

**County of Santa Clara**  
**Santa Clara Valley Health & Hospital System**  
Alcohol & Drug Services  
Administration



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HHS06 092909


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Drug Services

DATE: September 29, 2009

TO: Board of Supervisors

FROM:   
Kim Roberts  
SCVHHS - Chief Executive Officer

SUBJECT: Treatment Contracts and Memoranda of Understanding Related to Superior Court Justice Assistance Grant Funding

**RECOMMENDED ACTION**

Consider recommendations relating to contracts with community-based organizations providing housing and treatment services to substance abusing clients and memoranda of understanding with Superior Court.

Possible action:

- a. Approve delegation of authority to Director, Department of Alcohol and Drug Services, or designee, to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to treatment contract with Asian American Recovery Services to provide outpatient treatment services in an amount not to exceed \$28,000, for period

October 1, 2009 through June 30, 2010, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.

- b. Approve delegation of authority to Director, Department of Alcohol and Drug Services, or designee, to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to treatment contract with Pathway Society, Inc. to provide residential treatment services in an amount not to exceed \$115,021, for period October 1, 2009 through June 30, 2010, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.
- c. Approve delegation of authority to Director, Department of Alcohol and Drug Services, or designee, to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to housing contract with CADS, Inc. to provide transitional housing services in an amount not to exceed \$77,490, for period October 1, 2009 through June 30, 2010, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.
- d. Approve delegation of authority to Director, Department of Alcohol and Drug Services, or designee to amend memoranda of understanding with Superior Court relating to reimbursement for substance abuse treatment services which is being funded through FY09 Recovery Act Edward Byrne Memorial Justice Assistance Grant program, extending the term an additional two months through August 31, 2010, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on August 31, 2010.

## **FISCAL IMPLICATIONS**

There is no impact on the General Fund as a result of the recommended actions. Funds for these contract services are budgeted in the FY2010 Department of Alcohol and Drug Services (DADS) budget and are within the spending plan for the federal Recovery Act Justice Assistance Grant (JAG) and Regular JAG.

## **CONTRACT HISTORY**

On August 25, 2009, the Board of Supervisors: (1) accepted the spending plans for the Recovery Act JAG funds (\$187,560) and the Regular JAG 2009 funds (\$115,021); (2) approved the associated modification for the Department of Alcohol and Drug Services budget; and (3) approved a delegation of authority to the Director of Alcohol and Drug Services, or designee, execute a memoranda of understanding with Superior Court relating to reimbursement for substance abuse treatment services which is being funded through FY09 Recovery Act Edward Byrne Memorial JAG program for period through June 30, 2010.

DADS received one-time JAG funding in the amount of \$220,511 to be awarded for residential, transitional housing and outpatient services. In determining how to award this funding, DADS utilized the most recent RFP for Alcohol and Drug Treatment Services that was issued for these types of services because the funds would be used to expand the provision of the services already covered under that RFP. DADS selected Asian American Recovery Services (AARS), Pathway

Society, Inc., and CADS, Inc. to receive this additional funding because these contractors were identified as best able to provide: (1) additional client capacity based on the contractor's physical space; (2) the most language capability; (3) flexibility of serving both genders; and (4) expand services immediately without start-up time.

DADS currently contracts with Asian American Recovery Services (AARS), Pathway Society, Inc., and CADS, Inc., for the provision of housing and treatment services, which are described in the table below. These contracts are Type II agreements, subject to the Resolution of Contracting Principles adopted by the Board of Supervisors on October 28, 1997. The required documentation is on file with DADS.

Contractor	FY2009/2010 Contract	FY2009/2010 Contract Amount
AARS	Adolescent Outpatient	\$198,920
AARS	Adult Outpatient	\$473,387
Total AARS		\$672,307
Pathway Society, Inc.	Adult Outpatient, Residential, Detoxification, and Transitional Housing Units (THU)	\$2,471,976
Pathway Society, Inc.	Residential - Comprehensive Drug Court Implementation (CDCI)	\$128,786
Pathway Society, Inc.	THU - Bay Area Services Network (BASN)	\$94,408
Pathway Society, Inc., Total		\$2,695,170
CADS, Inc.	THU - BASN	\$62,020
CADS, Inc.	THU - Drug Court Partnership (DCP)	\$61,980
CADS, Inc.	Adult THU	\$325,653
CADS, Inc., Total		\$449,653

**REASONS FOR RECOMMENDATION**

The Santa Clara Adult Mental Health Treatment Court (MHTC) is an innovative collaborative effort that was designed to offer jail alternatives to serious addicts who pose the greatest risk to themselves and society. The mission of MHTC is to enhance public safety by reducing drug-related criminal activity and preserving jail and prison cells for serious and violent offenders, and to improve public health by reducing drug abuse and dependence through proven and effective drug treatment strategies.

In June 2009, the County and 12 eligible cities received \$2,565,061 from the American Recovery and Reinvestment Act (Recovery Act JAG) program. Of this amount, \$187,560 is distributed to the Superior Court to implement the adult drug and mental health court. The Department of Alcohol and Drug Services, through a memoranda of understanding with Superior Court, will utilize the one-time funds for ancillary, treatment and housing services through August 31, 2010. These funds will be used to provide substance abuse and mental health treatment to MHTC participants and includes one-time expansion for transitional housing to serve 28 MHTC clients to receive emergency and transitional housing while participating in the program and 28 MHTC participants to provide outpatient substance abuse counseling.

In July 2009, the City of San Jose submitted a joint application to the Bureau of Justice Assistance for FFY09 Edward Byrne Memorial JAG, also known as Regular JAG, along with other cities, and including Santa Clara County. Funding in the amount of \$582,729 is to be distributed to the cities and the County with Santa Clara County receiving \$115,021. These funds are one-time and will be used to provide substance abuse residential services to serve approximately 12 participants.

DADS has a memoranda of understanding (MOU) with Superior Court for the period September 1, 2009 through June 30, 2010. Amending the MOU to extend an additional two months through August 31, 2010 will be consistent with the funding period that was identified on the grant application by Superior Court.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve the recommended actions would leave the funding unspent and could impact the ability to expand housing and treatment services to clients.