



**Contra
Costa
County**

To: Board of Supervisors
From: Kathy Gallagher, Employment & Human Services Director
Date: March 19, 2019

Subject: Approve and Adopt CalSAWS Joint Exercise of Powers Agreement

RECOMMENDATION(S):

APPROVE County membership in a Joint Powers Authority, the CalSAWS Consortium, to be comprised of the 58 California counties.

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute the Second Amended and Restated Joint Exercise of Powers Agreement for the CalSAWS Consortium, for the purpose of establishing a single statewide case management system for the administration of California's public assistance programs, subject to review as to form by County Counsel and approval of the terms by the County Administrator, in a form substantially similar to the attached Agreement;

APPOINT Kathy Gallagher, Employment and Human Services Director, as the County's representative to the CalSAWS Consortium.

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a Memorandum of Understanding (MOU) with the CalSAWS Consortium regarding the administration and implementation of the single statewide automated welfare system, subject to review as to form by County Counsel and approval of the terms by the County Administrator, in a form substantially similar to the attached MOU.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Diane Burgis, District III Supervisor

Contact: Kathy Gallagher, 608-4801

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 19, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Jami Napier, Deputy

cc:

FISCAL IMPACT:

The estimated increased County cost in FY 19/20 for California's Statewide Automated Welfare Systems (CalSAWS) planning activities is \$12,000. This cost has been included in the Employment and Human Services Department's (EHSD) recommended budget.

Costs for the County's current welfare case management system, CalWIN, are included annually in EHSD's budget and represent a 4% share of the total Federal/State/County system costs. Total County costs for CalSAWS Design, Development and Implementation, and for the Maintenance and Operations over the course of the project are still being estimated at the State and Federal level. Costs for the new system will be partially, or entirely, offset by current investments in the CalWIN system.

BACKGROUND:

The Statewide Automated Welfare Systems (SAWS) are the case management systems that are currently managed and operated by two consortia representing the 58 California counties. The SAWS support the delivery of services to applicants and beneficiaries of the State of California's public assistance programs and other County programs. These systems automate program enrollment, eligibility determination, benefits payroll, reporting, and other case management functionality.

The SAWS provide support for the administration of programs including Medi-Cal, California Work Opportunity & Responsibility to Kids/Temporary Aid to Needy Families (CalWORKs/TANF), CalFresh/Supplemental Nutrition Assistance Program (SNAP), Cash Assistance Program for Immigrants (CAPI), Foster Care, Refugee Cash Assistance (RCA), Kinship Guardianship Assistance Program (KinGAP), California Food Assistance Program (CFAP), General Assistance/General Relief (GA/GR), Adoption Assistance, and other health and human services programs or subprograms.

Currently, there are three separate SAWS in California, managed by two separate consortia of counties, as follows:

- Welfare Client Data Systems (WCDS Consortium) maintains and operates the California Work Opportunity and Responsibility to Kids Information Network (CalWIN) system supporting 18 counties, including Contra Costa County.
- California Automated Consortium Eligibility System (CalACES Consortium), established in 2017, maintains and operates the Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER) Replacement System (LRS) supporting Los Angeles County, and the Consortium IV (C-IV) system supporting the other 39 counties.

For the State to continue to receive Federal Financial Participation for the SAWS, and to comply with State and Federal technology architecture standards, the Centers for Medicare and Medicaid Services and the United States Department of Agriculture (USDA) Food and Nutrition Services require that California implement a single SAWS system by the end of 2023. To comply with these obligations, the 40 county members of the CalACES Consortium and the 18 county members of the WCDS Consortium will join together to create a single statewide system managed by a CalSAWS Joint Powers Authority, known as the CalSAWS Consortium.

