

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

April 7, 2020

FROM

MARLENE HAGEN, Director, Children and Family Services

SUBJECT

Non-Financial Agreement with the California Department of Social Services for Consultation and Representation Services

RECOMMENDATION(S)

1. Approve non-financial **Agreement No. 20-165** (State Agreement No. 19-5061) with the California Department of Social Services for consultation and representation of Children and Family Services in conjunction with administrative hearings associated with the Resource Family Approval, for the period of July 1, 2019 through June 30, 2021.
2. Adopt a **Resolution No. 2020-31** authorizing and certifying the Chairman of the Board of Supervisors, Chief Executive Officer, or the Director of Children and Family Service, have the authority to execute all documents, in relation to State Agreement No. 19-5061, as required by State of California Department of Social Services, on behalf of the County, subject to review by County Counsel.

(Presenter: Marlene Hagen, Director, 388-0242)

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.

FINANCIAL IMPACT

The recommended Agreement is non-financial; therefore, it does not impact Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

Under the terms of the recommended agreement, California Department of Social Services (CDSS) will provide representation to Children and Family Services (CFS) in administrative hearings related to the Resource Family Approval (RFA) process. RFA was created to provide a unified, family friendly, and child-centered resource family approval process to replace multiple processes for licensing foster homes, approving relatives and non-relative extended family members as foster care providers, and approving adoptive families. The goal is to establish a single set of standards for resource family approvals, which will allow counties to meet the safety, permanence, and well-being needs of the children who have been victims of child abuse and neglect. The RFA process is designed to reduce the use of congregate care placement settings and decrease the length of time for each child to obtain permanency.

Pursuant to Government Code section 30029.7, subdivision (a), the County and CDSS may enter into an agreement for CDSS to provide services or activities related to the RFA process.

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CFS and CDSS have identified consultation with and representation by CDSS, in conjunction with the administrative hearings mandated by the RFA process, as expediting the delivery of services when an applicant requests an administrative hearing when denied RFA approval.

The CDSS Legal Division shall act as the sole representative on behalf of CFS in the provision of consultations and representation on appeals to an RFA Notice of Action. The County is the client and is the final decision maker on decisions affecting the legal rights of the County. Pursuant to Government Code section 27642 and County Code section 12.1906, County Counsel is responsible for providing legal advice, assistance and representation to County departments. County Counsel has reviewed and concurs with the offer of CDSS to provide consultation and representation services in conjunction with the RFA administrative hearings.

CDSS requires the requested Resolution to execute all documents in relation to State Agreement No. 19-5061 on behalf of the County, subject to review by County Counsel.

Services provided under this agreement may be terminated by the County without cause upon 30-day prior written notice.

This item is being presented at this time as CFS did not receive the final State Agreement from CDSS until March 4, 2020, and this is the first date available for presentation following the required administrative, operational, and legal reviews. Board of Supervisor approval at this time will not impact CFS' services or activities.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on March 9, 2020; County Counsel (Michael Markel, Principal Assistant County Counsel, 387-5455) on March 11, 2020; Finance (John Hallen, Administrative Analyst, 388-0208) on March 18, 2020; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on March 24, 2020.

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April 7, 2020**

Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 7, 2020



cc: W/RESOLUTION
CFS- Lydia Bell w/agree for sign
Contractor- C/O CFS w/agree
File- w/agree
la 04/10/2020