




Office of the City Manager

CONSENT CALENDAR  
May 29, 2012

To: Honorable Mayor and Members of the City Council  
From:  Christine Daniel, Interim City Manager  
Submitted by: Jane Micallef, Interim Director, Health, Housing & Community Services  
Subject: California Mental Health Services Authority and Joint Exercise of Powers Agreement

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute the documents necessary to join the California Mental Health Service Authority (CalMHSA), including the Joint Exercise of Powers Agreement (as amended in 2010) that governs operations of the CalMHSA, in order to jointly develop, fund and administer mental health service and education programs as determined on a regional, statewide or other basis; and authorizing the Manager of Mental Health to act as the City's representative on the CalMHSA Board of Directors.

FISCAL IMPACTS OF RECOMMENDATION

There is a one-time CalMHSA application fee of \$500, which is based upon the City's population. Funding is available to cover the cost of this fee in the Mental Health Division's Mental Health Services Act budget code: 063-4401-440.35-20. There is no other cost for Participation in the Authority except by electing to participate in specific CalMHSA programs or by employing CalMHSA to provide administrative services for future mental health projects.

CURRENT SITUATION AND ITS EFFECTS

Council approval will allow the City's Department of Health, Housing & Community Services, Mental Health Division to join the CalMHSA and participate in the collaborative development, funding, and administration of a variety of mental health services and programs. CalMHSA does not itself deliver services, but facilitates the efficient use of resources by multiple counties (or cities) by providing group purchasing power, jointly developing Request for Proposals and contracts for services, reducing overhead through sharing of the expenses of administration and reporting, and sharing research and other strategies. CalMHSA also provides its member Counties (Cities) with opportunities to collaborate jointly with the State of California's Mental Health Services Oversight and Accountability Committee (MHSOAC), and the legislature. Such a partnership is critically important in light of the fact that the Mental Health Division receives a significant amount of funding as a result of Proposition 63 in support of Mental Health Services Act (MHS) components.

## BACKGROUND

In November 2004, California voters passed Proposition 63, the Mental Health Services Act (MHSA). The MHSA, at Welfare and Institutions Code Section 5845, established the Mental Health Services Oversight and Accountability Commission (MHSOAC). The MHSOAC oversees the Adults and Older Adults Systems of Care Act; Human Resources; Innovative Programs; Prevention & Early Intervention Programs; and the Children's Mental Health Services Act. The MHSOAC replaced the advisory committee which had been established pursuant to Welfare and Institutions Code Section 5814.

The California Department of Mental Health (DMH) supported the development of a Joint Powers Authority (JPA) creating CalMHSA for the administration of statewide MHSA projects: Training, Technical Assistance and Capacity Building. The California Government Code (Article 1, Chapter 5, Division 7, Title 1 of the California Government Code (the "Joint Exercise of Powers Act," Government Code section 6500 et seq.) permits two or more public agencies by agreement to exercise jointly powers common to the contracting parties. Under the Joint Exercise of Powers Agreement as amended in 2010 (Attachment 2), each member County (or City) will have a representative on CalMHSA's Board of Directors who is entitled to vote regarding general JPA governance and to govern programs in which the County is participating. To date, over 90% of the County Mental Health Jurisdictions have joined as a member of this organization.

Alameda County Behavioral Health Care Services (ACBHCS) is currently in the process of conducting the necessary steps to present its recommendation to join CalMHSA and the JPA to its County Board of Supervisors.

## RATIONALE FOR RECOMMENDATION

The Department of Health, Housing & Community Services, Mental Health Division is requesting approval to become a participating member in the Authority to act jointly with other counties (or cities) to maximize the resources for the most efficient use, ranging from purchasing products, to developing requests for proposals and contracts with providers to accomplish agreed upon goals. A centralized agency is also in a position to provide assistance with the negotiation of cost effective rates with various statewide subcontractors, while greatly reducing the cost of overhead administration. Similarly, membership in the CalMHSA will allow for an increased ability to house, share and disseminate information related to best practices or other research, information and specific strategies designed to improve system wide impact.

## ALTERNATIVE ACTIONS CONSIDERED

The Mental Health Division has carefully considered the impact of not joining CalMHSA as an active participant in the statewide process. However, the benefits of resource coordination, planning, and collaboration with other counties (and cities) far outweigh the benefits of refraining from such involvement. In fact, this action will allow for increased opportunity for the City to actively provide input and thereby help to shape key statewide initiatives and programming related to mental health services and funding.

CONTACT PERSON

Gail Feldman, Senior Management Analyst, Mental Health Services, 981-5232

Jane Micallef, Interim Director, Health, Housing & Community Services, 981-5400

Attachments:

- 1: Resolution
- 2: Joint Exercise Powers Agreement
- 3: New Member Application
- 4: CalMHSA Fact Sheet (September 2, 2011)

RESOLUTION NO. ##,###-N.S.

CALIFORNIA MENTAL HEALTH SERVICES AUTHORITY AND JOINT EXERCISE OF  
POWERS AGREEMENT

WHEREAS, in November 2004, California voters passed Proposition 63, which was enacted into law in 2005 as the Mental Health Services Act (MHSA) and which imposed a 1% tax on adjusted annual income over \$1,000,000 for the purpose of reducing the long-term adverse impact on individuals, families and state and local budgets resulting from untreated serious mental illness; and

WHEREAS, the California Mental Health Services Authority (CalMHSA) is a Joint Powers Authority formed to be a single agency acting for its member counties (or cities) to develop mental health services and educational programs, obtain funding, contract for services, collect data, make reports, and act as a repository of information and expertise for such programs; and

WHEREAS, the City of Berkeley has chosen to participate in the CalMHSA by joining with its members to jointly develop and fund mental health and education programs as determined on a regional, statewide, or other basis; and

WHEREAS, the Manager of Mental Health will act as the representative of the City on the CalMHSA Board of Directors, and the Director of Health Services will serve as an alternate representative of the City on the CalMHSA Board; and

WHEREAS, if it is determined that a particular program or initiative reviewed by the CalMHSA Board reflects the mental health or educational needs of Berkeley and Albany residents such efforts may be supported through the assignment of Mental Health Division funds by the Manager or Mental Health in accordance with City and/or Council allocation requirements.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that joining CalMHSA is hereby approved, the City Manager is hereby authorized to execute a Joint Exercise of Powers Agreement, and except for actions that must be approved by the City Council, the City Manager is hereby authorized to execute all documents, certifications, and agreements in accordance with the intent of this resolution; a signed copy of said documents, certifications, or agreements shall be kept on file in the Office of the City Clerk.