ZIEGLER, County Counsel

By: 
Name: Farhad Kan
Title: Deputy County Counsel



February 5, 2018

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

Dear Board Members:

SUBJECT: APPROVE A PROPOSED CHILD CARE AND EARLY EDUCATION PLAN AND ADOPT A RESOLUTION TO ADD TO THE BALLOT OF THE ELECTION TO BE HELD ON JUNE 5, 2018

RECOMMENDATIONS:

1. Adopt a Resolution to add to the ballot of the election to be held on June 5, 2018 the question of whether the County of Alameda shall implement a 30-year, one-half percent sales tax providing an estimated \$140,000,000 annually with citizens' oversight, public disclosure of spending, and mandatory annual audits, to expand access to child care and preschool for low- and middle-income families; help homeless and at-risk children, including help preventing child abuse/neglect; attract/retain quality child care workers; add spaces for child care at existing facilities throughout the county; and
2. Approve the Program Plan to govern the use of the proceeds of the Child Care and Early Education Fund upon passage by two-thirds of the electorate voting on the Measure in the June 5, 2018 Primary Election.

SUMMARY:

Over the past year, County staff has engaged parents, child care providers, early educators and other relevant stakeholders to develop and refine program proposals for a potential child care and early education ballot initiative. The attached Resolution and Program Plan seeks to address the crisis in child care and early education by bringing to the voters a Measure allowing Alameda County to implement a one-half percent sales tax for thirty years to fund expanded access to child care for low- and middle-income families and to raise wages for child care providers and early educators to a minimum of \$15 per hour.

The Program Plan calls for an initial estimated allocation of 59% of the proceeds raised by this measure to be used towards funding new child care scholarships for children from low- and middle-income families. Within this allocation, 41.1% will focus on funding scholarships for homeless and other high priority families, and reduce child care and early education waiting lists

across Alameda County. An additional 17.9% will be used towards funding competitive grants to meet community needs and fund innovative programs. The Plan also allocates 3% to evaluate the program, and establish a reserve to protect against fluctuations in tax revenue.

The remaining 38% of the proceeds raised by the tax will fund efforts to improve quality and wages, with 1% allocated for the workforce pipeline and innovation, 2% allocated for facilities and 0.5% for mental health support services.

Plan Component	Initial Estimated Allocation	Estimated Annual Dollar Amount (millions)*
Evaluation & Reserve	3.0%	\$4.20
Improved Quality & Wages**	38.0%	\$53.20
<i>Base Quality/Wage Improvement</i>	<i>33.5%</i>	<i>\$46.90</i>
<i>Facilities</i>	<i>2.0%</i>	<i>\$2.80</i>
<i>Workforce Pipeline</i>	<i>1.0%</i>	<i>\$1.40</i>
<i>Innovation</i>	<i>1.0%</i>	<i>\$1.40</i>
<i>Mental Health Support Services</i>	<i>0.5%</i>	<i>\$0.70</i>
New Scholarships**	59.0%	\$ 82.60
<i>Base New Scholarships</i>	<i>41.1%</i>	<i>\$57.54</i>
<i>Regional Pools</i>	<i>17.9%</i>	<i>\$25.06</i>
* Based on \$140 million estimated annual revenue		
** Includes technical assistance, case management, program implementation, contract oversight & other administrative costs		

These allocations may be amended after a public process. The Program Plan does not address a cap on administrative costs which will be established in the contract between Alameda County and the Administering Agency.

The Program Plan requires participating child care and early education programs to allow employees to contribute part of their pay to a professional organization of the employees' choosing via payroll deduction.

Approval of the resolution today and the approval Child Care and Early Education Tax Ordinance on its second reading will place this Measure on the ballot in the June Primary Election. If approved by two-thirds of the voters, this tax will go into effect October 1, 2018. Alameda County is estimating this tax will raise approximately \$140,000,000 annually with that amount changing based on economic activity in the County.

BALLOT MEASURE LANGUAGE:ALAMEDA COUNTY CHILDCARE AND EARLY EDUCATION MEASURE.

To expand access to childcare and preschool for low- and middle-income families; help homeless and at-risk children, including help preventing child abuse and neglect; attract and retain quality childcare workers; and add spaces for childcare at locations throughout the county, shall the County of Alameda enact a 30-year ½% sales tax providing approximately 140 million dollars annually with citizens' oversight, public disclosure of spending, and mandatory annual audits?

DISCUSSION:

As your Board is aware, child care and early education in Alameda County has become increasingly scarce and expensive, to the point that it is now out of reach for many low- and middle-income families, including homeless families and vulnerable populations. The General Services Agency's Early Care and Education Program made presentations about the child care and early education crisis issue to your All In Committee at its October 2017 and January 2018 meetings, and to your Board at your September 19, December 12, and January 30 retreats. County staff was instructed to explore the possibility of placing a sales tax measure on the June 2018 ballot to provide funds to mitigate the quality child care and early education crisis.

From July 27, 2017 through January 11, 2018, a Steering Committee met bi-weekly to review and discuss child care and early education needs and possible programs to be funded from a sales tax measure. Your Board held eight listening sessions throughout Alameda County to solicit input from the public and stakeholders on both policy and programs related to the proposed measure. Representatives from labor, community, and child care and early education also sponsored six additional listening sessions. An Advisory Panel of 48 key child care and early education stakeholders and content experts met three times to further vet and provide feedback on the proposed program components.

In total, we conducted almost 100 group and one-on-one listening sessions reaching at least 1,000 individuals and collected and logged over 500 feedback forms to inform and improve the proposed plan. We also established a County webpage (www.acgov.org/ece/crisis) with relevant information and a dedicated phone number and email address to collect additional feedback. The overwhelming majority of stakeholders voiced support for the measure, especially its focus on improving child care and early education access, quality, and wages.

In addition, a consulting firm conducted two telephone surveys of 600 likely June 2018 voters to provide public opinion research and ballot initiative services to advise on the measure. Key findings from the polling data showed that 73% of voters would support the measure.

The proposed measure will help to mitigate the scarcity and cost of child care and early education within Alameda County, especially for low- and middle-income families and vulnerable

populations. It will also sustain and improve the quality of new and existing child care and early education, and improve wages for child care providers and early educators to at least \$15 an hour.

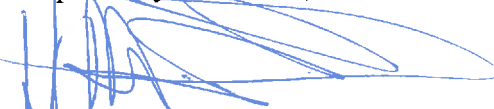
FINANCING:

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We are currently estimating this tax will raise approximately \$140,000,000 annually with that amount fluctuating based on economic activity. Proceeds from this tax may not be used to replace the funding level for direct services established in the FY 2016-17 County budget to support child care and early education services unless State, federal, or other non-County sources of such funding have been reduced by the same amount.

Approval of this item will place the tax measure on the ballot for voter approval and will have no impact in net County cost.

Respectfully submitted,



Willie A. Hopkins, Jr.
Director, General Services Agency

BOS.02.06.18.CHC. Proposed Child Care and Early Education Plan and Resolution V.Letter

Attachments

cc: Susan S. Muranishi, County Administrator
Steve Manning, Auditor-Controller
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BOARD OF SUPERVISORS, COUNTY OF ALAMEDA

STATE OF CALIFORNIA

RESOLUTION NO. 2018-___

A RESOLUTION ADDING TO THE BALLOT OF THE ELECTION TO BE HELD ON JUNE 5, 2018 THE QUESTION OF WHETHER THE COUNTY OF ALAMEDA SHALL IMPOSE A TRANSACTIONS AND USE TAX FOR THE PURPOSE OF PROVIDING ADDITIONAL SUPPORT FOR HIGH QUALITY CHILD CARE AND EARLY EDUCATION SERVICES FOR LOW- AND MIDDLE-INCOME CHILDREN AND FAMILIES IN THE COUNTY AND TO IMPROVE WAGES FOR CHILD CARE PROVIDERS AND EARLY EDUCATORS WHO PROVIDE THESE SERVICES.

WHEREAS, the children of Alameda County are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our County; and

WHEREAS, research shows that a child's brain develops most dramatically during the first five years of life, and this critical period is a window of opportunity to lay the foundation for all of the years that follow; and

WHEREAS, children need access to quality early educators and child care programs that will give them the very best start in life during this critical period of their development; and

WHEREAS, the County of Alameda ("County") desires to provide the children living in Alameda County with every possible opportunity to be successful in school and beyond; and

WHEREAS, each student in Alameda County deserves to be supported by qualified, caring adults in safe and nurturing environments; and

WHEREAS, in 2016, only 44% of Alameda County children entered kindergarten fully ready for school, according to the most recent School Readiness in Alameda County report; and

WHEREAS, only 31% of Alameda County children with working parents have access to a space in a licensed child care or early education setting, according to the most recent California Child Care Portfolio; and

WHEREAS, child care and early education is more expensive than college, with average, full-time infant care costing more per year than tuition at the University of California Berkeley and almost three times the annual cost of California State East Bay, according to Parents and the High Cost of Child Care 2017 report; and

WHEREAS, the growing homeless population in Alameda County includes hundreds of children and their families who are not able to access quality child care and early education services; and

WHEREAS, 75% of Alameda County child care providers and early educators worry about paying monthly bills, and 54% worry about putting food on the table, as early educators' pay has not kept up with the rising cost of living in the Bay Area, according to a 2016 report from the Center for the Study of Child Care Employment; and

WHEREAS, low compensation and limited work supports disproportionately affect low-income women, as early educators are almost exclusively female, with large numbers of older women, women of color, recent immigrants, and first-generation college students and mothers; and

WHEREAS, low compensation of early educators drives turnover and hampers the ability to attract and retain skilled educators, which in turn undermines stable, continuous relationships essential to children; and

WHEREAS, in 2016-17, the state of California only reimbursed providers on average less than 70% of the true cost of providing high-quality preschool for 3- and 4-year-olds, per child per year, according to the 2016 San Francisco Office of Early Care and Education Comprehensive Fiscal Analysis; and

WHEREAS, a study by Nobel Laureate Economist James Heckman shows that investing in high quality early education yields a high return on investment up to 13%; and

WHEREAS, the Board of Supervisors deems it necessary and essential to approve a 30-year transactions and use tax to provide additional support for high quality child care and early education services to low- and middle-income children and families in Alameda County and to improve wages for participating child care providers and early educators so that they can earn at least \$15 per hour;

WHEREAS, the Board of Supervisors deems it necessary and essential to submit to the voters the question of whether the County of Alameda shall impose said transactions and use tax to provide additional support for high quality child care and early education services, as set forth in the proposed ordinance, attached hereto and incorporated herein; and

WHEREAS, it is the judgment of the Board of Supervisors to order an election to submit this measure to the voters and to consolidate such election with the other elections to be held on June 5, 2018;

NOW, THEREFORE, the Board of Supervisors of the County of Alameda resolves, determines and directs as follows:

SECTION I

The Registrar of Voters of the County of Alameda is hereby instructed to print on the sample ballots and on the official ballots and in the Voter Pamphlet for the State of California Election to be held June 5, 2018 the following measure to be voted upon at said election in the following form:

COUNTY OF ALAMEDA MEASURE ____

ALAMEDA COUNTY CHILDCARE AND EARLY EDUCATION MEASURE.	YES
To expand access to childcare and preschool for low- and middle-income families; help homeless and at-risk children, including help preventing child abuse and neglect; attract and retain quality childcare workers; and add spaces for childcare at locations throughout the county, shall the County of Alameda enact a 30-year ½% sales tax providing approximately 140 million dollars annually with citizens' oversight, public disclosure of spending, and mandatory annual audits?	NO

The Registrar is directed to take all steps necessary to hold the election in accordance with law and these specifications.

