

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Behavioral Health and Recovery Services

BOARD AGENDA # \*B-6

Urgent

Routine

AGENDA DATE March 3, 2009

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Participate in the California Counties' Mental Health Services Authority, via a Joint Exercise of Powers Agreement

STAFF RECOMMENDATIONS:

1. Authorize Behavioral Health and Recovery Services to participate in the California Counties' Mental Health Services Authority to jointly develop and fund mental health services and education programs as determined on a regional, statewide or other basis.
2. Authorize the Behavioral Health Director or her designee to sign the Joint Exercise of Powers Agreement that creates the California Counties' Mental Health Services Authority.
3. Authorize the Behavioral Health Director or her designee to serve as the Stanislaus County representative to the California Counties' Mental Health Services Authority.

FISCAL IMPACT:

There is no additional cost to the County associated with this agreement. Administration by the Joint Exercise of Powers Agreement will be initially funded on an annual basis through Mental Health Services Act Prevention and Early Intervention training funds that are assigned back to the State for administration of statewide training activities. Assignment of these funds was approved by the Board of Supervisors on November 25, 2008.

BOARD ACTION AS FOLLOWS:

No. 2009-135

On motion of Supervisor Chiesa, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

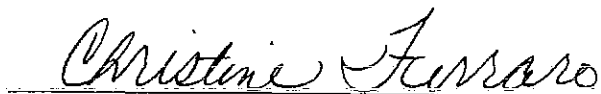
1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

## **DISCUSSION:**

During calendar year 2007, the State's Mental Health Services Act Oversight and Accountability Commission approved five Prevention and Early Intervention projects to be administered on a statewide basis. It was determined that three of those five projects would be more effectively implemented through a single entity. A total of \$40 million dollars per year will be used for these projects. This amount reflects county Prevention and Early Intervention funds that have been assigned back to the California Department of Mental Health to administer on the counties' behalf. Assignment of these funds was approved by this Board on November 25, 2008.

Article 1, Chapter 5, Division 7, Title 1 of the California Government Code permits two or more public agencies by agreement to exercise, jointly, powers common to the contract parties. In collaboration with the California Department of Mental Health and County Mental Health Directors, a Joint Exercise of Powers Authority (JPA) was developed to administer the statewide training, technical assistance and capacity building Prevention and Early Intervention programs and other programs as needed. The California Counties' Mental Health Services Authority has been created to allow member counties the opportunity to collaborate with all other members for the administration of the statewide projects. Each member county will have representation on the Authority's Board of Directors and the authority to attend, participate in and vote on, actions of the Board of Directors.

Through counties acting jointly, administration of these programs can be more efficiently and cost effectively accomplished. Examples include:

- Identification of local needs that can be connected with like needs in other, and potentially different, regions of the state.
- Resources can be maximized for the most efficient use of purchasing materials, such as translation into threshold languages, and technical assistance.
- Administrative cost efficiencies such as complying with reporting requirements as a single entity, rather than several counties.
- Development and implementation of training and technical assistance resources, workforce skill-building, and strategies to increase the capacity of contractors for service delivery.
- Facilitation of the solicitation process for training contracts and negotiate subsequent rates.
- Centralized entity to collect and disseminate research information and strategies to member counties.
- A single voice to lobby before the Legislature, Department of Mental Health and the MHSA Oversight and Accountability Commission.

Authorization to Participate in the California Counties' Mental Health Services Authority,  
via a Joint Exercise of Powers Agreement - Behavioral Health and Recovery Services  
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**POLICY ISSUE:**

Approval of this agenda item supports the Board of Supervisors' priorities of *A healthy community, A safe community, and the Efficient delivery of public services* by creating a prevention, "help first" community approach to mental health and wellness.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: March 3, 2009

No. 2009-135

On motion of Supervisor Chiesa Seconded by Supervisor Grover  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # \*B-6

APPROVAL TO PARTICIPATE IN THE CALIFORNIA COUNTIES' MENTAL HEALTH SERVICES  
AUTHORITY, VIA A JOINT EXERCISE OF POWERS AGREEMENT

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

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

WHEREAS, Welfare and Institutions Code section 5897 states as follows:

"Notwithstanding any other provision of State law, the Department of Mental Health shall implement the mental health services provided by Parts 3, 3.6, and 4 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."

"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."

WHEREAS, Stanislaus County desires to exercise its common powers as outlined in Welfare and Institutions Code jointly, under the provisions of this agreement.

NOW THEREFORE BE IS RESOLVED, there is hereby created the Mental Health Services Joint Powers Authority, to allow the participating counties to exercise their statutory authority referenced above, and to promote the dissemination of recommended best practices, referenced in the MHSA.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
Stanislaus County Board of Supervisors,  
State of California



BE IT ALSO RESOLVED that the participants agree that the authority outlined in this agreement shall be subject to bylaws, which the directors of mental health of the participating counties or their designees are authorized to adopt.

FURTHER, this agreement shall be in effect upon passing of this resolution and shall automatically renew on July 1<sup>st</sup> of every succeeding year unless amended by the participating members.