

BOARD OF SUPERVISORS
Yolo County, California

To: ADMH ✓
Auditor ✓

CONSENT CALENDAR

Excerpt of Minute Order No. 10-150 Item No. 2.17, of the Board of Supervisors' meeting of July 27, 2010.

MOTION: Provenza. SECOND: McGowan. AYES: Rexroad, Provenza, Chamberlain, McGowan, Thomson.

2.16 Approve annual agreement for \$516,698 with the California Department of Mental Health for State Hospital bed purchase and usage for fiscal year 2009/10. (No general fund impact; budgeted realignment) (Suderman)

Recommended Action 2.16

Approved on Consent by **Agreement No. 10-99.**

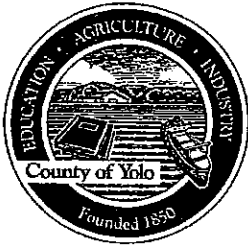
2.17

Approve resolution authorizing Yolo County's participation in the California Mental Health Service Authority via a Joint Exercise of Powers Agreement. (No general fund impact; uses Mental Health Services Act Statewide Prevention and Early Intervention funds) (Suderman)

Recommended Action 2.17

Supporting Document 2.17

Approved on Consent by **Resolution No. 10-107.**



DEPARTMENT OF ALCOHOL, DRUG AND MENTAL HEALTH


Kim Suderman, LCSW, Director

ADMINISTRATION

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Mark Bryan, Deputy Director
Christina Hill-Coillot, Deputy Director
Arturo Villamor, Medical Director

TO: Supervisor Helen Thomson, Chairwoman
And Members of the Board of Supervisors

FROM: Kim Suderman, Director 

DATE: July 27, 2010

SUBJECT: Approve resolution authorizing Yolo County's participation in the California Mental Health Service Authority, via a Joint Exercise of Powers Agreement. (No general fund impact; uses Mental Health Services Act Statewide Prevention and Early Intervention funds.)

RECOMMENDED ACTION

Approve and authorize the Chairwoman to sign resolution authorizing Yolo County's participation in the California Mental Health Service Authority (CalMHSA), via a Joint Exercise of Powers Agreement, under the Bronzan-McCorquodale Act of 1991.

STRATEGIC PLAN GOALS

This action supports the strategic plan goal of a safe and healthy community by improving access to Mental Health Services Act Statewide Prevention and Early Intervention Projects of Suicide Prevention, Student Mental Health Initiative, and Stigma and Discrimination Reduction.

FISCAL IMPACT

No county general funds are required by this action. These projects use Mental Health Services Acts (MHSA) Statewide Prevention and Early Intervention (PEI) funding in the amount of \$208,200 per year for Fiscal Years 08-09 through 11-12, which funding was redirected at the state level. ADMH first assigned this funding to the California Department of Mental Health (DMH) in 2009, and ADMH recently directed DMH to contract with CalMHSA, a Joint Powers Authority (JPA), pursuant to Welfare and Institutions Code section 5897, subdivision (a), to implement the Statewide PEI Programs. By this Resolution, ADMH requests authorization to join CalMHSA in order for Yolo County to participate with other counties in the development and implementation of the statewide PEI programs.

Reviewed by: 

Phone #: 8153

REASON FOR RECOMMENDED ACTION

Yolo County will benefit from these statewide projects through training and technical assistance, enhanced state and local partnerships, coordinated regional efforts, research and evaluation, statewide quality improvement activities, and more. Further, if Yolo County is to benefit from these statewide funds, they must be assigned for statewide use; the funds cannot be expended locally or used for any other purposes.

BACKGROUND

Per direction from the California Department of Mental Health (DMH), on February 25, 2009, Yolo County assigned its PEI Statewide Programs funding to DMH (for Fiscal Years 08-09 through 11-12). DMH delayed its implementation of these programs and with a recent change allows counties who previously assigned the funds to DMH to direct DMH to contract with CalMHSA to administer the PEI Statewide Programs.

Although Yolo County cannot reverse the assignment of these funds to DMH, we recommend the reassignment of the funding to the Joint Powers Authority. ADMH prepared a draft of "Supplemental MHSA PEI Statewide Programs Assignment Agreement" directing DMH to contract with CalMHSA for this purpose. The document was posted for public review and comment on the Yolo County ADMH MHSA web page and copies were posted throughout the county. The public comment period ended June 14, 2010; no comments or objections to the proposed action were received. The document was submitted to DMH.

