

Board Members

Joe Neves, District 1
Richard Valle, District 2
Doug Verboon, District 3 - Chairman
Rusty Robinson, District 4 – Vice-Chairman
Richard Fagundes, District 5



Staff

Kyria Martinez, County Administrative Officer
Diane Freeman, County Counsel
Catherine Venturella, Clerk of the Board

Board of Supervisors

Regular Meeting Agenda

Date: Tuesday, April 9, 2024
Time: 9:00 a.m.
Place: MULTI PURPOSE ROOM, Administration Building 1, Kings County Government Center
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ bosquestions@co.kings.ca.us ❖ website: <https://www.countyofkingsca.gov>

The meeting can be attended on the Internet by clicking this link:

<https://countyofkings.webex.com/countyofkings/j.php?MTID=m19f54d99120d66f301ebf7533608fe24>

or by sending an email to bosquestions@co.kings.ca.us on the morning of the meeting for an automated email response with the WebEx meeting link information. Members of the public attending via WebEx will have the opportunity to provide public comment during the meeting. Remote WebEx participation for members of the public is provided for convenience only. In the event that the WebEx connection malfunctions or becomes unavailable for any reason, the Board of Supervisors reserves the right to conduct the meeting without remote access. *WebEx will be available for access at 8:50 a.m.*

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www.countyofkings.com and click on the “Join Meeting” button or by clicking this link:

<https://youtube.com/live/T4dIV9DHj3w?feature=share>

****Members of the public viewing the meeting through YouTube will not have the ability to provide public comment.**

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- I. 9:00 AM **CALL TO ORDER**
ROLL CALL – Clerk of the Board
INVOCATION – Bishop John Smith – Lily of the Valley Church
PLEDGE OF ALLEGIANCE



II. UNSCHEDULED APPEARANCES

Any person may directly address the Board at this time on any item on the agenda, or on any other item of interest to the public, that is within the subject matter jurisdiction of the Board. Two (2) minutes are allowed for each item.

III. APPROVAL OF MINUTES

- A.** Report out of Closed Session from the regular meeting for April 2, 2024.
- B.** Approval of the minutes from the regular meeting for April 2, 2024.

IV. CONSENT CALENDAR

A. Fire Department:

- 1. a. Consider approving the budget adjustment for the Fire Department for the purchase of ten remote area lighting systems, nine electric extrication tools, and ten Super VAC positive pressure ventilation fans;
- b. Adopt the budget change. **(4/5 vote required)**

B. Human Resources Department:

- 1. Consider approving the retitled and revised job specifications for Assistant Director of Finance-Treasury and Tax, Assistant Director of Finance-Accounting, Treasury and Tax Manager, Treasury Specialist, and Payroll Technician I/II.
- 2. Consider approving the retitled and revised job specifications for Juvenile Services Officer I, Juvenile Services Officer II, Senior Juvenile Services Officer, Supervising Juvenile Services Officer, Juvenile Services Manager, Senior Deputy Probation Officer, and Supervising Deputy Probation Officer.

C. Public Health Department:

- 1. Consider authorizing the purchase of an HPR245-GX Pharmaceutical Refrigerator and AccuCold Pharmaceutical Freezer.
- 2. Consider approving the Memorandum of Understanding with the California Department of Public Health for the 340B Drug Pricing Program effective upon execution until January 31, 2026.

D. Public Works Department:

- 1. Consider approving the Notice of Completion for the boardroom improvements project to provide notice to interested parties that the work has been completed.
- 2. a. Consider awarding the bid from Granite Construction for 3/8" and 1/4" chip seal for County roads projects;
- b. Authorize the Purchasing Manager to sign the purchase order.

E. Administration:

- 1. Consider denying the Claim for Damages filed by Hanson Bridgett LLP, on behalf of the J.G. Boswell Company.
- 2. Consider adopting a Resolution approving the financing and the issuance of up to \$5,253,000 in exempt facility airport revenue bonds for an aircraft storage hangar project by the California Public Finance Authority for Hayward Hangars, LLC.



V.

REGULAR CALENDAR

A. Administration – Kyria Martinez

Chemical Waste Management – Bob Henry

1. Consider accepting the quarterly report from Chemical Waste Management regarding activity at the Kettleman Hills Hazardous Waste Facility.

B. Human Services Agency – Wendy Osikafo/Monica Connor

1. Consider adopting a Resolution to proclaim the month of April 2024 as Child Abuse Prevention Awareness Month.

C. Information Technology Department – John Devlin

1.
 - a. Consider approving the Enterprise Agreement with Microsoft to renew Office 365 user license subscriptions effective May 1, 2024 through April 30, 2027;
 - b. Approve the Server and Cloud Product Agreement with Microsoft for server and related server software maintenance effective June 1, 2024 through May 1, 2027;
 - c. Authorize the Purchasing Manager to sign the Purchase order for the Enterprise Agreement and Server and Cloud Product Agreement.

D. Sheriff's Office – David Robinson

1.
 - a. Consider authorizing the Sheriff's Office to purchase a 2024 Polaris utility task vehicle for the Water Rescue Unit;
 - b. Adopt the budget change. **(4/5 vote required)**

E. Administration – Kyria Martinez

1. Consider confirming the appointment of Vikki Cervantes to the position of Library Director effective April 15, 2024 and set the compensation.
2. Consider approving the County's Social Media Policy.

VI.

STUDY SESSION

A. Behavioral Health Department - Lisa Lewis/Christi Lupkes

1. Receive an overview and update on Proposition 1 and a summary of anticipated local changes to Mental Health Services Act funding based on its passage.

VII.

STUDY SESSION

A. Public Works Department – Dominic Tyburski

1. Receive an overview and update on County efforts for relief aid, closures, and repairs to roads damaged by the 2023 Winter Storm Events.

VIII.

STUDY SESSION

A. Public Works Department – Dominic Tyburski

1. Receive an overview and update of the Kings County Government Center Facility Infrastructure Upgrade Project.



IX. BOARD MEMBER ANNOUNCEMENTS OR REPORTS

On their own initiative, Board Members may make a brief announcement or a brief report on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Section 54954.2a).

- ◆ Board Correspondence
- ◆ Upcoming Events
- ◆ Information on Future Agenda Items

X. ADJOURNMENT

The next regularly scheduled meeting will be held on Tuesday, April 16, 2024 at 9:00 a.m. in the Multi Purpose Room, entrance is located across the hall from Board Chambers.

XI. 11:00 AM CALIFORNIA PUBLIC FINANCE AUTHORITY REGULAR MEETING

FUTURE MEETINGS AND EVENTS

April 16	9:00 AM	Regular Meeting
April 23	9:00 AM	Regular Meeting
April 30	9:00 AM	Regular Meeting
May 7	-	Regular Meeting Canceled due to Kings County Employee Appreciation Event
May 14	9:00 AM	Regular Meeting

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board of Supervisors office at (559) 852-2362 by 9:00 a.m. on the Monday prior to this meeting.

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<https://www.countyofkingsca.gov/departments/board-of-supervisors/calendar-agenda-and-action-summary>

Board Members

Joe Neves, District 1
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Richard Fagundes, District 5



Staff

Kyria Martinez, County Administrative Officer
Diane Freeman, County Counsel
Catherine Venturella, Clerk of the Board

Board of Supervisors

Regular Meeting Action Summary

Date: Tuesday, April 2, 2024
Time: 9:00 a.m.
Place: MULTI PURPOSE ROOM, Administration Building 1, Kings County Government Center
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ bosquestions@co.kings.ca.us ❖ website: <https://www.countyofkings.com>

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- I. 9:00 AM CALL TO ORDER
 - ROLL CALL – Clerk of the Board
 - INVOCATION – Pastor Arthur Fox – New Hope Orthodox Presbyterian Church
 - PLEDGE OF ALLEGIANCE
 - ALL MEMBERS PRESENT



II. UNSCHEDULED APPEARANCES

Any person may directly address the Board at this time on any item on the agenda, or on any other item of interest to the public, that is within the subject matter jurisdiction of the Board. Two (2) minutes are allowed for each item.

Rebecca Donabed, Tulare County resident and representative of Resources for Independence Central Valley stated that she attended the meeting to be civically engaged and stated that she is available to help staff with assistive technology training and ADA compliance and left her business cards for staff.

Salvador Flores, Kings County Fire Chief invited the Board to a potluck for new firefighters on April 15, 2024 and stated that the Office of Emergency Services has been sending out a weekly report to help staff provide for situational awareness and preparedness.

Carolyn Leist, Human Resources Director stated that Briana Allen has been promoted to Personnel Analyst and wanted to introduce her to the Board.

III. APPROVAL OF MINUTES

A. Report out of Closed Session from the special meeting for March 26, 2024.

REPORT OUT: Diane Freeman, County Counsel stated that the Board took no reportable action in closed session at their March 26, 2024 meeting.

B. Approval of the minutes from the regular meeting for March 26, 2024.

ACTION: APPROVED AS PRESENTED (RF, RR, JN, RV, DV-Aye)

IV. CONSENT CALENDAR

A. County Counsel:

1. Consider adopting a Resolution renewing the declaration of a local emergency due to flood conditions in Kings County. **[RESO 24-016]**

B. Public Health Department:

1. a. Consider adopting a Resolution authorizing the Director of Public Health to apply for and submit all necessary documents for the purposes of applying for the Farm and Ranch Solid Waste Cleanup and Abatement Program Grant with the Department of Resources Recycling and Recovery;
- b. Adopt the budget change. **(4/5 vote required) [RESO 24-017]**
2. a. Consider approving the Agreement with SEP Technology Consulting, LLC, for software enhancement and support for the Accela Environmental Health Civic Platform effective April 3, 2024 through March 31, 2025;
- b. Adopt the budget change. **(4/5 vote required) [AGMT 24-036]**

C. Administration:

1. Consider adopting a Resolution approving the financing and the issuance of up to \$55,000,000 in exempt facility bonds for a qualified residential rental project by the California Public Finance Authority for FLT Telegraph, LP. **[RESO 24-018]**

ACTION: APPROVED AS PRESENTED (RF, JN, RV, RR, DV-Aye)



V.

REGULAR CALENDAR

A. Elections – Lupe Villa

1. Consider accepting the Certified Statement of Vote, as submitted by the Registrar of Voters for the March 5, 2024 Presidential Primary Election.

ACTION: APPROVED AS PRESENTED (JN, RF, RV, RR, DV-Aye)

2. Consider accepting the Certified Statement of Vote, as submitted by the Registrar of Voters for the March 19, 2024 Congressional District 20, Special Primary Election.

ACTION: APPROVED AS PRESENTED (RV, JN, RR, RF, DV-Aye)

B. Human Services Agency – Wendy Osikafo/Antoinette Gonzales

1. Consider adopting the revisions to the General Assistance Standards and Procedures to address the replacement of General Assistance benefits stolen via electronic theft.

ACTION: APPROVED AS PRESENTED (RF, RV, JN, RR, DV-Aye)

C. Public Health Department – Rose Mary Rahn/Everardo Legaspi

1. Consider adopting a Resolution proclaiming the week of April 1-7, 2024 as National Public Health Week. **[RESO 24-019]**

ACTION: APPROVED AS PRESENTED (JN, RR, RV, RF, DV-Aye)

D. Public Works Department – Dominic Tyburski/Mitchel Cabrera

1. Consider approving the Consultant Services Agreement with Dokken Engineering, Inc. to prepare the Plans, Specifications, and Estimate package for the replacement of the Houston Avenue at Cross Creek Bridge effective upon execution for a term of four years.
[AGMT 24-037]

ACTION: APPROVED AS PRESENTED (RF, JN, RV, RR, DV-Aye)

E. Administration – Kyria Martinez

Information Technology Department – John Devlin

1. Consider adopting a Resolution to transition the County website from countyofkings.com to countyofkingsca.gov **[RESO 24-020]**

ACTION: APPROVED AS PRESENTED WITH A REQUEST FOR STAFF TO SEEK MORE DOMAINS FOR THE COUNTY THROUGH REACHING OUT TO OUR LEGISLATORS AND LOBBYISTS (JN, RR, RV, RF, DV-Aye)

VI.

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

On their own initiative, Board Members may make a brief announcement or a brief report on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Section 54954.2a).

Supervisor Robinson stated that he has attended meetings to discuss water issues and homeless issues with downtown businesses and constituents.

Supervisor Valle stated that Jose Ramirez, World Champion Boxer has donated 1,000 ticket vouchers for his next fight on April 27, 2024 available at the Veteran's Services/Public Guardian Office for Veterans and will be available to Fresno and Tulare County Veterans as well.

Supervisor Neves stated that he attended the Housing Authority of Kings County meeting, attended the Local Agency Formation Commission meeting, attended the Kings County Area Public Transit Agency meeting, attended the Kings County Association of Governments meeting, attended the Santa Rosa Rancheria annual Easter breakfast, cooked for the Stratford Easter egg hunt and stated that he



has presented the Board members with a letter recognizing the Riverdale Portuguese Hall on their 100 year anniversary that he would like everyone to sign.

- ◆ Board Correspondence: **Kyria Martinez** stated that the Board received a Notice of Intent to Apply Public Health Pesticides from the Consolidated Mosquito Abatement District, received an Annual Air Toxics Report for 2023 from San Joaquin Valley Air Pollution Control District, and a notice of Excavation activity notifications to protect natural gas pipelines from Kinder Morgan.
- ◆ Upcoming Events: **Kyria Martinez** stated that the Kings County Behavioral Health will host their Family Member Support Group on April 2, 2024 from 5:30 p.m.-7:30 p.m. at 1222 W. Lacey Blvd, Hanford. The Kings County Behavioral Health will host the Veteran's Support Group on April 9, 2024^h from 5:30 p.m.-7:30 p.m. at the Veterans Memorial Hall in Hanford. The Kings County Library will host the Poetry Open Mic to celebrate National Poetry Month on April 13, 2024 from 11:00 a.m. – 1:00 p.m. at the Hanford Branch Library. The Kings County Mobile Library is available upon request for a visit to your organization's event or a recurring visit to a location of your choice. The Kings County District Attorney's Office Victim Witness Assistance Program will host the annual quilt unveiling in support of National Crime Victims' Rights Week on April 23, 2024^d from 6:00 p.m.-7:30 p.m. at the Veterans Memorial Hall in Hanford.
- ◆ Information on Future Agenda Items: **Kyria Martinez** stated that the following items would be on a future meeting agenda: Administration - Claim for Damages submitted by Hanson Bridgett LLP, Appointment of Library Director, Approving issuance of bonds for an aircraft storage hangar project (in conjunction with CalPFA), Chemical Waste Quarterly update, approve Social Media Policy for County of Kings, Behavioral Health - Study Session: Passage of the Behavioral Health Services Program and Bond Measure ; Fire Department - Transfer of funds , Public Health - Purchase of Vaccine Pharmaceutical Refrigerator and Freezer, 340B Drug Pricing Program Memorandum of Understanding with California Department of Public Health, Human Resources - New Job Specification for Homeless Program Coordinator, Spec Updates for Finance Department, Job Specification Changes for Probation Department, Human Services Agency - Child Abuse Prevention Awareness Month Resolution, Information Technology - Renewal of 3 Year Maintenance Agreement for Microsoft Server Software and Office 365, Public Works -Kings County Board of Supervisors Boardroom Improvements Project Notice of Completion, Update of County Roads Flooded in the Tulare Lake Basin, Chip Rock Purchase for County Road Projects, Study Session on Government Center Facility Infrastructure Upgrade Project (Engie), Sheriff's Office -Purchase of Polaris Utility Task Vehicle for the Sheriff's Office Water Rescue Unit.

VII.

CLOSED SESSION

- ◆ **Litigation initiated formally. Title:**
Richard Allen Davidson et al. v. County of Kings, Kings County Superior Court Case No. 22C-0139 [Govt Code Section 54956.9(d)(1)]
- ◆ **Conference with Labor Negotiator: [Govt. Code Section 54957.6]**
Negotiators: Kyria Martinez, Carolyn Leist, Che Johnson of Liebert Cassidy Whitmore
 - General Unit - CLOCEA
 - Supervisor's Unit - CLOCEA
 - Blue Collar - SEIU
 - Detention Deputy's Association
 - Firefighter's Association
 - Deputy Sheriff's Association
 - Probation Officer's Association
 - Prosecutor's Association
 - Unrepresented Management



VIII. ADJOURNMENT

The next regularly scheduled meeting will be held on Tuesday, April 9, 2024 at 9:00 a.m. in the Multi Purpose Room, entrance is located across the hall from Board Chambers.

FUTURE MEETINGS AND EVENTS		
April 9	9:00 AM	Regular Meeting
April 9	2:00 PM	Board of Equalization Regular Meeting
April 16	9:00 AM	Regular Meeting
April 23	9:00 AM	Regular Meeting
April 30	9:00 AM	Regular Meeting

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COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Fire Department – Salvador Flores/Matthew SanFilippo

SUBJECT: TRANSFER OF FUNDS

SUMMARY:

Overview:

The Fire Department is requesting approval to increase the fiscal year 2023-24 allocation in Capital Asset and Small Tools due to the purchase of ten remote area lighting systems, nine electric extrication tools (e-draulics), and ten Super VAC positive pressure ventilation fans that were approved and initiated in fiscal year 2022-23 but occurred in fiscal year 2023-24.

Recommendation:

- a. Approve the budget adjustment for the Fire Department for the purchase of ten remote area lighting systems, nine electric extrication tools, and ten Super VAC positive pressure ventilation fans;
- b. Adopt the budget change. (4/5 vote required)

Fiscal Impact:

There is no impact to the General Fund. Appropriations to purchase the ten remote areas lighting systems, nine e-draulics, and ten Super VAC positive pressure ventilation fans were included in the fiscal year 2022-23 budget. However, the fiscal transaction of the purchases occurred in fiscal year 2023-24. Appropriations for both Capital Assets and Small Tools in fiscal year 2023-24 did not account for the purchase of these items. The purchase of these items was funded from California Emergency Services (CalOES) pass-through funding that was awarded to the Fire Department from the State Budget process and accounted for in the Fire Fund.

BACKGROUND:

On June 6, 2023, the Board approved the Fire Department to purchase ten remote area lighting systems, nine e-

(Cont'd)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

TRANSFER OF FUNDS

April 9, 2024

Page 2 of 2

draulics, and ten Super VAC positive pressure ventilation fans, totaling \$198,268. The budget for fiscal year 2022-23 was adjusted as a result to account for this purchase. However, the purchase occurred in fiscal year 2023-24 and was not accrued back to fiscal year 2022-23. Appropriations in fiscal year 2023-24 are not sufficient to account for the purchase of these items, therefore, fiscal year 2023-24 appropriations need to be adjusted.

KINGS COUNTY
OFFICE OF THE AUDITOR-CONTROLLER
BUDGET APPROPRIATION AND TRANSFER FORM

Auditor Use Only	
Date	
J/E No.	
Page	of

(A) New Appropriation

Expenditures:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	APPROPRIATION AMOUNT
FIRE	FIRE	Small Tools	300120	241000	92062	9,116.00
		Asset equipment	300120	241000	94000	189,152.00
TOTAL						198,268.00


Funding Sources:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	APPROPRIATION AMOUNT
FIRE	FIRE	Revenue transfer in	300120	241000	89000	198,268.00
TOTAL						198,268.00

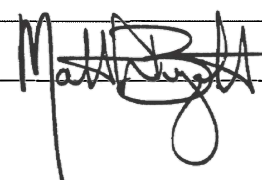
(B) Budget Transfer:

Transfer From:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	Amount to be Transferred Out
TOTAL						

Transfer To:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	Amount Transferred In
TOTAL						

Explanation: (Use additional sheets or expand form for more data entry rows or additional narrative, if needed.)

Dept. of Finance Approval _____ Department Head 

Administration Approval  _____ Board Approval _____

BOS meeting date: _____



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Human Resources – Carolyn Leist/Adrian Lambing

SUBJECT: JOB SPECIFICATIONS FOR THE FINANCE DEPARTMENT

SUMMARY:

Overview:

The County retained Koff & Associates (K&A) to complete a classification and compensation study. The job specification updates for the Finance Department are completed, excluding any countywide classifications that will be addressed later. The K&A classification study provided recommendations to retitle positions and modify job descriptions.

Recommendation:

Approve the retitled and revised job specifications for Assistant Director of Finance-Treasury and Tax, Assistant Director of Finance-Accounting, Treasury and Tax Manager, Treasury Specialist, and Payroll Technician I/II.

Fiscal Impact:

None.

BACKGROUND:

Job specifications for the Finance Department were updated based on K&A's recommendations. The job specification changes included title changes for Assistant Director of Finance-Treasury Division to Assistant Director of Finance-Treasury and Tax; Assistant Director of Finance-Accounting Division to Assistant Director of Finance-Accounting; Treasury Manager to Treasury and Tax Manager; Accounting Specialist – Treasury Operations to Treasury Specialist; and Payroll Specialist I/II to Payroll Technician I/II.

The job specifications were revised to be consistent with the current functions and requirements of the position in addition to new formatting. Updates were also made to the definition, class characteristics, knowledge, and

(Cont'd)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

JOB SPECIFICATIONS FOR THE FINANCE DEPARTMENT

April 9, 2024

Page 2 of 2

abilities sections, and the supervision received and exercised were added. Additionally, consistent with current Human Resources practices, the physical demands, environmental conditions, and disaster service worker information were included.

The Finance Director reviewed all classifications and the General Membership of California League of City Employee's Association ("CLOCEA") and the Supervisor's Unit Membership of CLOCEA were provided the updated job specifications. Attached are the current and revised job specifications for these positions in the Finance Department.

ASSISTANT DIRECTOR OF FINANCE – TREASURY DIVISION

DEFINITION

Under administrative direction, to administer and oversee the treasurer and tax collector functions of the department; to assist the Director of Finance in planning, directing, and organizing the operation of the Finance Department – Treasury Division; to plan and direct the activities of a staff performing the fund accounting, secured and unsecured tax collection, banking, investing and treasury functions of the County and other governmental agencies; to perform highly responsible fiscal administrative work; and to perform related work as required.

EMPLOYMENT AT WILL

The Assistant Director of Finance - Treasury Division classification is an at will position, is not included in the County's classified service and the incumbent is exempt from merit system status. As such, the incumbent serves at the pleasure of the Director of Finance.

DISTINGUISHING CHARACTERISTICS

The Finance Department is divided into two major divisions, Treasury Division and Accounting Division. The Assistant Director of Finance - Treasury Division reports directly to the Director of Finance and is responsible for the operation of the Treasury Division. The Division includes the Treasurer, Tax Collector and Investment functions.

EXAMPLES OF DUTIES *Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.*

Consults with and assists the Director of Finance in the planning, coordination and administration of the Finance Department-Treasury Division operations; recommends division goals, objectives and performance standards; assists in the development of policies and procedures; confers frequently with the Director in implementing the goals and policies of the department; plans, directs, reviews and supervises a variety of financial activities, including treasurer's fund accounting, property tax collection, debt service, and treasury and investment functions; provides management oversight of the cash flow forecasting and the County's investment portfolio; ensures fiscally responsible management of the County's Pooled Fund and Direct Investment portfolios to meet the cash management needs of the County and Districts. Supervises the receipt, and investment of all monies, including tax revenues and funds from other governmental agencies; reviews the cash investment reporting; interprets, explains and applies State and Federal Regulations pertaining to treasury management and property tax collection; performs functions of Treasurer – Tax Collector in the absence of the Director of Finance; consults with other County departments and agencies on fiscal matters; participates in the interviewing and selection of staff, and recommends appointment; assigns, supervises, evaluates and ensures training of subordinate staff; disciplines staff as necessary; interprets departmental and county policies and procedures to subordinates, other County departments and the general public; assists in the preparation of the department budget; prepares or supervises the preparation of reports, special studies, research, memoranda, etc.; may be assigned to act in the absence of the Director of Finance; and performs related duties as required.

MINIMUM QUALIFICATIONS

Any combination of education and experience that would likely provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Education: Graduation from an accredited college or university with a Bachelor's degree in accounting, financial management, business administration or related field.

Experience: Five years of increasingly responsible experience in accounting, banking, investment management and/or taxation, including two years of administrative and/or supervisory responsibility.

Special Requirement: Qualify for security clearance through a background investigation and fingerprint check.

MINIMUM QUALIFICATIONS (continued)

Desirable Qualifications: Recent government administrative experience in the area of budget or financial analysis and control, banking or investment management is highly desirable but not required.

Knowledge of: Pertinent federal, state, and local laws, codes and regulations; principles and practices of organization, administration and personnel management; principles of supervision, training and performance evaluation; principles and practices of government budgeting; principles and practices of accounting, investment management and public finance; principles and application of data processing systems; California tax code, tax collector manual and applicable state and federal regulations; County Treasury functions; principles and methods of statistical analysis; modern office procedures, methods and technology; correct English usage, grammar, spelling, punctuation and vocabulary.

Ability to: Understand, interpret and apply pertinent federal, state and local laws, rules and regulations; effectively plan, organize, staff, coordinate and direct a variety of financial activities; supervise, train and evaluate staff; analyze complex financial and accounting records and reports; prepare detailed financial reports; oversee Treasury accounting systems and operations; exhibit strong initiative, integrity and sound judgment; reason logically; make sound, educated decisions and work independently; perform accounting and mathematical calculations with speed and accuracy; perform accurate statistical analyses; communicate effectively both orally and in writing; establish and maintain effective working relationships with those contacted during the course of work; inspire the trust, respect and confidence of others; follow workplace safety policies and procedures. Work primarily in an office environment including sitting at a desk working with computer equipment, on the phone and meeting with people for prolonged periods; regularly working with files and with general office equipment.

