

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

September 24, 2024

FROM

JOSHUA DUGAS, Director, Department of Public Health

SUBJECT

Amendment to Agreement with the California Department of Public Health for the Women, Infants and Children Nutrition Program

RECOMMENDATION(S)

Approve **Amendment No. 4 to Agreement No. 22-795** (State Agreement No. 22-10281) with the California Department of Public Health, for the Women, Infants, and Children Nutrition Program, updating the terms and conditions as related to economic sanctions through Executive Order N-6-22 and adding a disclosure form regarding the use of generative artificial intelligence, with no change to the agreement amount of \$41,741,301 or the term of October 1, 2022 through September 30, 2025.

(Presenter: Joshua Dugas, Director, 387-9146)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). Amendment No. 4 to Agreement No. 22-795 (State Agreement No. 22-10281) (Agreement) makes no change to the agreement amount of \$41,741,301 or the term of October 1, 2022 through September 30, 2025.

BACKGROUND INFORMATION

The United States Department of Agriculture, Food and Nutrition Services provides Women, Infants, and Children (WIC) funding to the California Department of Public Health (CDPH), which in turn allocates funds to local agencies. The Department of Public Health (DPH) has received WIC funding since 1977. WIC helps low-income pregnant women, new mothers, infants, and young children to eat well and stay healthy by offering services that include breastfeeding education and lactation support, nutrition education, and the provision of foods that contain important nutrients for women to have healthy pregnancies and assist in the healthy growth of children. WIC also provides supplemental formula assistance and referrals to community resources to enable families to thrive. WIC is a vital program that ensures that vulnerable families can access nutritious foods and education on healthy eating habits.

Amendment No. 4 to the Agreement, updates the terms and conditions of Exhibit D: Special Terms and Condition, to address economic sanctions imposed on Russia by Executive Order N-6-22, and added language which requires DPH to disclose use of generative artificial

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intelligence (GenAI) in any services or work conducted under the contract. Additionally, a GenAI reporting form was included to communicate these activities, if applicable. Currently the DPH WIC program does not use GenAI in any activities under this Agreement.

On April 12, 2022 (Item No. 30), the Board of Supervisors (Board) approved and authorized the submission of a grant application to CDPH for continued support of the WIC Program, in the amount of \$41,727,837 for the period of October 1, 2022 through September 30, 2025.

On September 13, 2022 (Item No. 45), the Board approved the Agreement with CDPH for the WIC Program, in the amount of \$41,727,837 for the period of October 1, 2022 through September 30, 2025.

On March 14, 2023 (Item No. 35), the Board approved Amendment No. 1 to the Agreement, which was a request to increase the grant amount by \$13,464, with no change to the period of October 1, 2022 through September 30, 2025. The necessary documents for the increase request, presented as an agreement amendment, were submitted to CDPH for review and issuance of a subsequent agreement, if awarded.

On September 12, 2023 (Item No. 40), the Board approved Amendment No. 2 to the Agreement, confirming award of the requested increase to the grant amount by \$13,464, from \$41,727,837 to \$41,741,301, with no change to the period of October 1, 2022 through September 30, 2025.

On August 20, 2024 (Item No. 59), the Board approved Amendment No. 3 to the Agreement, reallocating personnel salary savings resulting from vacancies to operating costs, with no change to the agreement amount of \$41,741,301 or the term of October 1, 2022 through September 30, 2025.

Prior to execution of Amendment No. 3 to the Agreement, DPH received Amendment No. 4 to the Agreement on August 19, 2024, which was too late to include in the Board action taken on August 20. This item is being presented at this time as this is the first available date following the required operational, fiscal, and legal reviews.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on September 4, 2024; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on August 30, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on September 5, 2024.

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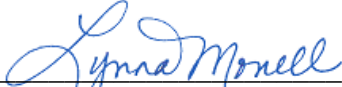
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY



DATED: September 24, 2024



cc: PH - Correra w/agree for sign
 Contractor - c/o PH w/agree
 File - w/agree
CCM 09/25/2024