The Registrar is also directed and authorized to certify the results to the Board of Supervisors of the County of Alameda both for voters throughout the County and for those in the unincorporated areas of the County.

SECTION II

The purpose of this election is to comply with the requirements of Article XIIC, section 2 of the California Constitution and California Government Code sections 53720 *et seq.* that the voters of the County approve taxes.

SECTION III

If a two-thirds majority of the electors voting on the measure at the election held June 5, 2018 vote for County of Alameda Measure __ [Measure designation to be determined] then the Child Care and Early Education Tax, Alameda County General Ordinance Code chapter 2.08, Article VI, shall be added as provided above and in the attached proposed ordinance.

THE FOREGOING was **PASSED** and **ADOPTED** by the Alameda County Board of Supervisors this ____ day of February, 2018, to wit:

AYES:

NOES:

EXCUSED:

PRESIDENT, BOARD OF SUPERVISORS


ATTEST:

Clerk, Board of Supervisors

By: _____

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By: 

Farand C. Kan, Deputy County Counsel

Alameda County Child Care and Early Education Initiative: A Countywide Revenue Measure



Board of Supervisors Meeting: February 27, 2018

Brain Development

90%

**of a child's brain
development
happens
before age 5**



- 90% Brain development before age 5
- 10% Brain development after age 5

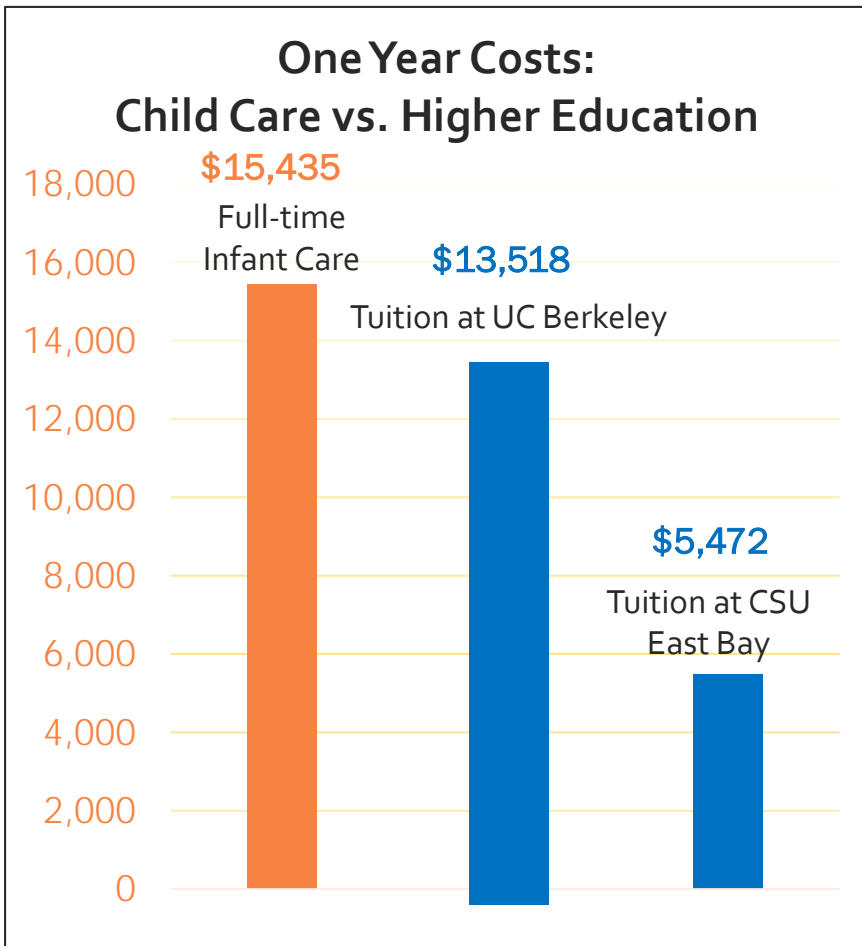
A Readiness Gap



In 2016, only **44%*** of Alameda County children entered kindergarten fully ready for school

Source: 2015 School Readiness Assessment conducted by Applied Survey Research

An Affordability Gap for Parents & Providers



\$17,069

True cost of high-quality preschool for 3 & 4-year-olds, per child per year



\$11,784

16-17 reimbursement rate for state preschool, per child per year

(only 69% of true cost)

A Wage Gap

- **75%** of child care providers and early educators worry about paying monthly bills
- **48%** of early educators rely on one or more government assistance programs





Our Proposed Solution:

County-Wide Half-Percent Sales Tax Measure

➔ **\$140 million/year** for child care & early education

Ballot Measure Language

ALAMEDA COUNTY CHILDCARE AND EARLY EDUCATION MEASURE.

To expand access to childcare and preschool for low- and middle-income families; help homeless and at-risk children, including help preventing child abuse and neglect; attract and retain quality childcare workers; and add spaces for childcare at locations throughout the county, shall the County of Alameda enact a 30-year ½% sales tax providing approximately 140 million dollars annually with citizens' oversight, public disclosure of spending, and mandatory annual audits?

90+ Stakeholder Meetings to Date

- Alameda County Early Care & Education Program
- Alameda Collaborative
- Alameda County Early Childhood Policy Committee (ACECPC)
- ACOE
- Alameda County School Board Association
- Alameda County SSA
- Alliance of Californians for Community Empowerment
- ALL-IN Committee
- ASES – After School Education & Safety Program
- Ashland Community Association
- Assemblymember Rob Bonta
- BAHIA Inc.
- Blue Skies 4 Children
- UC Berkeley GSE Center for the Study of Child Care Employment
- Chabot College Advisory Committee
- Child, Family and Community Services
- City of Oakland Department of Human Services
- Early Learning Fellowship
- East Bay Community Foundation
- East Bay Association for the Education of Young Children (EBAEYC)
- Emerging Leaders for Racial Equity
- Family Leadership Council at Education for Change
- Family Resource Navigators
- Fathers Corps of Alameda County
- First 5 Alameda County
- First Five Years Fund
- Forward Change
- Head Start – City of Oakland
- Housing & Community Development Department
- Inter-Agency Children’s Policy Council
- Kaiser Permanente
- Kenneth Rainin Foundation
- Kidango
- Labor Center at UC Berkeley
- Las Positas Community College Planning Council
- LPC Advisory Board
- Mayors from: Albany, Berkeley, Emeryville, Dublin, Hayward, Livermore, Oakland, Pleasanton
- Library System of Alameda County
- Lotus Bloom Learning Center
- Oakland Preschool Providers
- Oakland Starting Smart and Strong Coalition
- Oakland Thrives Leadership Council
- OUSD CDC Instructional Assistant leadership
- Parent Leadership Action Network (PLAN)
- Parent Voices
- Partnership for Children and Youth
- Quality Counts
- Right Start Commission
- San Lorenzo School Board
- St. Mary’s Center
- SEIU 521
- SEIU 1021
- Senator Nancy Skinner
- Superintendents from: Alameda County office of Education, Alameda, Albany, Berkeley, Castro Valley, Emeryville, Eden Area, Fremont, Newark, Oakland, Pleasanton, San Lorenzo
- Thomas J. Long Foundation
- Unincorporated County Technical Advisory Committee
- Unity Council
- YMCA of the East Bay providers
- YMCA Head Start providers

Expanding Access

- Homeless and other high priority families
- Reduce the waiting list
- Community grants



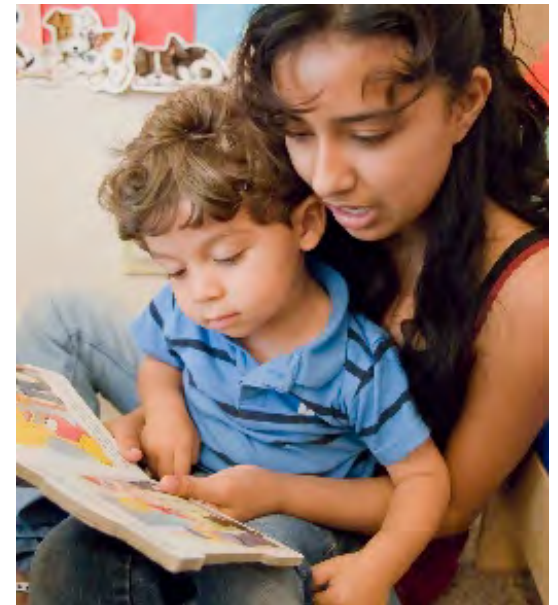
Increasing Wages

- Rate enhancement
- At least \$15/hour for providers and instructional assistants



Improving Quality

- Coaching
- Professional Development
- Mental Health Supports



Who Benefits?

Low- and middle-income families with children birth to 12 years throughout the County who utilize:

- Child care centers and preschools
- Licensed family child care providers
- Family, friend and neighbor providers



Polling: Early Support is Encouraging

74%



of Alameda County likely voters said they would vote **YES** on this measure

Your “YES” Vote Today Means...

- The Child Care and Early Education measure will be placed on the June 5, 2018 ballot for voter approval
- The Program Plan will be approved, which will guide administration and expenditure of funds

Thank You!

acgov.org/ece/crisis

ece@acgov.org

(510) 208-9698



DRAFT 2018 ALAMEDA COUNTY CHILD CARE AND EARLY EDUCATION BALLOT MEASURE PROGRAM PLAN

February 21, 2018

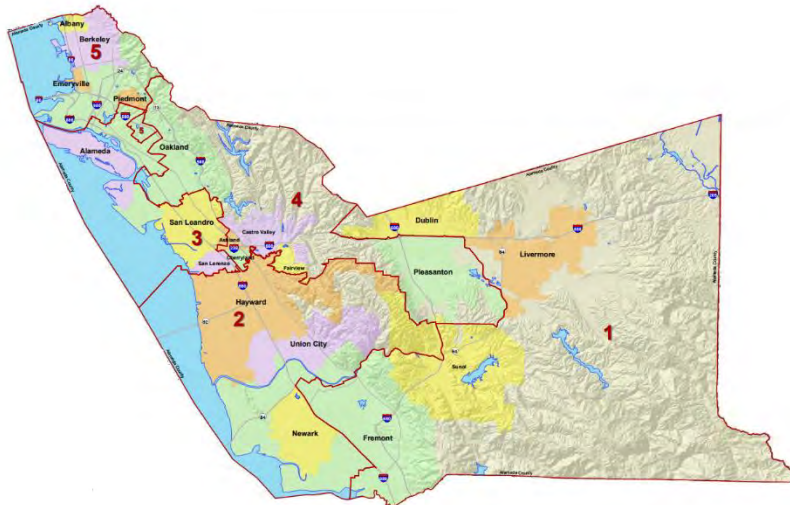


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SECTION I. EXECUTIVE SUMMARY

We must address the child care and early education crisis in Alameda County. Limited access to quality, affordable child care and early education is taking its toll on families, educators, and communities across our county. Children can't get the early learning they need to be ready for kindergarten. Parents can't find child care that they can afford. Early educator pay is so low that it's difficult to provide the basics for their own families. Research shows that a child's brain develops most dramatically during the first five years of life. This critical period is a window of opportunity to lay the foundation for all of the years that follow. Yet thousands of Alameda County children are missing out. They need access to quality early educators and child care programs that will give them the very best start in life during this critical period of their development.