FLSA Status: Exempt

Medical Group: C

At will classification



JCN # D09
Est.: March 2004
Rev.: 3/24

ASSISTANT DIRECTOR OF FINANCE – TREASURY AND TAX

DEFINITION

Under direction, plans, organizes, manages, and provides direction and oversight for the Treasury and Tax division of the Finance Department; manages multiple complex administrative functions and provides global financial oversight to the department; acts in the absence of the Director as assigned; coordinates assigned activities with other County departments, officials, outside agencies, and the public; fosters cooperative working relationships among County departments and with intergovernmental, regulatory agencies, and various public and private groups; provides highly responsible and complex professional assistance to the Director of Finance in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives direction from Director of Finance. Exercises supervision over management, supervisory, professional, technical, and administrative support staff through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a management level classification that assists the Director of Finance in short- and long-term planning as well as development and administration of division policies, procedures, and services. This class provides assistance to the Director of Finance in a variety of administrative, coordinative, analytical, and liaison capacities. Successful performance of the work requires knowledge of public policy, County functions and activities, including the role of the Board of Supervisors, and the ability to develop, oversee, and implement interdisciplinary projects and programs. Responsibilities include coordinating the activities of a departmental division with those of other divisions and outside agencies and managing and overseeing the complex and varied functions of the assigned division. The incumbent is accountable for accomplishing divisional planning and operational goals and objectives and serves as an advisor and contributor to the Director of Finance on policies, procedures, and major County initiatives.

EMPLOYMENT AT WILL

The Assistant Director of Finance-Treasury and Tax is an “at will” position, which is not included in the County’s classified service and is exempt from merit system status. As such, the incumbent is appointed by and serves at the pleasure of the Director of Finance. As an at-will employee, the incumbent may be terminated with or without cause or notice at any time by the Director of Finance as the appointing authority.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Consults with and assists the Director in the planning, coordination and administration of all programs, services, and activities of the Treasury and Tax division of the Finance Department including treasury management, property tax collection, debt management, and investments; performs department-wide strategic planning for financial matters affecting the department.
- Assists in the development, direction, coordination and implementation of goals, objectives, policies, procedures, and work standards for the department; continuously monitors and evaluates the efficiency

and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.

- Assists in the development and administration of the Finance department budget including the forecast of additional funds needed for staffing, equipment, and supplies; the monitoring of and approval of expenditures; and assists in the direction and implementation of budgetary adjustments as necessary.
- Selects, trains, motivates, and directs division personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees to correct deficiencies; implements discipline and termination procedures; responds to staff questions and concerns.
- Participates in the oversight and development of consultant requests for proposals for professional services and the advertising and bid processes; evaluates proposals and recommends project award; coordinates with legal counsel to determine County needs and requirements for contractual services; negotiates contracts and agreements and administers same after award.
- Confers with departmental staff on policy and procedural matters and makes related assessments and decisions.
- Oversees the balancing, reconciling and auditing of the County Treasury; performs daily cash flow analysis to ensure availability of funding and makes adjustments as necessary.
- Manages the County, Schools and Special Districts pooled investment portfolio; solicits investment quotes, analyzes offerings and purchases securities; follows investment markets and monitors changes that affect the investment portfolio and strategy.
- Oversees debt payments, solicits financing quotes and advises the Director of Finance on financing options.
- Prepares weekly, monthly, quarterly and annual financial reports to ensure compliance with the County investment policy and government code.
- Oversees the maintenance, reconciliation, auditing and reporting of tax collection accounts; ensures compliance with State regulations, guidelines and laws.
- Reviews and evaluates changes in legislation that impact treasury and tax collection services; advises the Director of Finance of impact of changes; assures compliance with changes in laws and regulations.
- Represents the department to other County departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies, and procedures as appropriate.
- Participates in and makes presentations to the Board of Supervisors and a wide variety of committees, boards, and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of Finance.
- Directs the maintenance of working and official departmental files; prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned.
- Responds to public inquiries and complaints and assists with resolutions and alternative recommendations.
- Ensures staff observe and comply with all County and mandated safety rules, regulations, and protocols.
- Acts in the absence of the Director of Finance.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in finance, accounting, business administration or a related field.

Experience:

- Five (5) years of professional accounting, auditing, banking, taxation or cash/debt management experience with increasing complexity and a high level of responsibility including two (2) years of administrative and/or supervisory experience.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation and fingerprint check including a credit check. Ability to work irregular hours as required and travel within and outside the County.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Administrative principles and practices, including strategic plan development, goal setting, budget development, and contract administration. Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of employee supervision, either directly or through subordinate levels of supervision, including work planning, assignment review and evaluation, discipline, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- General principles of risk management related to the functions of the assigned area.
- Principles, practices, and procedures of public administration in a local government setting.
- Functions, authority, and responsibilities of an elected Board of Supervisors.
- Principles and practices of governmental accounting as it pertains to finance, banking, treasury functions and tax transactions.
- County tax collection system.
- Cash handling and balances.
- Treasury and tax reporting, record keeping and filing systems.
- Internal controls related to depositing and accounting of County funds.
- Statistical and computer graphic presentations used in technical reports, verbal presentations, and related administrative processes.
- Effective methods and techniques of work organization, simplification and financial controls.
- Methods and techniques of developing technical and administrative reports, and business correspondence.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.

- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- County and mandated safety rules, regulations, and protocols.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Provide administrative, management, and professional leadership for the Treasury Division.
- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Prepare and administer budgets; allocate limited resources in a cost-effective manner.
- Plan, organize, direct, and coordinate the work of management, supervisory, professional, and technical personnel; delegate authority and responsibility.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Invest public funds in an accurate and fiscally responsible manner.
- Provide technical assistance to department staff, members of the Board of Supervisors, County Administrative staff, County Department Heads and managers, and representatives of other agencies.
- Prepare, analyze, audit and explain complex financial and accounting records and reports.
- Effectively represent the County and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Direct the establishment of filing, record-keeping, and tracking systems.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Effectively represent the department and the County in meetings with governmental agencies; community groups; various business, professional, and regulatory organizations; and in meetings with individuals.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and independent judgment within general policy and procedural guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a motor vehicle to visit various County and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well

as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 10 pounds.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Exempt MEDICAL GROUP: C PROBATIONARY PERIOD: At-will status

ASSISTANT DIRECTOR OF FINANCE – ACCOUNTING DIVISION

DEFINITION

Under administrative direction, to administer and oversee the auditor and controller functions of the department; to assist the Director of Finance in planning, directing, and organizing the operation of the Finance Department – Accounting Division; to plan and direct the activities of staff performing County-wide financial, accounting and purchasing functions; to perform highly responsible financial, budget and accounting administrative work; and to perform related work as required.

EMPLOYMENT AT WILL

The Assistant Director of Finance - Accounting Division classification is an at will position, is not included in the County's classified service and the incumbent is exempt from merit system status. As such, the incumbent serves at the pleasure of the Director of Finance.

DISTINGUISHING CHARACTERISTICS

The Finance Department is divided into two major divisions, Treasury Division and Accounting Division. The Assistant Director of Finance – Accounting Division reports directly to the Director of Finance and is responsible for the operation of the Accounting Division and providing project management oversight to ensure compliance with professional accounting standards and timely completion of all accounting, reporting and legal requirements. The Division includes accounting and controls, payroll system, tax rate and apportionment, purchasing and asset management functions.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Consults with and assists the Director of Finance in the administration of the Finance Department- Accounting Division; recommends division goals, objectives and performance standards; develops recommendations and participates in the implementation of new policies and procedures; confers frequently with the Director in implementing the goals and policies of the department; plans, organizes, coordinates and supervises the operation of the accounting function of the Department of Finance; administers and supervises a variety of financial activities, including the functions of the accounting controls, payroll system, tax rate and apportionment, purchasing and asset management. Supervises professional accountants and technical and clerical accounting support staff; ensures accounting personnel is trained in the theory and application of governmental accounting principles; performs difficult and complex accounting; participates in the preparation of the County cost plan and annual financial report; reviews Board resolutions and agreements to implement appropriate accounting actions; reviews budget control of County funds and special district funds; prepares or participates in the preparation of operating statements, balance sheets and other fiscal and accounting reports; supervises the maintenance of the general and special ledgers and other accounting records; supervises budget adjustments and transfers; oversees the county-wide automated accounting and financial system; may oversee the preparation of some fiscal and accounting reports; assists in resolving needs and setting priorities for automated systems with the Information Technology Department; handles special assignments involving accounting problems in County departments or special districts; reviews and studies changes in legal and procedural requirements affecting accounting records; assists in the preparation of large and complex budgets and the department budget; receives and responds to inquiries from the public; consults with other County departments and agencies on fiscal matters; participates in the interviewing and selection of staff, and recommends appointment; assigns, supervises, evaluates and ensures training of subordinate staff; disciplines staff as necessary; interprets departmental and County policies and procedures to subordinates, other County departments, and the general public; prepares or supervises the preparation of reports, special studies, research, memoranda, etc.; may be assigned to act in the absence of the Director of Finance; and performs related duties as required.

MINIMUM QUALIFICATIONS *Any combination of education and experience that would likely provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the knowledge, skills, and abilities would be:*

Education: Graduation from an accredited college or university with a Bachelor's degree in accounting, or a closely related field. Possession of a valid active California Certified Public Accountant license shall be considered equivalent to the necessary education.

Experience: Three years of experience equivalent to an Accountant-Auditor in Kings County; OR five years of professional level accounting and/or financial auditing experience including two years of administrative and/or supervisory responsibility, preferably in a California governmental agency.

Special Requirement: Qualify for security clearance through a background investigation and fingerprint check.

Desirable Qualifications: Recent administrative experience in the area of governmental accounting, audit, budget or financial analysis and control, is highly desirable but not required.

Knowledge of: Pertinent federal, state, and local laws, codes and regulations governing the financial operations of a county government; principles and practices of organization, administration and personnel management; principles of supervision, training and performance evaluation; principles and practices of government budgeting; principles and practices of governmental accounting, auditing, budget analysis formulation and control, and complex financial systems development and operations; administrative practices and policies of personnel and payroll; business computers and the use and application of automated financial management systems; effective methods and techniques of work organization, simplification and financial controls; statistical and computer graphic presentations used in technical reports, verbal presentations, and related administrative processes; modern office procedures, methods and technology; correct English usage, grammar, spelling, punctuation and vocabulary.

Ability to: Understand, interpret and apply pertinent federal, state and local laws, rules and regulations; effectively plan, organize, staff, coordinate and direct a variety of financial activities; supervise, train and evaluate staff; apply knowledge of accounting and finance; exhibit strong initiative, integrity and sound judgment; make sound, educated decisions; reason logically and work independently; analyze complex problems, evaluate alternatives and make sound recommendations based on findings; analyze complex financial and accounting records and reports; organize and interpret data; prepare clear, concise and accurate correspondence, presentations and technical financial reports; understand and implement verbal and written instructions; communicate effectively both orally and in writing; establish and maintain effective working relationships with those contacted during the course of work; inspire the trust, respect and confidence of others; operate a business computer and software programs associated with financial operations; perform mathematical calculations quickly and accurately; represent the department effectively and professionally; provide technical assistance to department staff, members of the Board of Supervisors, County Administrative staff, County Department Heads and managers, and representatives of other agencies; follow workplace safety policies and procedures. Work primarily in an office environment including sitting at a desk working with computer equipment, on the phone and meeting with people for prolonged periods; regularly working with files and with general office equipment.

FLSA Status: Exempt Medical Group: C At will classification



JCN # D20
Est.: March 2004
Rev.: 3/24

ASSISTANT DIRECTOR OF FINANCE - ACCOUNTING

DEFINITION

Under direction, plans, organizes, manages, and provides direction and oversight for the Accounting division of the Finance Department; manages multiple complex administrative functions and provides global financial oversight to the department; acts in the absence of the Director as assigned; coordinates assigned activities with other County departments, officials, outside agencies, and the public; fosters cooperative working relationships among County departments and with intergovernmental, regulatory agencies, and various public and private groups; provides highly responsible and complex professional assistance to the Director of Finance in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives direction from Director of Finance. Exercises supervision over management, supervisory, professional, technical, and administrative support staff through subordinate levels of supervision.

CLASS CHARACTERISTICS

This is a management level classification that assists the Director of Finance in short- and long-term planning as well as development and administration of division policies, procedures, and services. This class provides assistance to the Director of Finance in a variety of administrative, coordinative, analytical, and liaison capacities. Successful performance of the work requires knowledge of public policy, County functions and activities, including the role of the Board of Supervisors, and the ability to develop, oversee, and implement interdisciplinary projects and programs. Responsibilities include coordinating the activities of a departmental division with those of other divisions and outside agencies and managing and overseeing the complex and varied functions of the assigned division. The incumbent is accountable for accomplishing divisional planning and operational goals and objectives and serves as an advisor and contributor to the Director of Finance on policies, procedures, and major County initiatives.

EMPLOYMENT AT WILL

The Assistant Director of Finance-Accounting is an "at will" position, which is not included in the County's classified service and is exempt from merit system status. As such, the incumbent is appointed by and serves at the pleasure of the Director of Finance. As an at-will employee, the incumbent may be terminated with or without cause or notice at any time by the Director of Finance as the appointing authority.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Consults with and assists the Director in the planning, coordination and administration of all programs, services, and activities of the Accounting division of the Finance Department including accounts payable, payroll, auditing, general ledger and financial reporting; performs department-wide strategic planning for financial matters affecting the department.
- Assists in the development, direction, coordination and implementation of goals, objectives, policies, procedures, and work standards for the department; continuously monitors and evaluates the efficiency

and effectiveness of service delivery methods and procedures; assesses and monitors the distribution of work, support systems and internal reporting relationships; identifies opportunities for improvement; directs the implementation of change.

- Assists in the development and administration of the County and Finance department budget including the forecast of additional funds needed for staffing, equipment, and supplies; the monitoring of and approval of expenditures; and assists in the direction and implementation of budgetary adjustments as necessary.
- Selects, trains, motivates, and directs division personnel; evaluates and reviews work for acceptability and conformance with department standards, including program and project priorities and performance evaluations; works with employees to correct deficiencies; implements discipline and termination procedures; responds to staff questions and concerns.
- Participates in the oversight and development of consultant requests for proposals for professional services and the advertising and bid processes; evaluates proposals and recommends project award; coordinates with legal counsel to determine County needs and requirements for contractual services; negotiates contracts and agreements and administers same after award.
- Confers with departmental staff on policy and procedural matters and makes related assessments and decisions.
- Prepares various Federal and State mandated financial reports including County Cost Allocation Plan, Annual Comprehensive Financial Report (ACFR), Employee Compensation Report, and other budgetary and audit reports.
- Oversees, audits and prepares financial statements, balance sheets and other fiscal and accounting reports; manages the annual audit process for the Finance Department.
- Supervises the maintenance of the general and special ledgers and other accounting records; prepares journal entries to assist in monthly and year end closing processes and provides fund balance analysis.
- Oversees the county-wide automated accounting and financial systems; assists in resolving needs and setting priorities for automated systems with the Information Technology Department.
- Reviews and evaluates changes in legislation that impact accounting and financial reporting services; advises the Director of Finance of impact of changes; assures compliance with changes in laws and regulations.
- Represents the department to other County departments, elected officials, and outside agencies; explains and interprets departmental programs, policies, and activities; negotiates and resolves significant and controversial issues.
- Conducts a variety of departmental organizational and operational studies and investigations; recommends modifications to programs, policies, and procedures as appropriate.
- Participates in and makes presentations to the Board of Supervisors and a wide variety of committees, boards, and commissions; attends and participates in professional group meetings; stays abreast of new trends and innovations in the field of Finance.
- Directs the maintenance of working and official departmental files; prepares, reviews, and presents staff reports, various management and information updates, and reports on special projects as assigned.
- Responds to public inquiries and complaints and assists with resolutions and alternative recommendations.
- Ensures staff observe and comply with all County and mandated safety rules, regulations, and protocols.
- Acts in the absence of the Director of Finance.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in finance, accounting, business administration or a closely related field.

Experience:

- Five (5) years of professional accounting and/or financial auditing experience with increasing complexity and a high level of responsibility including two (2) years of administrative and/or supervisory experience. (Three (3) years of accounting/auditing experience at a level equivalent to a Senior Accountant/Auditor with Kings County is highly desirable.)

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.
- Certified Public Accountant (CPA) license preferred.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation and fingerprint check, including a credit check. Ability to work irregular hours as required and travel within and outside the County.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Administrative principles and practices, including strategic plan development, goal setting, budget development, and contract administration, Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of employee supervision, either directly or through subordinate levels of supervision, including work planning, assignment review and evaluation, discipline, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- General principles of risk management related to the functions of the assigned area.
- Principles, practices, and procedures of public administration in a local government setting.
- Functions, authority, and responsibilities of an elected Board of Supervisors.
- Federal and State financial reporting requirements.
- Principles and practices of governmental accounting, auditing, budget analysis formulation and control, and complex financial systems development and operations.
- Statistical and computer graphic presentations used in technical reports, verbal presentations, and related administrative processes.
- Effective methods and techniques of work organization, simplification and financial controls.
- Methods and techniques of developing technical and administrative reports, and business correspondence.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- County and mandated safety rules, regulations, and protocols.

- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Provide administrative, management and professional leadership for the Accounting Division.
- Prepare and administer large and complex budgets; allocate limited resources in a cost-effective manner.
- Plan, organize, direct, and coordinate the work of management, supervisory, professional, and technical personnel; delegate authority and responsibility.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Provide technical assistance to department staff, members of the Board of Supervisors, County Administrative staff, County Department Heads and managers, and representatives of other agencies.
- Prepare, analyze, audit and explain complex financial and accounting records and reports.
- Effectively represent the County and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Direct the establishment of filing, record-keeping, and tracking systems.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Effectively represent the County and the department in meetings with governmental agencies, contractors, vendors, and various businesses, professional, regulatory, and legislative organizations.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and independent judgment within general policy and procedural guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a motor vehicle to visit various County and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 10 pounds.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Exempt MEDICAL GROUP: C PROBATIONARY PERIOD: At-will status.
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TREASURY MANAGER

DEFINITION

Under direction, to manage the daily operation of the Treasury Division in the Department of Finance (DOF); to supervise, plan, organize, direct and perform a variety of highly technical accounting, cash management and collection functions to enhance productivity and ensure compliance with applicable policy and law governing the activities of the Treasury Division; to manage banking relationships; and to perform related work as required.

DISTINGUISHING CHARACTERISTICS

The Kings County Department of Finance is divided into two major divisions: Treasury Division and Accounting Division. Within the Department of Finance - Treasury Division (Treasury – Tax Collector’s Office) there are two major functional areas: Treasury and Tax Collection. The Treasury Manager is a single position classification which reports directly to the Assistant Director of Finance - Treasury Division. The incumbent is responsible for managing the daily operations of the Treasury – Tax Collector’s Office including the Treasury, Debt Management/Issuance, and Tax Collection functions; and assisting the Assistant Director of Finance - Treasury Division in the areas of investing, cash management, budget preparation, office automation and establishment of department policies. This class is distinguished from lower level supervisory classes in that the latter classes may have responsibility for specialized programs or a unit within the Division, while the Treasury Manager is responsible for the overall daily operations management and staff supervision for the multi-unit Division in its entirety.

EXAMPLE OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

- Develop, recommend and implement, independently or under direction, operational objectives and organizational structure for the Division to ensure efficient organization and timely completion of work.
- Supervise and direct the daily work of subordinate staff including that of supervisors; plan, schedule and assign such work; determine work schedules and authorize leaves; participate in the hiring of assigned staff, recommending selection to the Assistant DOF for approval, evaluate employee performance, counsel employees, and effectively recommend and administer corrective action and other personnel decisions.
- Plan, assign, coordinate and assist with work of subordinate staff, including those engaged in receiving and processing secured, unsecured, and supplemental tax payments, balancing daily collections to controls, answering questions from the public on tax collection matter, processing tax segregations, duplicate payments, maintaining control records on unsecured property taxes and secured delinquent property taxes, balancing tax rolls, accounting for parcel map bonds and the annual sale of tax defaulted properties.
- Responsible for coordination and completion of the annual default tax sale and for the accurate preparation, publishing and filing of all public notices and records regarding the public sale of tax-defaulted properties throughout the tax sale process; personally performs, supervises and/or coordinates related duties.
- Manage the County Treasury ensuring sufficient funds to meet expenditure needs; supervise the receipt, custody, and disbursement of County and Districts funds; provides management oversight to daily operations of warrant control, fund accounting, banking relations, cash management, bank

- reconciliation, and cashiering and balancing; performs monthly reconciliation of bank charges; conducts cost recovery of treasury operational costs and banking fees from treasury depositors.
- Review and negotiate various banking, debt, and vendor contracts; evaluate and implements programs and procedures to promote efficient cash management, tax collection, and treasury operations; assists in management of County/District debt issuance; coordinates cash flow draw schedules with issuing entities.
 - Act as staff to the Treasury Oversight Committee, which includes preparing and posting agendas to comply with the Brown Act, preparing meeting minutes, creating semi-annual and annual reports and doing related committee work.
 - Monitor the status of state & federal laws affecting the operations of Treasury, Tax Collection, & debt management; determine the impact of changes on county operations and communicate such changes to staff; implement procedures regarding billing and collection of county taxes.
 - Supervise and participate in the design, installation, modification and operation of finance, treasury, and/or property tax systems.
 - Assist in the formulation, preparation and administration of the department's budget;
 - Work closely with outside agencies (i.e. banks, financial advisors, title companies, taxing services and/or other vendors) and represent the Treasury Division at meetings that relate to areas of assigned responsibility.
 - In the absence of the Assistant Director of Finance – Treasury Division, perform investment duties as well as cash flow responsibilities.

MINIMUM QUALIFICATIONS

Any combination of education and experience likely provide the required knowledge, skills and abilities may qualify. A typical way to obtain the required knowledge, skills and abilities would be:

Education: Graduation with a bachelor's degree from an accredited college or university with a degree in business, finance, accounting, economics or related field. [**Substitution:** *Additional qualifying experience in the Kings County Department of Finance may substitute for up to two (2) years of the required education on a year-for-year basis.*]

Experience: Three years of responsible professional experience in accounting, auditing, banking, taxation, fiscal administration, or cash or investment management, with at least one year at a supervisory level and/or in the Kings County Department of Finance or a public treasury office.

Special Requirement: Qualify for security clearance through a background investigation and fingerprint check.

Knowledge of: Principles and procedures of general government accounting as it pertains to government finance, banking, Treasury functions and property tax transactions; State laws and accepted procedures for investing public funds; banking procedures for maintaining good internal control over the depositing and accounting of funds into the County's Treasury and general ledger; industry standards for wiring, settling, accepting, or rejecting large money transactions; California's Revenue and Taxation Codes, State & Federal law, Government Code, local regulations and rules governing assigned activities, the collection of taxes, parcel maps and lot line adjustments; special assessment management; principles, practices and techniques of effective organization, supervision, training, and personnel management; computerized accounting and electronic data processing procedures, methods, and office equipment; principles and practices of effective customer service; office practices, including filing, record keeping and control systems; investment principles and math of finance;

principles and practices of cash management and budgetary control; correct English usage, grammar, spelling, punctuation and vocabulary.

Ability to: Understand, interpret, apply, and explain pertinent federal, state and local laws, rules, regulations, standards and procedures; effectively plan, organize, staff, coordinate and direct a variety of financial activities; devise and adapt work procedures and priorities to meet the changing needs of the Division; plan, organize, assign, direct, review and evaluate the work of staff; select and motivate staff, and provide for their training and professional development; analyze complex financial and accounting records and reports; oversee Treasury accounting systems and operations; perform accounting and mathematical calculations with speed and accuracy; work with mathematical concepts such as probability and statistical inference; apply concepts such as fractions, percentages, ratios, and proportions to practical situations; perform accurate statistical analyses; analyze risk and make sound conservative decisions; maintain strict confidentiality and control of sensitive information; exhibit strong initiative, integrity, sound judgment and a high degree of maturity; reason logically; provide effective project management including prioritizing work and coordinating multiple activities; exhibit highly developed business ethics, customer service and interpersonal skills; communicate effectively both verbally and in writing; establish and maintain effective working relationships with those contacted during the course of work; relate positively to the public using tact, patience and courtesy, often in situations which may be difficult or confrontational; function effectively in stressful and/or confrontational situations; accurately handle cash and make change; follow workplace safety policies and procedures.

Work Environment/Physical Requirements: Works primarily in an office environment including sitting at a desk and standing at a counter working with computer equipment, on the phone and in frequent contact with employees and the public. Regularly works with cash, files and with general office equipment. Duties require the ability to see, stand, walk, reach, lift and carry to perform research, computer work and general office duties, to supervise, communicate with and review the work of others and to communicate with the public. Duties require the ability to hear and communicate orally, in person and on the phone; hand/eye coordination for cash handling and use of computer/office equipment; physical agility, strength and mobility sufficient to use computer/office equipment, and to move and handle files.

FLSA Status: Exempt Medical Group: C Probationary Period: One Year
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JCN # D91
Est.: August 1996
Rev.: 1/14; 3/24

TREASURY & TAX MANAGER

DEFINITION

Under general direction, plans, organizes, oversees, coordinates, and manages the staff and operations of the Treasury Division, including treasury operations and tax collection; participates in the development of policies and strategies for division operations; manages the effective use of division resources to improve organizational productivity and customer service; provides complex and responsible support to Assistant Director of Finance – Treasury & Tax in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from Assistant Director of Finance – Treasury & Tax. Exercises supervision over supervisory, professional, technical, and administrative support staff.

