

IN THE BOARD OF SUPERVISORS  
COUNTY OF TRINITY, STATE OF CALIFORNIA

AUTHORIZING PARTICPATION IN THE CMHSA JPA

RESOLUTION NO. 2010-026

A RESOLUTION OF THE BOARD OF SUPERVISORS OF Trinity COUNTY  
AUTHORIZING Trinity COUNTY'S PARTICPATION 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 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:

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"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, Trinity 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 Trinity County authorizes the Behavioral Health Services Director or his/her designee to participate in the existing joint powers authority that ten other counties have already joined in order to exercise the statutory powers provided for by the MHS Act and the Bronzan-McCorquodale Act.

DULY PASSED AND ADOPTED this 16<sup>th</sup> day of March, 2010 by the Board of Supervisors of Trinity County of member by the following vote:

AYES: Supervisors Freeman, Reiss, Jaegel and Pflueger

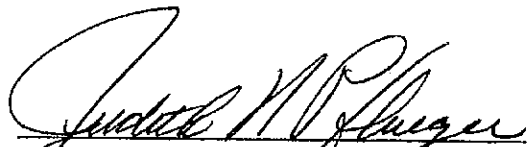
NOES: None

ABSENT: Supervisor Morris

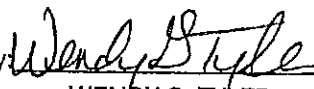
ABSTAIN: None

RECUSE: None

The foregoing resolution is hereby adopted:

  
\_\_\_\_\_  
JUDITH N. PFLUEGER, Chairman  
Board of Supervisors

ATTEST:

By   
\_\_\_\_\_  
WENDY G. TYLER  
Clerk of the Board of Supervisors  
County of Trinity, State of California

The foregoing is a correct copy of the original instrument on file in this office.

Attest: WENDY G. TYLER  
Clerk of the Board of Supervisors of  
the County of Trinity, State of  
California,

By   
\_\_\_\_\_  
Deputy