- **Affordable child care is out of reach.** The average cost of child care for middle-class families in Alameda County is almost a quarter of family income. For many, these are exorbitant costs comparable to funding a college education, with little assistance from employers or others. Many parents are forced to work two jobs, leave the workforce entirely, or depend on poor quality child care because that's all that they can afford.
- **Children in homeless families can't get access.** The growing homeless population in Alameda County includes hundreds of children who can't get access to quality child care services.
- **Early educators are in poverty.** Early educators' pay has not kept up with the rising cost of living. The average Alameda County child care center worker salary is \$29,000 per year, hardly enough to make ends meet for child care workers and their families. Family child care providers earn even less, often as little as \$5-8 an hour.
- **Access to care is limited.** More than 115,000 Alameda County children lack access to formal child care and early education. Only thirty-one percent (31%) of Alameda County children with working parents have a licensed child care and early education space available to them.
- **Thousands arrive NOT ready for kindergarten.** Fifty-six percent (56%) of Alameda County children are not fully prepared to start kindergarten when they arrive, and twenty percent (20%) of those are not even partially ready.

The Solution: A Countywide Local Revenue Measure: In June 2018, Alameda County voters will have an opportunity to direct more resources to address the child care and early education crisis by passing a one-half percent sales and use tax, the Child Care and Early Education Ballot Measure (the “measure”). The measure, which is expected to initially generate \$140 million annually, would build on the County’s existing child care and early learning system, creating thousands of new child care and early education scholarships, improve and sustain the quality of children’s care and early learning experiences, and increase wages for child care providers and early educators to at least \$15 an hour.

We listened to community members. This Program Plan was developed after extensive input from the community. The Board directed the General Services Agency’s Early Care and Education Program to undertake a Child Care and Early Learning Listening Initiative in fall 2017. We conducted nearly 100 stakeholder meetings reaching over 1,000 people, including parents, community members, teachers, directors, family child care providers, family, friend and neighbor providers and elected officials. We also formed a 25 member Steering Committee, which met bi-weekly from late July 2017 through January 2018. They reviewed draft program components and suggested changes after each round of Listening Sessions. These proposals were also vetted by a 48 member Advisory Panel which met three times to provide content expertise. We also collected, logged and analyzed over 500 feedback forms and several detailed proposals which further informed the development of these program components.

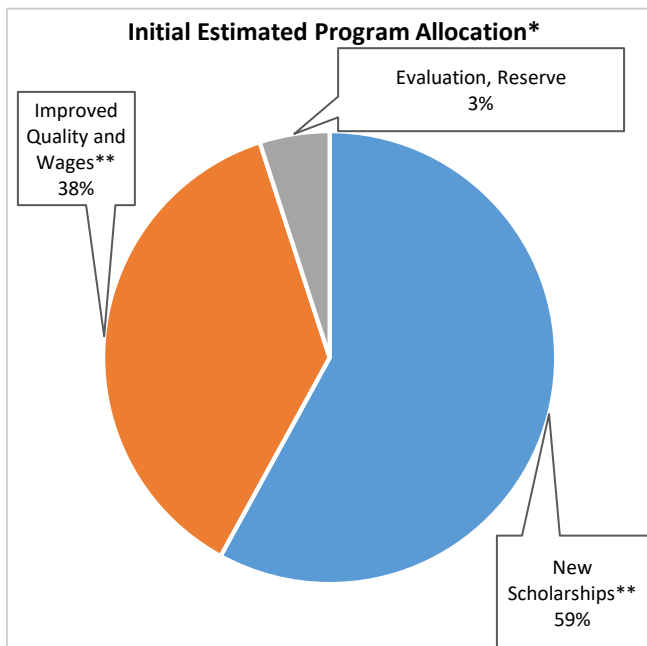


This Plan is intended to benefit low- and middle-income children, families and early educators. Funds from the ballot measure would provide thousands of children with financial assistance, or scholarships, to attend high quality child care and early education programs, with a special emphasis on homeless and other high priority children and families. Once children are served, parents will be able to work

and go to school to provide for their families and pursue their educational and professional dreams. Early educators and child care providers will be able to earn at least \$15 an hour and rely less on government assistance. As a result, Alameda County will remain a family-friendly place with a strong, vibrant economy.

Oversight and community voice provide accountability. This 30-year measure includes accountability measures to validate that the proceeds from the measure are spent only on child care and early learning, as well as reasonable administrative expenses. It requires annual independent audits, a citizen’s oversight committee, and annual compliance reports that detail costs and how specific performance measures are met.

This Plan will add new scholarships, improve quality and increase wages. The Child Care and Early Education ballot measure proposes two primary components to support young children and working families: Adding New Scholarships, and Improving and Sustaining Quality and Increasing Wages. Below is an initial estimate of the Plan’s funding allocation. These allocations may be amended after a public process

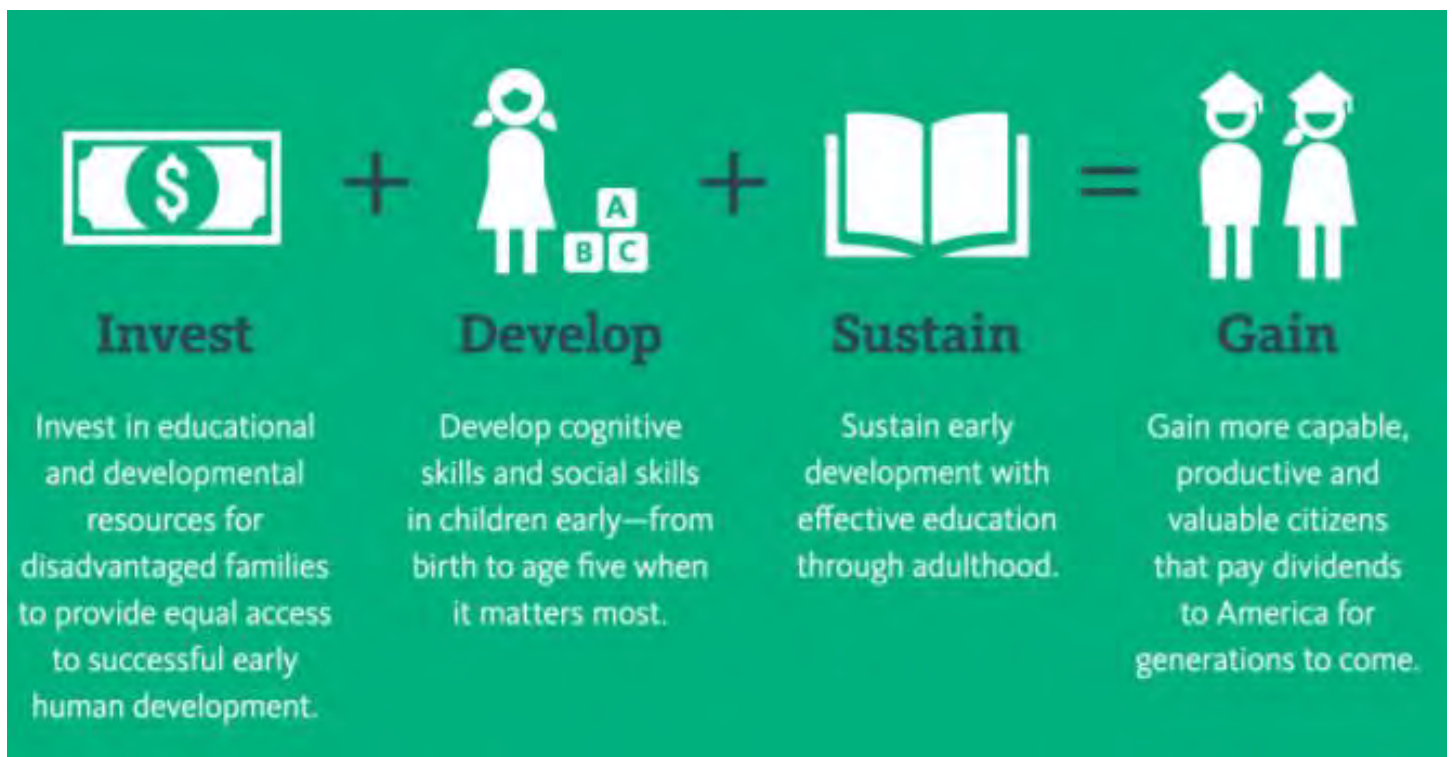


Plan Component	Initial Estimated Allocation	Estimated Annual Dollar Amount (millions)*
Evaluation & Reserve	3.0%	\$ 4.20
Improved Quality & Wages**	38.0%	\$ 53.20
<i>Base Quality/Wage Improvement</i>	33.50%	\$46.90
<i>Facilities</i>	2.00%	\$2.80
<i>Workforce Pipeline</i>	1.00%	\$1.40
<i>Innovation</i>	1.00%	\$1.40
<i>Mental Health Support Services</i>	0.50%	\$0.70
New Scholarships**	59.0%	\$ 82.60
<i>Base New Scholarships</i>	41.1%	\$ 57.54
<i>Regional Pools</i>	17.9%	\$ 25.06

* Based on \$140 million estimated annual revenue
 ** Includes technical assistance, case management, program implementation, contract oversight & other administrative costs

SECTION II. THE NEED FOR HIGH QUALITY, ACCESSIBLE AND AFFORDABLE CHILD CARE AND EARLY EDUCATION IN ALAMEDA COUNTY

The architecture of the brain is built in early childhood. The need for high quality, affordable and accessible child care and early education is well documented by researchers nationwide. Ninety percent (90%) of a child’s brain develops in the first five years of life, and is the most significant from birth to age three. This makes the early years the most critical period for our youngest learners to engage in nurturing, stimulating environments with skilled teachers and caregivers. This critical period is a window of opportunity to lay the foundation for all of the years that follow. If children have what they need early in life, they are set on a path for future success.



Too many children arrive unprepared for kindergarten. Currently only forty-four percent (44%) of Alameda County children arrive at kindergarten fully ready. Children who are unprepared for elementary school are often the same children who lag behind in third grade reading and math scores. Studies show that children who benefit from high quality child care and early education are less likely to repeat a grade and more likely to graduate from high school. Additional studies show that even the next generation, the children

of the children who attended Head Start and other early childhood education programs also show improved outcomes, both in school and in life.

Children in homeless families are not able to get access. The needs of families experiencing homelessness require special consideration and immediate attention. A recent federal Policy Statement on Meeting the Needs of Families with Young Children Experiencing and At Risk of Homelessness shared that:

- Infants are the most likely age group to have stayed in an emergency shelter in the past year.
- Almost half of children in shelters are under age six.
- Homelessness during pregnancy and in the early years is harmful to children’s development.

