

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



HHS04 082509


Prepared by: Amelia Whitlow
Administrative Services Manager II

Reviewed by: Quyen Nguyen
Program Manager II

Submitted by: Robert Garner
Director, Department of Alcohol and
Drug Services

DATE: August 25, 2009

TO: Board of Supervisors

FROM: 
Kim Roberts
SCVHHS - Chief Executive Officer

SUBJECT: Various Actions Relating to Justice Assistance Grant Program Grants

RECOMMENDED ACTION

Consider recommendations relating to two Justice Assistance Grant (JAG) project grants.

Possible action:

- a. Approve Appropriation Modification No. 31 - \$302,581 increasing revenue and expenditures in the Department and Alcohol and Drug Services budget, and \$115,021 increasing receipts and disbursements in the Department of Alcohol and Drug Services trust fund budget. (4/5 Roll Call Vote)
- b. Accept the spending plans for the Recovery Act JAG funds (\$187,560) and the Regular JAG 2009 funds (\$115,021).
- c. Approve delegation of authority to the Director of Alcohol and Drug Services, or designee, to negotiate, execute and amend terms and conditions, including funding amount, 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 in an amount not to exceed \$187,560 for period September 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 agreement with Julius Fu, M.D. relating to providing psychiatric services, increasing the maximum financial obligation by \$68,479 from \$131,792 for a total of \$200,271, 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.

e. Approve delegation of authority to Director of Alcohol and Drug Services, or designee, to amend agreement with Julius Fu, M.D. relating to providing psychiatric services to modify units or to increase maximum financial obligation by an amount no greater than ten percent of the amended service agreement maximum, 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.

FISCAL IMPLICATIONS

The recommended action budgets one-time revenues and expenditures utilizing funds allocated from two federal streams related to the Justice Assistance Grant (JAG), commonly referred to as Recovery Act JAG and Regular JAG FFY 2009. There are no matching requirements for either grants, and there is no negative impact to the County General Fund from the implementation of the JAG Programs.

The budget modification reflects two separate transactions: Increasing revenue and expenditures in the Department of Alcohol and Drug Services (DADS) budget in the amount of \$302,581; and increasing receipts and disbursements in the Regular JAG trust fund budget in the amount of \$115,021. As such, the funding requirements are described below.

For the Recovery Act JAG program, the Office of the County Executive (CEO) acts as the Lead Agency for the grant, and distributes allocation to the Santa Clara County Superior Court who subsequently sub-contracts \$187,560 with DADS for treatment services to implement the Adult Drug and Mental Health Treatment Court. This amount is to be reimbursed by Superior Court to DADS until the funding is fully maximized.

Separately, the Department of Alcohol and Drug Services will receive a total of \$115,021 from the regular JAG FFY 2009 Program. DADS is the direct recipient of the Regular JAG funding from the City of San Jose, and by law, a trust fund account must be established to deposit the funds. These monies will be budgeted in the Justice Assistance Grant Fund 0211 in the DADS for residential beds for Proposition 36 clients. Any interest earned in Fund 0211 will be allocated to support treatment activities consistent with federal spending guidelines. The award from the regular JAG FFY 2009 is expected by mid-fall 2009.

The increase in funding for the agreement with Julius Fu, M.D. is included in the spending plan for the Recovery Act JAG grant.

CONTRACT HISTORY

Superior Court was awarded \$187,560 from the Recovery Act JAG grant. Superior Court will subcontract with DADS to purchase outpatient, transitional housing, psychiatric evaluations, medications and lab services for clients referred from the Mental Health/Drug Treatment Court to DADS Adults System of Care (ASOC) for substance abuse treatment.

The Department of Alcohol and Drug Services has contracted with Dr. Fu for psychiatric services since FY 2008. Dr. Fu provides on-site clinical case consultation for individual clients and their counselors. As appropriate, he prescribes psychiatric medication for clients in treatment. This is a Type I agreement, subject to the Resolution of Contracting Principles adopted by the Board of Supervisors on October 28, 1997. The required documentation is on file.

REASONS FOR RECOMMENDATION

The recommended actions are necessary to include the revenues and expenditures and receipts and reimbursements associated with the implementation of the grants. Both JAG program grants will be jointly administered with staff in the CEO to ensure compliance with the terms of the MOU and parameters of the grant award. If the following spending plans are approved, the DADS will utilize the combined funds of \$302,581 to contract for treatment and ancillary services described below:

	Amount	Services	Project Timeline
Recovery Act JAG Grant	\$187,560	Outpatient, Transitional Housing Units (THU), psychiatric services and meds/lab	Sept 1, 2009 to June 30, 2010
Regular JAG Grant 2009	\$115,021	Residential beds	Sept 1, 2009 to June 30, 2010
Total	\$302,581		

BACKGROUND

The JAG program, administered by the federal Bureau of Justice Assistance (BJA), allows states and local governments to support a broad range of law enforcement activities including drug treatment and enforcement program. The procedure for allowing JAG grants is based in part on a formula of population and violent crime statistics. Of the total grant amount, the allocation distributed to each jurisdiction is determined through local agreements.

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 Court to implement the adult drug and mental health court. Significant differences between Recovery Act JAG and regular JAG funds include an emphasis on job creation and retention, time-specific quarterly reports, and increase federal grant oversight.

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.

The County's Public Safety and Justice Committee reviewed the Regular JAG 2009 funding for programs on April 2, 2009 and recommended that the Board of Supervisors approve delegating authority to the Administration to enter into MOU with the cities in order to administer the grant and to submit joint application. At the Board of Supervisors meeting on April 21, 2009, the Board of Supervisors approved the delegations of authority and the joint application.

The Regular JAG 2009 funding allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. This is the fifth year of the Regular JAG funding.

CONSEQUENCES OF NEGATIVE ACTION

The County will be unable to utilize the federal resources as awarded.

ATTACHMENTS

- Appropriation Modification No. 031

For Controller's Office Use Only

Agency/Department Name: Department of Alcohol and Drug Services

Line #	Description	Fund	Superior Fd Cntr	Cost Center	G.L. Account	Project Definition/ Employee Class	Amount (in Dollars)	
							Revenue	Expenditure
1	Other Grants and Aids	0001	0417	4679	4580100		187,560.00	
2	Medical/Dental/Lab	0001	0417	4679	5240100			10,000.00
3	Prof & Spec Services	0001	0417	4679	5255100			68,470.00
4	Contract Services	0001	0417	4679	5255500			105,490.00
5	Med Supply - Medical	0001	0417	4679	5280721			3,600.00
6	Transfer In	0001	0417	4681	4920100		115,021.00	
7	Contract Services	0001	0417	4681	5255500			115,021.00
8	Other Grants and Aids	0211	0417	9862	4580100		115,021.00	
9	Transfer Out	0211	0417	9862	5610100			115,021.00
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22								
23	Transfer from trust fund (Fund # _____)							
24	Transfer from fund balance (Fund # _____)							
25	Others - Describe:							
26								
27	Total forwarded from other pages (Page 2) _____							
TOTAL							417,602.00	417,602.00

Recognize new expenditure/revenue (ongoing)
 Recognize new expenditure/revenue (one-time)
 Re-appropriate prior year unspent expenditures (one-time)
 Others
Brief Description: Appropriation of Justice Assistance Grant Funds

SAP Document numbers FM _____ Entered to SAP by: _____ Date entered : _____	Prepared By : Name (print): Martha Paine Telephone: 885-6860 Clerk of the Board Approved by the Board of Supervisors Clerk of the Board By: _____ Date _____
Transmittal # 031 BU417T002	