



## Legislation Details (With Text)

**File #:** 22-0081      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/29/2021      **In control:** Board of Supervisors

**On agenda:** 4/5/2022      **Final action:** 4/5/2022

**Title:** Health and Human Services Agency recommending the Board:

- 1) Find that in accordance with Ordinance section 3.13.030, D., the provision of such services provided by Contractor are in the public's best interest and by legislative authority, pursuant to Welfare and Institutions Code Section (WIC) 11461.6 and Senate Bill 89, it is mandated that the service be performed by independent contractors;
- 2) Approve and authorize the Chair to sign Amendment 1 to Agreement for Services 5344 with Catalyst Family Inc., doing business as Catalyst Community, for the provision of the Child Care Bridge Program for Foster Children Services, for the retroactive term of July 1, 2021 through June 30, 2024, with a maximum Fiscal Year 2021-22 obligation of \$426,986, and with each successive year's maximum to be determined based on State allocations; and
- 3) Authorize the HHSA Director or their designee to execute further documents relating to Agreement for Services 5344, including amendments which do not increase the maximum dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

**FUNDING:** State General Fund, leveraged on an annually adjusted basis by Federal funds at a percentage established based on prior fiscal year caseload.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS 5344 A1 22-0081, 2. B- Agmt 5334 Amendment 1- 4.5.22, 3. C- Agmt 5344 executed 6.8.21, 4. Executed Agreement 5344

Date	Ver.	Action By	Action	Result
4/5/2022	1	Board of Supervisors	Approved	Pass

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**FUNDING:** State General Fund, leveraged on an annually adjusted basis by Federal funds at a percentage established based on prior fiscal year caseload.

**DISCUSSION / BACKGROUND:**

On June 8, 2021 (File ID 20-1645), the Board approved Agreement 5344 in the amount of \$277,344. That amount was based on the California Department of Social Services (CDSS) Planning allocation for The Emergency Child Care Bridge for Foster Children (Bridge Program) with terms and conditions based on direction from the CDSS for the Bridge Program. At that time, the Board approved updates to the maximum obligation to match the CDSS Final Allocation for the Bridge Program without need for an amendment.

On November 12, 2021, the CDSS issued Child Care Bulletin (CCB) No. 21-18, to provide guidance to counties and child care and development contractors, regarding the implementation of Senate Bill (SB) 168 (Chapter 261, Statutes of 2021), signed by the Governor on September 23, 2021. SB 168 authorizes 16 paid nonoperational days for COVID-19 pandemic related closures and child care reimbursement based on the maximum certified hours of care rather than attendance (otherwise known as “hold harmless”) for providers serving children in the Emergency Child Care Bridge Program for Foster Children (Bridge Program) effective July 1, 2021, through June 30, 2022. Within that following month, Counties administering the Bridge Program had been informed that they must notify providers immediately of the statutory directive and provide them with the option of requesting an adjustment to be reimbursed retroactively for closures dating back to July 1, 2021 related to COVID-19, and for which the provider was not previously reimbursed. Counties administering the Bridge Program are being encouraged to process these adjustments as quickly as possible.

On November 30, 2021 the CDSS issued County Fiscal Letter No. 21/22-45, informing the County that Fiscal Year (FY) 2020-21 unspent assistance and administration funding has been re-appropriated to the FY 2021-22 Final Allocation for the Bridge Program. This final allocation is for a higher amount than estimated in the Planning Allocation. Historically, this funding has been released first as a Planning Allocation which is then followed up by a Final Allocation a few months later. Each release requires a change to the Agreement to update the amounts in the funding Tables.

Since that time, and due to this additional guidance from CDSS, HHSA is returning to the Board to request approval for a First Amendment to Agreement 5344 with the updated maximum obligation of \$426,986 for FY 2021-22, and to seek approval to update the compensation amounts to match future allocations from CDSS without requiring an amendment, should no additional changes to the terms or conditions be made to the Bridge Program which would necessitate an amendment. If the Board approves, upon release by CDSS of any additional changes to the allocation amounts for FY 2021-22 and each year thereafter for the term of this Agreement, the CDSS notification shall be attached to Agreement 5344, Tables 4.1-4.3, the funding shall be updated, and the maximum obligation shall be adjusted to reflect the allocation, without need for amendment.

**ALTERNATIVES:**

The Board could decline to approve the recommended changes in Amendment 1 to the Agreement 5344, whereupon the allocated funding would go unspent and the County would be out of compliance with the direction from the State. Alternatively, the Board could approve this Amendment, but deny the request to authorize updating the Maximum Obligation going forward without amendment for the remainder of the term of the Agreement based on Allocation amounts released by the State.

**PRIOR BOARD ACTION:**

- 1) 11/24/2017, File ID 17-1181, HHSA ER Child Care Bridge Funding
- 2) 10/09/2018, File ID 18-1176, HHSA Choices for Children Agmt. 2518
- 3) 06/08/2021, File ID 20-1645, HHSA Agreement 5344 Catalyst Fam. Inc.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel, Human Resources, and Risk Management review and approval. The Auditor-Controller has been notified in accordance with Policy B-12.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

There is no Net County Cost associated with this Agenda item. Sufficient appropriations were included in the FY 2021-22 Budget, and will be included in future budgets for the term of the Agreement assuming funds are appropriated in the State budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain signature of Chair on one (1) original Amendment to Agreements for Services 5344.
- 2) Clerk of the Board to provide a copy of one (1) fully executed Amendment to Agreement 5344 to the HHSA Contracts Unit at 3057 Briw Road, Placerville, CA.

**STRATEGIC PLAN COMPONENT:**

County Strategic Goal 1 - Healthy Communities, Objective 1: "Protect against adverse outcomes among children and youth, adults and seniors."

**CONTACT**

Don Semon, Director