

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Behavioral Health and Recovery Services

BOARD AGENDA # *B-1

Urgent

Routine

AGENDA DATE January 25, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval of the Amendment to the Agreement with 7th Avenue Center, LLC to Provide Mental Health Services for Fiscal Year 2010-2011

STAFF RECOMMENDATIONS:

1. Approve the amendment to the agreement with 7th Avenue Center, LLC to provide care for adults with serious mental illness, through the end of the Fiscal Year 2010-2011.
2. Authorize the Behavioral Health Director, or her designee, to sign the amendment to the agreement.
3. Authorize the Behavioral Health Director, or her designee, to negotiate and sign amendments to the agreement as discussed in this agenda item, to add services and payment for services up to \$50,000, budget permitting, throughout Fiscal Year June 30, 2011.

FISCAL IMPACT:

The 2010-2011 agreement with 7th Avenue Center, LLC entered into on July 1, 2010, includes a maximum amount of \$140,000. This recommendation would increase the funding by \$100,200, to a new maximum amount of \$240,200. The Department's approved budget for Fiscal Year 2010-2011 contains funding for this increase. The primary source of funding for this agreement is Realignment funding. There is no impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2011-063

On motion of Supervisor O'Brien, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

Behavioral Health and Recovery Services is experiencing an increase in the number of bed days needed to care for adults with serious mental illness in an institution for mental disease. A current contractor, 7th Avenue Center, LLC, has agreed to provide additional bed days on an actual per-bed-day-used basis, as necessary. The agreement maximum amount of the current fiscal year agreement is requested to be increased by \$100,200 to a new maximum amount of \$240,200.

Behavioral Health and Recovery Services experiences occasional funding opportunities and unanticipated increases in the utilization of services throughout the year. On many occasions, this additional funding is time sensitive; hence, the Department requests authorization for the Behavioral Health Director, or her designee, to negotiate and execute amendments up to \$50,000 to the agreement included in this agenda item, budget permitting, without further action by the Board of Supervisors, throughout Fiscal Year 2010-2011.

As required by the Board of Supervisors on January 25, 2006, the following table includes a cumulative value of prior contracts with this vendor for the period beginning July 1, 2003 through June 30, 2011.

| Budget Unit | Contractor | Description of Service Provided or Position Held | Contract Amount for Previous Contractual Period. List Amount and Time Period. | Proposed Contract Amount and Time Period | Cumulative Contract Total |
|---------------|-------------------------------------|--|---|--|---------------------------|
| Mental Health | 7 th Avenue Center, LLC. | Treatment Facility | \$1,808,175 (7/1/03 – 6/30/11) | \$100,200 (2/1/11-06/30/11) | \$1,908,375 |

POLICY ISSUE:

Approval of this agenda item supports the Board of Supervisors' priorities of A Healthy Community, Effective Partnerships and Efficient Delivery of Public Services by contracting with community providers to deliver the needed services at an appropriate level of care in a cost effective manner.

STAFFING IMPACT:

There is no staffing impact associated with the approval of this agenda item.

Approval of the Amendment to the Agreement with 7th Avenue Center, LLC. to
Provide Mental Health Services for Fiscal Year 2010-2011
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CONTACT PERSON:

Elizabeth Oakes, MFT, Chief, Adult System of Care. Telephone 525-6225.

**FIRST AMENDMENT TO
INDEPENDENT AGREEMENT**

This First Amendment is made and entered into on February 1, 2011, in the City of Modesto, State of California, by and between the County of Stanislaus, Behavioral Health and Recovery Services ("COUNTY"), and 7th Avenue Center, a California Limited Liability Corporation, ("CONTRACTOR").

WHEREAS, COUNTY and CONTRACTOR entered into an Agreement on July 1, 2010 in which CONTRACTOR provides care for adults with serious mental illness and is in need of an institution for mental diseased clients;

WHEREAS, COUNTY has a need to increase the number of bed days provided by CONTRACTOR for adults with serious mental illness and in need of an institution for mental diseased clients; and

WHEREAS, CONTRACTOR has agreed to provide additional bed days for COUNTY's clients to be paid on an actual per-bed-day-used basis, as necessary.

NOW, THEREFORE, effective February 1, 2011, in consideration of the mutual promises, covenants, terms and conditions hereinafter contained, the Agreement, which was entered into on July 1, 2010, is amended to increase the Agreement maximum by \$100,200 from \$140,000 to \$240,200. This amendment is incorporated into the Agreement as follows:

- I. Exhibit A, Section D, Compensation, Paragraph 4 is deleted in its entirety from the Agreement and is replaced with the following:

D. COMPENSATION

4. The parties hereto acknowledge the maximum amount to be paid by the County for services provided shall not exceed \$240,200 for the term of this Agreement. This amount is estimated based on approximately 1,264 bed days.

- II. All other terms and conditions of said Agreement shall remain in full force and effect.

In witness whereof, the parties have executed this Amendment on the day and year as written above.

**COUNTY OF STANISLAUS
BEHAVIORAL HEALTH
AND RECOVERY SERVICES**

7TH AVENUE CENTER, LLC.

Denise C. Hunt, RN, MFT
Behavioral Health Director



Kathy Champlin
Director

"County"

"Contractor"

APPROVED AS TO CONTENT

APPROVED AS TO FORM
John P. Doering, County Counsel

Elizabeth Oakes, MFT
Chief, Adult Systems of Care



Vicki Fern de Castro
Deputy County Counsel

BOS ITEM NO: _____, DATE: _____