

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number

24-1311

SAP Number

Children and Family Services

Department Contract Representative
Telephone Number

Amanda Figueroa
(909) 386-8146

Contractor

California Department of Social
Services, Community Care
Licensing Division

Contractor Representative

Natasha Y. Dunlap, Licensing
Program Manager

Telephone Number

(951) 290-9741

Contract Term

Upon execution for three years

Original Contract Amount

Non-financial

Amendment Amount

Total Contract Amount

Non-financial

Cost Center

Grant Number (if applicable)

Briefly describe the general nature of the contract:

Provisional License Agreement with the California Department of Social Services (State) for the San Bernardino County Transitional Shelter Care Facility to Operate as a Licensed Short-Term Residential Care Program effective upon execution by the State for three years.

FOR COUNTY USE ONLY

Approved as to Legal Form

Daniella Hernandez
Daniella V. Hernandez, County Counsel

Date 10/4/2024

Reviewed for Contract Compliance

Patty Steven
Patty Steven, HS Contracts Manager

Date 10/7/2024

Reviewed/Approved by Department

Jeany Zepeda
Jeany Zepeda, Director

Date 10/5/2024



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

**ESSENTIAL TERMS OF AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT
OF SOCIAL SERVICES AND THE COUNTY OF SAN BERNARDINO**

This Essential Terms of Agreement is made between the California Department of Social Services ("CDSS") and the County of San Bernardino ("County"). The CDSS and the County may collectively be referred to as the "Parties."

A. RECITALS

1. Health and Safety Code section 1502.3 defines a transitional shelter care facility ("TrSCF") as a community care facility that is a short-term residential care program that meets specified requirements. The County has submitted a complete application to operate a TrSCF in the County. The County's application for a license for a TrSCF was made pursuant to the attached Operating Standards. The CDSS has determined that it can issue a provisional license to the County to operate a TrSCF at the San Bernardino County Transitional Shelter location identified on the license.

B. TERMS OF THE AGREEMENT

Therefore, in consideration of the mutual promises set forth below, the CDSS and the County agree as follows:

1. The Parties hereby enter into this Essential Terms of Agreement ("Agreement") and accompanying Operating Standards, which are attached to this Agreement and incorporated by reference. The Parties agree that this Agreement and accompanying Operating Standards shall apply to the TrSCF license for San Bernardino County Transitional Shelter and shall have the full force and effect of regulations promulgated by the CDSS. The CDSS shall have full authority to revoke the County's TrSCF license or suspend childcare operations at the TrSCF for violations of the Operating Standards.
2. The TrSCF license for the County to operate San Bernardino County Transitional Shelter shall be valid for (3) three years from the date the provisional license is issued. The TrSCF license expiration date may be extended upon written request by the County. The County's extension request shall outline the circumstances that necessitate the County's ongoing reliance on San Bernardino County Transitional Shelter as part of its continuum of care. The County's extension request shall be provided to the CDSS no later than thirty calendar days prior to the County's TrSCF license expiration date. The CDSS will review each extension request to determine whether circumstances justify further extension, which shall be contingent upon appropriate additional steps the County will take

ESSENTIALS TERMS OF AGREEMENT

Page 2

to obviate those circumstances during the extension. The CDSS will indicate in writing to the County whether it has granted the extension request. The CDSS and the County agree that the TrSCF license will only be extended in six-month increments in accordance with the Agreement. The terms of this Agreement and the accompanying Operating Standards, including Operating Standards modified or updated pursuant to paragraph 3, will govern each extension to the TrSCF license.

3. The County shall comply with all state and federal laws pertaining to the TrSCFs, and the most recent version of the Operating Standards incorporated into this Agreement. The CDSS reserves the right to modify the existing Operating Standards or issue updated Operating Standards. The modifications or updates to the accompanying Operating Standards may include, but are not limited to, changes to comply with state/federal law, regulations and/or guidance. Where practicable and legally permissible, the CDSS will give the County advance notice of changes to the law, regulations or guidance that will result in modifications or updates to the Operating Standards. In the event the CDSS modifies or updates the Operating Standards, the CDSS will give the County notice of the new version of the Operating Standards. The Parties agree that this Agreement, and the license issued pursuant to it, will be governed by the most recent version of the Operating Standards.
4. It is the expectation of the Parties that the County will continue its diligent efforts to increase its home-based care and short-term residential therapeutic program capacity and services to support children, including children with higher needs, in home-based care sufficiently such as to eliminate the need to extend the license at the end of the three-year term, consistent with the statutory direction of the continuum of care reform as enacted by Assembly Bill 403 (Statutes of 2015, Chapter 773) and subsequent related statutes. It is the expectation of the CDSS that the County will continue to work together with the CDSS to develop and provide services that meet the needs of all dependent children in the County's jurisdiction. Utilization of the TrSCF requires a written, CDSS-approved county plan (County Plan) that sets forth the manner in which the County will use the TrSCF and the County's plan to implement targeted strategies to eliminate the County's need for and/or reliance on shelter-based care. Failure to comply with the County Plan may result in a Corrective Action Plan or other action as determined by the CDSS. The CDSS shall review annually with the County the ongoing need for the TrSCF and County compliance with the County Plan. To facilitate this review, the County shall provide the data specified in the Reporting Requirements section of the licensing standards. After the CDSS grants the license, and in order to further this review, the CDSS will communicate in writing to the County its expectations for the County's child welfare practices for the duration of the license.
5. Nothing in this Agreement shall prevent the County from terminating operation of the TrSCF, or from operating a facility that would not otherwise require licensure,

