



Mendocino County

Legislation Text

File #: 21-0253, **Version:** 1

To: Board of Supervisors

From: County Counsel Health and Human Services Agency

Meeting Date: February 23, 2021

Department Contact: Christian Curtis

Phone: 234-6885

Department Contact: Jenine Miller

Phone: 472-2341

Item Type: Regular Agenda

Time Allocated for Item: 15 min.

Agenda Title:

Discussion and Possible Action Including Adoption of Resolution Granting Chair Authority to Issue Subpoenas Regarding Documents Related to Behavioral Health Services

(Sponsors: County Counsel and Health & Human Services Agency-Behavioral Health)

Recommended Action/Motion:

Adopt Resolution granting chair authority to issue subpoenas regarding documents related to behavioral health services; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

None.

Summary of Request:

Mendocino County Behavioral Health is currently going through its regular audit process for services rendered during prior fiscal years. As part of this process, the State of California reviews the contracts, subcontracts, invoices, and other documentation to support each charge utilizing State funds. Based on review of internal records, however, Behavioral Health is concerned that it lacks certain documentation in that is believed to be in the sole possession of the County's prior vendor. That vendor, Ortnier Management Group, LLC, filed papers for dissolution in June of 2020. Behavioral Health has reached out to the principals and successors of that corporate entity to attempt to locate any remaining records, but they have failed and/or refused to respond to all requests.

The Board of Supervisors, pursuant to Government Code section 25170, has the legal authority to compel the production of records and witnesses via subpoena, as to any matters within its jurisdiction or to allow the inspection of any documents "relating to the affairs or interests of the county . . ." Behavioral Health, working with County Counsel, believes that such a subpoena is needed in this instance, in order to locate and inspect those records which verify and demonstrate that the County properly expended the funds in question through is contractor. The departments, therefore, respectfully request that the Board of Supervisors approve the attached resolution and authorize the Chair to execute such subpoenas as are deemed necessary to obtain these records and information.

Alternative Action/Motion:

Decline to adopt the Resolution.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: n/a

Fiscal Details:

source of funding: n/a

current f/y cost: n/a

annual recurring cost: n/a

budget clarification: n/a

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: No

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: February 25, 2021

Final Status:**Adopted**

Executed Item Type: **Resolution** Number: 21-024