The CalMHSA Joint Powers Authority will now proceed with implementation of the specified statewide PEI programs on behalf of Yolo and other counties. Having reassigned these statewide funds, Yolo County ADMH is now eligible to apply for membership in CalMHSA and participate in planning and implementation of the statewide PEI programs. To this end, ADMH submits the draft document entitled, "**A RESOLUTION OF THE BOARD OF SUPERVISORS OF YOLO COUNTY AUTHORIZING YOLO COUNTY'S PARTICIPATION IN THE CALIFORNIA MENTAL HEALTH SERVICES AUTHORITY, VIA A JOINT EXERCISE OF POWERS AGREEMENT.**"

If approved by the Board of Supervisors, this resolution will permit ADMH to go forward with its application for membership in CalMHSA. The Resolution also gives the Director of Yolo County ADMH or her designee authorization by the Yolo County Board of Supervisors to execute the California Mental Health Authority Exercise of Joint Powers Agreement (attached to the Resolution as Exhibit A) and to represent the County of Yolo in the CalMHSA; further, the Director is authorized to execute future documents in the context of this joint powers agreement and other such documents required to join and maintain membership in CalMHSA.

OTHER AGENCY INVOLVEMENT

County Counsel has approved this resolution as to form.

ATTACHMENTS

Agreement is on file with the Clerk of the Board.

AUG 03 2010

RESOLUTION NO. 10-107CLERK OF THE BOARD
BY *Heather Green*
DEPUTY

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF YOLO COUNTY
AUTHORIZING YOLO COUNTY'S PARTICIPATION IN THE CALIFORNIA 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 acting 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, the California Department of Mental Health has identified certain Prevention and Early Intervention (PEI) Projects (Suicide Prevention; Student Mental Health Initiative; Stigma and Discrimination Reduction) as statewide projects for which they have reserved funding for counties that is separate from and does not impact the ongoing base funding for the PEI programs developed by the individual counties; and

WHEREAS, the California Department of Mental Health has supported the development of a Joint Powers Authority (JPA) for the administration of the statewide PEI projects; and

WHEREAS, a number of California counties have created a Joint Exercise of Powers Agreement creating the California Mental Health Service Authority (CalMHSA), allowing each participating member county the opportunity to collaborate with all other members in order to more efficiently develop and fund regional and statewide PEI mental health services and education programs under the Mental Health Services Act (MHSA); and

WHEREAS, a Joint Powers Agreement in place creates a centralized county voice before the Legislature, the California Department of Mental Health, the Mental Health Services Oversight and Accountability Commission and other parties regarding this vital source of funding for county public mental health services and provides counties with an alternative to the assignment of the county MHSA funds to the state department and state legislature to implement regional and statewide PEI projects; and

WHEREAS, approval of this item will not impose any additional County local cost, as funding for the statewide PEI projects has been reserved for counties by the state and is separate from and does not impact the ongoing base funding of individual counties for local PEI programs; and

WHEREAS, Yolo County Department of Alcohol, Drug, and Mental Health is requesting approval to become a participating member in the CalMHSA, in order to act jointly with other counties to maximize the MHSA funding reserved for counties for the development and implementation of the statewide PEI projects;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Yolo County authorizes the Yolo County Department of Alcohol, Drug, and Mental Health Director or her designee to join and participate in the California Mental Health Services Authority (CalMHSA), in order to exercise the statutory powers provided for by the MHSa and the Bronzan-McCorquodale Act.

BE IT FURTHER RESOLVED that Yolo County Department of Alcohol, Drug, and Mental Health Director or her designee is authorized by the Yolo County Board of Supervisors to execute the California Mental Health Authority Exercise of Joint Powers Agreement (attached hereto as Exhibit A) and to represent the County of Yolo in the CalMHSA; further, the Director is authorized to execute future documents in the context of this joint powers agreement and other such documents required to join and maintain membership in CalMHSA.

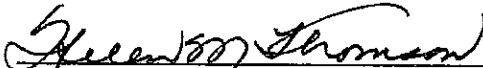
PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 27th day of July, 2010 by the following vote:

AYES: Rexroad, Provenza, Chamberlain, McGowan, Thomson.

NOES: None.

ABSENT: None.

ABSTAIN: None.



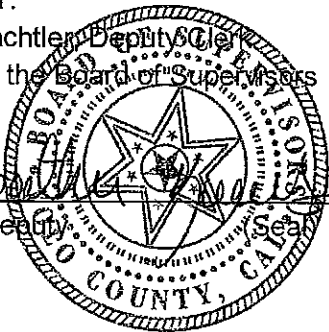
Helen Thomson, Chairwoman
Yolo County Board of Supervisors

ATTEST:

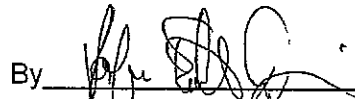
Julie Dachtler, Deputy Clerk
Clerk of the Board of Supervisors

By 

Deputy Clerk



Approved as to Form:

By 

Robyn Truitt Drivon, County Counsel