The growing homeless population in Alameda County includes hundreds of children who are not able to access quality child care and early education. The funding from this measure would provide increase options for homeless families to obtain safe, high quality child care and early education and give homeless parents the opportunity to search for and find work while their child is receiving quality child care so the family can get back on its feet.

Parents cannot afford the high cost of child care and early education. Parents need child care for their children so they can work and earn a living and provide for their families. However, child care in Alameda County is expensive and costs more than a year of in-state tuition at the University of California - Berkeley. Federal and state programs do help more than 13,000 families, but thousands more remain on waiting lists because they cannot afford to pay the full rate.

The Bay Area is known for innovation and excellence, but we are not doing enough to ensure that local parents can compete for high quality jobs. It takes two incomes to



afford living in the Bay Area and by adding new quality child care and early education scholarships, parents can return to work, advance in their careers, and provide for their families.

Even though child care is expensive for families, most providers receive much less than the true cost of providing high quality services. A 2016 comprehensive fiscal analysis prepared for the San Francisco Office of Early Care and Education showed that it costs at least \$17,069 per year to care for and educate three and four year olds, and even more for infants and toddlers. However, the state reimbursement rate for subsidized preschool in 2016-2017 was less than 70% of that amount. Often the difference is made up by paying child care providers and early educators poor wages.

Child care provider and early educator wages are too low. The linchpin of quality in child care and early education is the early educator or child care provider. Their ability to establish nurturing, warm interactions with babies, to inspire curiosity in preschoolers by asking open-ended questions, and to be familiar with new educational approaches so they can assist school-age children with their homework requires dedication and skill. However, study after study show that the people doing this work (predominantly women

of color), despite having a higher level of education than the general workforce, remain severely underpaid.

In the U.S.,
the high cost of child care
is shouldered by parents
and a low paid workforce.



Child care provider and early educator salaries have not kept up with the rising cost of living in Alameda County.

They earn \$29,000 a year on average, which is not nearly enough to pay rent, afford child care for their own children, and make ends meet in the Bay Area.

Family child care providers are earning as little as \$5-8 per hour and are not

covered by worker protections like workers' compensation because they are considered independent contractors.

A recent survey of child care providers and early educators in Alameda County by the Center for the Study of Child Care Employment found that seventy-five percent (75%) were worried about paying their monthly bills and over half were worried about putting food on the table for their own families. Just under half of early educators across the state rely on some form of government assistance. Poor wages and working conditions lead to high turnover, which has negative outcomes on children's experiences.



SECTION III. BACKGROUND

This Alameda County Child Care and Early Education Program Plan (referred to throughout this document as the Plan) responds to the County’s increasing need for high quality child care and early education through a locally generated and protected funding stream. The funding from this measure can only be used for the purposes listed in the measure, including expanding access, improving and sustaining quality child care and early education, and increasing wages and work supports in child care and early education. The funding from this measure cannot be taken or diverted by the State or by any other governmental agency, and over the life of this Plan can only be used for the purposes described in the measure and in this Plan, as it may be amended, as long as the Plan is consistent with the measure.

There are different types of child care and early education. Families make many important decisions about the child care arrangements that best meet their needs. They choose from the options available to them and generally select programs whose policies and practices are aligned with their beliefs, and are practical and feasible given work schedules, transportation needs, cost, and other factors. Alameda County families use three main types of child care and early education settings: center-based child care and preschools, licensed family child care providers, and informal arrangements with family members, friends or neighbors.



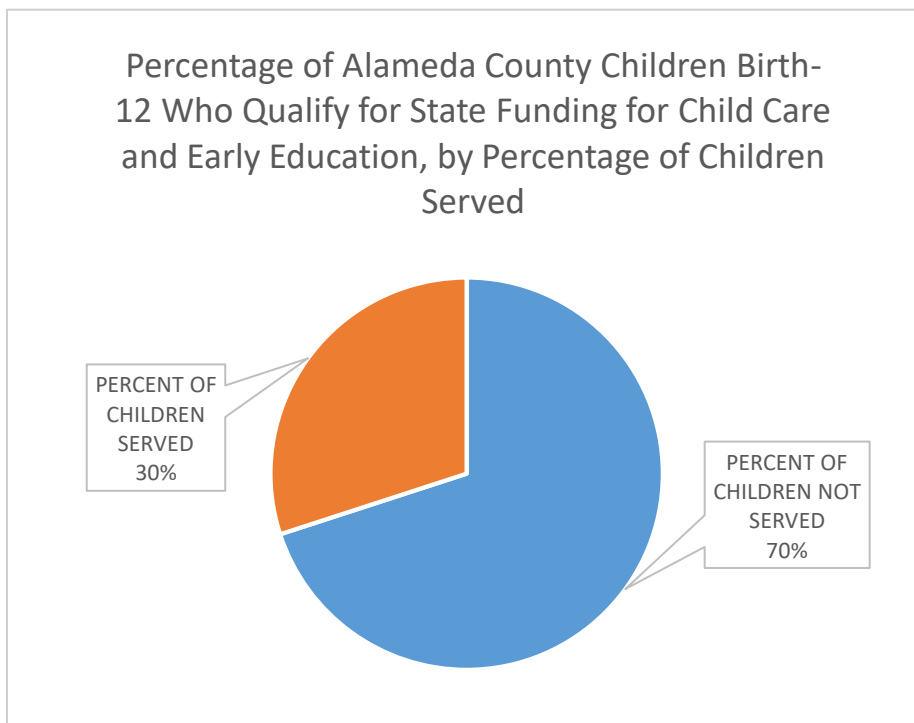
Center-based child care and preschools are located throughout the County and are generally required to meet basic health and safety standards and minimum staff-to-child ratios set by the state. There are over 560 centers in Alameda County.

Licensed family child care providers must operate out of a family home and serve no

more than 14 children at one time. They are also required to meet basic health and safety standards. Alameda County has over 1,500 licensed family child care providers.

Family, Friend, and Neighbor Care, also referred to as informal care, home-based care, kith and kin care, or relative care, is provided in the child’s or caregiver’s home by a person who is a relative, friend or neighbor, or an unlicensed babysitter or nanny. These arrangements do not require state licensing, and exact numbers of these arrangements are unknown. Families may choose license-exempt care in order to meet their particular needs that make using licensed care difficult, including requiring care at non-standard hours, flexibility around scheduling and transportation, or finding a provider who is a better cultural or linguistic match for their family. Families may also choose license-exempt care because there is a lack of licensed care available to them in their communities, as parents’ choices are constrained by the options available to them.

State and federally-funded programs do not meet the child care and early education needs of low- and middle-income families. In fact, up to seventy percent (70%) of children who qualify are not receiving services due to lack of funding.



All types of child care and early education providers chosen by families are intended to benefit from this Plan. Centers, family child care providers and family, friend and neighbor providers who participate may be eligible to receive additional funds for the low-income children they serve as well as resources to offer quality early learning experiences and improve working conditions for themselves.

The Plan was developed with broad community input. From the beginning, strong community voice has shaped the creation and development of this Plan. The Board of Supervisors directed the General Services Agency’s Early Care and Education Program to develop the plan in conjunction with a wide variety of community stakeholders, including child care and early education employees, providers, labor organizations, parents as well as senior and other community members, as well as child care and early education experts. A Planning Committee, Steering Committee, and Advisory Panel were convened and met multiple times to develop and review components of the Plan.

Nearly 100 one-on-one and group listening sessions touching over 1,000 people were held throughout the County from July through December 2017. More than 500 feedback forms were collected, logged and considered in the development of the plan. A dedicated webpage (www.acgov.org/ece/crisis), phone line and email address were established to encourage additional comments and input.

Extra efforts were made to enable labor organizations and parent groups to host six of the listening sessions. These sessions were attended by parents, grandparents and other family members, family child care providers, center-based teachers, center directors, and family, friend and neighbor providers. Some sessions were conducted in Spanish or with the assistance of translators.



The goals of the Plan are:

1. That Alameda County's children are prepared to succeed in kindergarten and later life, and live in stable, safe and supported families and communities;
2. That Alameda County is a family-friendly county and to support families as an important part of the county's population and civic culture;
3. That providers who serve and educate our County's children are able to be financially stable, supported in their work, and provide for their own families;
4. To focus on the prevention of problems and on supporting and enhancing the strengths of children and their families;
5. That children and youth with the highest needs receive maximum benefit from the Plan and that equity is a guiding principle of the funding process;
6. That collaboration among public agencies and community-based organizations around shared outcomes among all service providers for children and their families will be strengthened;
7. That children are provided with developmentally appropriate, gender-responsive and culturally competent services.

What this Plan is intended to do: It is anticipated that the one-half percent sales tax authorized in the Child Care and Early Education Ballot Measure (the "measure") would generate about \$140 million annually to improve and expand child care and early education for children and families in all Alameda County communities. For the first five year cycle, this Plan is designed to:

1. Establish the Alameda County Child Care and Early Learning Scholarship program, or ACCELS. This program would add thousands of new high quality child care and early education scholarships for Alameda County families by:
 - Providing child care and early education and additional supports for homeless families and children, and those who need it most;
 - Reducing child care and early education waiting lists throughout the County, especially for infants and toddlers;
 - Directing additional resources to high need communities to address their local needs.

2. Improve and sustain the quality of existing child care and early education settings and increase provider and educator wages and work supports, by:
- Increasing programs that provide training and coaching for the early childhood workforce and increase the quality of child care and early education, including mental health supports;
 - Expanding and maintain high quality early childhood environments and facilities;
 - Raising early educator pay to at least \$15 per hour for participating providers, address wage compression and other work supports;
 - Using innovation funds to respond to emerging needs; and
 - Assisting in attracting and retaining quality child care and early education providers.



SECTION IV. PROGRAM COMPONENTS

This Plan projects revenue of almost \$140 million in annual funding over 30 years. The investments described in this Plan will be made from 2019 to 2048, if voters approve the ballot measure in 2018. These resources are critical to addressing the child care and early education crisis in Alameda County. The Plan reflects the best thinking of stakeholders to meet the diverse needs of children, families, child care providers and early educators in communities throughout the County. The projects in this Plan are designed to expand access, increase and sustain quality, and improve early educator wages to at least \$15 an hour.

The components of the Plan were developed with the following criteria in mind:

- Addresses critical child care and early education needs.
- Includes all types of child care and early education, including licensed centers, licensed family child care homes and family, friend and neighbor care.
- Includes infants, toddlers, preschoolers, as well as school age children.
- Makes investments that are developmentally appropriate and high quality, which drives improved child outcomes.
- Builds on the existing infrastructure, but allows for innovation.
- Is cost effective to administer.
- Leverages and maximizes existing state and federal funding to the greatest extent possible.



PROGRAM COMPONENT 1: NEW CHILD CARE AND EARLY EDUCATION SCHOLARSHIPS

a. SERVING HOMELESS AND OTHER HIGH PRIORITY FAMILIES:

This program component came directly from community requests to the Board of Supervisors to address the specific needs of families who are experiencing homelessness and need child care. This component targets 500 children from birth through 12 years of age. The goal of this component is to help stabilize a family's child care situation so they can locate housing and employment. Eligible families can receive scholarships for all children in their family through 12 years of age, for as many hours as they need, in the type of care and education that best meets their needs. Many high priority families may be working jobs that require odd hour care, which may be best met through family, friend or neighbor care.