CLASS CHARACTERISTICS

This is a management classification responsible for managing the Treasury & Tax Division in the Finance department. The incumbent is responsible for developing and implementing policies and procedures for assigned division, including short- and long-term planning, budget administration and reporting, and coordination of key programs/projects with other County divisions and departments and external agencies. Positions apply advanced management principles and strategic thinking to decisions that impact the organization as a whole and the public being served. Positions generally serve as advisors and contributors to executive management on policies, procedures, and major County initiatives.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Plans, manages, and oversees the daily functions, operations, and activities of the Treasury Division, including supervising the receipt, custody and disbursement of County funds and overseeing and participating in the preparation of tax billing, collection, and reporting.
- Participates in the development and implementation of goals, objectives, policies, and priorities for the division; continuously monitors the efficiency and effectiveness of assigned programs, service delivery methods, and procedures; assesses and monitors workload, administrative, and support systems, and internal reporting relationships; identifies opportunities and makes recommendations for improvement.
- Participates in the selection of, trains, motivates, and evaluates assigned personnel; works with employees to correct deficiencies; recommends and implements discipline and termination procedures.
- Manages and coordinates the annual default tax sale; oversees the preparation and publishing of public notices and records regarding sales; ensures proper accounting of transactions.
- Manages the County treasury ensuring funds meet expenditure needs; supervise the receipt, custody and disbursement of funds; oversees daily Treasury operations of warrant control, fund accounting, banking, cash management, bank reconciliations, and cashing and balancing.
- Disburses debt payments for County bonds; gathers documentation from school districts, track payments made, and verifies payment accuracy with Property Tax Manager.
- Manages the operations of the Tax Division; coordinates the preparation of secured, unsecured and supplemental tax bills, balances daily collections and tax rolls; oversees the maintenance and reconciliation of tax collection accounts and records; ensures compliance with State regulations, guidelines and laws.

- Participates in the administration and oversight of division budget; makes recommendations for funding needed for staffing, equipment, materials, and supplies; ensures compliance with budgeted funding.
- Prepares and presents staff and agenda reports and other necessary correspondence related to assigned activities and services; presents reports to various commissions, committees, and boards.
- Conducts a variety of organizational and operational studies and investigations; recommends modifications to assigned programs, policies, and procedures, as appropriate.
- Serves as a liaison for assigned functions with other County departments, divisions, and outside agencies; provides staff support to commissions, committees, and task forces as necessary.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in treasury operations and tax collections; research emerging products and enhancements and their applicability to County needs.
- Monitors changes in regulations and technology that may affect operations; implements policy and procedural changes after approval.
- Receives, investigates, and responds to difficult and sensitive problems and complaints in a professional manner; identifies and reports findings and takes necessary corrective action.
- Directs the establishment and maintenance of working and official division files.
- Ensures staff compliance with County and mandated safety rules, regulations, and protocols.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with a degree in accounting, finance, business administration, economics, or a related field. (Substitution: Additional experience may substitute for up to two (2) years of education.)

Experience:

- Three (3) years increasingly responsible experience in accounting, auditing, banking, taxation, cash management or a related field including one (1) year of supervisory experience.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation and fingerprint check, including a credit check. Ability to work irregular hours as required and travel within and outside the County.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and project management.
- Principles and practices of budget development and administration.

- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Principles and practices of leadership.
- Applicable Federal, State, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- Public funds investing best practices and procedures.
- Techniques and principles of managing a short-term portfolio.
- Methods of cash management and cash flow analysis for large organizations.
- Short- and long-term investment options for public funds investment as allowed by California Government Code.
- Financial and investment terminology and techniques.
- Methods used in the purchase, sale, and transfer of securities and other investment instruments.
- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of contract administration and management.
- Principles and procedures of governmental accounting as it pertains to finance, banking, treasury functions, and tax transactions.
- Working knowledge of the laws, ordinances and regulations governing the financial operation of the County especially those regarding the Treasury and tax collection system.
- Reconciliation of financial records.
- Cash handling and balancing.
- Treasury and tax reporting, record keeping and filing systems.
- Internal controls related to depositing and accounting of County funds.
- Governmental debt analysis and portfolio management.
- Techniques for effectively representing the County in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Recent and on-going developments, current literature, and sources of information related to the operations of the assigned division.
- Methods and techniques of preparing technical and administrative reports, and general business correspondence.
- County and mandated safety rules, regulations, and protocols.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Plan, organize, oversee, and manage the staff and operations of the Treasury & Tax Division.
- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Prepare and administer large and complex budgets; allocate limited resources in a cost-effective manner.
- Provide administrative, management, and professional leadership for the division.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Understand, interpret, apply, explain, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Provide administrative, management and professional leadership for the Treasury & Tax Division.
- Invest public funds in an accurate and fiscally responsible manner.

- Prepare clear and effective reports, correspondence, and other written materials.
- Independently reconcile discrepancies within the assigned record keeping system.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Analyze, interpret, summarize, and present technical information and data in an effective manner.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Effectively represent the division and the County in meetings with governmental agencies, community groups, and various businesses, professional, and regulatory organizations, and in meetings with individuals.
- Direct the establishment and maintenance of a variety of filing, record-keeping, and tracking systems.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy and procedural guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 10 pounds.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Exempt MEDICAL GROUP: C PROBATIONARY PERIOD: One Year (2080 hours)

ACCOUNTING SPECIALIST
Treasury Operations

DEFINITION

Under general direction, to perform highly complex or complicated financial analysis and cash accounting in the Treasury Division of the Department of Finance; and to perform related work as required.

DISTINGUISHING CHARACTERISTICS

The Accounting Specialist classification is utilized only in the Department of Finance. Incumbents perform highly specialized technical or sub-professional work in the oversight of the County's financial operations. This classification is distinguished from other County technical-level or sub-professional accounting classifications by its high degree of responsibility, initiative and independent judgment, and the depth of knowledge of cash accounting and financial analysis that is required. The incumbent reports to the Treasury Manager or the Assistant Director of Finance-Treasury Division, and provides lead or functional supervision of and may be supervisor to lower level accounting staff.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Coordinates, oversees, reconciles and processes the daily cash balancing and cash accounting of the Treasury Division of the Department of Finance; coordinates fiscal activities with the Department's Accounting Division, the Kings County Office of Education, County school districts and special districts, and other County departments; coordinates daily banking activity; ensures that all funds are deposited in a timely, consistent, accurate, and secure manner; balances and reconciles the treasury to the bank daily; maintains and controls the warrant issue file; oversees the warrant reconciliation process and correction of all exceptions, including MICR encoding errors, previously paid or wrong amount errors, and identification of forgeries; maintains and controls the Treasury Division's on-line cash accounting system; identifies discrepancies, corrects or directs correction, and reconciles any differences in the treasury accounting system to the bank, County, or Office of Education; audits the average daily balance and the interest apportionment process for accuracy; resolves discrepancies, initiates corrective action, and finalizes the interest apportionment process; balances the overall treasury on a daily basis and produces a treasury daily balance sheet of assets; maintains statistical database to produce daily, monthly, quarterly and annual financial reports and statistics for cash flow planning; coordinates monthly, quarterly and annual accounting system closing within the Finance Department and the Office of Education; prepares and files monthly financial reports; manages the electronic funds transfer (EFT) system of receipts and disbursements and assists depositors with completion of EFT forms; maintains and balances the treasury trust account; oversees the treasury record retention, scanning and storing system; in the absence of the Treasury Manager, performs investment duties; provides lead or functional supervision of and may be supervisor to lower level accounting staff, including training of new personnel.

MINIMUM QUALIFICATIONS

Any combination of education and relevant experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required knowledge, skills and abilities would be:

Education/Experience (Option 1): Completion of a bachelor's degree from an accredited four-year college or university with major course work in accounting, business, or a closely related field.

OR

Education/Experience (Option 2): Completion of an associate's degree from an accredited college (equivalent to 60 semester units) with major course work in accounting or a closely related field; **AND** two years of responsible technical or sub-professional experience with the treasury accounting system in a County treasurer's office, **OR** four years of responsible experience in the operations area of a bank. (Additional qualifying experience as described above may substitute for an associate's degree on a year-for-year basis.)

MINIMUM QUALIFICATIONS (continued)

Knowledge of: Advance accounting theory, principles and practices as applied to a wide variety of accounting transactions; bank account reconciliation, banking operations and procedures, and reconciliation of financial records; principles and practices of financial administration and analysis; accounting systems and electronic data processing; electronic funds transfer applications; effective practices in training or directing the work of lower level accounting staff; methods of compiling, computing and presenting complicated and detailed financial and statistical information; financial record keeping and filing systems and procedures; cash handling and balancing a cash drawer; principles and techniques of effective oral and written communication; operation of modern office equipment, including business computers, software applications, and integrated software systems; fixed income markets and securities; investment principles and math of finance.

Ability to: Independently perform complex and highly responsible paraprofessional accounting requiring the exercise of considerable interpretive ability and judgment on a regular basis; work independently to solve problems using critical thinking and deductive reasoning; learn cash flow analysis, investment principles, securities research and negotiation; prepare and maintain a wide variety of complex statistical reports; learn and correctly apply provisions of various codes concerning investment of County and other funds; understand, interpret and apply laws, regulations and ordinances to a wide variety of fiscal operations; prepare and submit in a timely manner investment and financial reports and records; make financial mathematical computations rapidly and accurately; establish and maintain effective work relationships; communicate effectively both oral and written; oversee and direct the work of others; accurately handle cash and make change; devise and adapt work procedures, forms, spreadsheets and record keeping to meet changing needs, new laws, ordinances or regulations, and County policies or procedures; independently reconcile discrepancies; follow safe work practices as directed and trained.

Physical Environment: Work is performed primarily in a general office setting at a work station; at least 60% of work time is spent using a personal computer and other electronic equipment such as calculators, copiers, fax machines and printers; involves some public contact at a public counter answering questions, resolving problems and complaints, and handling cash; approximately 15% of work time is spent making or receiving telephone calls. Requires the ability to prepare, generate, read, interpret and/or analyze highly detailed and highly complex statistical information and reports and treasury codes, laws and ordinances. Requires the ability to understand and work with complex automated financial software and computer systems.

Overtime Status: Non-Exempt Probationary Period: One Year Medical Group: C
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JCN # E57
Est.: January 2005
Rev.: 6/08; 3/24

TREASURY SPECIALIST

DEFINITION

Under general direction, coordinates, oversees, and reconciles the balancing and accounting of the County's treasury funds; audits, reconciles and prepares reports and financial statements related to cash accounting; ensures all County funds are deposited and accounted for accurately and securely; performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from Treasury Manager. Exercises technical and functional direction over and provides training to lower-level staff.

CLASS CHARACTERISTICS

This journey-level classification is responsible for independently performing technical accounting duties in support of the Treasury Division. Positions at this level exercise judgment and initiative in their assigned tasks, receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Coordinates, oversees, reconciles and processes the daily balancing and accounting of the County's overall treasury; creates, reviews and audits the County's daily balance sheet of assets.
- Identifies discrepancies, corrects or directs correction, and reconciles any differences in the treasury accounting system to the bank, County, or Office of Education.
- Coordinates fiscal activities with the Department's Accounting Division, the Kings County Office of Education, County school districts and special districts, and other County departments.
- Coordinates daily banking activity; ensures funds are deposited in a timely, consistent and accurate manner; balances and reconciles treasury to the bank daily.
- Maintains and controls the warrant issue file; oversees the warrant reconciliation process and correction of exceptions.
- Maintains and controls the Treasury Division's on-line cash accounting system.
- Assists with collections at County's treasury counter; accepts deposits, confirms receipt and directs the correction of deposits; inputs deposit information into banking system to assist in daily reconciliation process.
- Apportions interest to County departments, school districts, and special districts from pooled investments; resolves discrepancies, initiates corrective action, and finalizes the interest apportionment process.
- Maintains statistical database to produce daily, monthly, quarterly and annual financial reports and statistics for cash flow planning.
- Coordinates monthly, quarterly and annual accounting system closing within the Finance Department and the Office of Education.
- Manages the electronic funds transfer (EFT) system of receipts and disbursements and assists depositors with completion of EFT forms.

- Prepares the month end Cash and Investment report to assist with internal audit process; assists external auditors with quarterly and year-end audits.
- In the absence of the Assistant Director of Finance – Treasury & Tax and the Treasury Manager, performs investment duties.
- Provides lead or functional supervision to lower level accounting staff, including training of new personnel.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major course work in accounting, finance, business administration, or a closely related field. (Substitution: Additional experience may substitute for up to two (2) years of education.)

Experience:

- Two (2) years of experience in accounting, investing public funds or in tax and revenue collections.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation and fingerprint check; May include a credit check. Ability to work irregular hours as required and travel within and outside the County.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles of providing functional direction and training.
- Applicable federal, state, and local laws, codes, and ordinances relevant to the area(s) of responsibility.
- Bank account reconciliation, banking operations and procedures, and reconciliation of financial records.
- Principles and practices of financial administration and analysis.
- Electronic funds transfer applications.
- Methods of compiling, computing and presenting complicated and detailed financial and statistical information.
- Financial record keeping and filing systems and procedures.
- Cash handling and balancing a cash drawer.
- Investment principles and math related to finance.
- Fixed income markets and securities.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public,

vendors, contractors, and County staff.

- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Plan, organize and coordinate the work of assigned staff.
- Effectively provide staff leadership and work direction.
- Solve problems using critical thinking and deductive reasoning.
- Learn cash flow analysis, fixed income markets, investment principles, securities research and negotiation.
- Learn and correctly apply provisions of various codes concerning investment of County and other funds.
- Understand, interpret and apply laws, regulations and ordinances to a wide variety of fiscal operations.
- Prepare and submit investment and financial reports and records.
- Make financial mathematical computations rapidly and accurately.
- Accurately handle and balance a cash drawer.
- Devise and adapt work procedures, forms, spreadsheets and record keeping to meet changing needs, new laws, ordinances or regulations, and County policies or procedures.
- Independently reconcile discrepancies.
- Prepare, generate, read, interpret and/or analyze highly detailed and highly complex statistical information and reports and treasury codes, laws and ordinances.
- Understand and work with complex automated financial software and computer systems.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and independent judgment within general policy and procedural guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 10 pounds.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: C PROBATIONARY PERIOD: One Year (2080 hours)

PAYROLL SPECIALIST I/II

DEFINITION

Under general supervision, to perform complex, detailed and highly responsible sub-professional accounting work related to maintaining and updating the County's payroll system; to assist in all phases of the operation and processing of the County's centralized payroll system; and to perform related duties as required.

DISTINGUISHING CHARACTERISTICS

The Payroll Specialist is utilized in the Department of Finance. Payroll Specialist I is the entry-level classification in the series. Incumbents are expected to work under close supervision until fully trained. Payroll Specialist II is the experienced level classification in the series. Incumbents work under general supervision and carry out complex and highly responsible payroll accounting functions with a high consequence of error. Incumbents at the I level are expected to advance to the II level when the minimum qualifications for the higher classification have been met, satisfactory performance has been demonstrated, and when, upon the recommendation of the Department Head, they have demonstrated the ability to perform at the experienced level.

This classification series is distinguished from other County technical-level or sub-professional accounting classifications by the wide variety of payroll accounting duties and the responsibility to act as primary backup to the Payroll Manager of the County's centralized payroll system. Incumbents report to the Payroll Manager, and may provide lead supervision to lower level clerical accounting staff in the Finance Department.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Assists, and acts as the primary back-up to, the County's Payroll Manager; performs a wide variety of duties related to processing payroll, and the updating and maintenance of a centralized payroll system; organizes, processes, and maintains the most difficult and complex payroll record information and transactions, including deductions and withholdings; enrolls employees for employment and benefit plan purposes; audits and processes forms authorizing payroll actions such as new employment, termination, and change of status transactions, direct deposits; tax and insurance deductions, PERS contributions, contract negotiation payments, leaves with and without pay calculations, and overtime pay computations; processes payroll adjustments such as those related to corrections, leaves, donations, change of benefit plans, and pay-out for terminated employees; prepares, processes, and reviews payroll journal entries; reviews memoranda of understanding for payroll-related provisions and makes recommendations for implementation in the computerized payroll system; prepares or assists with payroll reports, correspondences, and statements; analyzes payroll procedures to improve effectiveness and efficiency; performs fund reconciliations for payroll funds; provides assistance to departments and employees with payroll related questions, issues or problems; researches and corrects payroll errors and discrepancies; participates in efforts to resolve errors and to implement major payroll changes such as technology upgrades, insurance rate changes, payments and modifications resulting from negotiations and changes in State and federal laws; manages accounts receivable for medical and other payments due from retired employees or those on unpaid status; work with payroll system consultants to address and test system issues and enhancements; may assist with or be responsible for leave tracking, personnel action forms and other department payroll related duties; may act in a lead capacity which involves assigning, reviewing, and coordinating the work of staff assigned to payroll duties; may train staff in payroll processing procedures.

MINIMUM QUALIFICATIONS

Any combination of education, training and experience likely to provide the required knowledge, skills and abilities may qualify. A typical way to obtain the required knowledge, skills and abilities would be:

Payroll Specialist I

Education: Equivalent to a Bachelor's degree from an accredited college or university with major course work in accounting, business administration or a closely related field. (NOTE: Additional qualifying experience in a public agency, or a business entity that employs a large number of employees with varied terms and conditions of employment, may substitute for the required college education on a year-for-year basis.)

Experience: One year of responsible technical experience in accounting, financial recordkeeping or payroll/personnel processing, preferably in a public agency or a business entity that employs a large number of employees with varied terms and conditions of employment.

Knowledge of: Principles, procedures, and practices of payroll accounting, payroll processes, and record keeping; Federal, State and County laws, rules and regulations that govern employee payroll; Salary Resolutions and Memoranda of Understanding governing the payment and benefits of employees, including agreements with unrepresented employees and independent contractors; computer software and applications, such as Oracle/PeopleSoft HRMS System utilized by the department for data entry, payroll processing and report preparation; financial record keeping and filing systems and procedures; common spreadsheet software; business arithmetic, including percentages and decimals in order to calculate, verify, and adjust fiscal and/or statistical data; modern office practices, procedures, and terminology; correct grammar, spelling, and punctuation; department practices, policies, and procedures necessary to assign, review, coordinate, and train the work of employees.

Ability to: Independently perform complex and highly responsible sub-professional payroll accounting requiring the exercise of considerable interpretive ability and judgment on a regular basis; perform the most difficult and complex payroll computations; research interpret and apply Federal, State and County laws, rules and regulations that govern employee pay; perform arithmetical calculations with speed and accuracy; organize work effectively, set priorities and meet deadlines; work independently with initiative to accomplish job assignments; communicate effectively both orally and in writing; maintain complex records and analyze data; prepare accurate, clear and concise reports and other documents; establish and maintain effective interpersonal relationships at all organizational levels and with the public; exhibit strong initiative, integrity, sound judgment and a high degree of maturity; reason logically; maintain confidentiality and control of sensitive information, including information related to employer-employee relations; skillfully operate a calculator and other office equipment including computer hardware, software, and internet and web-based applications used in connection with payroll accounting work; accurately and within established guidelines assist department personnel and employees with payroll or benefit questions and changes, or the resolution of pay or deduction discrepancies; follow safe work practices as directed and trained.

Payroll Specialist II

Education: Same as above.

Experience: Equivalent to one year of experience as a Payroll Specialist I in Kings County.

Knowledge of: Same as above, and working knowledge of: computer software, equipment and programs used in the position; policies, rules and procedures affecting County departments and

employees; Memorandums of Understanding for the bargaining groups and the Salary Resolution; the organization and functions of the Finance Department; miscellaneous and safety retirement plan procedures; County benefit plans; health insurance reconciliation; and quarterly and year-end tax procedures.

Ability to: Same as above, and demonstrated ability to consistently and effectively complete complex and highly responsible and technical payroll functions with a high consequence of error in a fast-paced office environment with constant interruptions.

Both Levels

Special Requirements: (1) Qualify for security clearance through a background investigation, which includes fingerprinting and credit report; (2) Type and use a computer keyboard with speed and accuracy at a level sufficient to perform the duties of the position; and (3) Mandatory overtime may be required with little or no prior notice.

Work Environment/Physical Requirements: Works primarily in an office environment including sitting at a desk working with computer equipment, on the phone and in frequent contact with employees. Regularly works with files and with general office equipment. Requires the ability to see, stand, walk, reach, lift and carry to perform computer work, general office duties, filing and research. Requires the ability to hear and communicate orally, in person and on the phone; hand/eye coordination for use of computer/office equipment; physical agility, strength and mobility sufficient to use computer/office equipment, and to carry and move files.

Overtime Status: Non-Exempt Medical Group: C Probationary Period: Level I: One (1) year; Level II: One (1) year if hired from outside the Kings County Payroll Specialist series; six (6) months if promoted from within the Kings County Payroll Specialist series.
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Department Head Signature

Date

Human Resources Director Approval

Date



PAYROLL TECHNICIAN I/II

DEFINITION

Under immediate (Payroll Technician I) or general supervision (Payroll Technician II), audits, verifies, organizes and performs routine to complex technical accounting work to prepare the County's biweekly payrolls; ensures that employees' work time is properly recorded and coded, and employees are paid accurately, on time and in accordance with applicable laws, policies, and collective bargaining agreements; prepares, maintains and distributes a variety of payroll records and reports; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives immediate (Payroll Technician I) or general supervision (Payroll Technician II) from the Payroll Manager. Exercises no direct supervision over staff.

CLASS CHARACTERISTICS

Payroll Technician I: This is the entry-level classification in the Payroll Technician series. Initially under close supervision, incumbents learn and perform routine duties in support of processing the County's bi-weekly payroll. As experience is gained, assignments become more varied, complex, and difficult; close supervision and frequent review of work lessen as an incumbent demonstrates skill to perform the work independently. Positions at this level usually perform most of the duties required of the positions at the Payroll Technician II level but are not expected to function at the same skill level and usually exercise less independent discretion and judgment in matters related to work procedures and methods. Work is usually supervised while in progress and fits an established structure or pattern. Exceptions or changes in procedures are explained in detail as they arise.

Payroll Technician II: This is the journey-level classification in the Payroll Technician series. Positions at this level are distinguished from the Payroll Technician I by the performance of the full range of duties as assigned, working independently, and exercising judgment and initiative. Positions at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit.

Positions in the Payroll Technician class series are flexibly staffed and positions at the II-level are normally filled by advancement from the next lower level, after gaining the knowledge, skill, and experience which meet the qualifications for and after demonstrating the ability to perform the work of the higher-level class.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

Some duties, knowledge, skills, and abilities may be performed in a learning capacity for entry-level (I Level) positions.

- Receives, reviews, verifies, and processes time recording documents to prepare payroll for all County employees; audits such documents for completeness, accuracy, and compliance with rules and regulations; prepares and balances payroll reports and records.

- Processes, calculates, and maintains records of a variety of payroll actions, including validating new-hire set up and changes in pay or employment status, tax withholding, overtime and holiday hours, retroactive or adjusted pay, retirement and voluntary deductions, wage garnishments, leaves of absence, and final paychecks and pay-offs based on appropriate provisions.
- Analyzes and calculates SDI benefit statements and ensures proper integration and compliance with the Unemployment Insurance code; monitors employee benefits while employees are on disability leaves such as Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), workers' compensation, state disability, long-term disability, and disability retirement.
- Researches payroll records and data to determine eligibility of various types of compensation for calculation of benefits, including buy-back requests; verifies employees' leave-of-absence status and eligibility for paid time off benefits (e.g., holiday, vacation, and sick leave).
- Maintains employee records for voluntary and non-voluntary deductions; prepares reports for and requests for payment to various garnishing agencies, federal and state tax authorities, labor unions, and retirement plan providers.
- Prepares reports of contributions to employee benefit plans and CalPERS and supplemental retirement plans; analyzes, verifies, and updates retirement contribution amounts based on employer and employee eligibility, in accordance with relevant laws and rules; prepares and reconciles employee retirement reports for CalPERS and supplemental plan providers; serves as key point of contact in the department for configuration and updates to mandatory retirement system reporting.
- Assists with training other payroll and departmental staff on payroll-related software. Communicates with employees and supervisors by phone, e-mail, and mass messages to ensure timely completion, review, approval, and submission of online and paper time records.
- Assists departments and employees by providing payroll information, explaining procedures, and answering questions pertaining to payroll policies and procedures, benefits and deductions, timesheet reporting, and leave usage.
- Assists in the annual Open Enrollment process; reviews, verifies and processes enrollment and deduction changes in payroll systems.
- Interprets, applies, explains, and ensures compliance with provisions of collective bargaining contracts and personnel rules as they apply to payroll and a wide variety of paid and unpaid leave usage; suggests contract and rule changes to improve payroll and time reporting.
- Assists Payroll Manager with special projects as required.
- Provides training to less experienced staff and volunteers as assigned.
- Performs other duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- *Payroll Technician I/II:* Equivalent to completion of the twelfth (12th) grade. (Supplemental college coursework or specialized training in payroll, accounting, or a closely related field is highly desirable.)

Experience:

- *Payroll Technician I:* Two (2) years of experience in payroll, accounting, or a related field.
- *Payroll Technician II:* One (1) year of experience at a level equivalent to the classification of Payroll Technician with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation, which may include a credit check, and fingerprint check; ability to work irregular hours, including nights, weekends, and holidays, as required; mandatory overtime may be required with little or no prior notice.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Applicable federal, state and local laws, codes, and ordinances relevant to the area of responsibility including CalPERS laws and reporting rules, Board policies, and collective bargaining agreements that affect County payroll and timekeeping.
- Payroll and timekeeping practices, procedures, and terminology.
- Techniques for interpreting memoranda of understanding for payroll-related provisions as it relates to payroll.
- The processing and recording of payroll and financial transactions related to employee deductions and mandatory retirement.
- Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), Memorandum of Understanding (MOU), workers' compensation, state disability, long-term disability, and disability retirement as they relate to payroll.
- Computer software and systems related to payroll processes.
- Principles and practices of auditing payroll documents.
- Business arithmetic.
- Recordkeeping and retention principles, policies, and procedures.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Interpret, apply, and explain relevant laws, rules, regulations, policies, and procedures regarding payroll processing, employee recordkeeping, and employee benefits related to payroll processing.
- Adhere to and ensure others' compliance with applicable federal and state laws, personnel rules and policies, CalPERS laws and reporting rules, Board policies, and collective bargaining agreements pertaining to payroll, timekeeping, and compensation.
- Review payroll and other financial documents for completeness, accuracy, and compliance.
- Maintain confidentiality of payroll data.
- Prepare a variety of standard and ad hoc payroll reports.
- Make accurate arithmetic computations and generate related reports.
- Establish and maintain a variety of filing, recordkeeping, and tracking systems.
- Establish, maintain, and research payroll records and related accounting records and files.
- Organize own work, set priorities, and meet critical time deadlines.
- Effectively use computer systems, software applications relevant to work performed and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the

course of work.

