



Mendocino County

Legislation Details (With Text)

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On agenda: 3/10/2020 **Final action:** 3/10/2020

Title: Authorization for County Counsel to Share With the Mental Health Treatment Act Citizens Oversight Committee a Legal Memorandum Responding to the Questions in the December 24, 2019 Memo From the Measure B Project Manager to the Board of Supervisors

Sponsors: County Counsel

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/10/2020	1	Board of Supervisors	Approved and Chair is authorized to sign same;	Pass

TO: Board of Supervisors
FROM: County Counsel
MEETING DATE: March 10, 2020

DEPARTMENT CONTACT:
Christian Curtis
PHONE:
234-6885

ITEM TYPE: Consent Agenda

TIME ALLOCATED FOR ITEM: n/a

AGENDA TITLE:
Authorization for County Counsel to Share With the Mental Health Treatment Act Citizens Oversight Committee a Legal Memorandum Responding to the Questions in the December 24, 2019 Memo From the Measure B Project Manager to the Board of Supervisors

RECOMMENDED ACTION/MOTION:
Authorize County Counsel to share with the Mental Health Treatment Act Citizens Oversight Committee a legal memorandum responding to the questions in the December 24, 2019 memo from the Measure B Project Manager to the Board of Supervisors.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:
On January 7, 2020, the Board of Supervisors directed County Counsel to prepare answers to questions raised by the Mental Health Treatment Act Citizens Oversight Committee in a December 24, 2019 memo from the Measure B Project Manager to the Board of Supervisors.

SUMMARY OF REQUEST:

Per prior direction, County Counsel has researched and prepared a legal memorandum answering six (6) questions posed by the Mental Health Treatment Act Citizens Oversight Committee regarding the possible use of Measure B funds to construct a privately owned facility for the provision of mental health services. A copy of that memorandum has been distributed to the Board confidentially pursuant to Government Code section 54957.5(a) and *Roberts v. City of Palmdale*. ((1993) 5 Cal. 4th 363.)

The Mental Health Treatment Act Citizens Oversight Committee's December 24, 2019 memorandum requested that the "Board of Supervisors review outcome of research and analysis during a separate Board meeting." At this time, however, the Mental Health Treatment Act Citizens Oversight Committee is eager to review the answers to its questions at its next meeting in March. It is anticipated that the Mental Health Treatment Act Citizens Oversight Committee will want to discuss and/or share the memorandum during the public meeting. While County Counsel understood the Board to have intended to ultimately share this opinion with the Mental Health Treatment Act Citizens Oversight Committee, counsel needs permission of the Board of Supervisors before doing so.

The Board also provided direction for County Counsel to research a seventh question regarding the construction of a County facility within the jurisdiction of a city. As that question was requested by the Board directly, County Counsel is not requesting authority to release it to the Committee at this time.

ALTERNATIVE ACTION/MOTION:
Provide alternate direction.

SUPERVISORIAL DISTRICT: ALL

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

FISCAL DETAILS:

SOURCE OF FUNDING: n/a

BUDGETED IN CURRENT F/Y: N/A

CURRENT F/Y COST: n/a

IF NO, PLEASE DESCRIBE:

ANNUAL RECURRING COST: n/a

REVENUE AGREEMENT: N/A

BUDGET CLARIFICATION: n/a

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO LIAISON: Executive Office

CEO REVIEW: Choose an item.

CEO COMMENTS: Executive Office has no information to review

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Executed By: Lindsey Dunham, Deputy Clerk I

Final Status: APPROVED

Date: March 11, 2020

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