

After School

TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

April 13, 2011

TX: 220-0213

City of Fort Worth
Attn: Derek DeVito
4200 S FREEWAY STE 220
Fort Worth, TX 76115

RE: Approved Child and Adult Care Food Program (CACFP) Child Care Center (CCC)
Application for Program Year (PY) 2011 {March 1, 2011 - September 30, 2011}

Dear Mr. DeVito:

Your application for the CACFP CCC has been approved for PY 2011 (March 1, 2011 - September 30, 2011). A copy of your approved application is enclosed. Also enclosed is Attachment #1 to this letter that lists the forms and documents required for the operations of this program. You may print the forms by accessing the Texas Department of Agriculture (TDA) website at www.snptexas.org, click on FND Forms and then select the appropriate Program. You must use forms provided by TDA to administer and operate the program, unless you have received approval from the Texas Department of Agriculture (TDA) to use alternate forms. Also enclosed is your approved Food and Nutrition Division (FND) Agreement. I would like to take this opportunity to thank you for your participation in the Child and Adult Care Food Program (CACFP) and welcome you to the Texas Department of Agriculture FND family.

If you are a new contractor, a signed copy of your Food and Nutrition Division (FND) Agreement will be sent to you under a separate letter.

FOR NEW CONTRACTOR ONLY - All program requirements were discussed and technical assistance provided during the pre-approval visit conducted on March 29, 2011.

The **program** number for your CCC is TX **220-0213**. The program number identifies your organization as a participant in the CCC. Your **contract** number is **7543008**. The contract number identifies your organization as a contractor with the TDA FND. Both numbers are unique to your organization and you need to enter them on required TDA forms when filing



a claim for reimbursement and when completing renewal or update documents each program year.

You must retain a copy of all forms and documents as part of your official program records for three years from the end of the program year, or until all audit findings, claims, or litigation have been resolved, whichever period is longer. Please reference the FND Agreement for additional record retention requirements.

For-Profit Organizations that receive \$500,000 or more in CACFP funds during the program year are required to obtain a program specific audit of the organization's CACFP operations. FND will reimburse your organization for the cost of obtaining the program specific audit based on the availability of funds.

Certain organizations that expend more than \$500,000 in federal funds in a fiscal year are required to obtain a single audit. Based on the information you submitted on the Form H1569, *Single Audit Identification Data*, you are required to submit a single audit.

You have the right to appeal TDA adverse actions that affect your claims for reimbursement or participation in the program. Requests for an appeal must be received by TDA within 15 days of receipt of notification of an adverse action. The appeal must:

- Be in writing;
- State the basis for the appeal of the adverse action;
- Include a legible copy of adverse action letter.

If you wish to have an in-person hearing, you must request a hearing at the time you file your written appeal. If you do not include a written hearing request in your appeal, you waive the right to a hearing and the appeal will be decided upon review of the documents in the record, unless the Administrative Review Official (ARO) determines that the failure to make a timely request was due to circumstances beyond the control of the appellant.

TDA has the discretion to refer a request for a hearing to the State Office of Administrative Hearings (SOAH) for resolution. Should you wish to have your hearing held by the State Office of Administrative Hearings (SOAH), you must make the request at the time of your written appeal. Otherwise, The ARO at TDA will hold your hearing.

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Your appeal must be mailed or faxed to:

**FOOD AND NUTRITION APPEALS
TEXAS DEPARTMENT OF AGRICULTURE
LEGAL DIVISION
ATTN: JOHN WILEY, DOCKET CLERK
PO BOX 12847
AUSTIN TEXAS 78711
FAX (800) 909-8520**

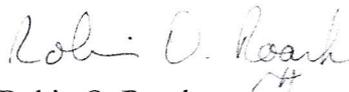
You may hand-deliver or submit your appeal via overnight/special delivery service to the following street address:

**TEXAS DEPARTMENT OF AGRICULTURE
LEGAL DIVISION
1700 NORTH CONGRESS, 11TH FLOOR
AUSTIN TEXAS 78701**

The rules regarding the appeal procedures for CACFP are found in Title 4 of the Texas Administrative Code Sections 1.1000 – 1.1004.

If you have questions please contact Chanda Williams at (512) 463-8190 or by email at Chanda.Williams@TexasAgriculture.gov.

