



10-1324

Item 17

2/15/11

**RESOLUTION NO. 024-2011**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**AUTHORIZING A MEMBER 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 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 defines 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**, in order to more efficiently develop and fund Statewide and regional, State funded mental health services and education programs under the MHSA, a number of California counties have formed a Joint Powers Authority (JPA) in California Mental Health Services Authority (CalMHSA); and

**WHEREAS**, through the JPA, administration of MHSA programs and funding allocations can become more efficient and cost effective; and

WHEREAS, the California Department of Mental Health has set aside separate MHSA funding that would flow to the JPA, in addition to existing county allocations, to be used to fund critical regional and Statewide needs such as suicide prevention, workforce training and education, and student mental health services.

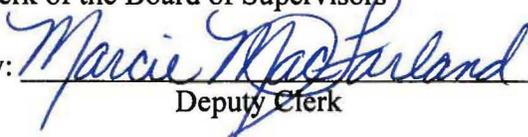
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of El Dorado hereby authorizes the Director of Health Services Department to execute a Joint Exercise of Powers Agreement #373-162-M-E2010 for the purpose of participation in CalMHSA in order to jointly develop and fund mental health services and education programs as determined on a regional, Statewide, or other basis, and to sign ancillary documents required to join and participate in the CalMHSA JPA (including Joint Exercise of Powers Agreement, New Member Fee Form and Board Member/Alternate Designation, and Supplemental MHSA PEI Statewide Programs Assignment Agreement), as presented to the Board of Supervisors on February 15, 2011.

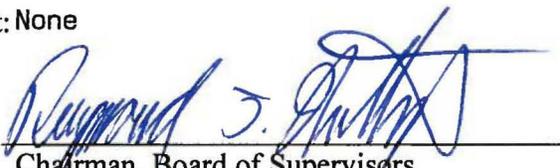
NOW THEREFORE BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Director of Health Services Department, or designated alternate, to fully participate as a voting member of the CalMHSA Joint Powers Authority (JPA), representing the interest of the County. In addition, the Board of Supervisors hereby authorizes the Director of Health Services Department to sign future ancillary documents with regard to the JPA and participation therein, contingent upon concurrence of County Counsel and approval of the Chief Administrative Officer.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 15th day of February, 2011, by the following vote of said Board:

Ayes: Briggs, Knight, Nutting, Sweeney, Santiago  
Noes: None  
Absent: None

Attest:  
Suzanne Allen de Sanchez  
Clerk of the Board of Supervisors

By:   
Deputy Clerk

  
Chairman, Board of Supervisors  
Raymond J. Nutting

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Clerk