ESSENTIALS TERMS OF AGREEMENT

Page 3

as determined by the CDSS. Further, nothing in the Agreement precludes the County from changing, modifying and/or updating any policies and practices in a manner not inconsistent with the terms specified in this Agreement, the Operating Standards, and any other documents executed in connection with this Agreement.

6. Pursuant to the CDSS Manual of Policy and Procedures Section 23-650.18, the CDSS gives prior approval to the County to negotiate for direct care services to staff the TrSCF.
7. This Agreement is the product of the Parties' mutual negotiation and preparation, and accordingly shall not be deemed to have been prepared or drafted by either party. Any court seeking to interpret this Agreement should construe it as the product of mutual negotiation and preparation.
8. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together will constitute one and the same Agreement. This Agreement may also be executed via facsimile or e-mail and such facsimile or e-mail signature shall be deemed an original.
9. The undersigned warrant that they have authority to agree to the terms of this Agreement on behalf of the respective Parties.

The Parties have executed this Agreement on the dates specified below.

Dated: 1/13/2025

THE COUNTY OF SAN BERNARDINO

Signature: 

Name: Jonathan Byers

Title: Assistant Director, Children and Family Services

Dated: 1/22/2025

**THE CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES**

Signature: 

Name: Kevin Gaines

Title: Deputy Director



County of San Bernardino DELEGATED AUTHORITY – DOCUMENT REVIEW FORM

This form is for use by any department or other entity that has been authorized by Board of Supervisors/Directors action to execute grant applications, awards, amendments or other agreements on their behalf. All documents to be executed under such delegated authority must be routed for County Counsel and County Administrative Office review prior to signature by designee.

Note: This process should NOT be used to execute documents under a master agreement or template, or for construction contract change orders. Contact your County Counsel for instructions related to review of these documents.

Complete and submit this form, along with required documents proposed for signature, via email to the department's County Counsel representative and Finance Analyst. If the documents proposed for signature are within the delegated authority, the department will submit the requisite hard copies for signature to the County Counsel representative. Once County Counsel has signed, the department will submit the signed documents in hard copy, as well as by email, to CAO Special Projects Team for review. If approved, the department will be provided routing instructions as well as direction to submit one set of the executed documents to the Clerk of the Board within 30 days.

For detailed instructions on submission requirements, reference Section 7.3 of the Board Agenda Item Guidelines as the Delegation of Authority does not eliminate the document submission requirements.

Department/Agency/Entity: Children and Family Services

Contact Name: Amanda Figueroa

Telephone: (909) 386-8146

Agreement No.: _____ Amendment No.: _____ Date of Board Item 12/17/24 Board Item No.: 33

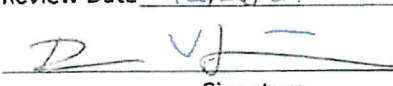

Name of Contract Entity/Project Name: Provisional Lense Agreement for the County's Transitional Shelter Care Facility

Explanation of request/Special Instructions:

The Department of Children and Family Services requests approval for the Assistant Director of Children and Family Services to execute the Provisional License Agreement, which was approved by the Board on 12/17/2024 (Item No. 33). The joint agreement from the California Department of Social Services, Community Care Licensing Division for the Provisional License Agreement for the San Bernardino County Transitional Shelter Care Facility is effective upon execution by the State for three years. The Assistant Director of Children and Family Services, as the designated licensee for the County's Transitional Shelter, is authorized to act on behalf of the County and execute documents required to participate, subject to review by County Counsel.

Insert check mark that the following required documents are attached to this request:

- ☒ Documents proposed for signature (Note: For contracts, include a signed non-standard contract coversheet for contracts not submitted on a standard contract form).
- ☒ Board Agenda item that delegated the authority

Department Routed to County Counsel	County Counsel Name: Daniella Hernandez	Date Sent: 12/26/24
Reviewing County Counsel Use Only	Review Date <u>12/26/24</u>  Signature	Determination: <input checked="" type="checkbox"/> Within Scope of Delegated Authority <input type="checkbox"/> Outside Scope of Delegated Authority
CAO-Special Projects Use Only	Review Date <u>1/10/2025</u>  Signature	Disposition: <input checked="" type="checkbox"/> Route for signature to: ____ Chair ____ CEO <input checked="" type="checkbox"/> Department ____ Return to Department for preparation of agenda item