Existing child care payment agencies located throughout the County will have the opportunity to apply for additional funds to serve these families. In addition to scholarships, navigators will be available to assist them in finding the care and education arrangement that best meets their needs. Funding for navigators will be identified and leveraged through existing funding whenever possible. The Plan will also undertake additional work to improve collaboration and cross-referrals between the child care and early education and housing sectors.

We will draw upon the existing community needs assessment process that Head Start agencies use to identify additional high priority families to receive additional services. The high priority category will be revisited every five years to address emerging populations that require additional supports. A future goal of this component is to develop a supported network of child



care and early education programs that specialize in serving homeless and high priority families.

b. REDUCING WAITING LISTS:

Thousands of income-eligible Alameda County families are waiting for financial assistance to help pay for child care and early education. However, federal and state funding is inadequate to meet the needs in our County. The goal of this program component is to place thousands of currently underserved children in high quality child care and early education settings. We plan to provide scholarships for approximately 2,000 children aged birth to five, with an emphasis on infants and toddlers, the group with the highest unmet need in the County. We anticipate that, for the first five year cycle, approximately seventy percent (70%) of the funds in this component will be for children up to three years of age, and thirty percent (30%) will be for children three and four years of age. Eligibility for scholarships during the initial five-year period will mirror state eligibility guidelines, which is income of less than \$71,000 per year for a family of four.

Family Income Eligibility Levels

(based on Fiscal Year 17-18 State Guidelines)

Family of 1-2	Family of 3	Family of 4
\$58,728	\$63,240	\$71,064

Expansion will begin with programs in all areas of the County that meet a baseline quality level and can accommodate more children using empty classrooms, filling vacancies, and expanding family child care capacity. We will approach these agencies first. They include a combination of center-based agencies and child care payment agencies working with family child care providers that have existing state and/or federal contracts and a long history of serving low income families. We will also engage private, non-contracted programs that show a commitment to and interest in serving low income children. We will also work toward creating additional capacity by recruiting and training more family child care providers and center-based educators, expanding existing facilities, and building new facilities. These strategies are addressed in later sections of this Plan.

All new and existing providers who choose to participate will be assigned a case manager/program financial specialist. This individual will work closely with the provider to understand their unique situation and assist in orienting them to the program and its goals, and helping them complete the necessary requirements to receive scholarship funds on behalf of eligible children.

To ensure more equitable access to new and existing scholarships, we will re-establish a centralized eligibility list, or CEL. Currently parents have to sign-up on over 30 different lists for the best chance at a child care or early education scholarship. With a CEL, a family only needs to sign-up one time, which will make them eligible to receive services at all participating locations of their choice. A CEL will also improve a program's ability to be fully enrolled. Additional resources will be dedicated to outreach and recruitment, to ensure families know about scholarships and can access them easily.



c. PROVIDING ADDITIONAL RESOURCES FOR HIGH NEED COMMUNITIES:

We recognize that individual communities have diverse needs and a range of child care and early education options. To reflect this diversity, this component of the Plan would allocate additional child care and early education resources to these communities to address their local needs. Children three through 12 years of age would be eligible for this component of the Plan. This component is expected to serve approximately 4,500 children, depending on local need, interest and capacity.

Communities are defined by school district catchment areas. A lead applicant would be required to submit proposals with involvement and signatures from the

entities such as the local governmental jurisdiction, the school district, community-based child care and early education providers and organizations that represent parents, child care providers and educators. A modest match may be required. Communities will have broad choices in how funds are allocated, with a menu of options provided, such as:

- Converting part-day preschool to full-day preschool to better meet the needs of working families;
- Expanding Transitional Kindergarten to more four year olds;
- Creating a family child care network to serve mixed age children;
- Including more children with special needs in school-age programs;
- Expanding community based school readiness experiences for children not enrolled in formal care.

Communities may be able to select a combination of all of the above, or other options to be developed.

Selection Process: Criteria for selecting high need communities will be developed during the planning period in 2018 and 2019. A panel of experts and community members will review and recommend proposals. Criteria that may be considered are:

- Unmet child care and early education need;
- Number of low-income children;
- Kindergarten readiness rates;
- Third grade reading and/or math levels;
- Number of children 3-12 years of age.

Regional Pool Allocations: Communities will be eligible to apply in one of four regional pools: North County (Albany, Berkeley, Emeryville, Oakland, Piedmont), Mid-County (Alameda, Castro Valley, Hayward, San Leandro, San Lorenzo), South County (Fremont, Newark, New Haven [Union City]) and East County (Dublin, Livermore, Mountain House, Pleasanton, Sunol). For the first five year cycle, 17.9%, anticipated to be approximately \$25 million, will be annually allocated for this component of the Plan. Sixty percent (60%), anticipated to be approximately fifteen million dollars will be available as follows: North County: fifty-eight percent (58%), anticipated to be approximately \$8.7 million, Mid-County: twenty-one percent (21%), anticipated to be approximately \$3.2 million, South County: thirteen percent (13%), anticipated to be

approximately \$2 million, and East County: seven percent (7%), anticipated to be approximately \$1.1 million. The remaining forty percent (40%), anticipated to be approximately ten million dollars, will be available to all communities in the County based on criteria referenced above.

Technical Assistance: Selected communities will receive technical assistance in areas such as centralizing outreach, enrollment and professional development, expanding transitional kindergarten (TK), principal training to support the integration of learning and support for preschool-aged children and district-based, preschool through third grade design teams.

PROGRAM COMPONENT 2: IMPROVE AND SUSTAIN CHILD CARE AND EARLY EDUCATION QUALITY AND IMPROVE WAGES TO AT LEAST \$15 AN HOUR

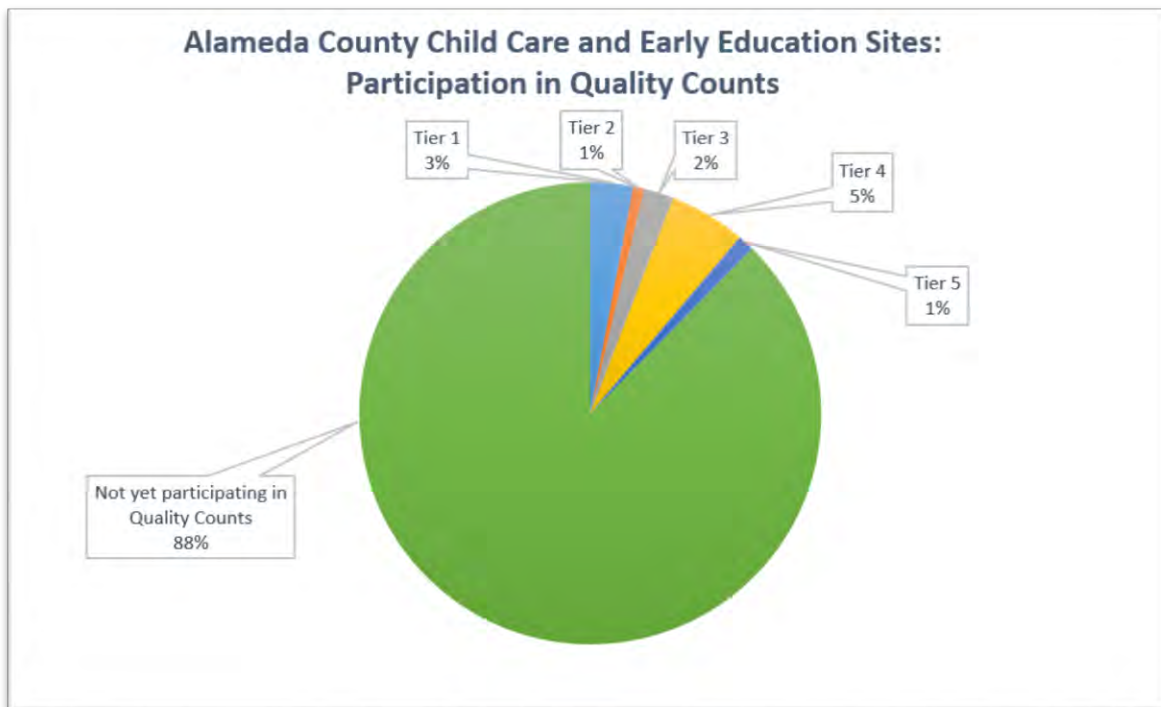
In addition to providing thousands of new scholarships, we must address the needs of existing children who already receive child care and early education services. These children deserve to spend their time in safe and healthy facilities, nurtured and taught by competent child care providers and early educators who earn at least \$15 an hour. Center-based programs and family child care providers who choose and qualify to participate will receive additional funds for every eligible child they serve. In return, they will be required to offer a quality program and pay child care providers and early educators at least \$15 an hour.

a. EXPAND AND MAINTAIN CHILD CARE AND EARLY EDUCATION QUALITY:

High quality early care and education is correlated with improved child outcomes, and therefore it is critical that programs and settings meet baseline quality standards. An abundance of research shows that children enrolled in high-quality early care and education programs that meet their developmental needs enter kindergarten prepared to succeed, in comparison to children in lower quality settings. Selected outcomes include better literacy and math skills, improved fine and gross motor development, and improved behavior. Long-term impacts of quality programs are higher cognitive and academic achievement and fewer behavioral problems in high school years, leading to increased graduation rates.

Alameda County has an existing system of quality supports called Quality Counts, which provides sites with individualized services like coaching and professional development. Over 250 family child care providers and preschools actively participate in Quality Counts. However, less than 14 percent (14%) of licensed providers are able to join due to lack of funding and other barriers. Through the Plan, hundreds of additional providers would benefit from Quality Counts. Providers must attain a Tier 3 (out of 5) on the Quality Counts' matrix within three years, and be able to maintain that level for the duration of the funding agreement. Alternative provisions will be made for family, friend and neighbor providers as well as child care providers for school-age children. The majority of Quality Counts sites in Alameda County that already serve our lowest-income children meet or exceed the Tier 3 baseline.

Participating licensed providers would receive a comprehensive assessment of their current practice measured against state quality standards. This rating, which includes one or two observational assessments and a program review, provides specific information about areas of excellence and areas that could be included in quality improvement plans. Rating reports are posted on a Quality Counts website for parents and consumers (www.qualitycountsalameda.org); for example of rating reports see Appendix B). Family child care providers may choose not to have their initial rating posted in order to allow ample time for implementing feedback and quality improvement before quality rating information is publicly posted.