- Understand and interpret MOUs for payroll-related provisions as it relates to payroll processing.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 10 pounds.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: C PROBATIONARY PERIOD: One Year (2080 hours); Six months (1040 hours) if promoted within Kings County Series.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Human Resources – Carolyn Leist/Ashley Hernandez

SUBJECT: JOB SPECIFICATION CHANGES FOR PROBATION DEPARTMENT

SUMMARY:

Overview:

The County retained Koff & Associates (K&A) to complete a classification and compensation study. The job specification updates for the Probation Department are completed, excluding any countywide classifications that will be addressed later. The K&A classification study provided recommendations to retitle positions and modify job descriptions.

Recommendation:

Approve the retitled and revised job specifications for Juvenile Services Officer I, Juvenile Services Officer II, Senior Juvenile Services Officer, Supervising Juvenile Services Officer, Juvenile Services Manager, Senior Deputy Probation Officer, and Supervising Deputy Probation Officer.

Fiscal Impact:

None.

BACKGROUND:

Job specifications for the Probation Department were updated based on K&A’s recommendations. The job specification changes included title changes for the entire series of Juvenile Corrections Officers, Deputy Probation Officer III and Deputy Probation Officer IV. Specifically, the Juvenile Corrections Officer I/II was changed to Juvenile Services Officer I/II, Juvenile Corrections Officer III was changed to Senior Juvenile Services Officer, Juvenile Corrections Officer IV was changed to Supervising Juvenile Services Officer, Deputy Probation Officer III was changed to Senior Deputy Probation Officer and the Deputy Probation Officer IV was changed to Supervising Deputy Probation Officer.

(Cont’d)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

JOB SPECIFICATION CHANGES FOR PROBATION DEPARTMENT

April 9, 2024

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The revised job specifications were revised to be consistent with the current functions and requirements of the position in addition to new formatting. Updates were also made to the definition, class characteristics, knowledge, and abilities sections, and the supervision received and exercised were added. Additionally, consistent with current Human Resources practices, the physical demands, environmental conditions, and disaster service worker information were included. Furthermore, certificate requirements were added to all Juvenile Service and Deputy Probation series specifications to include Standards and Training for Corrections (STC) Core Courses, Penal Code 832 Laws of Arrest Course, Penal Code 832 Firearms Course, First Aid and Cardiopulmonary Resuscitation (CPR), and Oleoresin Capsicum, commonly known as pepper spray.

The Chief Probation Officer reviewed all classifications and the Probation Officers Association, the General Membership of California League of City Employee's Association ("CLOCEA"), and the Supervisor's Unit Membership of CLOCEA met and conferred with Human Resources. Attached are the current and revised job specifications for these positions in the Probation Department.



JUVENILE SERVICES OFFICER I/II

DEFINITION

Under immediate or general supervision, ensures the custody, rehabilitation, safety and security, and well-being of youth and young adults up to the age of 25 years in County Juvenile Custodial Facilities through the enforcement of policies and procedures; performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives immediate supervision (Juvenile Services Officer I) or general supervision (Juvenile Services Officer II) from assigned supervisory or management personnel. May exercise supervision over staff in the absence of senior, supervisory, and/or management personnel.

CLASS CHARACTERISTICS

Juvenile Services Officer I: This is the entry-level classification in the Juvenile Services Officer series. Initially under close supervision, incumbents learn and perform routine institutional services. As experience is gained, assignments become more varied, complex, and difficult; close supervision and frequent review of work lessen as an incumbent demonstrates skill to perform the work independently. Positions at this level usually perform most of the duties required of the positions at the II-level but are not expected to function at the same skill level and usually exercise less independent discretion and judgment in matters related to work procedures and methods. Work is usually supervised while in progress and fits an established structure or pattern. Exceptions or changes in procedures are explained in detail as they arise.

Juvenile Services Officer II: This is the journey-level classification in the Juvenile Services Officer series responsible for performing the full range of assigned duties to ensure the justice, rehabilitation, and safety of youth and young adults and to enforce court ordered services. Positions work independently, exercise judgment and initiative, receive only occasional instruction or assistance as new or unusual situations arise, and are aware of the operating procedures and policies of the work unit. This class is distinguished from the Senior Juvenile Services Officer in that the latter performs the more complex work assigned to the series.

Positions in the Juvenile Services Officer class series are flexibly staffed and positions at the II-level are normally filled by advancement from the next lower level, after gaining the knowledge, skill, and experience which meet the qualifications for and after demonstrating the ability to perform the work of the higher-level class.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

Some duties, knowledge, skills, and abilities may be performed in a learning capacity for entry-level (I Level) positions.

- Oversees, monitors, and ensures the safety and security of youth and young adults; ensures compliance with regulatory requirements and department policies and procedures.
- Plans, organizes, and supervises a program of work, education, and recreation for a group of youth and young adults in the County's Juvenile Custodial Facilities or other probation custodial facility; monitors daily activities and leisure time to ensure adherence to established schedules; conducts room and other visual checks for facility security and health related purposes.
- Performs group and individual counseling of youth and young adults including facilitation of cognitive behavioral programs, engaging parents, drug/alcohol counseling, academic achievement, recreational activities, basic vocational training, assisting with emotionally distressed or self-destructive youth and young adults, and obtaining mental health assistance.
- Provides situational counseling related to the physical, emotional, and social development of youth and young adults; develops treatment plans including behavior modification goals; provides crisis intervention and referral as required; conducts or assists in group sessions to provide supportive counseling and self-help education.
- Records periodic chronological progress report entries in individual case files including daily records of activities and observations of adjustment; reviews case plans to monitor progress.
- Recognizes signs of disabilities, health problems, suicide risk, assaults, etc., and takes appropriate action to protect the well-being of youth and young adults. Obtains medical assistance and provides basic assistance to juveniles with mobility issues.
- Completes orientation with newly detained youth; explains rules, policies, expectations and consequences to youth; listens and responds appropriately to questions, concerns, complaints and requests and provides assistance in resolving problems.
- Supervises youth and young adults while on community services projects and vocational readiness projects; ensures the completion of work in a timely manner, a safe work site, and that proper and safe working procedures are followed.
- Confers with assigned supervisor and others regarding behavioral concerns and to determine appropriate discipline for rule infractions; implements disciplinary actions; holds youth and young adults accountable for their behavior.
- Distributes meals and works with the County jail kitchen to coordinate the delivery and distribution of youth and young adults' meals.
- Facilitates sick calls, renders first aid as needed, reviews medical orders, ensures youth and young adults receive prescribed medication when appropriate.
- Oversees control room; compiles, updates, and generates reports on youth and young adults in custody; completes and maintains files; verifies and ensures accuracy of data; documents daily activities, behavioral observations, and general information; monitors and records progress on counseling goals.
- Supervises on-site visitations; remains alert for potential problems and takes measures to reduce tension and avoid violence.
- Transports youth and young adults to and from the court, healthcare appointments, work sites, and other custodial facilities.
- Provides training to experienced staff and volunteers as assigned.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to completion of the twelfth (12th) grade.

Experience:

- Juvenile Services Officer I: None required.
- Juvenile Services Officer II: One (1) year of increasingly responsible experience at a level equivalent to the classification of Juvenile Services Officer I with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

Juvenile Services Officer I:

- Possession of, or ability to obtain during a one (1) year probationary period, an appropriate Standards and Training for Corrections (STC) Basic Juvenile Corrections Officer Core Course certified by the Board of State and Community Corrections (BSCC).
- Possession of, or ability to obtain during a one (1) year probationary period, a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by the California Commission on Peace Officer Standards and Training (P.O.S.T.).
- Possession of, or ability to obtain during a one (1) year probationary period, a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of, or ability to obtain during a one (1) year probationary period, a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

Juvenile Services Officer II:

- Possession of a valid certificate of completion for STC Basic Juvenile Corrections Officer Core Course certified by the BSCC.
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by the P.O.S.T.
- Ability to obtain a valid certificate of completion of Penal Code 832 Firearms Course issued by the P.O.S.T., based on assignment.
- Possession of a valid First Aid and CPR certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check. Ability to work standard eight-hour shifts or alternate shifts, such as ten- or twelve-hour shifts, work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and work overtime or mandated overtime. Ability to work in a locked detentions facility which enforces a "lock down, no hostages" policy. Ability to qualify for and carry a firearm for certain assignments.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031. Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Psychological, social and cultural factors which influence individual and group behavior; group leadership techniques for organizing, directing, or supervising work activities, academics, and recreational activities.
- Principles, practices, methods, and equipment used in a juvenile custodial facility.
- Methods and techniques needed when dealing appropriately with youth and young adults in custody.
- Proper safety and security practices and precautions as they relate to a juvenile custodial facility.
- Basic principles, practices, and procedures of juvenile justice systems.
- First aid and emergency medical procedures.
- Record keeping principles and procedures.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to the custody, rehabilitation, safety and security, and well-being of youth and young adults in a juvenile custodial facility.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Enforce Juvenile Custodial Facility policies and procedures to ensure the safety and security of youth and young adults.
- Maintain objectivity, establish rapport, and quickly gain the confidence and cooperation of youth and young adults and their families.
- Supervise, monitor, and transport youth and young adults.
- Assess, evaluate, and determine the needs of youth and young adults in custody.
- Educate and counsel youth and young adults on positive behavior in accordance with established protocols.
- Respond in emergency and crisis situations calmly and effectively.
- Work under stressful conditions with youth and young adults who are delinquent and/or emotionally disturbed.
- Prepare and maintain accurate and comprehensive records.
- Understand, follow, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and judgment within general policy, procedural, and legal guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, reach, and climb to perform work; to perform field work requiring frequent walking on uneven terrain, and climbing and descending

structures to access work sites. Must maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions and may be required to lift and pull up to 150 pounds in emergency situations. Vision to maintain firearms qualification (if carrying) and to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment that is frequently hostile, unpleasant, unpredictable, and/or nauseating, with exposure to justice involved individuals, mentally ill individuals and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: A PROBATIONARY PERIOD: One year (2080 hours); Six months (1040 hours) if promoted within Kings County series.
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JUVENILE CORRECTIONS OFFICER I

DEFINITION

Under supervision, to supervise, instruct and be responsible for the care and custody of persons in the Juvenile Hall or other Probation Department Custodial facility; and perform related duties as required.

DISTINGUISHING CHARACTERISTICS

The Juvenile Corrections Officer classification series is utilized in the detention facilities of the Probation Department. Juvenile Corrections Officer I is the entry level, trainee class in the series. Incumbents initially work under close supervision, learning the rules, regulations, practices and procedures related to the day-to-day operation and control of juvenile correctional facilities. Juvenile Corrections Officer II is the experienced level where work is performed with minimal supervision. Juvenile Corrections Officer I's are expected to advance to the II level when the minimum qualifications for the higher class have been met and satisfactory performance has been demonstrated.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Supervises, counsels and instructs an assigned group of juvenile wards in various activities, including vocational and maintenance work, general recreation, physical education and rehabilitation programs; conducts individual counseling sessions; observes, evaluates, and reports on conduct, needs and adjustment of wards; takes corrective action as needed; performs intake and release procedures; administers emergency first aid; assists with daily and cumulative record keeping; operates a variety of office equipment including computers; enters, verifies and retrieves data and information; transports wards; performs searches of wards, building and grounds; inspects buildings and grounds to maintain cleanliness; guides visitors and answers questions; issues clothing and supplies; supervises maintenance repairs in the facility; confers with superiors concerning behavioral and other ward problems; receives, maintains and returns the personal property of wards upon discharge and maintains appropriate records; may testify in court.

MINIMUM QUALIFICATIONS

Any combination of education and relevant experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required knowledge, skills and abilities would be:

Education: High School graduation or equivalent.

Experience: None required.

Desirable Education/Experience: Education equivalent to possession of an Associate of Arts degree with major coursework in psychology, counseling or a related field and/or one year experience in working with juveniles in counseling, intervention or a similar structured setting.

License: Possession of a valid California Driver's License.

Special Requirements: The ability to work shifts, including nights, weekends and holidays. Persons appointed to this classification are required to obtain valid First Aid and C.P.R. certifications within one year of date of hire in order to remain in the classification, and must successfully complete a Basic Juvenile Institutions Course, a certified PC 832 course and a certified chemical restraint course for carrying Oleoresin Capsicum (O.C.), commonly referred to as cayenne pepper spray, within one year of date of hire in order to remain in the classification.

Juvenile Corrections Peace Officer Status Requirements: Juvenile Corrections Officers are peace officers during the course of their duties and must meet Peace Officer Status Requirements pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony.
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

Knowledge of: Basic inventory record keeping; modern office methods, equipment and procedures, including computers, keyboarding, and data entry; alpha/numeric filing systems and record keeping; basic mathematical computations; criminal and delinquent attitudes and behavior patterns and the social factors underlying criminal behavior; some knowledge of modern methods and techniques of discipline in a confinement setting; standard health problems and first aid; principles of observation and evaluation of behavior and conduct.

Ability to: Pass extensive background investigation; successfully complete a Basic Juvenile Institutions Course, a certified PC 832 course and a certified chemical restraint course for carrying Oleoresin Capsicum (O.C.), commonly referred to as cayenne pepper spray, within one year of date of hire in order to remain in the classification; obtain valid First Aid and C.P.R. certifications within one year of date of hire in order to remain in the classification; exhibit mature emotional stability and sound judgment; understand and follow oral and written instructions; supervise and instruct juvenile offenders; evaluate and document behavior and conduct; take effective corrective action to modify conduct of juvenile offenders; keep daily and cumulative records; organize, implement and supervise work, recreational and rehabilitative programs and projects; learn the laws, regulations and procedures governing the operation of the County facility for juveniles; meet all Peace Officer status requirements; prepare and maintain various records and reports; react quickly and calmly, taking appropriate action in emergency situations; function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; maintain confidentiality of sensitive information related to juvenile offenders; establish and maintain effective working relationships with others; communicate clearly both orally and in writing; operate modern office equipment including computers and typewriters; become proficient at using equipment and computer software utilized by Juvenile Corrections Officers; exhibit a tolerant attitude toward persons of differing cultural, racial and economic backgrounds.

Work environment: In Juvenile Hall, work is performed in a controlled access or lock-down facility where public entry is heavily restricted and employee ID is mandatory; incumbents must function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; stand and walk for extended periods of time; run, reach, lift, and carry; in Boot Camp, work is performed indoors and outdoors in varying temperatures and climates; work with computers and general office equipment; communicate in person, over the phone and by radio; may be exposed to chemicals, including pepper spray and cleaning supplies.

Overtime Status: Non-Exempt
Medical Group: A
Probationary Period: One (1) year

JUVENILE CORRECTIONS OFFICER II

DEFINITION

Under general supervision, to instruct and be responsible for the care and custody of persons in the Juvenile Hall or other Probation Department Custodial facility; and to perform related work as required.

DISTINGUISHING CHARACTERISTICS

The Juvenile Corrections Officer classification series is utilized in the detention facilities of the Probation Department. This is the journey level in the Juvenile Corrections Officer series. Incumbents exercise considerable independence and judgment in maintaining order and supervising juvenile activities with minimum supervision. This classification differs from the Juvenile Corrections Officer I in that the Juvenile Corrections Officer II is fully trained in the supervision and counseling of detained and committed minors. Incumbents are expected to perform the full range of duties as a Juvenile Corrections Officer.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Supervises, counsels and instructs an assigned group of juvenile wards in various activities, including vocational and maintenance work, general recreation, physical education and rehabilitation programs; conducts individual counseling sessions; observes, evaluates and reports on conduct, needs and adjustment of wards; takes corrective action as needed; performs intake and release procedures; administers emergency first aid; assists with daily and cumulative record keeping; operates a variety of office equipment including computers; enters, verifies and retrieves data and information; transports wards; performs searches of wards, buildings and grounds; inspects buildings and grounds to maintain cleanliness; guides visitors and answers questions; issues clothing and supplies; supervises maintenance repairs in the facility; confers with superiors concerning behavioral and other ward problems; receives, maintains and returns the personal property of wards upon discharge and maintains appropriate records; may testify in court.

MINIMUM QUALIFICATIONS

Any combination of education and relevant experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required knowledge, skills and abilities would be:

Education: Equivalent to completion to graduation from high school.

Desirable Education/Experience: Education equivalent to possession of an Associate of Arts degree with major coursework in psychology, counseling or a related field and/or one year experience in working with juveniles in counseling, intervention or a similar structured setting.

Experience: One year of experience as a Juvenile Corrections Officer I with Kings County or an equivalent class in a California county probation department.

License/Certifications: Possession of a valid California Driver's license; possession of a valid Basic Juvenile Institutions Course and PC 832 course certifications.

Special Requirement: The ability to work shifts, including nights, weekends and holidays. Persons appointed to this classification are required to obtain valid First Aid and C.P.R. certifications and chemical restraint

course certification for carrying Oleoresin Capsicum (O.C.), commonly referred to as cayenne pepper spray within one year of date of hire in order to remain in the classification.

MINIMUM QUALIFICATIONS (continued)

Juvenile Corrections Peace Officer Status Requirements: Juvenile Corrections Officers are peace officers during the course of their duties and must meet Peace Officer Status Requirements pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony.
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

Knowledge of: The laws, regulations and procedures governing the operations of the County facility for juveniles; court procedures; inventory record keeping; modern office methods, equipment and procedures, including computers, keyboarding, and data entry; alpha/numeric filing systems and record keeping; basic mathematical computations; criminal and delinquent attitudes and behavior patterns and the social factors underlying criminal behavior patterns of juvenile offenders; principles and methods of supervising juveniles in a confinement setting; principles of observation and evaluation of juvenile conduct and behavior; first aid.

Ability to: Pass extensive background investigation; have successfully completed a Basic Juvenile Institutions Course, a certified PC 832 course and a certified chemical restraint course for carrying Oleoresin Capsicum (O.C.), commonly referred to as cayenne pepper spray; have successfully obtained a valid First Aid and C.P.R. certifications; exhibit mature emotional stability and sound judgment; understand and follow written and oral instructions; effectively supervise and instruct juvenile offenders; evaluate and document behavior and conduct; take effective corrective action to modify conduct of juvenile offenders; meet all Peace Officer status requirements; keep daily and cumulative records of behavior, work projects and programs; organize, implement and supervise work, recreational and rehabilitative projects and programs; react quickly and calmly, taking appropriate action in emergency situations; function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; maintain confidentiality of sensitive information related to juvenile offenders; establish and maintain effective and cooperative working relationships with others; communicate clearly both orally and in writing; operate modern office equipment including computers and typewriters; become proficient at using equipment and computer software utilized by Juvenile Corrections Officers; exhibit a tolerant attitude toward persons of differing cultural, racial and economic backgrounds.

Work environment: In Juvenile Hall, work is performed in a controlled access or lock-down facility where public entry is heavily restricted and employee ID is mandatory; incumbents must function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; stand and walk for extended periods of time; run, reach, lift, and carry; in Boot Camp, work is performed indoors and outdoors in varying temperatures and climates; work with computers and general office equipment; communicate in person, over the phone and by radio; may be exposed to chemicals, including pepper spray and cleaning supplies.

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Overtime Status: Non-Exempt

Medical Group: A

Probationary Period: One (1) year if hired from outside the Kings County Juvenile Corrections Officer series; Six (6) months if promoted from within the Kings County Juvenile Corrections Officer series.



SENIOR JUVENILE SERVICES OFFICER

DEFINITION

Under direction, independently performs a variety of technical, complex, and specialized duties related to ensuring the custody, rehabilitation, safety and security, and well-being of youth and young adults up to the age of 25 years in the County Juvenile Custodial Facilities through the enforcement of policies and procedures; provides lead direction and training to lower-level staff; provides technical assistance to department staff and supervisors; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives direction from assigned supervisory and/or management personnel. Exercises technical and functional direction over and provides training to lower-level staff. May exercise supervision over staff in the absence of supervisory and/or management personnel.

CLASS CHARACTERISTICS

This is the advanced journey-level classification in the Juvenile Services Officer series responsible for performing the most complex work assigned to the series. Incumbents regularly work on tasks which are varied and complex, requiring considerable discretion and independent judgment. Positions in the classification rely on experience and judgment to perform assigned duties. Assignments are given with general guidelines and incumbents are responsible for establishing objectives, timelines and methods to complete assignments. Work is typically reviewed upon completion for soundness, appropriateness, and conformity to policy and requirements. This class is distinguished from the Supervising Juvenile Services Officer in that the latter is the full supervisory classification with responsibilities for the supervision and evaluation of assigned staff.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Performs a variety of technical, complex, and specialized duties in support of various juvenile services functions, requiring the interpretation, understanding, and appropriate application of federal, state, and local laws, rules, and regulations and departmental policies and procedures.
- Oversees, monitors, and ensures the safety and security of youth and young adults; ensures compliance with regulatory requirements and department policies and procedures.
- Schedules and conducts juvenile review boards.
- Plans, organizes, and supervises a program of work, education, and recreation for a group of youth and young adults in the County's Juvenile Custodial Facilities; monitors daily activities and leisure time to ensure adherence to established schedules; conducts room and other visual checks for facility security and health related purposes.
- Performs group and individual counseling of youth and young adults including facilitation of cognitive behavioral programs, engaging parents, drug/alcohol counseling, academic achievement, recreational activities, basic vocational training, assisting with emotionally distressed or self-destructive youth and young adults, and obtaining qualified mental health-assistance.

- Provides situational counseling related to the physical, emotional, and social development of youth and young adults; develops treatment plans including behavior modification goals; provides crisis intervention and referral as required; conducts or assists in group sessions to provide supportive counseling and self-help education.
- Records periodic chronological progress report entries in individual case files including daily records of activities and observations of adjustment; reviews case plans with objectives designed to ameliorate criminogenic risk factors.
- Recognizes signs of disabilities, health problems, suicide risk, assaults, etc., and takes appropriate action to protect the well-being of youth and young adults. Obtains medical assistance and provides basic assistance to juveniles with mobility issues.
- May provide consultation and lead direction to, and reviews the work of, lower-level staff; organizes and assigns work, sets priorities, and follows up to ensure work is completed according to program and department policies, procedures, and timeframes.
- Trains employees in work principles, practices, methods, policies, procedures, and applicable federal, state, and local laws, rules, and regulations; participates in developing and revising training materials.
- Orients newly detained youth; explains rules, policies, expectations and consequences to youth; listens and responds appropriately to questions, concerns, complaints and requests and provides assistance in resolving problems.
- Addresses behavioral concerns with staff assistance; determines appropriate discipline for rule infractions; holds youth and young adults accountable for their behavior.
- Supervises youth and young adults while on community services projects and vocational readiness projects; ensures the completion of work in a timely manner, a safe work site, and that proper and safe working procedures are followed.
- Facilitates sick calls, renders first aid as needed, reviews medical orders, ensures youth and young adults receive prescribed medication when appropriate.
- Oversees control center; compiles, updates, and generates reports on youth and young adults in custody; completes and maintains files; verifies and ensures accuracy of data; documents daily activities, behavioral observations, and general information; monitors and records progress on counseling goals.
- Supervises on-site visitations; remains alert for potential problems and takes measures to reduce tension and avoid violence.
- Transports youth and young adults to and from the court, healthcare appointments, work sites, and other juvenile custodial facilities.
- Attends meetings and participates in training; stays abreast of new trends and innovations related in the field of youth and young adult rehabilitation, juvenile services, and corrections.
- Coordinates with various internal and external agencies to establish support for and facilitate juvenile services programs.
- Schedules youth and young adults court appearances and special activities.
- Oversees a variety of programs including volunteers.
- Orders and maintains supply and equipment inventory and recommends purchases.
- Performs other related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to completion of the twelfth (12th) grade.

Experience:

- Two (2) years of increasingly responsible experience in the supervision of youth and young adults including at least one (1) year of experience at a level equivalent to the classification of Juvenile Services Officer II with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

- Possession of an appropriate Standards and Training for Corrections (STC) Basic Probation Officer Core Course certified by the Board of State and Community Corrections (BSCC).
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by California Commission on Peace Officer Standards and Training (P.O.S.T.).
- Ability to obtain a valid certificate of completion of Penal Code 832 Firearms Course issued by the P.O.S.T., based on assignment.
- Possession of a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check. Ability to work standard eight-hour shifts or alternate shifts, such as ten- or twelve-hour shifts, work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and work overtime or mandated overtime. Ability to work in a locked detentions facility which enforces a "lock down, no hostages" policy. Ability to qualify for and carry a firearm for certain assignments.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031.

Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles of providing functional direction and training.
- Psychological, social and cultural factors which influence individual and group behavior; group leadership techniques for organizing, directing or supervising work activities, academics and recreational activities.
- Principles, practices, methods, and equipment used in a juvenile custodial facility.
- Methods and techniques needed when dealing appropriately with youth and young adults in custody.
- Proper safety and security practices and precautions as they relate to a juvenile custodial facility.
- Basic principles, practices, and procedures of juvenile civil and criminal justice systems.
- First aid and emergency medical procedures.
- Record keeping principles and procedures.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to the custody, rehabilitation, safety and security, and well-being of youth and young adults in a youth and young adult custodial facility.

- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Plan, organize, and coordinate the work of assigned staff.
- Maintain objectivity, establish rapport, and quickly gain the confidence and cooperation of youth and young adults and their families.
- Effectively provide staff leadership and work direction.
- Enforce Juvenile custodial facility policies and procedures to ensure the safety and security of youth and young adults.
- Supervise, monitor, and transport youth and young adults.
- Assess, evaluate, and determine the disposition and needs of youth in custody.
- Educate and counsel youth and young adults on positive behavior in accordance with established protocols.
- Respond in emergency and crisis situations calmly and effectively.
- Work under stressful conditions with youth and young adults who are delinquent and/or emotionally disturbed.
- Prepare and maintain accurate and comprehensive records.
- Understand, follow, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and judgment within general policy, procedural, and legal guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, reach, and climb to perform work; to perform field work requiring frequent walking on uneven terrain, and climbing and descending structures to access work sites. Must maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions and may be required to lift and pull up to 150 pounds in emergency situations. Vision to maintain firearms qualification (if carrying) and to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public

or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating with exposure to justice involved individuals, mentally ill individuals, and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: A PROBATIONARY PERIOD: One year (2080 hours); Six months (1040 hours) if promoted within Kings County series.
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JUVENILE CORRECTIONS OFFICER III

DEFINITION

Under general direction, acts as lead supervisor of subordinate Juvenile Corrections Officers on an assigned shift involving the supervision, instruction, guidance, care and custody of persons in the Juvenile Hall or other Probation Custodial facility; performs related work as required.

DISTINGUISHING CHARACTERISTICS

Juvenile Corrections Officer III is distinguished from the Juvenile Corrections Officer II by the performance of administrative duties and lead supervision on shifts where the Juvenile Corrections Officer IV is not normally on duty and by serving as a trainer to new Juvenile Corrections Officers and assisting less experienced Juvenile Corrections Officers. The Juvenile Corrections Officer III is not flexibly allocated with any other Juvenile Corrections Officer levels. The class is distinguished from the Juvenile Corrections Officer IV class in that it does not have full supervisory responsibility for disciplinary actions, planning and scheduling.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

In addition to regular duties as a Juvenile Corrections Officer, acts as lead supervisor of subordinate Juvenile Corrections Officers; may schedule and conduct review boards; may assign reviews and evaluations; schedules sick calls, court appearances and special activities; maintains supply inventories and makes purchasing recommendations; assists in the supervision of the volunteer program; assists in the preparation of monthly statistical reports; operates a variety of office equipment including computers; enters, verifies and retrieves data and information; may assist in the performance evaluation of subordinate officers; acts for the Juvenile Corrections Officer IV in his/her absence; provides orientation regarding department rules, regulations, policies and procedures to new Juvenile Corrections Officer.

MINIMUM QUALIFICATIONS

Any combination of education and relevant experience that would likely provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required knowledge, skills and abilities would be:

Education: Equivalent to graduation from high school.

Experience: Two years of experience in the supervision of juveniles including at least one year as a Kings County Juvenile Corrections Officer II or an equivalent class in a California county probation department.

Desirable Education/Experience: Education equivalent to possession of an Associate of Arts degree with major coursework in psychology, counseling or a related field and/or one year experience in working with juveniles in counseling, intervention or a similar structured setting.

License/Certifications: Possession of a valid California Driver's license; possession of a valid Basic Juvenile Institutions Course and PC 832 course certifications.

Special Requirement: The ability to work shifts, including nights, weekends and holidays. Persons appointed to this classification are required to obtain valid First Aid and C.P.R. certifications and chemical restraint course certification for carrying Oleoresin Capsicum (O.C.), commonly referred to as pepper spray within one year of date of hire in order to remain in the classification.

MINIMUM QUALIFICATIONS (continued)

Juvenile Corrections Peace Officer Status Requirements: Juvenile Corrections Officers are peace officers during the course of their duties and must meet Peace Officer Requirements pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony.
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

Knowledge of: The laws, regulations and procedures governing the operations of the County facilities for juveniles; court procedures; inventory record keeping; modern office methods, equipment and procedures, including computers, keyboarding, and data entry; alpha/numeric filing systems and record keeping; basic mathematical computations; criminal and delinquent attitudes and behavior patterns and the social factors underlying criminal behavior patterns of juvenile offenders; principles and methods of supervising juveniles in a confinement setting; principles of observation and evaluation of conduct and behavior; first aid; supervisory techniques.

Ability to: Pass extensive background investigation; have successfully completed a Basic Juvenile Institutions Course, a certified PC 832 course and a certified chemical restraint course for carrying Oleoresin Capsicum (O.C.), commonly referred to as pepper spray; have successfully obtained a valid First Aid and C.P.R. certifications; meet all Peace Officer status requirements; exhibit mature emotional stability and sound judgment; understand and follow written and oral instructions; effectively supervise and instruct juvenile offenders; evaluate and document behavior and conduct; take effective corrective action to modify conduct; keep daily and cumulative records; organize, implement and supervise work, recreational and rehabilitative projects and programs; prepare and maintain various records and reports react quickly and calmly, taking appropriate action in emergency situations; function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; maintain confidentiality of sensitive information related to juvenile offenders; establish and maintain effective and cooperative working relationships with others; communicate clearly and effectively both orally and in writing; operate modern office equipment including computers and typewriters; become proficient at using equipment and computer software utilized by Juvenile Corrections Officers; maintain security of the facility and control of inmates; provide effective leadership to subordinate staff; train and orient new employees, evaluate the performance of subordinate staff; exhibit a tolerant attitude toward persons of differing cultural, racial and economic backgrounds; follow workplace safety policies and procedures; properly use personal protective equipment as directed and trained.

Work environment: In Juvenile Hall, work is performed in a controlled access or lock-down facility where public entry is heavily restricted and employee ID is mandatory; incumbents must function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; stand and walk for extended periods of time; run, reach, lift, and carry; work is performed indoors and outdoors in varying temperatures and climates; work with computers and general office equipment; communicate in person, over the phone and by radio; maybe exposed to chemicals, including pepper spray and cleaning supplies.

Overtime Status: Non-Exempt

Medical Group: A

Probationary Period: One (1) year if hired from outside the Kings County Juvenile Corrections Officer series; Six (6) months if promoted from within the Kings County Juvenile Corrections Officer series.



SUPERVISING JUVENILE SERVICES OFFICER

DEFINITION

Under general direction, plans, schedules, assigns, reviews, and supervises the work of Juvenile Custodial Facilities staff ensuring the rehabilitation, safety and security, and well-being of youth and young adults up to the age of 25 years in the County Juvenile Custodial Facilities through the enforcement of policies and procedures; ensures compliance with applicable department and program rules, regulations, policies, and procedures; provides complex staff assistance to management staff in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from Juvenile Services Manager and/or Deputy Chief Probation Officer. Exercises supervision over professional and technical staff.

CLASS CHARACTERISTICS

This classification is the supervisory level within the Juvenile Services Officer series that exercises independent judgment on diverse and specialized employment counseling and supportive service functions with significant accountability and ongoing decision-making responsibilities associated with the work. Incumbents are responsible for planning, organizing, supervising, reviewing, and evaluating the work of assigned staff and providing support to assigned management staff in a variety of areas. This class is distinguished from the Juvenile Services Manager in that the latter has full management authority in planning, organizing, and directing the full scope of programs and services in Juvenile Custodial Facilities.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Plans, organizes, assigns, supervises, and reviews the work of staff ensuring the custody, rehabilitation, safety and security, and well-being of youth and young adults in the Juvenile Custodial Facilities; trains staff in work procedures; evaluates employee performance, counsels employees, and effectively recommends initial disciplinary action; assists in selection and promotion.
- Participates in the development of goals, objectives, policies, and procedures for assigned services and programs; recommends and implements policies and procedures including standard operating procedures for assigned operations.
- Monitors activities of the work unit; identifies opportunities for improving rehabilitation program delivery and procedures; provides recommendations concerning process changes; reviews with appropriate management staff; implements improvements.
- Participates in annual budget preparation; identifies resource needs and prepares recommendations and cost estimates for management review.
- Provides staff assistance to management; prepares and presents staff reports and other written materials; supervises the establishment and maintenance of reports, records, databases, and files; ensures the proper documentation of operations and activities.

- Answers questions and provides information to the public; investigates and responds to complaints and inquiries from citizens, other departments, and agencies; recommends corrective actions to resolve issues.
- Consults with superiors and coordinates with facility staff, mental health staff, teachers, probation officers, law enforcement, and others regarding the conduct, attitudes, and special problems of justice involved youth and young adults and how to best support their rehabilitation.
- Coordinates with various internal and external agencies to establish support for and facilitate juvenile services programs.
- Conducts quality assurance activities including regular case reviews, observations, and staff meetings to ensure work quality and compliance with County, program, and mandated requirements.
- Attends and participates in a variety of department and division meetings; conducts regular meetings with staff to review work activities and to discuss rehabilitation program opportunities, successes, and challenges.
- Provides technical consultation and guidance to officers with difficult cases and assists with the most complex and/or highly sensitive cases; reviews and approves case actions, reports, and other documentation prepared by staff.
- Participates in training; stays abreast of new trends and innovations related in the field of youth and young adult rehabilitation, juvenile services, and corrections.
- Maintains security of the Juvenile Custodial Facilities; provides assistance to Juvenile Services Manager and/or Deputy Chief Probation Officer in administrative matters; is responsible for general maintenance and housekeeping.
- Ensures staff observe and comply with all County and mandated safety rules, regulations, and protocols.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to completion of the twelfth (12th) grade.

Experience:

- Three (3) years of increasingly responsible experience in the supervision of juveniles, including at least one (1) year of experience at a level equivalent to the classification of Senior Juvenile Services Officer with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

- Possession of, or ability to obtain during a one (1) year probationary period, an appropriate Standards and Training for Corrections (STC) Supervisor's Core Course certified by the Board of State of Community Corrections (BSCC) or Supervisor Leadership Academy (SLA).
- Possession of an appropriate STC Basic Juvenile Corrections Officer Core Course issued by the BSCC.
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by California Commission on Peace Officer Standards and Training (P.O.S.T.).

- Ability to obtain a valid certificate of completion of Penal Code 832 Firearms Course issued by the P.O.S.T., based on assignment.
- Possession of a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check. Ability to work standard eight-hour shifts or alternate shifts, such as ten- or twelve-hour shifts, work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and work overtime or mandated overtime. Ability to work in a locked detentions facility which enforces a “lock down, no hostages” policy. Ability to qualify for and carry a firearm for certain assignments.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031. Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, discipline, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Principles, practices, and theories of juvenile resocialization, juvenile supervision, group dynamics, and techniques of individual and group counseling within a juvenile custodial facility.
- Use of cognitive behavioral programs proven effective in reducing recidivism or other related specialized programs.
- Principles and techniques of interviewing, investigating, and supervising casework.
- Legal aspects of administrative investigations involving peace officers.
- Functions and procedures of the Superior Courts.
- Management of crises and critical incidents.
- Conflict resolution techniques.
- Applicable federal, state, and local laws, rules, regulations, and procedures relevant to assigned areas of responsibility.
- Principles and procedures of record keeping.
- County and mandated safety rules, regulations, and protocols.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Assist in developing and implementing goals, objectives, practices, policies, procedures, and work standards.

- Perform the most complex case work.
- Maintain objectivity, establish rapport, and quickly gain the confidence and cooperation of youth and young adults and their families.
- Recognize and evaluate patterns of juvenile behavior for effective individual and group counseling and supervision.
- Research, analyze, and evaluate new youth and young adults' rehabilitation programs, procedures, and techniques.
- Oversee the provision of rehabilitation program services to youth and young adults with diverse needs in a sensitive manner.
- Maintain confidentiality of sensitive personal information and other matters affecting youth and young adults and their support systems.
- Work under stressful conditions with youth and young adults who are delinquent and/or emotionally disturbed.
- Prepare and maintain accurate and comprehensive records.
- Understand, follow, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and judgment within general policy, procedural, and legal guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, reach, and climb to perform work; to perform field work requiring frequent walking on uneven terrain, and climbing and descending structures to access work sites. Maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions and may be required to lift and pull up to 150 pounds in emergency situations. Vision to maintain firearms qualification (if carrying) and to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating with exposure to justice involved individuals, mentally ill individuals, and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance

No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt
MEDICAL GROUP: A
PROBATIONARY PERIOD: One year (2080
hours).

JUVENILE CORRECTIONS OFFICER IV

DEFINITION

Under direction, to supervise, coordinate, evaluate and participate in the custodial care of juvenile offenders detained in the Juvenile Hall or other Probation Custodial facility; to supervise staff during an assigned shift and perform related duties as required.

DISTINGUISHING CHARACTERISTICS

Juvenile Corrections Officer IV is the full supervisory level in the Juvenile Corrections Officer series. It is distinguished from the Juvenile Corrections Officer III by responsibility for evaluation and disciplining of subordinates, assignment and review of work, planning and implementing programs, and compliance with legal codes. The Juvenile Corrections Officer IV is not flexibly allocated with any other Juvenile Corrections Officer levels. Incumbents may act for the facility manager in his/her absence.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Plans, assigns, supervises and performs the work of Juvenile Corrections Officers on an assigned shift; performs specialized assignments and administrative duties; trains new personnel; prepares written performance evaluations; consults with superiors and coordinates with facility staff, mental health staff, teachers, probation officers, law enforcement and others regarding the conduct, attitudes and special problems of juvenile offenders; assigns and reassigns personnel to their respective shifts; obtains relief workers as required; takes appropriate necessary action and alerts proper authorities in emergency situations; assigns work load to shift; supervises the administrative details of shift; oversees and enforces discipline and order; maintains security of facility; oversees the maintenance of logs and reports; prepares reports and reviews the reports of subordinates; operates a variety of office equipment including computers; enters, verifies and retrieves data and information; responsible for the maintenance repairs and housekeeping of the facility; provides assistance in determining staffing requirements and selection of new staff; orients new staff members; conducts staff meetings; assists in preparation of annual budget; prepares expenditures reports and statistical summaries; provides assistance to facility manager in administrative matters; investigates problems and incidents and takes appropriate actions; maintains inventory of supplies and equipment; may act for the facility manager in his/her absence.

MINIMUM QUALIFICATIONS

Any combination of education and experience that would likely provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Education: Equivalent to graduation from high school.

Experience: Three years of experience in the supervision of juveniles in a custodial setting, including at least one year as a Kings County Juvenile Corrections Officer II or above or an equivalent class in a California county probation department or equivalent position in the State of California. (Additional college course-work in criminology or related may be substituted for up to two years of the required experience on a year-for-year basis).

Desirable Education/Experience: Education equivalent to possession of an Associate of Arts degree with major coursework in psychology, counseling or a related field and/or one year experience in working with juveniles in counseling, intervention or a similar structured setting.

License/Certifications: Possession of a valid California Driver's license; possession of a valid Basic Juvenile Institutions Course and PC 832 course certifications.

MINIMUM QUALIFICATIONS: (continued)

Special Requirement: The ability to work shifts, including nights, weekends and holidays. Persons appointed to this classification are required to obtain valid First Aid and C.P.R. certifications and chemical restraint course certification for carrying Oleoresin Capsicum (O.C.), commonly referred to as pepper spray within one year of date of hire in order to remain in the classification.

Juvenile Corrections Peace Officer Status Requirements: Juvenile Corrections Officers are peace officers during the course of their duties and must meet Peace Officer Status Requirements pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony.
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

Knowledge of: The laws, regulations and procedures governing the operations of the County facilities for juveniles; court procedures; inventory record keeping; modern office methods, equipment and procedures, including computers, keyboarding, and data entry; alpha/numeric filing systems and record keeping; basic mathematical computations; criminal and delinquent attitudes and behavior patterns and the social factors underlying criminal behavior patterns of juvenile offenders; principles and methods of supervising juveniles in a confinement setting; principles of observation and evaluation of conduct and behavior; first aid; basics of fiscal management and budgeting, supervisory techniques.

Ability to: Pass extensive background investigation; have successfully completed a Basic Juvenile Institutions Course, a certified PC 832 course and a certified chemical restraint course for carrying Oleoresin Capsicum (O.C.), commonly referred to as pepper spray; have successfully obtained a valid First Aid and C.P.R. certifications; meet all Peace Officer requirements; organize and prioritize the work activities of subordinate staff; write clear and concise reports; interpret and enforce laws, regulations and rules with firmness, tact and impartiality; review and evaluate work of staff; effectively control, direct and instruct juvenile offenders individually and in groups; react quickly and calmly and take appropriate action in emergencies; function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; exhibit mature emotional stability and sound judgment; understand and follow written and oral instructions; effectively supervise and instruct juvenile offenders; evaluate and document behavior and conduct; take effective corrective action to modify conduct; keep daily and cumulative records; organize, implement and supervise work, recreational and rehabilitative projects and programs; prepare and maintain various records and reports; maintain confidentiality of sensitive information related to juvenile offenders; establish and maintain effective and cooperative working relationships with others; communicate clearly and effectively both orally and in writing; operate modern office equipment including computers and typewriters; become proficient at using equipment and computer software utilized by Juvenile Corrections Officers; maintain security of the facility and control of juvenile offenders; provide effective leadership to subordinate staff; train and orient new employees, evaluate the performance of subordinate staff; exhibit a tolerant attitude toward persons of differing cultural, racial and economic backgrounds; follow workplace safety policies and procedures; properly use personal protective equipment as directed and trained; function effectively in a detentions environment.

Work environment: In Juvenile Hall, work is performed in a controlled access or lock-down facility where public entry is heavily restricted and employee ID is mandatory; incumbents must function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; stand and walk for extended periods of time; run, reach, lift, and carry; work is performed indoors and outdoors in varying temperatures and climates; work with computers and general office equipment; communicate in person, over the phone and by radio; maybe exposed to chemicals, including pepper spray and cleaning supplies.

Overtime Status: Non-Exempt

Medical Group: A

Probationary Period: One (1) year if hired from outside the Kings County Juvenile Corrections Officer series; Six (6) months if promoted from within the Kings County Juvenile Corrections Officer series.



JUVENILE SERVICES MANAGER

DEFINITION

Under general direction, plans, organizes, oversees, coordinates, and manages the staff and operations of the Juvenile Custodial Facilities ensuring the rehabilitation, safety and security, and well-being of the youth and young adults up to the age of 25 years; participates in the development of policies and strategies for operations; manages the effective use of resources to improve organizational productivity and customer service; provides complex and responsible support to the Deputy Chief Probation Officer in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Deputy Chief Probation Officer. Exercises supervision over supervisory, professional, technical, and administrative support staff.

CLASS CHARACTERISTICS

This is a management classification responsible for managing the County's Juvenile Custodial Facilities. The incumbent is responsible for developing and implementing policies and procedures, including short- and long-term planning, budget administration and reporting, and coordination of key programs/projects with other County units, divisions, departments, and external agencies. Positions apply advanced management principles and strategic thinking to decisions that impact the organization as a whole and the public being served. Positions generally serve as advisors and contributors to executive management on policies, procedures, and major County initiatives.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Plans, manages, and oversees the daily functions, operations, and activities of the County's Juvenile Custodial Facilities, including ensuring the rehabilitation, safety and security, and well-being of youth and young adults.
- Participates in the development and implementation of goals, objectives, policies, and priorities; continuously monitors the efficiency and effectiveness of assigned programs, service delivery methods, and procedures; assesses and monitors workload, administrative, and support systems, and internal reporting relationships; identifies opportunities and makes recommendations for improvement.
- Participates in the development, administration, and oversight of the budget; determines funding needed for staffing, equipment, materials, and supplies; ensures compliance with budgeted funding.
- Participates in the selection of, trains, motivates, and evaluates assigned personnel; works with employees to correct deficiencies; recommends and implements discipline and termination procedures.
- Oversees and ensures the successful provision of community-based programs engaging in collaborative problem solving designed to assist in the resocialization of youth and young adults, including individual and group counseling, facilitation of cognitive behavioral programs, engaging families and support systems, drug/alcohol counseling, academic achievement, recreational activities, basic vocational training, assisting with emotionally distressed or self-destructive youth and young adults, and obtaining psychiatric assistance.

- Acts in a consultative capacity providing instruction and guidance in interviewing, the evaluation of information, and case work techniques.
- Reviews case files and makes recommendations for increased effectiveness of case work.
- Advises on complex cases and special problems and assists staff in making decisions; personally handles cases involving considerable complexity of legal or social ramification.
- Prepares and presents staff and agenda reports and other necessary correspondence related to assigned activities and services; presents reports to various commissions, committees, and boards.
- Conducts a variety of organizational and operational studies and investigations; recommends modifications to assigned programs, policies, and procedures, as appropriate.
- Serves as a liaison for assigned functions with other County departments, divisions, units, and outside agencies; provides staff support to commissions and committees.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in juvenile services and youth and young adults' rehabilitation research, emerging products and enhancements, and their applicability to County needs.
- Monitors changes in regulations and technology that may affect operations; implements policy and procedural changes after approval.
- Receives, investigates, and responds to difficult and sensitive problems and complaints in a professional manner; identifies and reports findings and takes necessary corrective action.
- Ensures staff compliance with County and mandated safety rules, regulations, and protocols.
- Reviews, completes, and submits Juvenile Custodial Facilities payroll.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in psychology, sociology, criminal justice, administration of justice, or a closely related field. (Substitution: Additional relevant experience in a probation office, juvenile institutions, or adult detentions office may substitute for up to two (2) years of the required education on a year-for-year basis.)

Experience:

- Four (4) years of increasingly responsible experience in the supervision of juveniles in a correctional setting, including two (2) years of experience at a level equivalent to the classification of Supervising Juvenile Services Officer with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

- Possession of, or ability to obtain during a one (1) year probationary period, an appropriate Standards and Training for Correction (STC) Manager/Administrator Core Course (MACC) certified by the Board of State and Community Corrections (BSCC) or Manager Leadership Academy (MLA).
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by the California Commission on Peace Officer Standards and Training (P.O.S.T.).

- Possession of a valid certificate of completion for Basic Juvenile Correction Officers Core Course issued by the BSCC.
- Possession of a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check, which includes a credit check. Ability to work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and be on-call on a rotational basis. Ability to work in a locked detentions facility which enforces a “lock down, no hostages” policy.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031. Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and project management.
- Principles and practices of budget administration.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Applicable Federal, State, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of contract administration and management.
- Principles, practices, and theories of juvenile resocialization, juvenile supervision, group dynamics, and techniques of individual and group counseling within a juvenile facility.
- Use of cognitive behavioral programs proven effective in reducing recidivism or other related specialized programs.
- Principles and techniques of interviewing, investigating, and supervising casework.
- Legal aspects of Police Officer Bill of Rights (POBR).
- Techniques for effectively representing the County in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Recent and on-going developments, current literature, and sources of information related to the operations.
- Methods and techniques of preparing technical and administrative reports, and general business correspondence.
- County and mandated safety rules, regulations, and protocols.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.

- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Administer large and complex budgets; allocate limited resources in a cost-effective manner.
- Provide administrative, management, and professional leadership for the unit and division.
- Manage staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Apply, explain, and ensure compliance with Federal, State, and local policies, procedures, laws, and regulations.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Demonstrate understanding of, sensitivity to, and respect for youth, young adults, and families from culturally diverse backgrounds.
- Analyze, implement, and evaluate program activities and recommend policy and/or program changes; analyze crisis situations accurately and take or recommend appropriate action.
- Promote good community relations and build community confidence in the Probation Department.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Analyze, interpret, summarize, and present technical information and data in an effective manner.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Effectively represent the department and the County in meetings with governmental agencies, community groups, and various businesses, professional, and regulatory organizations, and in meetings with individuals.
- Direct the establishment and maintenance of a variety of filing, record-keeping, and tracking systems.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, reach, and climb to perform work; frequent walking on uneven terrain, and climbing and descending structures to access work sites. Maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions. Vision to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment that is frequently hostile, unpleasant, unpredictable, and/or nauseating with exposure to justice involved individuals, mentally ill individuals, and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Exempt MEDICAL GROUP: A PROBATIONARY PERIOD: One year (2080 hours).
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JUVENILE CORRECTIONS MANAGER

DEFINITION

Under direction, to assist the Deputy Chief Probation Officer in the planning and administration of the juvenile institutions division of the Probation Department; to direct and coordinate the day-to-day operations of the Juvenile Academy and other units of the division as assigned; to perform administrative duties; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS

Juvenile Corrections Manager is a management classification which performs administrative duties and provides a second level of supervision and on-site management in juvenile institutions. The incumbent manages the day-to-day operations of institution and reports directly to the Deputy Chief Probation Officer (Deputy Chief). It is distinguished from Juvenile Corrections Officer IV in that the latter class is limited to supervisory responsibility for line-staff during an assigned shift (a shift supervisor) and reports to the Juvenile Corrections Manager. The Juvenile Corrections Manager classification does not typically exercise direct supervision over non-supervisory level classes. The incumbent may act for the Deputy Chief Probation Officer pertaining to Juvenile Corrections management in his/her absence.

EXAMPLES OF DUTIES

Duties include but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Manages the day-to-day operations of one or more major juvenile custodial units; through supervisors maintains security of the facility and control of juvenile offenders; plans, assigns, directs and evaluates the work of subordinate personnel; participates in determining program needs, and in planning and implementing programs and policies; assigns performance evaluations for completion; assigns and reassigns personnel to respective shifts; prepares and adjusts staffing schedules; obtains relief workers as necessary; conducts orientation for new institutions employees; tracks leave requests, leave, and leave entitlements such as FMLA; performs a variety of management assignments and administrative duties; looks into problems and incidents; reports findings, makes recommendations and takes action as appropriate; takes appropriate necessary action and alerts proper authorities in emergency situations; prepares a variety of oral and written reports; coordinates services with County departments and outside vendors; provides assistance in determining staffing requirements and selection of new staff; reports to and confers with Deputy Chief regarding the budget and day-to-day operations of the institutions; gathers information to determine, and may negotiate for, best price from vendors for services and supplies; procures, and maintains inventory of, supplies and equipment; monitors institutions budget; prepares expenditures reports and statistical summaries; assists in preparation of annual budget; maintains records; completes and submits institutions payroll; maintains security of facility; may testify in court; may perform the duties of a Juvenile Corrections Officer IV on an as needed basis; manages the day-to-day activities of juvenile institutions and may act for the assigned Deputy Chief pertaining to Juvenile Corrections management in his/her absence; operates a variety of office equipment including computers; enters, verifies and retrieves data and information; reviews and ensures facility housekeeping and maintenance repairs; may coordinate training.