Establishment, Purpose, and Structure of the Joint Powers Authority

To transition to the CalSAWS single system by 2023, California requested and received funding to conduct planning to determine the level of effort and cost to move to a single system. As part of that planning effort, the California counties formed the CalSAWS Leadership Team to finalize a formal CalSAWS Consortium governance structure. The Contra Costa County EHSD Director is a member of this team. This Leadership Team, in conjunction with California Welfare Directors Association, California Department of Social Services, Department of Health Care Services, and Office of Systems Integration, provided guidance and oversight to the CalACES and WCDS Consortia Executive Directors in their preparation of the CalSAWS Consortium governing documents. A work group of several County Counsels assisted in the development of the governance documents, which include the Joint Exercise of Powers Agreement, and the Memorandum of Understanding to be executed between the Consortium and each individual county. The CalSAWS Leadership Team worked with County Counsel representatives in the preparation of the governing documents and the County Counsel offices of all 58 counties reviewed and provided input for these documents. It is anticipated that all 58 County Counsels will approve these documents as to form.

The Joint Exercise of Powers Agreement defines the purpose, powers and general provisions governing the CalSAWS Consortium. The CalSAWS Consortium ("Consortium") is formed in accordance with the provisions of the California Government Code, commencing with Section 6500. The purpose of the Consortium is to design, develop, and implement the CalSAWS single statewide system, and conduct the ongoing operation and maintenance of the current SAWS systems until they are phased out.

The Consortium is organized into a governance structure of six (6) regions comprised of one or more counties. Each County will have one Consortium Member Representative with the exception of Los Angeles, which has three representatives to reflect its proportion of the state population. This board order requests the Employment and Human Services Department Director be appointed as Contra Costa County's Member Representative. Should the current EHSD Director vacate their County position, the member seat will automatically be deemed vacant and automatically filled by the interim or permanent individual assuming this Director position.

The CalSAWS Consortium will be governed and administered by a 12 voting member Board of Directors, with twelve (12) county Welfare Directors appointed by Member Representatives from their region. The number of Directors from each region is based upon aided person counts in public assistance programs in each region. Regions 1 and 4 will have two Directors each, Regions 2 and 3 will have one Director each, and Regions 5 and 6 will have three Directors each. Each Director on the 12-member board has one vote. Contra Costa County will be a member of Region 1, which includes a total of 12 Bay Area and Coastal counties (8 from the WCDS Consortium and 4 from the CalACES Consortium).

The San Bernardino County Treasurer will be the Treasurer of the Consortium.

Indemnification Obligations

The Joint Exercise of Powers Agreement requires the CalSAWS Consortium to indemnify and defend each of its County members, including Contra Costa County, from all claims, losses, damages, and/or liability arising from the Consortium's acts, errors, or omissions. The Agreement also requires each of the member counties to defend and indemnify each of the other member Counties from any liability, claim, or judgement for injury or damages caused by any negligent or wrongful act or omission of the indemnifying member related to the performance of the Agreement.

MOU Between Contra Costa County and the CalSAWS Consortium

The CalSAWS Consortium will operate pursuant to a Memorandum of Understanding (MOU) with each member county. The MOU establishes the obligations of each county regarding SAWS vendor agreements, equipment, personnel, and other resources in fulfillment of the CalSAWS Consortium's mission and objectives. The MOU defines what expenses each contracting party will be responsible for in the course of developing, implementing and maintaining the system. This includes commitment that the Consortium will reimburse personnel expenses.

Federal Approvals and Timeline

Final Federal approval from the USDA Food and Nutrition Services and the Department of Health and Human Services Centers for Medicare and Medicaid Services has been received approving and accepting the Implementation Advance Planning Document (IAPD) for FFY 2019 through FFY 2020. With this approval and funding authorization, the CalSAWS planning and implementation project officially launched on March 4, 2019 and is currently planned to be completed and receive final federal acceptance no later than June 30, 2023. It is expected that Contra Costa will migrate to the new CalSAWS system in 2022.

Pending approval of the Boards of Supervisors of each of the 58 Counties, the Joint Exercise of Powers Agreement will become effective on June 28, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

Contra Costa County would still be mandated to migrate to the new CalSAWS system, but would do so without a voice in the process. The County would not become a member of the CalSAWS Consortium and would not be able to access Federal funding for the CalSAWS Planning and Implementation requirements.

CLERK'S ADDENDUM

Adopted as presented.

ATTACHMENTS

CalSAWS MOU

CalSAWS MOU Signature Page

CalSAWS Joint Powers Agreement

CalSAWS Joint Powers Agreement Signature Page