Providers will have three years from the time they become eligible before they must meet the Tier 3 requirements. An array of individualized supports will be offered to support this level of quality. All participating centers and family child care programs will, with support, develop an individualized quality improvement plan (QIP), with the goal that participating organizations will have adequate resources to implement the QIP. For agencies and providers that do not have adequate resources to implement their plan, opportunities will still be available to participate in some programs to assist them in succeeding in meeting their QIP. Resources to support the QIP will be customized and may include:

- Training and professional development aligned with the state quality framework;
- Participation in communities of practice – with a focus on linguistically and culturally specific learning communities for family child care providers;
- On site coaching and consultation;
- Quality Improvement grants to purchase materials and equipment;
- Specialty consultation and technical assistance in areas including business practices, social emotional learning and mental health, integration of developmental and social emotional screening;
- Individual stipends to complete professional development in evidence-based topics.



b. IMPROVE WAGES TO AT LEAST \$15 AN HOUR:

Children get the very best start in life when they are nurtured and taught by well-trained, responsive caregivers and educators. One of the main drivers of quality is an adequately compensated teacher or provider. However, a recent study found that seventy-five percent (75%) of Alameda County child care workers and early educators worry about paying monthly bills and fifty-four percent (54%) worry about putting food on their tables. Poor compensation of early educators drives turnover and hampers the ability to

attract and retain skilled educators. This in turn undermines stable, continuous relationships essential to young children. This Plan would provide additional funds to participating providers to allow them to increase early educator pay to at least \$15 per hour for participating family child care providers, their assistants, and center-based teaching staff.

Participating centers and family child care providers and would receive additional funds for each qualifying child they serve, and in return they would be required to pay teaching staff and family child care assistants at least \$15 an hour. In subsequent years, efforts will be made to extend existing resources to increase compensation towards parity with teachers



and other professionals who have similar credentials, experience and job responsibilities. Participating family, friend and neighbor providers may also receive increased reimbursements.

In response to stakeholder feedback, a task force on wages will meet in 2018 to develop recommendations for more details on the wage component of the Plan, and develop strategies to go beyond \$15 an hour as resources allow, and address wage compression, benefits and other work supports. Wage levels will be revisited regularly. The Task Force will include discussion of:

- Create a reliable, consistent income stream that grows and keeps pace with inflation
- Result in an overall increase to a provider's income
- Set a minimum of \$15/hour for center-based and family child care providers, and address wage compression
- Dedicate at least 90% of wage funds to worker pay and benefits, including health care, retirement security and other supports until meeting agreed-to levels for pay and benefits
- Reach at least 50% of the workforce as resources allow

- Ensure educators' participation is equitable geographically, racially, culturally and by setting type
- Recognize education levels and years of experience in setting wage levels
- Provide flexibility to use funding for benefits but allow for worker choice in deciding on wages versus various benefits offered

Task Force recommendations will be considered for inclusion into implementation policies which will be developed in accordance with the five year planning cycle.

c. EXPAND PROFESSIONAL DEVELOPMENT AND WORK SUPPORTS:

As we increase the number of families with high needs in child care and early education, efforts should be made such that child care providers and early educators have the tools they need to successfully serve these families. This Plan would include investments in professional development resources in key topics like:

- Supporting Dual Language Learners
- Trauma-Informed Practices
- Family Engagement
- Inclusion of Children with Special Needs

The goal of developing these resources is to ensure that family culture and needs are welcomed and supported in all child care and early education settings, and that all children within the County are given opportunities to be successful. In addition, fundamental topics such as health and safety, teacher-child interactions, school readiness, child observation and assessment and should continue to be offered.

Topics will be reviewed according to the five year planning cycle, and either investment will continue to be made on the same issues, or new topics will be developed in response to community feedback.



Family, friend, and neighbor providers will be offered training and peer support and will be informed about community based school readiness experiences such as library story times and school readiness playgroups. These community based school readiness providers will be supported to effectively reach out to and welcome family, friend and neighbor providers and the children in their care.

Not only do child care providers and early educators need to know the latest research and techniques to support and engage children and their families, they need time and support to implement what they learn. We will work with participants to establish a baseline of quality and work supports. We will use the results to provide tailored technical assistance to increase work supports like paid professional development and planning time. We will also explore approaches like providing a navigator for child care providers and early educators.

d. PROFESSIONAL ASSOCIATION MEMBERSHIP AND PAYROLL DEDUCTION:

Funding agreements with participating child care and early education programs paid for with funds from the Measure will require these programs to honor their early educator employees' written, voluntary requests to contribute part of their pay via payroll deduction to a professional organization of their choosing. Professional organizations will be required to meet minimum criteria, including nonprofit status, connecting early educators to professional development and training opportunities, and improving the ability of early educators to advocate for improvement to the child care system. Funding agreements will require the participating child care and early education program operators to notify early educators about the programs' contractual obligation to honor their written request to contribute.

e. ATTRACT AND RETAIN QUALITY CHILD CARE PROVIDERS AND EARLY EDUCATORS:

An important component of this Plan is to encourage the recruitment and education of individuals to become child care providers and early educators. To be successful, we must develop and maintain a professionally

educated workforce in all child care and early education settings who are prepared to meet the needs of the diverse population of Alameda County families and who have opportunities for personal and career development.

One percent (1%) of funding in the Plan will be earmarked to fund efforts for recruitment, retention and education of child care providers and early educators. The goal of this component is to increase the County's capacity to educate students and those who are already working in the field through courses and practicum opportunities that fit their schedules, are earned through a sustained systems approach, and are linguistically and culturally responsive.

We are also committed to building equity in the workforce by developing and increasing leadership to match cultural, ethnic and linguistic populations of Alameda County and to prepare our workforce for succession planning as our current leaders reach retirement. We will build on the success of current local models of cohorts of emerging leaders.

f. IMPROVE MENTAL HEALTH AND PARENT, FAMILY, FRIEND AND NEIGHBOR SUPPORT SERVICES:



Caregivers and educators consistently share that managing children’s challenging behaviors and meeting the needs of children who have experienced trauma are some of their biggest challenges. Insufficient resources to meet the social-emotional and mental health needs of young children can result in lost opportunities to support parents and encourage “on track” development, disruptive behaviors that interrupt learning and critical relationships, and even expulsion. High quality child care arrangements can also reduce the risk of child abuse and neglect in multiple ways. Affordable, reliable, and developmentally supportive care may reduce parental stress and isolation and enables adults to focus on activities that support economic stability and securing basic needs. Further,

trained child care workers can play an important role in identifying and reporting suspected child abuse or neglect. Alameda County already uses a variety of approaches to address these needs, including:

- **Developmental Screening:** Access to developmental and social emotional screening in early care and education settings. Help Me Grow is Alameda County’s early identification and linkage program for young children where there are developmental and behavioral concerns. In 2016, Help Me Grow supported pediatricians, child care providers, community partners and parents to complete 12,500 developmental screenings – more than 3,000 of those completed through child care programs. When concerns are identified, a phone line service provides care coordination to link families to services, including mental health intervention and treatment for themselves and their children.
- **Social-Emotional Development Training for Educators:** Quality Counts provides training for early educators, both center-based and family child care providers, in the Teaching Pyramid. The Teaching Pyramid approach provides a systematic framework that promotes social and emotional development,

provides support for children’s appropriate behavior, reduces challenging behavior, and addresses problematic behavior. Teaching Pyramid is based on evidence-based practice authorized by the California Department of Education (CDE), and aligned with California’s Early Learning and Development System. Last year almost 100 caregivers who collectively serve more than 2000 children participated in the Teaching Pyramid training program.

- **Mental Health Consultation:** National research on the expulsion of children from preschool programs shows that early childhood mental health consultation can provide meaningful support to teachers and enable programs to retain and serve children who are presenting behavioral challenges. Within Alameda County there are several mental health organizations with expertise in early childhood mental health, which provide direct intervention and consultation services throughout the County. To address critical mental health needs of young children in child care and early education programs, the Plan will allocate up to one half of one percent (0.5%) towards resources to build capacity in the most underserved areas of the County and to expand:
 - Early identification of social-emotional and mental health concerns and linkage to appropriate support and follow up for the highest priority children served by this initiative;
 - Professional development for providers and educators to increase their ability to support mental health, identify concerns, and make effective referrals;
 - Early childhood mental health consultation in participating child care and early education settings using standards of practice; and
 - Family navigation to support families who need mental health treatment when indicated.

In addition, family, friend and neighbor providers have voiced a need for resources in their community that are high quality, accessible and promote optimal child development. We will invest in improving community-based child development programming for family, friend and neighbor care arrangements. We will build on the success of current informal care programming at locations like libraries and park and recreation programs.

g. IMPROVE CHILD CARE AND EARLY LEARNING FACILITIES:

Quality child care and early education facilities significantly affect quality, decent physical spaces for children are in short supply. There is a need to devote resources to expanding and maintaining child care and early education spaces to fully realize the goals of this initiative. Therefore, two percent (2%) of proceeds from the fund will be allocated annually in the Plan to expand and maintain high quality early childhood facilities, equipment and supplies. In addition to the two percent commitment, a portion of funds collected during the first year of the measure will be devoted to facilities uses. The Plan would establish a Facilities Grant Program to provide capital financing to support program renovation, repair and expansion. Data collected from several child care providers reveal that many providers are burdened by costly repairs and equipment. Many providers have facility components they view as adequate, issues such as fire/earthquake safety require urgent attention. In addition, play structures, security systems, parking, exterior lighting, and storage were frequently identified as inadequate or substandard.

Non-profit or for-profit centers and family child care programs that need basic health and safety repairs, quality improvements, or are expanding or creating new programs would be eligible. To meet local and emerging needs, the Plan will establish grant levels and allowable fund uses and provide guidelines for governance and funding priorities. Procedures for prioritizing and reviewing project proposals and addressing CEQA (environmental) and other regulatory requirements will be developed in detail and will include community members, facilities experts, land use and community development representatives, and child care and early education direct operators and support organizations. Additional safeguards and grant conditions will be developed as part of the grant agreement.

Eligible uses will be capital costs associated with improving quality, and/or retaining and creating new child care and early education spaces, including expansion of capacity at existing facilities. Examples of these costs include:

- Planning and predevelopment costs, including feasibility studies and business plan development;
- Building or land purchases (for center-based programs only);
- Facility and site construction or renovation costs;

- Facility improvements to address licensing, fire and building code requirements associated with a large license;
- Furnishings, equipment and materials needed to serve additional children or improve quality;
- Other facility improvements including: space-expanding renovations, construction of Fire Code-compliant second exit, code-compliant conversion of garage into program space, or measures to improve accessibility to persons with special healthcare needs.

h. USE INNOVATION TO RESPOND TO EMERGING NEEDS:

One percent (1%) of proceeds from the tax will be allocated in the Plan to address emerging needs using innovative approaches. Eligible categories and uses for the funds will be determined during the planning period, according to the five year cycle described in Section VI. Potential areas for funding could be shared services like a substitute staff pool, reducing expulsion and suspension rates especially among boys of color, improving transportation options for families, creating informal care hubs, and other options to be determined.

SECTION V. GOVERNING BODY AND ORGANIZATIONAL STRUCTURE

- a. **Administering Agency:** The Alameda County Children and Families First Commission, known as First 5 Alameda County, or a similar entity, will be identified by the Alameda County Board of Supervisors to administer the Child Care and Early Education Program, to be the Administering Agency. They will implement this Plan, including providing services, soliciting vendors, entering into and managing contracts with community agencies, community-based organizations and other vendors.

The Administering Agency and the County will negotiate a contract setting forth in detail the duties assumed by Administering Agency and the compensation they will receive for the performance of those duties, which will be paid for by the tax proceeds. The Board of Supervisors must and will retain final authority over all matters related to the enabling Ordinance and the expenditure of tax proceeds.