Sincerely,



Robin O. Roark
Director for Business Operations
Food and Nutrition Division

Enclosures



CITY COUNCIL AGENDA

COUNCIL ACTION: Approved on 10/19/2010 - Ord. No. 19413-10-2010

DATE: 10/19/2010 **REFERENCE NO.:** C-24555 **LOG NAME:** 80ASSP10-11
CODE: C **TYPE:** NON-CONSENT **PUBLIC HEARING:** NO

SUBJECT: Authorize the Application for and Acceptance of, if Awarded, a Grant from the Texas Department of Agriculture in an Amount Up to \$150,000.00 for the Child and Adult Care Nutrition Program, for At-Risk After School Programs, Authorize the Execution of a Contract with the Texas Department of Agriculture, Waive Indirect Costs and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to apply for and accept, if awarded, a grant from the Texas Department of Agriculture in an amount up to \$150,000.00 for the Child and Adult Care Nutrition Program for At-Risk After School Programs;
2. Authorize the execution of a contract with Texas Department of Agriculture for the Child and Adult Care Nutrition Program, At-Risk After School Programs for the Fiscal Year October 1, 2010, through September 30, 2011, upon receipt of the grant;
3. Authorize the City Manager to waive the indirect costs, which are not allowed by this grant and are addressed by other grants that provide salaries for staff; and
4. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Fund by up to \$150,000.00, subject to receipt of the grant.

DISCUSSION:

The Child Nutrition Reauthorization Act provides reimbursement for snacks served to children through age eighteen who are participating in certain after school programs. The programs must be located in low-income areas and should be designed to provide the types of activities known to reduce or prevent involvement in juvenile crime. The basic purpose of the program is to provide care for children after the school day has ended, and the program must provide children with regularly scheduled educational or enrichment activities in a structured and supervised environment.

The Texas Department of Agriculture has notified the City that funds are available for the Child and Adult Care Nutrition Program for At-Risk After School Programs. It is projected that 100,000 snacks will be served to approximately 1,000 children at nineteen community centers operating At-Risk After School Programs from October 1, 2010, through September 30, 2011. The Community Services Division of the Parks and Community Services Department will administer the program according to guidelines established by the U.S. Department of Agriculture and the Texas Department of Agriculture. Existing staff administers this program, and the grant does not allow for the inclusion of indirect costs.

This program serves ALL COUNCIL DISTRICTS.

FISCAL INFORMATION/CERTIFICATION:

The Financial Management Services Director certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, of the Grants Fund. No matching funds are required from the City.

TO Fund/Account/Centers**FROM Fund/Account/Centers**

GR76 451409 080204500000 \$150,000.00

GR76 5XXXXX 080204500XXXX \$150,000.00

Submitted for City Manager's Office by:

Susan Alanis (8180)

Originating Department Head:

Richard Zavala (5704)

Additional Information Contact:

Sonia Singleton (5774)

ATTACHMENTS[DM 80ASSP 10-11 AO.doc](#)

Ordinance No. _____

AN ORDINANCE INCREASING THE ESTIMATED RECEIPTS AND APPROPRIATIONS IN THE GRANTS FUND IN THE AMOUNT OF \$150,000.00, SUBJECT TO RECEIPT OF A GRANT FROM THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE CHILD AND ADULT CARE NUTRITION PROGRAM FOR AT-RISK AFTER SCHOOL PROGRAMS; PROVIDING FOR A SEVERABILITY CLAUSE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That in addition to those amounts allocated to the various City departments for Fiscal Year 2010-2011 in the Budget of the City Manager, there shall also be increased estimated receipts and appropriations in the Grants Fund in the amount of \$150,000.00, subject to receipt of a grant from the Texas Department of Agriculture for the Child and Adult Care Nutrition Program for At-Risk After School Programs.

SECTION 2.

That should any portion, section or part of a section of this ordinance be declared invalid, inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way impair the remaining portions, sections, or parts of sections of this ordinance, which said remaining provisions shall be and remain in full force and effect.

SECTION 3.

That this ordinance shall be cumulative of Ordinance No.19355 and all other ordinances and appropriations amending the same except in those instances where the provisions of this ordinance are in direct conflict with such other ordinances and appropriations, in which instance said conflicting provisions of said prior ordinances and appropriations are hereby expressly repealed.

SECTION 4.

This ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

Assistant City Attorney

ADOPTED AND EFFECTIVE: _____