MINIMUM QUALIFICATIONS

Any combination of education and experience that would likely provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the knowledge, skills, and abilities would be:

Education: Equivalent to graduation from an accredited four-year college or university with major course work in administration of justice, criminology, or a related field. **NOTE:** Additional relevant experience (i.e. probation officer, or juvenile institutions or adult detentions officer experience) may substitute for the required education on a year-for-year basis.

Experience: Four years of experience in the supervision of juveniles in a custodial setting, including at least one year as a Kings County Juvenile Corrections Officer III or above, or an equivalent class in a California county probation department, or equivalent position in the State of California.

MINIMUM QUALIFICATIONS: (continued)

License/Certifications: Possess and maintain a valid California Driver's license, valid Basic Juvenile Institutions Course and PC 832 course certifications, valid First Aid and C.P.R. certifications and valid chemical restraint course certification for carrying Oleoresin Capsicum (O.C.), commonly referred to as pepper spray.

Special Requirement: The ability to work irregular hours including evenings, weekends, on-call and occasional holidays.

Peace Officer Status Requirements: Must meet Peace Officer Status Requirements pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony.
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer.

Knowledge of: The laws, regulations and procedures governing the operations of the County facilities for juveniles; the care and custody of incarcerated juveniles; court procedures; principles of public administration including organization, supervising, budgeting, fiscal management and personnel; effective supervisory methods; principles and techniques of training; safety techniques, procedures and requirements; criminal and delinquent attitudes and behavior patterns and the social factors underlying criminal behavior patterns of juvenile offenders; principles and methods of supervising juveniles in a confinement setting; principles of observation and evaluation of conduct and behavior; proper use and care of tools and equipment, and methods utilized in juvenile corrections; safety equipment; emergency, safety and health practices, procedures and standards; first aid; inventory, record keeping; modern office methods, equipment and procedures, including computers, keyboarding, and data entry; alpha/numeric filing systems and record keeping; basic mathematical computations; correct English usage, grammar, spelling punctuation and vocabulary.

Ability to: Organize, coordinate and manage the day-to-day operations of juvenile detentions facilities; maintain security of the facility and control of juvenile offenders; read, understand and apply policies, rules, instructions, laws, ordinances and literature pertaining to juvenile detentions activities and facility management; meet all Peace Officer requirements provide effective leadership to staff; plan, direct and evaluate the work of others; enforce laws, regulations, policies and rules with firmness, tact and impartiality; analyze situations accurately and resolve problems effectively; maintain strict confidentiality and control of sensitive information; communicate clearly and effectively both orally and in writing; prepare, maintain, and review various reports, records, manuals and guides; exhibit mature emotional stability and sound judgment; effectively control, direct and instruct juvenile offenders individually and in groups; react quickly and calmly and take appropriate action in emergencies; physically restrain violent juveniles using appropriate methods and techniques; perform and direct instruction and/or training of subordinates in operations and security procedures; establish and maintain effective working relationships with co-workers, and others contacted in the course of work; meet and maintain standards of adequate physical stature, endurance and agility; work under physical and mental pressure in potentially hazardous situations; exhibit sound judgment and a tolerant attitude toward persons of differing cultural, racial and socio-economic backgrounds and without regard to age, gender, trans-gender,

MINIMUM QUALIFICATIONS: (continued)

sexual orientation, etc.; remain alert; function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; follow workplace safety policies and procedures; properly use and care for law enforcement and safety equipment; operate modern office equipment including computers; safely operate a motor vehicle.

Work environment: Work is performed primarily in a controlled access or lock-down facility where public entry is heavily restricted and employee ID is mandatory. Incumbents must function effectively in an environment that is frequently hostile, unpleasant, unpredictable and/or nauseating; stand and walk for extended periods of time; run, reach, lift, and carry. Work is performed indoors and outdoors in varying temperatures and climates. Incumbents utilize law enforcement and safety equipment; work with computers and general office equipment; communicate in person, over the phone and by radio; and, maybe exposed to chemicals, including pepper spray and cleaning supplies.

Overtime Status: Exempt Medical Group: A Probationary Period: One (1) year.



SENIOR DEPUTY PROBATION OFFICER

DEFINITION

Under direction, manages a caseload of justice involved individuals; provides counseling and guidance while enforcing the conditions of the probation; assists in coordinating probation related programs; provides lead direction and training to lower-level staff; provides technical assistance to department staff and supervisors; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives direction from assigned supervisory and/or management personnel. Exercises technical and functional direction over and provides training to lower-level staff. Exercises no direct supervision over staff.

CLASS CHARACTERISTICS

This is the advanced journey-level classification in the Deputy Probation Officer series responsible for performing the most complex work assigned to the series. Incumbents regularly work on tasks which are varied and complex, requiring considerable discretion and independent judgment. Positions in the classification rely on experience and judgment to perform assigned duties. Assignments are given with general guidelines and incumbents are responsible for establishing objectives, timelines and methods to complete assignments. Work is typically reviewed upon completion for soundness, appropriateness, and conformity to policy and requirements. This class is distinguished from the Supervising Deputy Probation Officer in that the latter is the full supervisory classification with responsibilities for the supervision and evaluation of assigned staff.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Performs a variety of technical, complex, and specialized duties in support of various adult/juvenile services functions, requiring the interpretation, understanding, and appropriate application of federal, state, and local laws, rules, and regulations and departmental policies and procedures.
- Provides consultation and lead direction to, and reviews the work of, lower-level staff; organizes and assigns work, sets priorities, and follows up to ensure work is completed according to program and department policies, procedures, and timeframes.
- Trains employees in work principles, practices, methods, policies, procedures, and applicable federal, state, and local laws, rules, and regulations; participates in developing and revising training materials.
- Prepares a variety of correspondence and periodic, statistical, and special reports.
- Performs case management services while ensuring adherence to conditions of probation and facilitating rehabilitation by supervising, counseling, and monitoring clients on probation.
- Interviews probationers, families, and other individuals using evidence-based practices to investigate and assess probationer criminal and social history, risks, and needs and to determine how each case is to be treated; develops and implements case plans based on probationer's history and needs.
- Prepares various court reports including assessments, case plans, petitions, discovery, and related legal and case documents; provides court with a sentencing recommendation.

- Conducts investigations and field searches using accepted data collection methods to establish facts and draw valid conclusions; analyzes data including, but not limited to medical, social history, and legal reports, as well as other documents.
- Makes presentations and/or testifies in court and other hearings regarding sentencing recommendations, probation violations and termination, revocation hearings, probation modifications, case disposition, and case related issues.
- Requests evaluations, refers, coordinates, and monitors participation in mental health, medical, substance abuse, community service, and related treatment and rehabilitation programs.
- Intervenes in crisis situations, counsels individuals and families, and makes referrals.
- Works closely with schools, courts, community agencies, law enforcement, District Attorney and staff, client attorneys, other legal representation, and others during the course of client probation including attending various meetings.
- Coordinates ongoing activities of various probation programs including but not limited to pretrial release, home supervision/electronic monitoring, and community service.
- Prepares and maintains a variety of reports, files, legal documents, correspondence, and records.
- Transports probationers to custodial facilities and court hearings.
- Recognizes signs of disabilities, health problems, suicide risk, assaults, etc., and takes appropriate action to protect the well-being of probationers. Obtains medical assistance and provides basic assistance to probationers with mobility issues.
- May be assigned or mandated to work at the Juvenile Hall facility performing the duties of a Juvenile Services Officer.
- Demonstrates sensitivity to and understanding of historically minoritized groups and participates in professional development activities to increase cultural competency to enhance equity-minded practices within the County.
- Attends meetings and participates in training; stays abreast of new trends and innovations related in the field of rehabilitation and corrections.
- Performs other related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in psychology, sociology, criminal justice, administration of justice, or a closely related field. (Substitution: An associate degree from an accredited college or university with major coursework in psychology, sociology, criminal justice, administration of justice, or a closely related field and two (2) years experience in casework or two (2) years of experience equivalent to the classification of Juvenile Services Officer or Deputy Probation Officer with Kings County may be substituted for required education.)

Experience:

- Three (3) years of experience in probation work including two (2) years of experience at a level equivalent to the classification of Deputy Probation Officer II with Kings County or an equivalent class in a California county probation department.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

- Possession of an appropriate Standards and Training for Corrections (STC) Basic Probation Officer Core Course certified by the Board of State and Community Corrections (BSCC).
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by California Commission on Peace Officer Standards and Training (P.O.S.T.).
- Ability to obtain a valid certificate of completion of Penal Code 832 Firearms Course issued by the P.O.S.T., based on assignment.
- Possession of a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check. Ability to work standard eight-hour shifts or alternate shifts, such as ten- or twelve-hour shifts, work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and work overtime or mandated overtime. May be required to work in a locked detentions facility which enforces a “lock down, no hostages” policy. Ability to qualify for and carry a firearm for certain assignments.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031. Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles of providing functional direction and training.
- Psychological, social and cultural factors which influence individual and group behavior; group leadership techniques for organizing, directing, or supervising work and recreational activities.
- Principles and practices of adult and juvenile probation work including evidence-based practices and conducting investigations and assessments.
- Principles and practices of applied psychology and behavior modification including interviewing, counseling, and crisis intervention.
- Cultural, economic, and social factors affecting residents and special populations of the community and clients served by probation programs.
- Local and general community resources available to probationers and families.
- Case planning and management.
- Court procedures and operations.
- Principles of investigation and laws governing search and seizure and preservation of evidence.
- Record keeping principles and procedures.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to the custody, rehabilitation, safety and security, and well-being of youth in a juvenile custodial facility.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Plan, organize, and coordinate the work of assigned staff.
- Assess and evaluate the risks and needs of probationers by conducting investigations and assessments, including in crisis situations, and determining appropriate actions.
- Develop and implement effective case management strategies including case plans with objectives, goals, and rehabilitation plans.
- Research, compile, and analyze case-related documents and make appropriate deductions and recommendations based on information.
- Supervise and monitor probationers, including completing court-ordered investigations, placement in rehabilitation programs, enforcing terms of probation, search and seizure, arrest, transport, and/or recommending revocation of probation.
- Respond in emergency and crisis situations calmly and effectively.
- Work under stressful conditions with individuals who are delinquent and/or emotionally disturbed.
- Prepare comprehensive reports and recommendations related to probation.
- Testify in court.
- Understand, follow, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, reach, and climb to perform work; to perform field work requiring frequent walking on uneven terrain, and climbing and descending structures to access work sites. Maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions and may be required to lift and pull up to 150 pounds in emergency situations. Vision to maintain firearms qualification (if carrying) and to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment with exposure to justice involved individuals, mentally ill individuals, and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: A PROBATIONARY PERIOD: One year (2080 hours); Six months (1040 hours) if promoted within Kings County series.

DEPUTY PROBATION OFFICER III

DEFINITION

Under direction, to perform the more difficult and specialized professional level case work involving the initial evaluation or intensive supervision of adult and/or juvenile offenders on probation; to provide lead supervision to subordinate staff; to perform special projects involving detailed investigations and research; to perform other duties as assigned.

DISTINGUISHING CHARACTERISTICS

Deputy Probation Officer III serves in a lead capacity and performs highly specialized work involving the application of extensive knowledge and experience in the probation field. Incumbents are assigned the most difficult and complex types of cases, requiring a thorough background in departmental policies and procedures. This class is distinguished from a Deputy Probation Officer IV by the latter's full scope of supervisory responsibilities.

EXAMPLE OF DUTIES

In addition to the duties of a Deputy Probation Officer II, plans, organizes and supervises a probation caseload or unit, usually requiring direct supervision of the more difficult and complex cases; formulates plans of probation and makes recommendations to the court on plans for the adjustment and rehabilitation of offenders; performs field supervision services; prepares adult and/or juvenile diversion and pre-sentence investigation reports for the courts; appears in court for sentencing on Superior Court cases; reviews staff requests to make arrests, transport prisoners, conduct searches and other related activities; supervises or personally assists in the transportation of wards in and out of the state; supervises and monitors offenders on electronic monitoring programs; acts as department liaison with and may provide consulting services for organizations, groups and individuals concerned with providing rehabilitative services for juvenile or adult offenders; assists in researching and developing new probation case work techniques and principles; may perform as a consultant or specialist in particularly difficult areas of probation work or cases; assists in training new probation personnel; prepares detailed and complex reports which may be administrative, operational or technical in nature; may represent the department before interested groups, agencies or individuals; may prepare statistical and other reports; assists in the development, operation and monitoring of special programs and projects undertaken by the department; reviews court reports to ensure compliance with laws and departmental guidelines; may be assigned as assistant to a probation supervisor, filling in during absences; performs other duties as assigned. (Essential duties may vary from position to position within classifications. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.)

MINIMUM QUALIFICATIONS

Education: Equivalent to graduation from an accredited four-year college or university with major course work in administration of justice or a closely related field. (Substitution: An Associate of Arts degree or equivalent in administration of justice or a closely related field, plus two years of additional qualifying experience in probation case work may be substituted for the required four-year degree.)

Experience: Two years of experience as a probation officer, at least one of which must be in a class comparable to Deputy Probation Officer II in Kings County.

License: Possession of a valid, appropriate California driver's license issued by the Department of Motor Vehicles.

MINIMUM QUALIFICATIONS (continued)

Peace Officer Status Requirements: Deputy Probation Officers are peace officers and must meet all of the minimum standards pursuant to state penal and government codes, including:

Age: Must be at least 18 years of age.

Citizenship: Must be a U.S. citizen or a permanent resident alien who has applied for citizenship. A permanent resident alien who has applied for citizenship will be required, if appointed, to provide yearly proof of application status with the Immigration and Naturalization Service (INS). Failure to cooperate with the INS or denial of citizenship will result in termination of employment.

Felony Convictions: Must not have been convicted of a felony. Convictions for misdemeanors and/or traffic offenses will be assessed to determine fitness for appointment.

Physical/Psychological Examination: Must submit to physical and psychological examinations if a conditional offer of employment is made. The physical examination includes an assessment of the applicant's dexterity, strength, endurance and ability to restrain assaultive, combative or violent offenders. The psychological examination includes completion of a written psychological assessment and an interview with a County-appointed psychologist.

Special Requirements: Ability to work eight hour shifts five days per week or ten hour shifts four days per week, as assigned; ability to work night shifts, weekends and holidays, as assigned; ability to pass a thorough background investigation, including fingerprinting; ability to qualify for and carry a firearm for certain assignments; successful completion of 40 hours of annual training courses.

Knowledge of: Principles of probation casework and human behavior and counseling as applied to the probation field; interviewing and crisis intervention techniques; state and local laws and departmental policies and procedures affecting probation work; operation, process and terminology of the Superior and Municipal Courts; principles and practices of supervision and training; principles and practices of leadership, motivation, team building and conflict resolution; causes and control and treatment techniques of crime and delinquency; community resources needed and available to assist in crime and delinquency prevention.

Ability to: Exercise skilled judgment in the assessment and treatment of probationers and families while effectively managing a complex and difficult caseload; plan, organize and administer probation programs or specific assignments; understand, interpret and explain laws, regulations and policies governing probation programs and operations; make appropriate decisions and independent judgments; synthesize complex information into a formal recommendation to the court; write clear and concise court reports; communicate effectively with people of diverse socio-economic backgrounds; communicate effectively, both verbally and in writing; establish and maintain cooperative working relationships; determine the appropriate course of action in emergency or stressful situations; prepare narrative and statistical reports; deal firmly and fairly with offenders of various socio-economic backgrounds; safely operate a motor vehicle; follow workplace safety policies and procedures; properly use personal protective equipment as directed and trained.



SUPERVISING DEPUTY PROBATION OFFICER

DEFINITION

Under general direction, plans, schedules, assigns, reviews, and supervises the work of staff managing a caseload of probationers; ensures compliance with applicable department and program rules, regulations, policies, and procedures; provides complex staff assistance to management staff in areas of expertise; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Deputy Chief Probation Officer. Exercises supervision over professional and technical staff.

CLASS CHARACTERISTICS

This classification is the supervisory level within the Deputy Probation Officer series that exercises independent judgment on diverse and specialized employment counseling and supportive service functions with significant accountability and ongoing decision-making responsibilities associated with the work. Incumbents are responsible for planning, organizing, supervising, reviewing, and evaluating the work of assigned staff and providing support to assigned management staff in a variety of areas. This class is distinguished from the Probation Division Manager in that the latter has full management authority in planning, organizing, and directing the full scope of programs and services within a division of the department.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Plans, organizes, assigns, supervises, and reviews the work of staff managing a caseload of probationers; trains staff in work procedures; evaluates employee performance, counsels employees, and effectively recommends initial disciplinary action; assists in selection and promotion.
- Participates in the development of goals, objectives, policies, and procedures for assigned services and programs; recommends and implements policies and procedures including standard operating procedures for assigned operations.
- Monitors activities of the work unit; identifies opportunities for improving rehabilitation program delivery and procedures; provides recommendations concerning process changes; reviews with appropriate management staff; implements improvements.
- Coordinates assigned services and operations with those of other divisions and outside agencies.
- Participates in annual budget preparation; identifies resource needs and prepares recommendations and cost estimates for management review.
- Provides staff assistance to management; prepares and presents staff reports and other written materials; supervises the establishment and maintenance of reports, records, databases, and files; ensures the proper documentation of operations and activities.
- Answers questions and provides information to the public; investigates and responds to complaints and inquiries from citizens, other departments, and agencies; recommends corrective actions to resolve issues.

- Conducts quality assurance activities including regular case reviews, observations, and staff meetings to ensure work quality and compliance with County, program, and mandated requirements.
- Attends and participates in a variety of department and division meetings; conducts regular meetings with staff to review work activities and to discuss service delivery opportunities, successes, and challenges.
- Evaluates program effectiveness; recommends and implements procedural changes to enhance program effectiveness, including those required for program compliance.
- Provides technical consultation and guidance to officers with difficult cases and assists with the most complex and/or highly sensitive cases; reviews and approves case actions, reports, and other documentation prepared by staff.
- Attends meetings and participates in training; stays abreast of new trends and innovations related in the field of probation services and corrections.
- Prepares a variety of administrative and technical reports, as well business correspondence and presentations; presents reports to internal and external stakeholders; conducts outreach to establish and maintain community partnerships.
- Represents the County in meetings with members of other public and private organizations, community groups, and the public.
- Recognizes signs of disabilities, health problems, suicide risk, assaults, etc., and takes appropriate action to protect the well-being of probationers. Obtains medical assistance and provides basic assistance to probationers with mobility issues.
- May be assigned or mandated to work at the Juvenile Hall facility performing the duties of a Juvenile Services Officer.
- Ensures staff observe and comply with all County and mandated safety rules, regulations, and protocols.
- Performs related duties as assigned.

MINIMUM QUALIFICATIONS

Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

EDUCATION AND EXPERIENCE

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in psychology, sociology, criminal justice, administration of justice, or a closely related field. (Substitution: An associate degree from an accredited college or university with major coursework in psychology, sociology, criminal justice, administration of justice, or a closely related field and two (2) years experience in casework or two (2) years of experience equivalent to the classification of Juvenile Services Officer or Deputy Probation Officer with Kings County may be substituted for required education.)

Experience:

- Three (3) years of increasingly responsible experience as a probation officer, including at least two (2) years of experience at a level equivalent to the classification of Deputy Probation Officer II with Kings County.

LICENSES AND CERTIFICATIONS

Licenses:

- Possession of a valid California driver's license issued by the Department of Motor Vehicles at the time of appointment.

Certifications:

- Possession of, or ability to obtain during a one (1) year probationary period, an appropriate Standards and Training for Corrections (STC) Supervisor Core Course certified by the Board of State of Community Corrections (BSCC) or Supervisor Leadership Academy (SLA).
- Possession of an appropriate STC Basic Juvenile Corrections Officer Core Course issued by the BSCC.
- Possession of a valid certificate of completion of Penal Code 832 Laws of Arrest Course issued by California Commission on Peace Officer Standards and Training (P.O.S.T.).
- Ability to obtain a valid certificate of completion of Penal Code 832 Firearms Course issued by the P.O.S.T., based on assignment.
- Possession of a valid First Aid and Cardiopulmonary Resuscitation (CPR) certificate to be maintained throughout employment.
- Possession of a chemical restraint course certification for carrying Oleoresin Capsicum, commonly known as pepper spray, to be maintained throughout employment.

SPECIAL REQUIREMENTS

Qualify for security clearance through a background investigation (including, but not limited to a medical and psychological evaluations) and fingerprint check. Ability to work standard eight-hour shifts or alternate shifts, such as ten- or twelve-hour shifts, work irregular hours including emergencies, evenings, weekends and holidays, work varying shifts as necessary, and work overtime or mandated overtime. May be required to work in a locked detentions facility which enforces a “lock down, no hostages” policy. Ability to qualify for and carry a firearm for certain assignments.

Must meet minimum standards as described in California Government Code Sections 1029 and 1031. Must meet physical standards established by the California Board of Corrections and any other pre-employment as well as ongoing peace officer requirements pursuant to federal, state, and local legislation.

KNOWLEDGE AND ABILITIES

Knowledge of:

- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, discipline, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and practices of adult and juvenile probation work including evidence-based practices and conducting investigations and assessments.
- General knowledge of applied psychology and behavior modification including interviewing, counseling, and crisis intervention.
- Local and general community resources available to probationers and families.
- Case planning and management.
- Court procedures and operations.
- Principles of investigation and laws governing search and seizure and preservation of evidence.
- First aid and emergency medical procedures.
- Conflict resolution techniques.
- Applicable federal, state, and local laws, rules, regulations, and procedures relevant to assigned areas of responsibility.
- Principles and procedures of record keeping.
- County and mandated safety rules, regulations, and protocols.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.

- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.
- Techniques of effective oral and written communication; proper spelling, grammar, and punctuation.
- Current equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.

Ability to:

- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Assist in developing and implementing goals, objectives, practices, policies, procedures, and work standards.
- Perform the most complex case work.
- Develop and implement effective case management strategies including case plans with objectives, goals, and rehabilitation plans.
- Respond in emergency and crisis situations calmly and effectively.
- Work under stressful conditions with individuals who are delinquent and/or emotionally disturbed.
- Prepare comprehensive reports and recommendations related to probation.
- Testify in court.
- Understand, follow, and apply all pertinent laws, codes, regulations, policies and procedures, and standards relevant to work performed.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

PHYSICAL DEMANDS

Mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a vehicle to various County and meeting sites; to bend, stoop, kneel, and reach climb to perform work; to perform field work requiring frequent walking on uneven terrain, and climbing and descending structures to access work sites. Maintain California Board of Corrections physical standards, including mobility, physical strength, and stamina to respond to emergency situations and to perform assigned duties; strength and stamina to lift, carry, push, and pull materials and objects up to 50 pounds as necessary to perform job functions and may be required to lift and pull up to 150 pounds in emergency situations. Vision to maintain firearms qualification (if carrying) and to read printed materials and a computer screen. Hearing and speech to communicate in person, before groups, and over the telephone or radio. Finger dexterity to access, enter, and retrieve data using a computer keyboard or calculator and to operate public safety equipment.

ENVIRONMENTAL CONDITIONS

Employees work indoors and outdoors, and are exposed to loud noise levels, cold and hot temperatures, inclement weather conditions, vibration, confining workspace, chemicals, mechanical and/or electrical hazards, and hazardous physical substances and fumes. Employees may interact with members of the public or with staff under emotionally stressful conditions while following and enforcing departmental policies and procedures. The duties of this class are performed in an environment that is frequently hostile,

unpleasant, unpredictable and/or nauseating with exposure to justice involved individuals, mentally ill individuals, and persons potentially infected with communicable diseases.

DISASTER SERVICE WORKERS

All Kings County employees are designated "Disaster Service Workers" through state and local laws (CA Government Code Sec. 3100-3109 and Emergency Services Chapter 6-8 via adoption of local Ordinance No. 361 § 1, 2-25-75). As Disaster Service Workers, all County employees are expected to remain at work, or to report for work as soon as practicable, following a significant emergency or disaster.

FLSA EXEMPTION: Non-Exempt MEDICAL GROUP: A PROBATIONARY PERIOD: One year (2080 hours)

DEPUTY PROBATION OFFICER IV

DEFINITION

Under general supervision, to assist in the assignment of work and the supervision of subordinate staff; to perform difficult and complex casework and assignments; to perform other duties as assigned.

DISTINGUISHING CHARACTERISTICS

Deputy Probation Officer IV is the supervisory level of the Deputy Probation Officer series and reports to a Division Manager. Incumbents are responsible for the day-to-day supervision of a probation caseload or section within a division; they are working supervisors in that they may also carry a probation caseload in addition to their supervisory duties. Deputy Probation Officer IV differs from the Division Manager in that the latter classification reports directly to the Chief Probation Officer, and manages the operation of and has overall responsibility for a separate unit.

EXAMPLES OF DUTIES

Duties include, but are not limited to those described below. Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.

Plans, supervises, assigns, reviews and evaluates the work of a unit of probation officers; advises on complex cases and special problems and assists staff in making decisions; acts in a consultative capacity, providing instruction and guidance in interviewing, in the evaluation of information, in case work techniques, in the methods and procedures of investigation, and in field supervision; may be assigned to handle cases involving considerable complexity of legal or social ramification; conducts investigations; consults with other agencies regarding the coordination of programs and services; reviews case files and makes recommendations for increased effectiveness of case work; prepares written reports and correspondence; confers with the courts, law enforcement, government agencies and community organizations regarding probation activities; assists in development and control of departmental/unit budget; assists in developing, implementing and maintaining departmental policies and procedures; assists in the development of new programs or projects as assigned; keeps abreast of legislative changes and assists in planning proper work flow or department response to those changes; prepares work program statistics for annual and other reports; assures assigned staff have completed required training; may be assigned additional administrative and/or supervisory duties. (Essential duties may vary from position to position within classifications.)