- b. **Citizens' Oversight Committee:** A Citizens' Oversight Committee will annually review the expenditures of sales tax funds for the prior year and report to the Board of Supervisors on the conformity of the expenditures and the tax purpose. It is anticipated that the Committee will meet these responsibilities by the following:

- The Committee will hold meetings and issue reports on at least an annual basis to inform Alameda County residents about how the sales tax funds were spent. The meetings will be open to the public and held in compliance with the Brown Act, California's open meeting law, with meeting agendas posted in advance of the meetings, as required by the Brown Act.
- The Committee will publish an independent annual report, which will be presented to the Administering Agency and the Board of Supervisors, and be available to the public.

Committee members will be required to submit a statement of financial disclosure (Form 700) annually, and membership will be restricted to individuals with no disqualifying economic interest in any of the projects or programs funded by the Measure. Committee members will be appointed by the Board of Supervisors. The goal is that the Committee reflects the diversity of Alameda County, to provide a balance of viewpoints,

geography, age, gender, ethnicity, and income status, to represent the different perspectives of the residents of the county. The goal is to have the Committee established within six months of the initiative's passage.

c. Planning and Advisory Council: The Board of Supervisors will designate an entity whose members have expertise in early child care and education, such as the Alameda County Early Care and Education Planning Council (California Education Code sections 8499.3 et seq.) or a similar entity, to act as the planning and advisory council for the fund. The designated entity will provide planning and advice on following this Plan and the Ordinance to the Board of Supervisors and the Administering Agency.

The Alameda County Early Care and Education Planning Council was established in Alameda County over 25 years ago to provide a forum for the recommendation of local priorities for child care and early education funding and the development of policies to meet the needs identified within those priorities when appropriate and requested. The Council currently advises the Board of Supervisors on child care and early education program and policy issues pursuant to the California Education Code. California State Education Code mandates that the Council have equal representation from parents, child care and early education providers, as well as community and public agency representatives. The Council is already required to conduct a comprehensive needs assessment and plan every five years. Meetings of the Council are open to the public and subject to the Brown Act.

If designated to act as the planning and advisory council for the fund, the Council will work with existing grassroots parent, community and early educator groups to develop a robust orientation and support plan for newly appointed and ongoing members of the Council. This plan will be reviewed and revised periodically for effectiveness based on feedback from parents, community members and early educators and consistency with the Plan and Ordinance.

SECTION VI. IMPLEMENTING GUIDELINES

This Plan is guided by principles that the revenue generated by the sales tax pursuant to the Child Care and Early Education Tax Ordinance (the Ordinance) is to be spent only for the purposes outlined in this Plan, in the most efficient and effective manner possible, consistent with serving the child care and early education needs of Alameda County.

Amendments Require a Majority of Support: To modify this Plan, an amendment must be adopted by a majority vote of the Board of Supervisors.

Taxpayer Safeguards, Audits and Accountability: Accountability is of utmost importance in delivering public investments with public dollars. We are committed to transparency and accountability. Many safeguards are built into this Plan and the measure to provide accountability to voters regarding fund expenditures.

- 1. Establishment of a Citizen's Oversight Committee:** Establishment of a Citizen's Oversight Committee to provide ongoing monitoring and review of expenditures of the funds;
- 2. Annual Audits and Citizens' Oversight Committee Review:** All financial reports are subject to an independent audit by a Certified Public Accountant (CPA) firm, on an annual basis. Expenditures are also subject to an annual review by a citizen oversight committee. The Citizens' Oversight Committee will prepare an annual report on spending and progress in implementing the Plan that will be reviewed by the Administering Agency and the Board of Supervisors and made available in accordance with the California Public Records Act.
- 3. Geographic Equity and Unmet Child Care and Early Education Need:** Funding formulas for all programs will be revisited within the first five years of the Plan implementation for overall geographic equity based on population, unmet child care and early education need and/or other equity factors.
- 4. Planning and Advisory Body:** The Board of Supervisors will designate an entity whose members have expertise in child care and early education, such as the Alameda County Early Care and Education Planning Council (California Education Code sections 8499.3 et seq.) or a similar entity, to act as the

planning and advisory council for the fund. Their role will include providing community voice and input on the development of future funding priorities consistent with this Plan and the Ordinance;

5. **Five Year Planning Cycle:** Establishing a five-year planning cycle with consideration of broad community input. The five year cycle will be applied to the definition of high priority populations, providing additional resources to high need communities, determining key professional development topics, income eligibility for scholarships and innovation funding categories.
6. **Leveraging Funds:** One goal of this effort is to maximize initiative dollars by leveraging existing federal, state and local funding, by maximizing claiming, contracting and programmatic systems, and other means, by all eligible entities, including but not limited to: County departments, cities and Local Education Agencies (LEAs).
7. **Reserve Fund:** As a sound financial practice, two percent (2%) of funding will be set aside in a reserve fund, or rainy day fund, to accommodate unexpected financial needs.

Local funds can only be spent locally. Proceeds from this tax shall be deposited into a special fund and can only be used, consistent with the ballot measure, to provide high quality child care and early education services to low and middle income children and families in Alameda County and to improve wages for child care providers and early educators who provide these services.

Restrictions on Funds:

1. Proceeds may not be used to replace the funding level established in the Fiscal Year 2016-2017 County of Alameda (the baseline period) to support direct child care and early education services, unless the state, federal or other non-county sources of such funding levels have been reduced by the same amount.
2. Agreements for distribution of funds shall clearly require that proceeds may not be used by local



public agencies, including cities and local education agencies, to supplant existing levels (Fiscal Year 2016-2017) of federal, state or local funding provided to the local public agencies to support child care and early education services, unless the state, federal or other local sources of such existing funding levels have been reduced by the same amount.

3. Proceeds may not be used for K-12 school day services except for the purpose of expanding transitional kindergarten eligibility to additional four-year old children.

Five Year Planning Cycle: The Plan includes a five year planning cycle.

Goals: The goals of a five year planning cycle are to:

1. Increase transparency, accountability, and public engagement;
2. Provide time and opportunities for community participation and planning;
3. Ensure program stability; and
4. Maximize the effectiveness of the services funded.

Components: The Five Year Cycle will contain the following components:

- Community Needs Assessment
- Services and Allocation Plan
- Selection of Contractors

Note on the first Five Year Cycle: In response to community feedback, and in recognition of work completed during the planning process leading up to the development of the Plan, it is our intention to complete contractor selection and begin the first service cycle in fiscal year 2019-2020.

Community Collaboration: The Administering Agency will regularly convene organizations representing parents and/or early educators, as appropriate, to receive input on program development and implementation. The Administering Agency will collaborate with parent and early educator organizations and providers and other stakeholders to disseminate information in public meetings or brochures or pamphlets to

families, child care providers and early educators and others about initiative-funded programs and to support robust involvement in Plan components.

EVALUATION: Programs and services receiving grants or other funding allocations through the Fund shall be regularly evaluated. In accordance with the five-year cycle, an evaluation process and plan for tracking the results of the County’s investments in child care and early education, including the development of data sharing agreements (if and to the extent permitted by state and federal law), will be developed. Results for children, as well as results for families, child care providers and early educators, will be included.



SECTION VII. ADDITIONAL RESOURCES

Alameda County Board of Supervisors

District 1, Scott Haggerty

District 2, Richard Valle, Vice President

District 3, Wilma Chan, President

District 4, Nate Miley

District 5, Keith Carson

Steering Committee members and staff:

- Alexa Frankenberg, SEIU
- Angie Garling, Alameda County Early Care & Education Program
- Alia Phelps, Alliance of Californians for Community Empowerment
- Bahaar Tadjbakhsh, SEIU 521
- Bonnie Moss, Clifford Moss
- Briana Brown, Supervisor Keith Carson's office
- Caitlin Grandison, SEIU 521
- Carroll Fife, Alliance of Californians for Community Empowerment
- Cinthya Munoz, Supervisor Richard Valle's Office
- Clarissa Doutherd, Parent Voices Oakland
- Dave Brown, Supervisor Wilma Chan's office
- Dion Aroner, AJE Partners
- Erin Armstrong, Supervisor Nate Miley's office
- Jennifer Cabán, Alameda County Social Services Agency
- Jim Oddie, Assemblyman Rob Bonta's office
- Josh Thurman, Supervisor Scott Haggerty's office
- Karina Rivera, Supervisor Wilma Chan's office
- Kristin Spanos, First 5 Alameda County
- Laura Crotty, Clifford Moss
- Malia Ramler, First 5 Alameda County
- Mark Friedman, Thomas J. Long Foundation
- Meryl Klein, County Administrator's office
- Nancy Sa, Supervisor Richard Valle's office
- Pete Coletto, County Administrator's office
- Ramses Teon-Nichols, SEIU 1021
- Renee Herzfeld, Alameda County Early Care & Education Planning Council
- Sissy Wood, SEIU
- Sonya Mehta, Alameda County Early Care & Education Program
- Tonya Love, Assemblyman Rob Bonta's office

Advisory Panel members and staff:

All steering committee members listed above, plus:

- Aline Hankey, UC Berkeley Center for the Study of Child Care Employment
- Amy Chappelle, Davis Street Family Resource Center
- Amy Fitzgerald, East Bay Community Foundation
- Anissa Basoco-Villarreal, Alameda County Social Services Agency
- Angela Louie Howard, Lotus Bloom Learning Center
- Beatriz Leyva-Cutler, Bay Area Hispano Institute for Advancement, Inc.
- Brian Hickey, Alameda County Early Care & Education Program
- Caitlin Grandison, SEIU 521
- Camyle Allen, Alameda County Early Care & Education Program
- Carla Bryant, Rainin Foundation
- Christie Anderson, Oakland Unified School District Early Childhood
- Claire Bainer, Blue Skies 4 Children
- Carolyn Carpenter, Family Child Care provider
- David Silver, Oakland Mayor's office
- Demetria Huntsman, Parent Leadership Action Network
- Eileen Crumm, Family Resource Network
- Ellen Dektar, Alameda County Early Care & Education Program
- Elizabeth Crocker, Unity Council
- Frankie Izzo, SEIU 1021
- Gloria Lyons, Family Child Care provider
- India Alarcon, Alameda County Early Care & Education Program
- Janis Burger, First 5 Alameda County
- JoAnn Davis, Child Care Links
- Julie Nicholson, WestEd
- Julie Hadnot, Alameda County Interagency Children's Policy Council
- Kevin Bremond, Alameda County Fathers Corps
- Kristina Adams, Hayward Unified School District
- Kym Johnson Luqman, BANANAS, Inc.
- Kyra Mungia, Oakland Mayor's office
- LaWanda Wesley, Alameda County Early Care & Education Program
- Lea Austin, UC Berkeley Center for the Study of Child Care Employment
- Linda Olivenbaum, East Bay Agency for the Education of Young Children
- Lorita Riga, Alameda County Early Care & Education Program
- Marcy Whitebook, UC Berkeley Center for the Study of Child Care Employment
- Mary Anne Doan, Early Childhood Mentor Program
- Melinda Martin, Consultant
- Michael George, Consultant
- Michael Panori, Alameda County Early Care & Education Program
- Michelle St. Germaine, Early Childhood Mentor Program
- Nadiyah Taylor, Las Positas College Early Childhood Development Department
- Nancy Harvey, Family Child Care provider
- Natasha Hall-Sevilla, Child, Family, and Community Services
- Neva Bandelow, Alameda County Office of Education

