



Legislation Details (With Text)

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File created: 4/22/2014 **In control:** Board of Supervisors

On agenda: 5/13/2014 **Final action:** 5/13/2014

Title: Health and Human Services Agency, Mental Health Division and Probation Department, recommending the Board consider the following:

- 1) Authorize the termination of perpetual Agreement for Services 925-S0811 with Environmental Alternatives for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 462-S1411 with Environmental Alternatives;
- 2) Approve and authorize the Chair to execute perpetual Agreement for Services 462-S1411 with Environmental Alternatives with a maximum not-to-exceed compensation of \$2,000,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis;
- 3) Authorize the termination of perpetual Agreement for Services 942-S0811 with Sierra Child and Family Services, Inc., for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 463-S1411 with Sierra Child and Family Services, Inc.;
- 4) Approve and authorize the Chair to execute perpetual Agreement for Services 463-S1411 with Sierra Child and Family Services, Inc. with a maximum not-to-exceed compensation of \$2,000,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis;
- 5) Authorize the termination of perpetual Agreement for Services 165-S0911 with Oakendell, doing business as Oakendell Residential Treatment Facility, for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 464-S1411 with Oakendell, doing business as Oakendell Residential Treatment Facility;
- 6) Approve and authorize the Chair to execute perpetual Agreement for Services 464-S1411 with Oakendell, doing business as Oakendell Residential Treatment Facility with a maximum not-to-exceed compensation of \$400,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis; and
- 7) Authorize the Chief Administrative Officer, or their designee, to execute further documents relating to Agreement for Services 462-S1411, Agreement for Services 463-S1411, and Agreement for Services 464-S1411, including amendments thereto, contingent upon approval by County Counsel, Risk Management, and Human Resources, as applicable, which do not affect the maximum compensation or term of the Agreement.

FUNDING: Funded with a blend of Federal and State funds (85%) with County share of cost or required match (15%) met primarily with realignment resources.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - approved CRS Environmental Alt. 462-S1411 5-13-14, 2. B - Environmental Alt Agmt 462-

S1411 5-13-14, 3. C- approved CRS Sierra Child & Family Srvs 463-S1411 5-13-14, 4. D - Sierra Child & Family Srvs Agreement 463-S1411 5-13-14, 5. E - approved CRS Oakendell 464-S1411 5-13-14, 6. F - Oakendell Agmt 464-S1411 5-13-14, 7. G - Terminating Agmt - Env Alternatives 5-13-14.pdf, 8. H - Terminating Agmt - Sierra Child & Family Svcs 5-13-14.pdf, 9. I - Terminating Agmt - Oakendell 5-13-14.pdf, 10. Executed Agreement 462-S1411 (BOS 5-13-14), 11. Executed Agreement 463-S1411 (BOS 5-13-14), 12. Executed Agreement 464-S1411 (BOS 5-13-14)

Date	Ver.	Action By	Action	Result
5/13/2014	1	Board of Supervisors	Approved	Pass

Health and Human Services Agency, Mental Health Division and Probation Department, recommending the Board consider the following:

- 1) Authorize the termination of perpetual Agreement for Services 925-S0811 with Environmental Alternatives for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 462-S1411 with Environmental Alternatives;
- 2) Approve and authorize the Chair to execute perpetual Agreement for Services 462-S1411 with Environmental Alternatives with a maximum not-to-exceed compensation of \$2,000,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis;
- 3) Authorize the termination of perpetual Agreement for Services 942-S0811 with Sierra Child and Family Services, Inc., for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 463-S1411 with Sierra Child and Family Services, Inc.;
- 4) Approve and authorize the Chair to execute perpetual Agreement for Services 463-S1411 with Sierra Child and Family Services, Inc. with a maximum not-to-exceed compensation of \$2,000,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis;
- 5) Authorize the termination of perpetual Agreement for Services 165-S0911 with Oakendell, doing business as Oakendell Residential Treatment Facility, for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis pursuant to Article XVII, Item D Termination or Cancellation Without Cause, to be effective upon final execution of perpetual Agreement for Services 464-S1411 with Oakendell, doing business as Oakendell Residential Treatment Facility;
- 6) Approve and authorize the Chair to execute perpetual Agreement for Services 464-S1411 with Oakendell, doing business as Oakendell Residential Treatment Facility with a maximum not-to-exceed compensation of \$400,000 during any fiscal year with a term that shall commence upon execution, and remain in perpetuity, unless terminated by either party for the provision of emergency shelter care and/or foster care placement services on an “as requested” basis; and
- 7) Authorize the Chief Administrative Officer, or their designee, to execute further documents relating to Agreement for Services 462-S1411, Agreement for Services 463-S1411, and Agreement for Services 464-S1411, including amendments thereto, contingent upon approval by County Counsel, Risk Management, and Human Resources, as applicable, which do not affect the maximum compensation or term of the Agreement.