MINIMUM QUALIFICATIONS

Education: Two years of experience as a Deputy Probation Officer II in Kings County is evidence of sufficient education. (Outside candidates must meet the Kings County Deputy Probation Officer III education requirements.)

Experience: Three years of experience as a probation officer, at least two of which must be in a class comparable to Deputy Probation Officer II in Kings County. (Supervisory or leadwork experience desirable.)

License: Possession of a valid, appropriate California driver's license issued by the Department of Motor Vehicles.

Special Requirements: Ability to work eight hour shifts five days per week or ten hour shifts four days per week, as assigned; ability to work night shifts, weekends and holidays, as assigned; ability to pass a thorough background investigation, including fingerprinting; ability to qualify for and carry a firearm for certain assignments; successful completion of 40 hours of annual training courses.

MINIMUM QUALIFICATIONS (continued)

Peace Officer Status Requirements: Deputy Probation Officers are peace officers and must meet all of the minimum standards pursuant to state penal and government codes, including:

- (1) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship. A permanent resident alien who has applied for citizenship will be required, if appointed, to provide yearly proof of application status with Immigration and Naturalization Service (INS). Failure to cooperate with the INS or denial of citizenship will result in termination of employment.
- (2) Be at least 18 years of age.
- (3) Not have been convicted of a felony (Misdemeanors and/or traffic offenses will be assessed to determine fitness for appointment.)
- (4) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose a criminal record.
- (5) Be of good moral character, as determined by a thorough background investigation.
- (6) Be a high school graduate, or pass the GED, or pass the CA High School Equivalency Exam, or have attained a two-year, four-year or advanced degree from an accredited college or university.
- (7) Be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer. (Must submit to medical and psychological examinations if conditional offer of employment is made.)

Knowledge of: Modern principles of adult and juvenile probation work, including laws of arrest and of related court procedures; federal and state laws, county ordinances, and departmental goals, policies and procedures affecting probation services; principles and practices of probation case work practices and related court procedures; principles of causes and treatment of crime and delinquency; modern principles, practices and methods involved in the administration of juvenile detention and rehabilitation programs; services of public and private agencies available to adult probationers and juvenile offenders; state Welfare and Institutions, Penal, Health and Safety, Business and Professional, and Vehicle Codes; crisis intervention techniques; principles and techniques of effective supervision, training and performance evaluation; personnel administration policies and practices.

Ability to: Plan, organize, assign, supervise and evaluate the work of subordinates; comply with all laws, regulations, policies and professional practices governing probation program services and operations; plan and implement specialized programs as assigned; analyze, implement and evaluate program activities and recommend policy and/or program changes; analyze crisis situations accurately and take or recommend appropriate action; organize and prioritize work assignments; prepare and maintain clear, concise and comprehensive records, reports and correspondence; communicate effectively both verbally and in writing to individuals and groups in court, in private and in public; perform assigned tasks with a minimum of supervision; establish and maintain cooperative working relationships with staff, the public, other departments and outside agencies; safely operate a motor vehicle; follow workplace safety policies and procedures; properly use personal protective equipment as directed and trained.

Physical Environment: Work is performed indoors and outdoors, primarily in offices, the courts, driving, in field supervision, detention facilities, at probationers' homes and work sites, and in transport of probationers and juveniles. The incumbent must function effectively in multiple environments including probationers' homes, which can be unpleasant, unpredictable and/or nauseating. Work is often physical and involves confrontational and potentially hostile and violent situations. Incumbents use, train with and care for a variety of law enforcement equipment, which may include firearms. Protective and safety equipment is mandatory. Body armor may be required.

Overtime Status: Non-exempt

Medical Group: A

Probationary Period: One Year (6 months if promoting in KC series)



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Department of Public Health – Rose Mary Rahn/Heather Silva
SUBJECT: PURCHASE OF VACCINE PHARMACEUTICAL REFRIGERATOR AND FREEZER

SUMMARY:

Overview:

The Kings County Department of Public Health (KCDPH) is requesting approval to purchase one pharmaceutical refrigerator and one freezer to replace its current aging units.

Recommendation:

Authorize the purchase of an HPR245-GX Pharmaceutical Refrigerator and AccuCold Pharmaceutical Freezer.

Fiscal Impact:

There is no cost to the County General Fund. Funding for the recommended action is included in the fiscal year 2023-24 County budget in Budget Unit 417400 Public Health Emergency Preparation.

BACKGROUND:

The current units used by KCDPH to store vaccines were purchased in 2012 and are near the end of their operational life. The potential for malfunction of the current refrigeration and freezer system poses a significant threat of failure and destruction of the fragile vaccine products, resulting in a substantial financial cost. Also, a potential loss of vaccines poses a risk to the health and safety of Kings County residents. Acquiring a new refrigeration and freezer system for the immunization program will not only enable the department to protect both the State provided and privately purchased vaccines but will also address the immanent risk associated with the potential failure of the current aging refrigeration system.

The pharmaceutical grade refrigerator and freezer is specifically designed to maintain consistent temperature for

(Cont'd)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

PURCHASE OF VACCINE PHARMACEUTICAL REFRIGERATOR AND FREEZER

April 9, 2024

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vaccine storage and will align with the stringent storage and handling requirements mandated by the California Immunization Branch. Moreover, modern pharmaceutical grade units come equipped with built-in alarms that will alert staff of any excursion outside of preset temperature ranges. This warning system enables staff to promptly relocate vaccines to preserve the product viability. By taking all necessary precautions to safeguard vaccine viability and availability, the department will be well-prepared with an adequate supply of vaccines to respond in the event of an influenza pandemic. The Purchasing Manager has approved this purchase through the sole source process.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Department of Public Health – Rose Mary Rahn/Heather Silva
SUBJECT: 340B DRUG PRICING PROGRAM MEMORANDUM OF UNDERSTANDING
WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

SUMMARY:

Overview:

The Kings County Department of Public Health (KCDPH) is requesting approval to enter into a formal agreement with California Department of Public Health (CDPH) to become eligible to participate in the 340B Drug Pricing (340B) Program as a sub-grantee. Enrollment in the 340B Program will enable KCDPH to obtain outpatient drugs at significantly discounted prices which will improve access to medications for Kings County residents.

Recommendation:

Approve the Memorandum of Understanding with the California Department of Public Health for the 340B Drug Pricing Program effective upon execution until January 31, 2026.

Fiscal Impact:

There is no impact to the County General Fund associated with the recommended action. The recommended action will allow access to discounted pricing. All associated costs have been adopted in the County budget for Fiscal Year 2023-24. As a result of participating in the agreement, the department will save money on medications that it planned to purchase.

BACKGROUND:

The 340B program is a federal initiative that allows eligible health care organizations, such as KCDPH, to purchase outpatient drugs, including but not limited to Sexually Transmitted Disease (STD) drugs, at reduced prices. High medication prices are barriers to timely treatment and deter clients from accessing care. This program aims to stretch resources and improve access to medications for vulnerable or underserved populations. Pharmaceutical manufacturers who participate in the 340B program may not charge more than the 340B ceiling price determined by statute for covered drugs.

(Cont'd)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

340B DRUG PRICING PROGRAM MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

April 9, 2024

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As a recipient of the Centers for Disease Control and Prevention (CDC) Sexually Transmitted Disease (STD) Prevention and Control for Health Departments (PCHD) grant, CDPH is eligible to participate in the 340B Program and can extend program eligibility to qualifying STD clinics and organizations, such as health departments, as a subgrantee receiving in-kind support purchased with CDC STD PCHD base grant funds.

Participation in the 340B Program will allow KCDPH to purchase STD treatment medications at a reduced cost. Consequently, KCDPH will be obligated to comply with regulations set forth by CDPH to ensure medications are only dispensed to eligible patients. The department must undergo an annual recertification process which includes verification of the STD grant information and staff contacts. Program participation also provides the department access to several pharmaceutical vendors. By passing on cost savings to STD clients, the department ensures clients have access to the medications they need to treat and mitigate the spread of infection.

In addition, KCDPH's inclusion in the 340B Program qualifies it for in-kind services, including material goods like condoms, and training and technical assistance for staff to advance STD prevention, screening, and treatment goals. This will allow the distribution of condoms at the KCDPH clinic and community events and ensure that staff are knowledgeable about current STD testing and treatment guidelines. These benefits will make certain the department can effectively reduce the impact of STDs in Kings County.

The memorandum of understanding has been reviewed and approved by County Counsel as to form.

Memorandum of Understanding (MOU)

Between

the California Department of Public Health (CDPH) Sexually Transmitted Disease (STD) Control Branch and

Kings County Department of Public Health

for Participation in the 340B Drug Pricing Program as an STD Entity

I. Parties

CDPH STD Control Branch and Kings County Department of Public Health are entering into this MOU to collaborate for the purpose of leveraging participation in the 340B drug pricing program to reduce the incidence of sexually transmitted infections (STI) and their sequelae.

II. Purpose

Managed by the U.S. Health and Resources Services Administration (HRSA) Office of Pharmacy Affairs, the purpose of the 340B drug pricing program (“340B”) is to “stretch scarce federal resources as far as possible, reaching more eligible patients and providing more comprehensive services.” Section 340B(a)(4) of the Public Health Service Act specifies which covered entities are eligible to participate in 340B, including STD clinics and recipients of federal grants authorized under U.S. Public Health Services Act Section 318.

As a recipient of the Section 318-authorized U.S. Centers for Disease Control and Prevention (CDC) [STD Prevention and Control for Health Departments \(PCHD\) grant \(PS19-1901\)](#), CDPH STD Control Branch is eligible to participate in the 340B program. CDPH is also able to confer 340B program eligibility to qualifying STD clinics and other eligible organizations who receive in-kind support purchased with CDC STD PCHD base grant funds. This MOU formalizes an agreement by which CDPH STD Control Branch confers eligibility to Kings County Department of Public Health for participation in the 340B program if the terms and conditions of this MOU agreement are met.

III. Terms and Conditions

a. Responsibilities of CDPH

CDPH STD Control Branch agrees to annually provide Kings County Department of Public Health, either directly or through CDPH subcontractors, a minimum of one of the following forms of in-kind support assistance, which are funded wholly or in part by the CDPH STD Control Branch’s federally funded CDC STD PCHD grant (grant

number: 1H25PS005127*), to advance STI prevention, screening, and treatment goals:

- Material goods (e.g., condoms or lubricant when available),
- Chlamydia/Gonorrhea Expedited Partner Therapy Distribution Program medications, and
- Virtual or in-person training and technical assistance on topics to advance STI prevention, screening, and treatment goals (e.g., STI preventive service guidelines and best practices, participation in the 340B Program, and other STI, HIV, and viral hepatitis-related topics, as needed).

b. Responsibilities of Covered Entity

In turn, Kings County Department of Public Health agrees to:

1. Adhere to state and federal guidelines for the prevention, screening and treatment of STIs (<https://www.cdc.gov/std/treatment>). This includes, for example, providing eligible preventive services within the scope of the CDC STD PCHD grant to establish a patient-provider relationship **prior** to treatment with 340B discounted medications. Eligible preventive services may include:
 - i. Conducting a syphilis interview
 - ii. Conducting an [STI/HIV infection risk assessment](#)
 - iii. Providing [STI/HIV infection prevention counseling](#)
 - iv. Conducting [STI/HIV testing](#)
 - v. Providing another preventive service recommended in the [CDC 2021 STI Treatment Guidelines](#).

Sexual health assessments and STI preventive services **must** be documented for each patient and may be audited by HRSA.

2. Operate their STD 340B program in accordance with 340B program requirements (See <https://www.hrsa.gov/opa/program-requirements>). For example, covered entities enrolled in the 340B program can only provide 340B purchased drugs to patients who meet the program's **three-part patient definition** as defined by HRSA:
 - i. The covered entity has an established relationship with the individual, such that the covered entity maintains records of the individual's health care; *and*

* This federal grant number format is most commonly used; however, the NH25PS005127 format is also acceptable.

- ii. The individual receives health care services from a health care professional who is either employed by the covered entity or provides health care under contractual or other arrangements (e.g., referral for consultation) such that responsibility for the care provided remains with the covered entity; *and*
- iii. The individual receives a health care service or range of services from the covered entity which is consistent with the service or range of services for which [Section 318-authorized] grant funding status has been provided to the entity.

Patients **cannot** be made eligible for 340B solely by being treated with a 340B purchased drug. A covered entity must establish a relationship with the patient, by providing at least one of the preventive services in the scope of the CDC STD PCHD grant or in the [CDC 2021 STI Treatment Guidelines](#), as outlined on page 2 of this MOU, prior to treatment.

- 3. Maintain written 340B policies and procedures and make them available to CDPH STD Control Branch or HRSA upon request, including during a HRSA audit.
- 4. Maintain auditable records documenting program eligibility and compliance with [340B program requirements](#) and make them available to CDPH STD Control Branch or HRSA upon request, including during a HRSA audit. Failure to comply may make the 340B covered entity liable to manufacturers for refunds of discounts and/or cause the covered entity to be removed from the 340B Program.
- 5. Ensure that one provider and program administrator from each participating site that prescribes 340B medications participates in an annual virtual or in-person training offered by CDPH STD Control Branch.
- 6. Ensure that the covered entity's Authorizing Official understands the responsibilities outlined in this MOU.
- 7. Maintain a record of in-kind support received from the CDPH STD Control Branch, for a minimum of three years. CDPH STD Control Branch will have a record of in-kind material goods; however, the covered entity must maintain their own record of in-kind training or technical assistance support received. Documentation of eligible in-kind support may be requested by HRSA in the event of a 340B audit.
- 8. Upon request from CDPH STD Control Branch, provide a brief summary of the amount and use of 340B program cost savings to maintain, improve, or expand patient care services in line with 340B program guidelines and in support of the

goals of the CDC STD PCHD grant, including a description of how the program planning, implementation, evaluation, and reinvestment of savings promotes racial and health equity, to CDPH STD Control Branch within 30 days of request.

9. Provide immediate notification via email to CDPH STD Control Branch at std340b@cdph.ca.gov and HRSA Office of Pharmacy Affairs at apexusanswers@340bpvp.com of any changes that impact 340B eligibility or lapses in receiving in-kind support or technical assistance.
10. Provide immediate notification via email to CDPH STD Control Branch at std340b@cdph.ca.gov and submit a change request through HRSA's Office of Pharmacy Affairs Information System (OPAIS) for approval of any changes to the covered entity's Authorizing Official or Primary Contact.
11. Annually recertify eligibility for participation in the STD 340B program with HRSA and respond promptly to requests for information from CDPH STD Control Branch during the recertification period.

IV. Independence of Parties

CDPH STD Control Branch and Kings County Department of Public Health remain separate and independent entities. Neither party is the agent of the other and neither is liable for the wrongful acts or negligence of the other in carrying out their respective responsibilities under this MOU. Neither party has the right or authority to control or direct the activities of the other or the right or ability to bind the other to any agreement with a third party or to incur any obligation or liability on behalf of the other party in carrying out their respective duties under this MOU, unless expressly authorized by this MOU. CDPH STD Control Branch and Kings County Department of Public Health retain the authority to contract or affiliate with, or otherwise obtain services from, other parties, on either a limited or general basis.

V. General Provisions

a. Insurance. CDPH STD Control Branch and Kings County Department of Public Health represent and warrant that each party hereunder is covered by either a self-insured policy, professional liability insurance policy (malpractice, errors, and omissions), or general liability policy that provides sufficient coverage against professional liabilities that may arise from acts or omissions in connection with or related to this MOU. Neither party will provide individual coverage for the other party's employees, with each party being responsible for coverage of its employees.

b. Financial Responsibility. Each party shall bear and be responsible solely for its own costs and expenses necessary to comply with this MOU.

c. Applicable Law. The construction, interpretation and enforcement of this MOU shall be governed by the laws of the State of California. The courts of the State of California shall have jurisdiction over any action arising out of this MOU and over the parties.

d. Entirety of Agreement. This MOU contains all the terms and conditions agreed upon by the parties regarding STD Control Branch's conferring eligibility to Kings County Department of Public Health to participate in the 340B program and supersedes any prior negotiations, representations, and agreements relating to such subject matter, whether written or oral, between CDPH STD Control Branch and Kings County Department of Public Health for participation in the 340B program as an STD entity by means of CDPH STD Control Branch's CDC STD PCHD grant.

e. Severability. If any provision of this MOU is held to be illegal, invalid, or unenforceable under present or future laws effective during the term hereof, such provision shall be fully severable. This MOU shall be construed and enforced as if such illegal, invalid, or unenforceable provision had never been a part of the MOU, and the remaining provisions shall remain in full force and effect unaffected by such severance, provided that the severed provision(s) are not material to the overall purpose and operation of this MOU.

f. Third Party Beneficiary Rights. Nothing in this MOU is intended to make any person or entity who is not signatory to the agreement a third-party beneficiary of any right created by this MOU or by operation of law.

VI. Duration of Understanding

This MOU is effective upon signature by both parties and will remain in effect until the end of the CDC STD PCHD grant, January 31, 2026. This MOU must be reviewed by the Authorizing Officials from CDPH STD Control Branch and Kings County Department of Public Health annually by April 15th in preparation for the HRSA 340B recertification process. This MOU may be amended at any time through written agreement of both parties. Either party may terminate this MOU at any time, effective immediately, by providing the other party with written notice thereof. If termination of this MOU is needed, both parties agree to provide as much advanced notice as possible.

VII. Signatures

CDPH STD Control Branch:
Kathleen Jacobson, MD

Kings County Department of Public Health:
Doug Verboon

Chief, STD Control Branch California
Department of Public Health

Chair, Board of Supervisors County of Kings

Date: _____

Date: _____

Approved as to form:



Willie Barrera, Deputy County Counsel



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Public Works Department – Dominic Tyburski/Mitchel Cabrera

SUBJECT: KINGS COUNTY BOARD OF SUPERVISORS BOARDROOM
IMPROVEMENTS PROJECT

SUMMARY:

Overview:

On August 8, 2023, the Board approved an agreement with R.E. Jacobs Construction for construction improvements to the Board Chambers. Improvements consisted of flooring upgrades to enhance mobility, improving lighting fixtures, installing hand railing, replacing speaker podiums, replacing ceiling tiles, and new carpeting, among other ancillary improvements. Pursuant to the contract with R.E. Jacobs Construction, a Notice of Completion (NOC) must be filed to provide notice to interested parties that the work has been completed.

Recommendation:

Approve the Notice of Completion for the boardroom improvements project to provide notice to interested parties that the work has been completed.

Fiscal Impact:

There is no impact to the General Fund. Funding for the project was secured through the American Rescue Plan Act (ARPA) in the amount of \$1,150,000. The total cost for R.E. Jacobs Construction’s scope of work is \$454,000 which included ADA, lighting, flooring, seating, and fixed furniture improvements.

BACKGROUND:

The State and Local Coronavirus Fiscal Recovery Funds legislation, part of ARPA, was signed into law by President Biden on March 11, 2021. The bill includes \$65.1 billion in direct, flexible aid to every county in America. An additional \$65.1 billion has been allocated to states, metropolitan cities, and non-entitlement units of local government. Kings County received a total of \$29,706,802 from ARPA. The funds are intended to provide support in responding to the impact of COVID-19 and efforts to contain COVID-19 for communities,

(Cont’d)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

KINGS COUNTY BOARD OF SUPERVISORS BOARDROOM IMPROVEMENTS PROJECT

April 9, 2024

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residents, and businesses.

On August 3, 2021, a request for ARPA funding in the amount of \$150,000 was brought to the Board for improvements to their chambers which included upgrades to the audio-visual equipment, removal of hazardous materials in the ceiling, and improvements to the existing lighting in the room. In September 2022, Board staff requested additional funds in the amount of \$500,000. During reviews with Board members, Information Technology staff, Administration staff, Public Works staff, and Community Development staff, it was determined that improvements were necessary to bring the room in compliance with the Americans with Disabilities Act (ADA) for mobility and to install a new podium along with additional upgrades to the audio-visual components already procured to not just meet the current needs but future needs for Board members, staff presenting to the Board, and the public.

All requested funds are intended for upgrades to the Board Chambers to make the chambers more accessible as the current chambers are not equipped to permanently hold virtual meetings. The dais where the Board sits was built in 1977 and the current countertop does not allow for access through modern technology for Board members and other entities who may be disabled, with the only access through the Administration office. The chambers was improved to have an ADA compliant podium and an access ramp to the dais with enough spacing to not allow for congregate settings when speaking. During the remediation and improvements to the ceiling, the contractor and the Public Works Department had access to the central heating and cooling system, electrical components for equipment, and fire suppression systems to inspect and repair before the installation of new technology equipment.

The project for the upgrades was started in 2021, but due to the time to process the plans and contracts, as well as delays from the pandemic, production issues, increases in the scope of work and increases in costs, additional funds from ARPA were requested in the amount of \$500,000. The additional funds and previously requested funds were used to cover the improvements added to enhance mobility, and lighting.

Pursuant to the State Treasury's guidance, Fiscal Recovery Funds can be used to cover costs incurred beginning on March 3, 2021, with the exception to some categories, and all funds must be obligated by December 31, 2024. All funds must be spent, and all work completed by December 31, 2026. This period during which recipients can expend funds is considered the "period of performance."

Local relief funds are described in four primary categories, which are as follows:

- Respond to the public health emergency or its negative economic impacts.
- Respond to workers performing essential work during COVID-19.
- The provision of government services to the extent of the reduction of revenue due to COVID-19.
- Make necessary investments in water, sewer, and broadband infrastructure.

Within these broad expenditure categories, counties have flexibility to decide how best to use the funding to meet specific community needs with the goal of responding to the COVID-19 public health emergency and its economic impacts. The Board Chambers project falls in the categories of responding to the public health emergency or its negative economic impacts and the provision of government services.

Agenda Item

KINGS COUNTY BOARD OF SUPERVISORS BOARDROOM IMPROVEMENTS PROJECT

April 9, 2024

Page 3 of 3

The Board approved the agreement with R.E. Jacobs Construction on August 8, 2023. Pursuant to the agreement with R.E. Jacobs Construction, a NOC must be filed to provide notice to interested parties that the work has been completed.

It should be noted that seating and audio-visual equipment improvements to the Board Chambers are still underway. However, these improvements are outside R.E. Jacobs Construction's scope of work.

The NOC has been reviewed and approved by County Counsel as to form.

Recording Requested by:
When Recorded Return to:
Department of Public Works
Mitchel Cabrera, P.E., Chief Engineer
Govt. Code 6103

NOTICE OF COMPLETION

YOU ARE HEREBY NOTIFIED:

1. The owner of the work of improvement: County of Kings, 1400 West Lacey Blvd., Hanford, CA 93230.
2. The undersigned is the Chairman of the Board of Supervisors of the County of Kings.
2. The work of improvement is located: Board Meeting Chambers, Kings County Government Center Building 1 at 1400 W. Lacey Blvd, Hanford, CA 93230. APN: 010310054000.
2. The work of improvement is particularly described as: Floor improvements to enhance mobility, improve lighting fixtures, provide wood texture, install hand railing, new podiums, replace ceiling tiles, new carpeting, etc.
3. The date of completion of the work of improvement: March 15, 2024.
5. The nature of the interest or estate of the owner is in fee.
6. The name of the original contractor for the work of Improvement: R.E. Jacobs Construction, 15580 17th Avenue, Lemoore, CA 93245.

Doug Verboon, Chairman, Board of Supervisors
County of Kings, State of California

I, the undersigned, say:

I am the person who signed the foregoing notice of completion. I have read the above notice of completion; the same is true to the best of my knowledge and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed at Hanford, California, this 9th Day of April 2024.

Doug Verboon, Chairman, Board of Supervisors
County of Kings, State of California





COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Public Works – Dominic Tyburski/Duane Cooper
SUBJECT: CHIP ROCK PURCHASE FOR COUNTY ROAD PROJECTS
SUMMARY:

Overview:

The Roads Division is responsible for maintaining and chip sealing roads throughout the county. Chip rock of 3/8” and 1/4” in size are used for this operation.

Recommendation:

- a. Award the bid from Granite Construction for 3/8” and 1/4” chip seal for County roads projects;
- b. Authorize the Purchasing Manager to sign the purchase order.

Fiscal Impact:

The bid from Granite Construction came in at \$672,572 for the total required quantity of both rock sizes. This amount is included in the Roads Division’s Fiscal Year 2023-24 Adopted Budget for the purchase of the chip rock material in Budget Unit 311000.

BACKGROUND:

The Roads Division coordinated with the Purchasing Division on the specification and bidding for the desired chip rock, and bids were solicited from three suppliers: Granite Construction, Sierra Pacific Material, and Deer Creek Asphalt. Granite Construction submitted the winning bid for both sizes of rock. Granite Construction offers both rocks in the same location with the best quality. It helps the Roads Division having both rocks at the same location to save time and money. The Roads Division had anticipated the need for chip rock in the fiscal year 2023-2024 budget and performs this work on an annual basis.

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.



