

**RESOLUTION OF THE EXECUTIVE COMMITTEE OF CalMHSA AUTHORIZING
EXECUTION OF PARTICIPATION AGREEMENTS AND OTHER CONTRACTS**

Resolution No. 18-02

WHEREAS, the California Mental Health Services Authority (“CalMHSA”) has established Programs related to mental health services; and

WHEREAS, a member County has requested documentation of the authority of CalMHSA’s Executive Director or Chief Operating Officer to execute a Participation Agreement for such a Program; and

WHEREAS, no express authority was provided to the Executive Director or Chief Operating Officer to execute the Participation Agreement, although such authority could be implied; and

WHEREAS, there may be other instances where CalMHSA’s Board or Executive Committee approved contracts or Programs without expressly authorizing execution of the approved contracts or Participation Agreements necessary to implement approved Programs; and

WHEREAS, the bylaws of CalMHSA provide that the “Board or Executive Committee may authorize the Executive Director, any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name and on behalf of the Authority and such authorization may be general or confined to specific instances” (Bylaws, § 16.1).

NOW, THEREFORE, BE IT RESOLVED that the Executive Committee of CalMHSA authorizes the Executive Director, his or her designee, or in their absence the Chief Operating Officer to execute on behalf of CalMHSA Participation Agreements for any Program the creation of which was authorized by the Board or Executive Committee, and any subsequent amendments and related documents.


BE IT FURTHER RESOLVED that the Executive Committee of CalMHSA authorizes the Executive Director, his or her designee, or in their absence the Chief Operating Officer to execute on behalf of CalMHSA any contracts, any subsequent amendments, and any related documents that are consistent with the approval of such contracts by the Board or Executive Committee.

BE IT FURTHER RESOLVED that the Executive Committee of CalMHSA ratifies any execution of a contract or Participation Agreement by the Executive Director, his or her designee, or Chief Operating Officer that would have been authorized under this Resolution had it been adopted at the time of such execution.

PASSED AND ADOPTED at a special meeting of the Executive Committee of the California Mental Health Services Authority held on this 7th day of December 2018, by the following vote:


Date Adopted: December 7, 2018
Date of Last Revision: N/A
Replaces Resolution No.: N/A

AYES: 8 NOES: 0 ABSTAINS: 0 ABSENT: 2

DocuSigned by:


PRESIDENT – Dawan Utecht, Fresno County

ATTEST:

DocuSigned by:


Laura E. Calm, MHSA JPA Administrative Director