

RESOLUTION NO. 2009-065

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
AUTHORIZING SHASTA COUNTY'S PARTICIPATION IN THE
CALIFORNIA COUNTIES' 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 Institutions 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 every 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 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

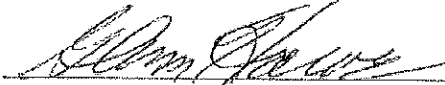
WHEREAS, Shasta County desires to exercise its common powers as outlined in Welfare and Institutions Code jointly, under the provisions of a joint powers agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Shasta authorizes the Shasta County Health and Human Services Agency Director or his/her designee to participate in the establishment of a joint powers authority in order to exercise the statutory powers provided for by the MHSA and the Bronzan-McCorquodale Act.

BE IT FURTHER RESOLVED that Shasta County Health and Human Services Agency Director or his/her designee is authorized to assist in the development of related JPA formative documents, and submit a final JPA agreement to the Board of Supervisors for approval.

DULY PASSED AND ADOPTED this 30th day of June, 2009 by the Board of Supervisors of the County of Shasta by the following vote:

- AYES: Supervisors Moty, Hawes, Hartman, Baugh, and Kehoe
- NOES: None
- ABSENT: None
- ABSTAIN: None
- RECUSE: None



 GLENN HAWES, CHAIRMAN
 Board of Supervisors
 County of Shasta
 State of California

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: 
Deputy

THIS INSTRUMENT IS A CORRECT COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE

ATTEST JUN 30 2009

CLERK OF THE BOARD
Supervisor of the County of Shasta, State of California
BY: 