

July 20, 2010



Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94901

**SUBJECT:** Health and Human Services, Division of Community Mental Health Services requests approval of a resolution to authorize joining the Joint Powers Authority (JPA) known as the California Mental Health Services Authority (CalMHSA) in order to jointly develop and fund mental health services and education programs as determined on a regional, statewide, or other basis and to direct the state Department of Mental Health to contract with CalMHSA to achieve such ends.

Dear Supervisors:

**RECOMMENDATION:** It is recommended that the Board approve a resolution to join a Joint Powers Authority, authorize the Director of Health and Human Services to sign the Joint Exercise of Powers Agreement, and to designate the Assistant Director for the Division of Community Mental Health Services or their designee to participate in the JPA. This letter authorizes the Assistant Director or designee to represent Marin County on the JPA Board of Directors which will jointly develop and fund mental health and education programs as determined on a regional, statewide, or other basis. The Board will approve and sign the Joint Exercise of Powers agreement of the JPA and authorize the Director of Health and Human Services to sign all future documents pertaining to the agreement as may be required.

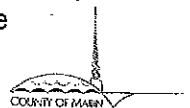
**SUMMARY:** On November 11, 2008 the Board of Supervisors approved the reassignment of \$222,400 for four years, 2008-2009 through 2010-2011, to fund statewide prevention and early intervention projects identified in the Mental Health Services Act (formerly Prop 63) as:

- Suicide Prevention
- Student Mental Health Initiative
- Stigma and Discrimination Reduction

The state Department of Mental Health (DMH) has identified five Prevention and Early Intervention Projects as statewide projects for which they have reserved distinct, separate funding that does not impact the on-going base funding for the PEI program developed by individual counties. In addition, DMH has supported the development of a Joint Powers Authority for the administration of the Training, Technical Assistance, and Capacity Building section of the MHSAs.

As outlined in Welfare and Institutions Code sections 5846 and 5847 the position of the state Department of Mental Health has changed as of March 29, 2010 to allow counties to assign funds to DMH to fund a contract between DMH and California Mental Health Services Authority (CalMHSA) for the development and implementation of one or more of the three statewide

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programs. Marin County's portion of the statewide funds will go from DMH to the joint powers authority (CalMHSA) once specific Prevention and Early Intervention statewide or regional projects have been approved by the Mental Health Services Oversight and Accountability Commission.

**COMMUNITY BENEFITS:** The approval of this cooperative agreement allows Marin County to participate as an active member of the California Mental Health Services Act Authority Joint Powers Authority. Marin County will become a voting member with a voice in how and where funds for regional, statewide, or other projects are expended as per the by-laws of the CalMHSA. Statewide or regional prevention and early intervention projects will benefit the people of Marin County by providing services, education, training, and other interventions to improve mental health.

**FINANCIAL IMPACT:** Approval of this item will not impose any additional County local cost and will allow the Division of Community Mental Health Services to enter into a working agreement with participating member counties of the California Mental Health Services Authority. Participation in the Authority will not impose any additional County costs as funding for the statewide PEI projects has been reserved for counties by the states and is separate from and does not impact the ongoing base funding of the counties for the PEI programs developed by individual counties. Upon approval of specific mental health programs by the Authority, counties may then elect to finance the statewide or regional, PEI projects through the funding allocated by the state for statewide PEI projects.

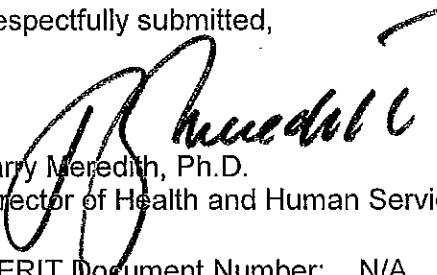
**FISCAL/STAFFING IMPACT:** In March of 2009 Marin County assigned a total of \$889,600 over the next four years to fund statewide Prevention and Early Intervention projects administered by the state Department of Mental Health. Reassignment of such funds to CalMHSA creates no new or additional obligations for the County.

There is no increase in net county cost associated with this request.

**REVIEWED BY:**

<input type="checkbox"/>	Auditor Controller	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,

  
Larry Meredith, Ph.D.  
Director of Health and Human Services

MERIT Document Number:   N/A

**RESOLUTION NO. 2010-60**  
**RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS**  
**AUTHORIZING A MARIN COUNTY'S PARTICPATION IN THE CALIFONIA MENTAL**  
**HEALTH SERVICES AUTHORITY, VIA A JOINT EXERCISE OF POWERS AGREEMENT**

**WHEREAS**, mental health services in California were realigned to counties under the Bronzan-McCorquodale Act of 1991 referenced in Welfare and Institutional Code Sections 5600-5623; and

**WHEREAS**, Welfare and Institutions Code Section 5602 allows counties the authority to meet the mental health service needs of their county or counties by action jointly:

"The board of supervisors of each county, or the boards of supervisors of counties acting under the joint powers provisions of Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code shall establish a community mental health service to cover the entire area of the county or counties"; and

**WHEREAS**, subsection (a) of the Welfare and Institutions Code Section 5650 further describes a mechanism for describing the provision of mental health services under a performance agreement in a joint manner:

"The board of supervisors of each county, or boards of supervisors of counties acting jointly, shall adopt, and submit to the Director of Mental Health in the form and according to the procedures specified by the director, a proposed annual county mental health services performance contract for mental health services in the county or counties"; and

**WHEREAS**, the voters of the State of California passed the mental Health Services Act (MHSA) on November 4, 2004; and

**WHEREAS**, Section 3 of the MHSA states that the purpose and intent of the MHSA is "to ensure that all funds are expended in the most cost effective manner and services are provided in accordance with recommended best practices and subject to local and state oversight to ensure accountability to taxpayers and the public; and

**WHEREAS**, subsection (b) of Welfare and Institutions Code Section 5897 (added by the MHSA) states as follows:

"Notwithstanding any other provision of state law, the State Department of Mental Health shall implement the mental health services provided by part 3(commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) of this division through contracts with county mental health programs or counties acting jointly. A contract may be exclusive and may be awarded on a geographic basis; and

**WHEREAS**, subsection (b) of the Welfare and Institutions Code Section 5897 states as follows:

“Two or more counties acting jointly may agree to deliver or subcontract for the delivery of such mental health services. The agreement may encompass all or any part of such mental health services provided pursuant to these parts. Any agreement between counties shall delineate each county’s responsibilities and fiscal liability”; and

**WHEREAS**, Marin County desires to exercise its common powers as outlined in Welfare and Institutions Code jointly, under the provisions of a joint powers agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Marin County authorizes the Marin County Health and Human Services Agency Director or his/her designee to participate in the establishment of a joint powers authority in order to exercise the statutory powers provided for by the MHSA and the Bronzan-McCorquodale Act.

**BE IT FURTHER RESOLVED** that that the Marin County Health and Human Services Agency Director of his/her designee is authorized to assist in the development of related JPA formative documents, and submit a final JPA agreement to the Board of Supervisors for approval.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Marin held on this 20th day of July, 2010, by the following vote:

**AYES:** SUPERVISORS Harold C. Brown, Jr., Charles McGlashan,  
Steve Kinsey, Judy Arnold

**NOES:** NONE

**ABSENT:** SUPERVISOR Susan L. Adams

**ATTEST:**

  
\_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

  
\_\_\_\_\_  
CLERK