



Monterey County

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Board Report

Legistar File Number: A 18-323

July 10, 2018

Introduced: 6/22/2018

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. ("LexisNexis") incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurint public-records database for the term August 1, 2018 through December 31, 2020, for an Agreement amount of \$7,300; and
- b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification).

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. ("LexisNexis") incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurint public-records database for the term August 1, 2018 through December 31, 2020, for an Agreement amount of \$7,300; and
- b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification).

SUMMARY/DISCUSSION:

The Monterey County Health Department's Public Guardian/Administrator/Conservator's Bureau (Public Guardian) is mandated by law to take property and probate the estates of county residents who have passed away. Public Guardian is also the court appointed Probate Conservator for individuals who are unable to manage personal or financial affairs or resist fraud or undue influence, when there is no family or a qualified third party to act pursuant to Probate Code. The Public Guardian also serves as Public Representative Payee pursuant to Board Resolution 81-43 for residents deemed incapable of managing their own entitlement benefits.

By law, the Public Guardian must give notice to all family members to the second degree for all persons that it seeks to file a conservatorship. The Public Administrator also has a legal duty to notify all heirs at law in all probate actions filed to administer a decedent's estate. The Public Guardian's office has had difficulty locating persons entitled to legal notice in some cases which has resulted in some cases being delayed and repeated court appearances necessary by County Counsel. Some of these additional appearances could have been avoided had the Public Guardian's office had a more sophisticated database to research current address and contact information for family members of

clients. Additionally, the Public Guardian's office does not have an efficient tool for searching for contact information for relatives, resulting in time spent on google searching for information and making a lot of fruitless phone calls and emails to possible relatives. All this time could be saved by having a more robust and accurate search tool.

To assist with these mandates, the Public Guardian's office is seeking an agreement with LexisNexis that will provide access to their electronic information database services with proprietary public record databases throughout the United States which will allow the Public Guardian to locate relatives, heirs, properties and assets of Public Guardian clients and related individuals who are entitled to receive notice of legal actions filed by the Public Guardian's office.

On January 1, 2018, LexisNexis entered into a three-year Master Service Agreement with the State of California's Department of General Services. This Agreement expires on December 31, 2020. The Public Guardian's office will use this agreement as the base for the Schedule A Agreement, which incorporates the Master Service Agreement in its totality.

The Agreement with LexisNexis will provide two years and five months of access to the Accurant public-records database to perform searches that would assist in locating relatives, heirs, properties, and assets for Public Guardian clients for a term of August 1, 2018 to December 31, 2020. This Agreement is based on the Master Service Agreement which was entered between the State of California and LexisNexis. The term is to correspond the contract term for Monterey County to the same term as the State Contract, so that any amendments could be done at the same time as the State of California contract is renewed.

While this work is not directly in support of a Health Department strategic initiative, it is in support of one or more of the ten essential public health services, specifically: 1) Monitor health status to identify and solve community health problems, 6) Enforce Laws and Regulations that Protect Health and Ensure Safety and, 7) Link people to needed personal health services and assure the provision of health care when otherwise unavailable.

OTHER AGENCY INVOLVEMENT:

Office of the County Counsel-Risk Management, and the Auditor-Controller have reviewed and approved this Agreement as to legal form, liability and fiscal provisions respectively.

FINANCING:

There are sufficient appropriations in the Health Department FY 2018-19 (\$2,700) Recommended Budget for Public Guardian (HEA008-8118). Funds for this Agreement for FY 2019-20 (\$2,900) and FY 2020-21 (\$1,700) will be included Public Guardian's (HEA008-8118) Requested Budgets.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy

economy.

☒Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Fabricio Chombo, Finance Manager I, 6343

Approved by: Ezequiel Vega, Assistant Director of Health, 4622

Attachments:

LexisNexis Agreement is on file with the Clerk of the Board