



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Social Services
Department No.: 044
For Agenda Of: August 22, 2017
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Daniel Nielson, Social Services Director
Director(s) (805) 346-7101
Contact Info: Amy Krueger, Adult & Children Services Deputy Director
(805) 346-7248

SUBJECT: Agreement with the California Department of Social Services for Legal Representation in Resource Family Approval Program Administrative Appeals

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the County of Santa Barbara Director of the Department of Social Services (DSS) to execute the Agreement with the California Department of Social Services (CDSS) for legal consultation and legal representation in administrative action appeals concerning the Resource Family Approval (RFA) Program pursuant to California Welfare and Institutions Code section 16519.5 et seq. for the period of January 1, 2017 through June 30, 2019;
- b) Adopt a Resolution authorizing the County of Santa Barbara Director of Social Services, to execute duly approved documents and agreements for the RFA Program; and
- c) Determine that the execution of the Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061 (b) (3), finding that the execution of the Agreement is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

Summary Text:

CDSS and DSS wish to enter into an agreement for the purpose of establishing the responsibilities of the CDSS and the County in the provision and receipt of legal consultation and legal representation in administrative action appeals associated with the Resource Family Approval (RFA) program pursuant to California Welfare and Institutions Code section 16519.5 et seq. from January 1, 2017 through June 30, 2019. A Resolution is required to authorize the County of Santa Barbara Director of DSS to execute this agreement.

Background:

The RFA program 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 nonrelative extended family members as foster care providers, and approving adoptive families; establish a single set of standards for resource family approvals which allow for the safety, permanence, and well-being needs of the children who have been victims of child abuse and neglect; 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 RFA. The CDSS Legal Division shall act as the sole legal representation on behalf of the County in the provision of legal consultations and legal representation on appeals to an RFA Notice of Action. This is described in under Article III of Exhibit A, to the Standard Agreement.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

There is no fiscal or facilities impact.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Key Contract Risks:

This Agreement requires the County to indemnify CDSS under Section X of Exhibit A, Attachment 1 for any claims caused by the County arising from this Agreement. This is a standard provision that all participating counties throughout the State will follow.

Special Instructions:

Please send the following to DSS Contracts Unit - C/O Tricia Beebe, Contracts Coordinator

- One (1) certified copy of the Minute Order
- Two (2) executed Resolutions and one (1) certified copy of the Resolution

Attachments:

1. Attachment 1 – Agreement between CDSS and DSS for RFA Program 2017-19
2. Attachment 2 – Resolution - RFA Program

Authored by:

Amy Krueger, Deputy Director
Tricia Beebe, Contracts Coordinator