- Pamm Shaw, YMCA of the East Bay
- Pepijn Van Houwelingen, Kidango
- Priya Jagannathan, Oakland Starting Smart and Strong
- Rory Darrah, Consultant
- Rosemary Almand, Community Association for Preschool Education
- Rozeena Jhinu, Alameda County Early Care & Education Program
- Ruth Obel-Jorgenson, California School-Age Consortium
- Sara Bedford, City of Oakland Department of Human Services and Oakland Head Start
- Scott Moore, Kidango
- Stacie Williams, Child, Family, and Community Services
- Tasha Henneman, Senator Nancy Skinner’s office
- Veronica Ufoegbune, UC Berkeley Early Childhood Education Program
- Vivian Chang, East Bay Community Foundation

County Child Care and Early Education Crisis Website

www.acgov.org/ece/crisis

Quality Counts Website

www.qualitycountsalameda.org





Role of the ad hoc advisors

- Advise staff on personnel and organizational structure in connection with potential implementation of Early Childhood Education funding measures over the next six months
- Present updates to the CC and EE subcommittee

Authority

- Ad hoc advisors shall act in an advisory capacity to the Commission

Ad hoc advisors

- Commission appoints one member as chair of ad hoc advisors
 - Chair facilitates monthly meetings, if Chair determines meeting is necessary to provide direction to staff
 - Chair provides verbal updates at subcommittee and Commission meetings
- Advisors are appointed by the Commission
- Proposed membership: Renee Herzfeld, Scott Coffin

Meeting Logistics

- Frequency: Ad hoc advisors may schedule meetings as necessary
- Time: To be determined
- Duration: Ad hoc meetings will occur until deemed unnecessary by the Subcommittee Chair and First 5 staff for the next six months

Task Forces/Working Groups for ECE Initiative

Current as of March 1, 2018

Topic	Groups represented	Kickoff date	Charge
<p>Wages (facilitated by Angie Garling and Marcy Whitebook; staffed by Amanda Gallear)</p>	<ul style="list-style-type: none"> • First 5 (Kristin Spanos) • Alameda County ECE Program • SEIU 1021, 521, International • Center for the Study of Child Care Employment • ECE Planning Council (Renee Herzfeld) • Providers: Kidango, YMCA, ICRI, Little Mud Puddles, family child care • Parent representative (Clarissa Doutherd) 	<p>First meeting scheduled for 3/8, 2-3:30pm</p> <p>Additional meetings: 3/28 4/25 5/30 6/27</p>	<p>Develop solutions to questions related to wage increases, including:</p> <ul style="list-style-type: none"> • Fiscal cliff – providers losing their subsidies due to slight wage increases • Wage compression • Benefits
<p>Higher Education/ Workforce Pipeline (co-facilitators staffed by Sonya Mehta and Brian Hickey)</p>	<ul style="list-style-type: none"> • First 5 (Sujata Bansal) • Alameda County ECE program • SEIU 521 • ECE Planning Council (Mary Anne Doan) • Colleges: Chabot, CSU East Bay, Las Positas, Merritt, UC Berkeley, Mills • Center for the Study of Child Care Employment • YMCA, Hayward Unified, City of Oakland Head Start, Kidango • Philanthropy 	<p>First meeting happened on February 9.</p> <p>Additional meetings: 3/9 3/30 5/4 5/25</p>	<p>Determine a draft allocation plan for the 1% annual higher education/workforce pipeline set-aside (~\$1.4 million), using a combination of building on the existing system and piloting elements of outside systems like EdVance, T.E.A.C.H., etc.</p>
<p>Homeless pilot (staffed by Ellen Dektar)</p>	<ul style="list-style-type: none"> • First 5 (Page Tomblin) • Alameda County ECE program • All-In Committee • Parent Voices • SSA Child Care staff • Oakland Head Start • Family Front Door • Consulting support from former SFOECE Deputy Director • ECE Planning Council (Clarissa Doutherd) • BANANAS 	<p>Has been meeting since Fall, 2017</p> <p>On 3/1, regular monthly Steering Committee meeting time will be established to trouble shoot program implementation and evaluation of systems barriers</p>	<p>Launch, monitor implementation, evaluation, and scaling of Families United CCARE pilot</p>

<p>Family Child Care (staffed by Rozy Jhinnu and Margaret Jerene)</p>	<ul style="list-style-type: none"> • First 5 (Margaret Jerene) • Alameda County ECE program • SEIU 521 • FCC Providers • R&RS (4Cs, BANANAS, Child Care Links) • California Department of Education 	<p>Session 1 was on 1/26 for Team Leads. First Team Discussion call was on 2/22. Session 2- 2/1 Session 3- 3/15 Session 4- 4/26 Session 5- 5/31 Session 6- 7/12</p>	<p>Develop an action plan to strengthen Family Child Care with the goal to fund and develop a staffed FCC quality network in Alameda County.</p>
<p>Data and Enrollment Systems (staffed by India Alarcon and Rozy Jhinnu)</p>	<ul style="list-style-type: none"> • To be developed • Strong involvement from First 5 	<p>To be developed</p>	<p>Look at existing data systems and determine what is needed for future data systems needs</p>

First 5 Organizational Items	Task	Responsible Parties	By When	Comments
Timeline	Develop fishbone timeline of activities	Kristin, Christine, Malia	Within 3 weeks	
Resources for planning and initiative implementation	a) Identify potential costs and develop estimates b) Development of funding request c) Solicitation of funds (e.g. philanthropic, County)	Kristin, Christine, Malia, Page	a) Within 2 weeks b) Within 2 weeks c) Now	
Change Management	a) Development of scope of work b) Identify consultant(s) to begin work	Kristin, Christine, Lisa, Taz, Angie/GSA	a) Has begun b) Establish in April	
Communication	a) Define First 5 and its role in the initiative to stakeholders b) Identify key branding and relationship building opportunities	Kristin, Barrie, Malia, Angie/GSA, CC and EE Subcommittee, First 5 Agency Leadership Team	Has begun and ongoing	
Technology	Begin to identify technological needs ➤ Contracting and compliance reporting ➤ Central Eligibility List ➤ Payroll	Kristin, Chris, June, Malia, Angie/GSA	Has begun and ongoing	

First 5 Organizational Items	Task	Responsible Parties	By When	Comments
Preparation for County contract negotiations	Terms and Conditions may include but not limited to: <ul style="list-style-type: none"> a) Oversight b) Cost modeling for staffing c) Analysis of benefits (County v F5AC) d) Organizational structure e) Access to County infrastructure f) Other relational policy requests 	Kristin to lead and delegate as needed to Christine, Taz, Malia, Angie/GSA, potential consultant, Ad hoc/CC and EE Subcommittee	Has begun and ongoing	
Space considerations	<ul style="list-style-type: none"> a) Identify space needs inclusive of furniture and equipment b) Identify potential location facility(ies) c) Hire space consultant for CRE 	<ul style="list-style-type: none"> a) Kristin, Christine, Taz, Angie/GSA, potential Consultant 	Ongoing	
Program Plan	<ul style="list-style-type: none"> a) Assessing impact on non ECE programs due to the initiative b) Scaling and integrating First 5 ECE programming with the initiative c) Planning the implementation of the additional program components of the initiative 	<ul style="list-style-type: none"> a) Kristin, Agency Leadership Team, potential Consultant b) Malia, Angie/GSA, Kristin c) Malia, Angie/GSA 	Within 4 weeks	



FIRST 5 ALAMEDA COUNTY SUB-COMMITTEE MEETING MINUTES

Monday, March 5, 2018

**First 5 Alameda County
1115 Atlantic Ave.
Alameda, CA 94501
Conference Room E**

5:30 PM – 7:30 PM

Sub-Committee Commissioners: Chair: Renee Herzfeld, Scott Coffin, Kimi Watkins-Tartt

Absent : Cecilia Echeverría , Wilma Chan, Lori Cox

Chair Herzfeld called the meeting to order at 5:47 PM.

1. Public Comment

There was no public comment.

2. Alameda County & City of Oakland Child Care and Early Education Initiatives

Chair Herzfeld reported that an ad hoc advisory group of the subcommittee was created to support staff with personnel and organizational matters related to the initiative. The ad hoc advisory group consists of Chair Herzfeld and Commissioner Coffin. Commissioner Coffin is a good fit for the committee given his financial expertise and experience with large scale initiatives and complicated public policy. The Commission will be asked to vote on the membership of the ad hoc advisory group and its charge, similar to action taken at the last Commission meeting. Chair Herzfeld stated the ad hoc advisory group reviewed its draft charge, summaries of conversations with partners, organizational considerations regarding implementation and planning. The ad hoc advisory group met with First 5 Alameda County (F5AC) staff earlier in the day and will meet as needed between now and July 1, 2018.

Kristin Spanos, CEO, reviewed the draft Child Care and Early Education Initiatives Ad Hoc Advisory Group Charge with the subcommittee. Ms. Spanos stated the group will act in an advisory capacity to the Commission. The Chair will provide verbal updates at subcommittee and Commission meetings. F5AC's counsel has reviewed the charge. Ms. Spanos stated it will be presented to the Commission for a vote at the April 19th meeting.

Ms. Spanos stated at their meeting on February 27th, the Alameda County Board of Supervisors unanimously approved the Child Care and Early Education plan and adopted a resolution to add it to the June 5th ballot. This was the second and final reading of the ordinance. First 5 Alameda County is named as a possible implementation partner.

Ms. Spanos shared the letter that was sent to SEIU providing additional detail and clarifying some of the language in the County's Program Plan. The letter has also been shared with F5AC's counsel and the Commission. F5AC has agreed to provide orientations for early educators receiving funding from the initiative and attendance sheets will be provided twice a year, upon request, for monitoring of compliance. These information sessions would ensure that all program participants understand the program they are participating in, receive standardized and accurate information on the program.

Ms. Spanos discussed the Task Forces/Working Groups for ECE Initiative created by Angie Garling, Program Administrator, Alameda County's Early Care and Education Program. F5AC will be participating in all planning task forces/working groups and has or soon will be assigning representatives to the following groups: Wages, Higher Education/Workforce Pipeline, Homeless Pilot, Family Child Care and Data and Enrollment Systems.

Ms. Spanos reviewed an initial implementation and planning timeline for the March-June 2018, which included financial analysis, change management, communication, technology, county contract negotiations, space and program planning. Ms. Spanos stated the agency is exploring soliciting of funds to support the planning and implementation phase.

Ms. Spanos provided an update on the City of Oakland process and status of the ordinance. She indicated F5AC is named as the potential implementer if the County initiative passes. If the County initiative does not pass, a RFP process will be conducted to select the implementing entity. It was understood that the deadline for the City ordinance to be approved is August in order to make it on the November ballot.

3. Adjournment

Chair Herzfeld adjourned the meeting at 6:37 PM.