FUNDING: Funded with a blend of Federal and State funds (85%) with County share of cost or required match (15%) met primarily with realignment resources.

Total Estimated Cost.....	\$4,400,000
Environmental Alternatives.....	\$2,000,000
Sierra Child and Family Services, Inc.	\$2,000,000
Oakendell, d.b.a. Oakendell Residential Treatment Facility.....	\$400,000
Total Funding Available.....	\$4,400,000
Change To Net County Cost.....	\$0

Fiscal Impact/Change to Net County Cost

There is no change to the Net County Cost associated with this agenda item. Sufficient appropriations are included in the Fiscal Year 2013-14 budget and will be included in future County Budget Requests.

Background

The County of El Dorado Health and Human Services Agency (HHSA) is responsible for the administration and provision of Child Welfare Services. If a court finds that a child comes within the description of California Welfare and Institutions Code Section 300 (WIC 300), HHSA is responsible for removal of children from an unsafe situation or environment. This is often followed by court-ordered foster care placement to ensure the ongoing safety of the children.

Children are placed away from their parents only when it becomes necessary to protect them from immediate harm or continued abuse or neglect. If an appropriate relative placement is not available, it becomes necessary to place a child in a licensed Foster Home. Some children have such serious issues; placement in a Group Home provides a setting better equipped to deal with serious behavioral, including behavioral mental health issues.

Services provided to children placed in foster care/group homes include, but are not limited to, room and board, care and supervision, clothing, personal incidentals, recreation, transportation, education, social services, nurturing, care, medical and/or psychological treatment, and training as court-ordered or as suited to the child’s needs. These facilities provide much needed stability in a turbulent time in the child’s life.

HHSA currently maintains multiple contracts, with no stated end term, for emergency shelter and foster care placement services to ensure compliance with WIC 300, including the placement of children in the most appropriate location and environment.

The County’s Probation Department is a party to these Agreements and is authorized to place children at these facilities on an “as needed” basis.

Reason for Recommendation

The HHSA monitors contracted vendors to ensure their continued ability to meet various mandated requirements in a timely manner, including the most appropriate placement of at-risk children. Increased utilization of these facilities has necessitated an increase in the annual maximum

obligation to the amounts listed above. The increase total for the three (3) Agreements for Services is \$950,000 annually.

The above noted Agreements were developed to update the existing perpetual Agreements for Services to ensure the Agreement contains the most current County-approved Articles to provide maximum protection to the County. The updated contract language includes, "Audit by California State Auditor," "Transfer of Records," "Venue," "Taxes," "Change of Address," "Litigation," "Conflict Prevention and Resolution," "Release of Information," and created a separate article for "Maximum Obligation."

HHSA, in collaboration with County Counsel, determined that new perpetual agreements better addressed the need to bring the current agreements into compliance with County-required Articles and Counsel recommendations.

Failure to approve the Agreements will result in a reduced ability of HHSA to provide the court-mandated services of emergency shelter care services to the most vulnerable children in various geographical locations.

Clerk of the Board Follow Up Actions

- 1) Chair to sign two (2) originals of Agreement for Services 462-S1411.
- 2) Chair to sign two (2) originals of Agreement for Services 463-S1411.
- 3) Chair to sign two (2) originals of Agreement for Services 464-S1411.
- 4) Clerk of the Board to return one (1) original Agreement for Services 462-S1411, Agreement for Services 463-S1411, and Agreement for Services 464-S1411 to HHSA, Contracts Unit

Contact

Don Ashton, M.P.A., Director

Concurrences

County Counsel, Risk Management, and Human Resources