



Legislation Text

File #: 2019-0614, **Version:** 1

To: Board of Supervisors of Sonoma County

Department or Agency Name(s): County Administrator, Department of Health Services, County Counsel, Auditor-Controller-Treasurer-Tax Collector, Information Systems Department

Staff Name and Phone Number: Terri Wright, 565-3775; Barbie Robinson, 565-7876; Angie Dillon-Shore, 565-6627

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

First 5 Post-Transition Agreement and Contract Assignments

Recommended Actions:

A) Authorize the Chair to execute a post-transition agreement with the First 5 Sonoma County Commission to provide services to support the First 5 Sonoma County Commission's transition to a legal public entity for the period July 1, 2019 through June 30, 2020.

B) Authorize the Director of Health Services, the Executive Director of the First 5 Sonoma County Commission, and the Chair of the First 5 Sonoma County Commission to execute assignment, novation, and consent agreements associated with any and all First 5 Sonoma County Commission agreements with a term end date on or after July 1, 2019, to transfer and assign all rights and obligations from the County of Sonoma to the First 5 Sonoma County Commission effective July 1, 2019, the date upon which the First 5 Sonoma County Commission transitions to a separate legal public entity.

Executive Summary:

On March 19, 2019 the Board adopted an ordinance establishing the First 5 Sonoma County Commission as a legal public entity separate from the County of Sonoma, with an operative date of July 1, 2019. To support the transition to a legal public entity, the First 5 Sonoma County Commission has requested that the County provide certain legal, financial, and administrative services for a period of up to one year. This item requests approval to execute a post-transition agreement to establish the terms and conditions and payment structure for the provision of services by the County to the First 5 Sonoma County Commission.

County entities that will provide financial services during the transition period include the Auditor-Controller-Treasurer-Tax Collector and the Department of Health Services. The Information Systems Department will maintain user email accounts for transitioning First 5 staff. The County Administrator's Office will serve as primary County liaison to First 5 Sonoma County to assist First 5 when Board-level discussions are needed. Additionally, First 5 may elect to utilize the services of County Counsel through a separate legal services agreement. First 5 will provide full-cost reimbursement for all services provided by the County.

This item also requests approval to execute assignment, novation, and consent agreements associated with certain First 5 Sonoma County Commission agreements to transfer and assign all rights and obligations from the County of Sonoma to the First 5 Sonoma County Commission effective July 1, 2019, the first date upon

which the First 5 Sonoma County Commission is a separate legal public entity.

Discussion:

On March 19, 2019 the Board adopted an ordinance establishing the First 5 Sonoma County Commission as a legal public entity separate from the County of Sonoma. Ordinance Number 6257 amends Ordinance Number 5142 (the original ordinance establishing the Sonoma County Children and Families First Commission) and establishes the First 5 Sonoma County Commission as an independent public entity as allowed by statute. The operative date of the ordinance is July 1, 2019.

Transition of Administrative Functions and Post-Transition Agreement

The First 5 Executive Director and First 5 Commission, in conjunction with County Counsel and independent counsel, James Harrison of the firm Remcho, Johansen and Purcell, have developed an agreement for the County to provide certain specific and limited legal, financial, and administrative services during a transition period following the effective date of the First 5 Sonoma County Commission becoming an independent legal entity.

County entities that will provide financial services during the transition period include the Auditor-Controller-Treasurer-Tax Collector and the Department of Health Services. The Information Systems Department will maintain user email accounts for transitioning First 5 staff. The County Administrator's Office will serve as primary County liaison to First 5 Sonoma County to assist the Agency when Board-level discussions are needed. First 5 will provide full-cost reimbursement for all services provided by the County. The final agreement will be substantially similar to the agreement provided as Attachment 1. Additionally, First 5 may elect to utilize the services of County Counsel through a separate legal services agreement.

First 5 Contract Assignments

All current contractual agreements executed by the County on behalf of the First 5 Sonoma County Commission must be transitioned to the First 5 Sonoma County Commission as an independent legal entity as of July 1, 2019. County Counsel has developed assignment, novation, and consent agreements associated with certain First 5 Sonoma County Commission agreements, with a term end date on or after July 1, 2019, to transfer and assign all rights and obligations from the County of Sonoma to the First 5 Sonoma County Commission effective July 1, 2019, the first date upon which the First 5 Sonoma County Commission is a legal public entity.

Prior Board Actions:

On March 19, 2019 the Board adopted an ordinance (Ordinance Number 6257) amending Ordinance Number 5142 (establishing the Sonoma County Children and Families First Commission) as amended by Ordinance Numbers 5236, 5807, and 5881, to establish First 5 Sonoma County Commission as an independent public agency and establish Commission membership, terms, powers, and duties.

FISCAL SUMMARY

Expenditures	FY 18-19 Adopted	FY 19-20 Projected	FY 20-21 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			

Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

County will receive revenue from the post-transition agreement during FY 19-20 for the provision of services. Per the agreement, each Department will invoice First 5 for the full cost of services provided.

Staffing Impacts:			
Position Title (Payroll)	Monthly Salary Range (A - I Step)	Additions (number)	Deletions (number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Interagency agreement between County and First 5

Related Items "On File" with the Clerk of the Board:

None