Quote Number: MQ0047375_0
 Quote Date: Mar 14, 2024
 Bid Date: Mar 14, 2024
 Agreement Expiration: Dec 31, 2024

Material Quotation

Attn: DUANE COOPER
 Customer: KINGS COUNTY DEPARTMENT OF PUBLIC WORKS

Project Name: KINGS COUNTY PUBLIC WORKS 2024
 Project Description:
 Address: 1400 W LACEY BLVD
 City, State, Zip: HANFORD CA 93230

Material Description (ID #)	Est. Quantity	Units	Price	Plant Name
1/4" TONY GOMES CHIPS (12803)	10,000	TONS	\$20.25	COALINGA AGG
3/8" X #6 WASHED CHIPS (2366)	15,000	TONS	\$20.25	COALINGA AGG
13958-ENERGY SURCHARGE AG		EACH	\$0.09	PER TON
1947-ENVIRONMENTAL FEE		EACH	\$15.00	PER LOAD

MATERIAL PRICE BASED ON CURRENT OPERATING HOURS. OVERTIME BILLED AFTER 8 HOURS AT \$500 PER HOUR UNLESS AGREED UPON BEFORE SHIFT. STANDARD SATURDAY OPENING FEE IS \$3000, SUNDAY IS \$3500. CONTACT SALES FOR NIGHT OPENING FEES. GRANITE CONSTRUCTION CHARGES A \$15.00 PER LOAD ENVIRONMENTAL FEE. CORPORATE ENERGY SURCHARGE APPLIES TO AGGREGATES ONLY, MARCH 2024 POSTED RATE IS \$0.09/TON AND UPDATES MONTHLY. CHIPS ARE SUPPLIED ON A MUTUALLY AGREED UPON SCHEDULE

<https://www.graniteconstruction.com/energy-surcharge>

Special Conditions:

- For Aggregates sold after the price will increase by per ton.
- For Asphalt Concrete sold after the price will increase by per ton.
- For Aggregates sold after the price will increase by per ton.
- For Asphalt Concrete sold after the price will increase by per ton.

All force account & change order work will be billed at a mutually agreed upon price.
Plant opening fees for nights, Saturday, Sunday or Holiday will be assessed as stated.
Prices excludes Quality Control Plan and any field testing, i.e data herein, HMA temperature, straightedge, etc.
No back charges from plant breakdowns will be accepted.

General Conditions:

Prices quoted do not include sales tax.
 This quote is limited to acceptance within 30 days from the bid date of this quotation after which time this quote is subject to review/revision.
 Please contact your sales person before placing an order against this quote.
 The offer to sell these materials is contingent upon customer completing and signing Granite's credit application and being approved for credit.
 Additional terms and conditions are on page two of this quote.
 Prices subject to change after Agreement Expiration date above.

Aggregate and Asphalt products are subject to Granite energy surcharge published on Granite website based on EIA diesel prices: <https://www.graniteconstruction.com/energy-surcharge> and included in the Terms and Conditions.

By: Bobby Barlow

Office: 559-441-5742
 Cell: 559-310-3832
 Email: bobby.barlow@gcinc.com
 Website: www.graniteconstruction.com

Accepted By: _____
 Signature Date

Printed Name: _____
 Title: _____
 Phone: _____
 Email: _____

Terms and Conditions

1. **MATERIAL/SPECIFICATION:** All materials quoted ("Materials") are subject to availability. Products delivered will meet specifications stated on this material quote ("MQ") (or material submittal if provided) at the point and time of delivery (as delivery is indicated on the face page).
2. **DELIVERY:** If applicable, Material shall be delivered in accordance with a schedule mutually agreed upon by Purchaser and Seller. Any charges at the point of delivery for spotting, switching, handling, storage and/or other accessorial services, and demurrage, shall be additional charges and paid by Purchaser. Damages caused by Purchaser or Purchaser's trucker, plant standby time, job cancellation, and added surcharges will be the responsibility of Purchaser. Title to Material and risk of loss shall pass to Purchaser upon delivery to Purchaser.
3. **PRICE/TERMS OF PAYMENT:** Purchaser shall pay Seller the amount set forth in the quote table together with applicable surcharges and fees. The environmental fee is not a tax, surcharge, or fee mandated by or remitted to any governmental or regulatory agency but used to recover direct and indirect costs for Granite and its subsidiaries operations to be conducted in an environmentally sustainable manner. Payment shall be made in accordance with the payment terms contained in Seller's Application for Credit and Account Agreement (the "Credit App") executed by Purchaser in favor of Seller (by this reference incorporated herein) unless Material purchased C.O.D. Purchaser's failure to pay all amounts owed when due shall be deemed a material breach of this MQ and Seller may, in addition to any other rights it may have under law, at its option, (i) terminate this MQ or (ii) place future deliveries on a C.O.D. basis. The prices set forth in this MQ were premised upon fuel prices in effect as of December 27, 2021, as reported by the U.S. Energy Information Administration ("EIA") (<https://www.eia.gov/petroleum/gasdiesel/>) ("Original Energy Price"). To reflect current energy pricing, a energy surcharge ("Energy Surcharge") shall be included on each invoice equal to the difference between (a) the energy prices reported by EIA on the fourth Monday of the calendar month preceding the invoice date ("Invoice Energy Price") and (b) the Original Energy Price, multiplied by (a) 0.2 gallons/ton for aggregate; and/or (b) 2.25 gallons/ton for asphalt. For example, if the Invoice Energy Price has increased by \$1.00/gallon over the Original Energy Price, the Energy Surcharge for aggregate will be \$0.20/ton (\$1.00 times .2) and the Energy Surcharge for asphalt will be \$2.25/ton (\$1.00 times 2.25). There will be no Energy Surcharge added to the Invoice Energy Price in a month if the Invoice Energy Price does not reflect an increase over the Original Energy Price.
4. **ACCEPTANCE:** This MQ is valid for thirty (30) days from the Bid Date unless otherwise stated in the Special Conditions of this MQ. The terms and conditions of this MQ may be accepted by the Purchaser only by one of the following alternatives performed within such thirty (30) day period: (i) Purchaser's execution and delivery to Seller of this MQ; or (ii) the Purchaser placing either a written or oral order for all or a portion of the Material quoted under this MQ or (iii) Seller's commencement of performance. This MQ can only be modified in writing when signed by Purchaser and Seller.
5. **FORCE MAJEURE:** Seller shall not be liable for failure delay in delivery by reason of any contingency or occurrence beyond Seller's reasonable control or which makes Seller's performance commercially impractical. If such contingency or occurrence prevents Seller's performance for a period of more than sixty (60) days, Purchaser shall have the right, upon seven (7) days written notice to Seller, to terminate this MQ.
6. **INTEGRATED AGREEMENT:** This MQ, together with the Credit Application (if executed by Purchaser), constitutes the entire agreement between Seller and Purchaser, and there are no understandings, agreements or representations, express or implied, either oral or written, not stated or identified in this MQ and the Credit App, if any. Any additional or different terms proposed either orally or in writing by Purchaser including those contained in Purchaser's purchase order, delivery tickets or accompanying Purchaser's performance are rejected and shall be of no force or effect unless expressly assented to in a separate writing by Seller.
7. **WARRANTY:** FOR A PERIOD NOT TO EXTEND BEYOND ONE YEAR FROM THE POINT AND TIME OF DELIVERY OF THE MATERIAL, SELLER WARRANTS THAT THE MATERIAL WILL CONFORM TO THE SPECIFICATIONS SET FORTH IN SECTION 1. NO OTHER WARRANTIES OF ANY KIND ARE MADE BY SELLER AND SELLER EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES TO THE FULLEST EXTENT PERMITTED BY LAW, WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE. PURCHASER SHALL INDEMNIFY, DEFEND, AND HOLD HARMLESS SELLER AGAINST ANY AND ALL CLAIMS, SUITS, ACTIONS, LEGAL PROCEEDINGS, DAMAGES, LIABILITIES, INTEREST, ACTUAL ATTORNEY'S FEES, COSTS AND EXPENSES OF ANY KIND AS A RESULT OF PURCHASER'S USE OF THE MATERIAL.



For Sales & Ordering

Ph: (805) 226-BASE(2273)
 Fax: (805) 226-DIRT(3478)

Quote #: 709

Quote Date: 3/22/2024

SOURCE PLANTS

SPM Orosi
 1400 Avenue 420
 Orosi, CA 93647
Hours of Operations
 7:00AM - 3:30PM

SPM Templeton
 425 Volpi Ysabel
 Paso Robles, CA 93446
Hours of Operations
 7:00AM - 3:30PM

SPM Avenal
 45315 Lost Hills Road
 Coalinga, CA 93210
Hours of Operations
 7:00AM - 3:30PM

Customer Information:

CUSTOMER:	County Of Kings
CONTACT:	Duane Cooper
PHONE:	
CONTACT PHONE:	5593623202
EMAIL:	duane.Cooper@co.kings.ca.us

Job/Bid Information:

JOB NAME/CONTRACT NO: Yearly Chip Rock	BID DATE: 3/22/2024	QUOTE EXPIRATION DATE: 4/21/2024
JOB LOCATION: 10th and Hanford Armona Rd Hanford CA,	P. O. NO.:	SALESPERSON & PHONE NUMBER: Heidi Conley - 8059561933

Pricing Information: PRICES QUOTED BELOW ARE WITHOUT TAX AND ON A PER-JOB BASIS

PRODUCT CODE	TONS	MATERIAL DESCRIPTION	MATERIAL PRICE PER TON	SOURCE PLANT	TOTAL PRICE
24CHR38	20,000	3/8 CHIP ROCK	\$24.50	Orosi Aggregate	\$490,000.00

Notes / Special Conditions:

Pending engineer approval.
 SPM will need a schedule and timeline on materials in advance of project start date.

STANDARD TERMS AND CONDITIONS

- 1) Normal business hours are Monday - Friday 7:00 AM to 3:30 PM. Nights and weekends will have additional charges.
- 2) Buyer must have a valid order before Buyer arrives for loading of material. If an order is not in place, Buyer will be charged the market rate for the products received
 - a) A \$12.00 per load Environmental Fee will be added to all loads.
 - b) A \$5.50 per load Energy Surcharge will be added to all loads.
- 3) Outbound loads from Templeton incur an additional \$1.00 per load County Road Maintenance Fee.
- 4) All asphalt orders must be placed in writing (email or text message). Buyer will be charged for the total tonnage ordered/made, regardless of tonnage shipped.
- 5) A refire fee of \$1,500.00 may apply per occurrence to make additional mix following plant shut down due to customer volume demand changes
- 6) Additional charges apply for plant standby or outside of normal business hours listed above.
- 7) All materials are subject to availability.

- 8) Asphalt orders of less than two hundred (200) tons (shipped or billed) will be assessed a plant opening fee determined by SPM.
- 9) When placing orders, contact the Sales Department, reference the above source plant and quote name to ensure proper material, billing, and pricing.
- 10) Delay(s) in the project schedule may be subject to price increases determined by SPM. Buyer must provide Seller four (4) weeks' notice prior to starting project. Buyer is cautioned that certain mix designs may require much greater notice to obtain mix design approvals or acquire required materials. SPM will not be responsible for delays.
 - a. Seller agrees to pay 70% (seventy percent) of purchase price of all materials listed in this agreement, regardless of material shipped.
- 11) Seller is not responsible for standby, impacts, delays, and/or damages associated with plant breakdowns, capacity, material availability, truck traffic, etc. Additionally, Seller is not responsible for increases in fuel/energy, materials, oil, trucking, etc. Surcharges may apply based on SPM determination.
- 12) All materials quoted are in specification at the point of production only. Sierra Pacific Materials takes no responsibility for any segregation, degradation, contamination of materials, or hot mix asphalt temperatures after leaving the plant due to the buyer's equipment and/or excess handling at the project site.
- 13) Caltrans and/or Authority Having Jurisdiction (AHJ) quality control requirements are the sole responsibility of the Buyer in its entirety.
- 14) Any material sampling will be split to include sufficient dispute sample material, and the sampling must be reported to Sierra Pacific Materials within twenty-four (24) hours. It is the responsibility of the Buyer to stop work after 750 tons have shipped until passing results are received from the AHJ.
- 15) The prices quoted above do not reflect any required taxes or fees and are only applicable for the quoted project.
- 16) The terms and conditions attached to this quote shall become part of the agreement between buyer and seller
- 17) All quotations containing asphalt products are subject to price adjustment, at Seller's sole discretion based upon California Crude Oil Index; "Payment Adjustments for Price Index Fluctuations," per the most recent Caltrans Standard Specifications. This provision applies regardless of job provisions and specifications. Buyer does not have the ability to opt out of Payment Adjustment for Price Index Fluctuations at any time.

QUOTATION MUST BE SIGNED BY THE BUYER AND RETURNED TO SELLER BEFORE THE EXPIRATION DATE OF THIS QUOTE. BUYER ACKNOWLEDGES THAT THEY HAVE READ THIS AGREEMENT AND ACCEPTS EACH AND EVERY TERM AS STATED HEREIN.

SALES TERMS AND CONDITIONS

THE TERMS AND CONDITIONS OF THE SALES DOCUMENTS GOVERN THE RIGHTS AND OBLIGATIONS OF THE PARTIES AND SHALL CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES. THERE ARE NO ORAL UNDERSTANDINGS, REPRESENTATION OR AGREEMENTS RELATIVE TO THIS QUOTATION, WHICH ARE NOT FULLY EXPRESSED HEREIN. ANY ADDITIONAL TERMS OR CONDITIONS ATTACHED TO BUYER'S PURCHASE ORDER OR OTHER BUYER DOCUMENTS ARE EXPLICITLY REJECTED AND SUPERCEDED BY THE SALES DOCUMENTS. ANY INCONSISTENT TERMS AND CONDITIONS ARE NULL AND VOID. BUYER'S RECEIPT OF THE MATERIALS CONTEMPLATED IN THIS QUOTATION SHALL ALSO CONSTITUTE ACCEPTANCE OF THE OFFER IN THIS QUOTATION AND ALL OF THE TERMS AND CONDITIONS IN THE SALES DOCUMENTS. WHEN BUYER USES SELLER'S SOFTWARE SYSTEM AND ACCEPTS THE QUOTATION VIA SUCH SOFTWARE THEY ARE AGREEING TO THE TERMS AND CONDITIONS CONTAINED HEREIN. SELLER RESERVES THE RIGHT TO TERMINATE THIS AGREEMENT AT ITS SOLE DISCRETION, WITHOUT PRIOR NOTICE.

- 1) **QUANTITY CALCULATION:** All material is sold by the ton, based upon a net ton of two thousand (2,000) pounds and all quantities of material shall be determined by Seller's certified scale of weight or by scale of weights of common carrier. The Buyer acknowledges that the amount of material ordered by the Buyer has been determined by the Buyer and not by the Seller. The Buyer assumes full responsibility and shall hold the Seller harmless regarding the adequacy of the amount of material ordered.
- 2) **PRICE:** A charge of 1.5% per month (18% annum), will accrue daily from the date of invoice and will continue to accrue daily on any unpaid balance, both before and after any judgment, until the date the balance is paid in full, or at the maximum interest rate permitted by law. All quotations and orders are subject to surcharges, at the sole discretion of Seller.
- 3) **OBLIGATION TO PAY:**
 - a. The Buyer shall be obligated to pay for material when the material is loaded into a vehicle at Seller's plant. The Buyer shall remain obligated to pay for the material even if the material is not delivered to the Buyer. This take or pay provision will apply if material is purchased from another supplier. Notice of volume changes must be provided to Seller as soon as Buyer is made aware of possible changes, though, in no event, will Seller be responsible for any material already supplied to Buyer.
 - b. This Quotation does not establish a credit account for the Buyer and does not entitle the Buyer to purchase material on credit. In the absence of a credit account, Seller may withhold loading and delivery of material until payment has been made.
 - c. In the event the Buyer has established a credit account with Seller, all amounts and charges shall become due and payable within 30 days from the date of delivery of material.
 - d. The Buyer agrees to pay all of Seller's costs of collection, including attorney's fees and costs. If the Buyer fails to comply with the terms of this Quotation, Seller shall have the right to withhold further deliveries or to cancel this Quotation and all unpaid amounts shall be immediately due and payable. No waiver of such rights shall be implied from any failure by Seller to exercise such rights.
 - e. If Buyer does not pay per the terms of this agreement any and all pricing will revert to market prices for materials.

4) LIMITATION OF WARRANTIES:

a. Seller expressly warrants title and that the products sold by it hereunder will conform to the applicable specifications set forth in this Quotation at time of production.

EXCEPT FOR SUCH EXPRESS WARRANTIES, SELLER MAKES NO WARRANTY OF ANY KIND WHATSOEVER, EXPRESS, OR IMPLIED, AND ALL WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND OTHER WARRANTIES OF WHATEVER KIND ARE HEREBY DISCLAIMED BY SELLER AND EXCLUDED.

b. Seller assumes no liability for any failure of buyer's specifications to meet buyer's requirements. Any inspection, test, or analysis required by Buyer must be specified in writing prior to Seller issuing its quotation. If not so made, Buyer waives claim of failure of the products to meet such inspections, tests, or analysis.

c. Any expense of such inspection, test, or analysis shall be paid by the Buyer.

5) LIMITATION ON LIABILITY: In no event shall Seller be liable for failure or delay in delivery when such failure or delay results, in whole or in part, from strikes, boycotts, lockouts or other labor troubles of any kind; priorities, allocations, limitation or other restraints which affect manufacture or delivery; or any other cause or occurrence beyond Seller's control, including, but not limited to, riots; wars; fires; inclement weather, earthquakes or other acts of God; sabotage; damage, or destruction of any kind of Seller's equipment or facilities necessary for performance hereunder arising from any cause whatsoever; delays of usual sources of supply of materials; or present or future laws, orders or regulations enacted by any governmental agency or bureau effecting restrictions. Seller is furnishing basic products at standard prices and is not insuring Buyer against possible consequences of error, omission or neglect in production or delivery.

6) CLAIMS: Any claims or exceptions by Buyer must be made in writing promptly after (and no later than forty-eight hours after receipt), Buyer's receipt of the product and Buyer shall give Seller an opportunity to investigate.

SELLER IS FURNISHING BASIC PRODUCTS AT STANDARD PRICE AND IS NOT INSURING BUYER AGAINST POSSIBLE CONSEQUENCES OF ERROR, OMISSION OR NEGLIGENCE IN PRODUCTION OR DELIVERY. EXCEPT FOR BREACH OF THE EXPRESS WARRANTIES SPECIFIED IN PARAGRAPH 5, SELLER SHALL NOT, UNDER ANY CIRCUMSTANCE, BE LIABLE FOR ANY IMPERFECTION, DEVIATION FROM SPECIFICATIONS OR OTHER DEFECT IMPAIRING THE QUALITY, VALUE OR SUITABILITY FOR ANY PURPOSE OF ANY PRODUCT SOLD HEREUNDER, WHETHER CAUSED BY SELLER'S NEGLIGENCE OR OTHERWISE. IN NO EVENT SHALL SELLER BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR CONTINGENT DAMAGES, OR ANY OTHER DAMAGES WHATSOEVER. IN ANY EVENT, BUYER'S SOLE AND EXCLUSIVE REMEDY SHALL BE A REFUND OF THE AMOUNTS ACTUALLY PAID UNDER THIS QUOTATION.

Accepted By: _____ Signature: _____ Title: _____ Date: _____

DCA *Deer Creek Asphalt*

March 20, 2024

Plant Location: 27671 Avenue 120 Porterville, CA 93257
Office (559) 793-0903 Fax (559) 793-0902
SMARA Mine ID 91-54-0021

Kings County
11827 11th Avenue
Hanford, CA 93230
Fax: (559) 582-2506; Phone (559) 582-3211
Attention: Duane Cooper duane.cooper@co.kings.ca.us

Subject: 2024 Kings County Maintenance

We are pleased to price the following materials for the above referenced project:

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Price</u>
3/8 chip	20,000+/-	Ton (US)	\$20.00

Terms & Conditions:

1. All materials listed prices are project specific. Material is Cal Trans Spec.
2. Material Price good till December 31, 2024.
3. All materials will be charged sales tax unless a resale certificate is on file.
4. Deer Creek Asphalt to receive a signed copy of this quote to confirm pricing.
5. All materials at Deer Creek Asphalt will meet contract specifications at our plant on date of pickup. If Buyer, or Owner, fails to inspect the materials at Seller's place of business, then the materials shall be deemed to have met contract specifications.
6. Purchaser and Supplier will mutually agree upon dates for product delivery.
7. During hauling, trucks are to be scheduled into the plant to eliminate the possibility of standby.
8. Customer/Contractor is responsible for an accurate production schedule.
9. Within 30 days of quote, this quote may be accepted conditioned upon Purchaser being awarded this project by the Project Owner. The quote will then expire unless unconditionally accepted within ten days after the contract for the project is awarded to the Purchaser.
10. Seller is not obligated to sell materials unless an original of this quote has been signed by Customer and returned to Seller.
11. Terms of Payment. Supplier processes invoices every Friday and on the last day of the month. Invoices are due on the earlier of (a) 30 days from the mailing of the invoice or (b) 10 days from when Purchaser receives payment from Owner for materials covered by each invoice. Past due invoices will incur a finance charge computed by a periodic rate of 1.50% per month, which equates to an annual rate of 18%. In the event an attorney is employed for the collection of any amounts owing by Customer, Customer agrees to pay all attorney fees.
12. A 20-day Preliminary Notice will be mailed with each new order. This notice contains cost information and will be sent to all parties.
13. This quote is conditioned on Seller's approval of Buyer's credit.

If you have any questions or require additional information, please contact me @ 661-372-2228 ..

Thank you for the opportunity to submit this bid proposal,

Patty Baker
Sales Representative
Deer Creek Asphalt
pbaker@jaxonaggregates.com

Date: _____
Project Number: _____
Accepted by: _____

Cooper, Duane

From: Patty Baker <pbaker@jaxonaggregates.com>
Sent: Wednesday, March 20, 2024 2:06 PM
To: Cooper, Duane
Cc: Jeffrey Lautenschlager; DCA Lab; Ed Storm
Subject: Kings county chip quote
Attachments: DCA -3.20.24-Kings County 2024 Maint. quote.docx

Duane,

As per our conversation, we are not set up to make the $\frac{1}{4}$ X10 chips now. We are only able to quote the $\frac{3}{8}$ chips. Please let us know if we will be supplying so we can add you to the production schedule.

Thanks,

Patty Baker
Sales Representative
Deer Creek Asphalt
Delano Rock and Asphalt
661-372-2228

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the contents are safe.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Administration – Kyria Martinez/Sarah Poots

SUBJECT: CLAIM FOR DAMAGES FILED BY HANSON BRIDGETT LLP

SUMMARY:

Overview:

Upon receipt of the Claim for Damages, Administration and County Counsel investigated the allegations of the claimant and determined that there is no liability against the County.

Recommendation:

Deny the Claim for Damages filed by Hanson Bridgett LLP, on behalf of the J.G. Boswell Company.

Fiscal Impact:

None.

BACKGROUND:

On March 11, 2024, a Claim for Damages was filed by Hanson Bridgett LLC, on behalf of the J. G. Boswell Company. The claimant alleges that the County’s decision to cut the Reclamation District 749 levee resulted in flooding and substantial damage to J. G. Boswell’s properties. After investigation of the claim, the Administration Department and County Counsel’s Office finds that the County is not liable for any damages. Pursuant to Government Code section 912.6, staff recommend the Board find that the claim is without merit and deny the claim.

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Administration
California Public Finance Authority – Caitlin Lanctot

SUBJECT: APPROVING THE ISSUANCE OF EXEMPT FACILITY AIRPORT REVENUE
BONDS FOR AN AIRCRAFT STORAGE HANGAR

SUMMARY:

Overview:

Section 147 (f)(2) of the Internal Revenue Code of 1986 requires that, in order for the interest on such obligations to be excluded from gross income to investors for federal income tax purposes, the applicable elected representatives of the host governmental unit must approve the issuance of debt. This hearing and approval process is referred to as a “TEFRA” hearing, after the Tax Equity and Fiscal Responsibility Act of 1983, the regulations for which were promulgated under the Tax Code changes of 1986.

Recommendation:

Adopt a resolution approving the financing and the issuance of up to \$5,253,000 in exempt facility airport revenue bonds for an aircraft storage hangar project by the California Public Finance Authority for Hayward Hangars, LLC.

Fiscal Impact:

None. The County’s participation bears with it no cost or financial obligation but serves as a public acknowledgement of the facilities to be financed by the host jurisdiction. The approval of the tax-exempt financing for the project will not place any financial obligations upon the County.

BACKGROUND:

The California Public Finance Authority (“CalPFA”) is a political subdivision of the State of California established under the Joint Exercise of Powers Act for the purpose of issuing tax-exempt conduit bonds for public and private entities throughout California. CalPFA was created by Kings County and the Housing

(Cont’d)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

APPROVING THE ISSUANCE OF EXEMPT FACILITY AIRPORT REVENUE BONDS FOR AN AIRCRAFT STORAGE HANGAR

April 9, 2024

Page 2 of 2

Authority of Kings County, California. CalPFA is empowered to promote economic, cultural, and community development opportunities that create temporary and permanent jobs, affordable housing, community infrastructure, and improve the overall quality of life in local communities.

Hayward Hangars, LLC (the “Borrower”) has requested that CalPFA issue exempt facility airport revenue bonds for an aircraft storage hangar in an amount not to exceed \$5,253,000 to finance or refinance the costs of airport-related facilities at the Hayward Executive Airport located at 20995, 20999 and 22049 Skywest Drive in Hayward, California (the “Project”).

A public hearing was held for this Project on April 9, 2024. The Board has been asked to approve the issuance of the bonds as the host governmental unit.

The obligations would be repaid solely from amounts received pursuant to the terms and provisions of the financing agreements to be executed by the borrower. The County would not be a party to the financing agreements. The obligations would not be secured by any form of taxation or any obligation of either the County or CalPFA. Neither would the obligations represent or constitute a general obligation of the County or CalPFA. The borrower must indemnify CalPFA, including the County. All legal documents will contain clear disclaimers that the obligations are not obligations of the County or the CalPFA but are paid only from funds provided by the borrower.

As announced in the published notice, this hearing is an opportunity for all interested persons to speak or to submit written comments concerning the proposal to issue the obligations and the nature of the facilities to be financed.

Participation by the County will not impact the County's appropriations limits and will not constitute any type of indebtedness by the County. Once the County holds the required public hearing and adopts the required resolution following the public hearing, no other participation of the County in the actions of the CalPFA or in the financing will be required.

RESOLUTION NO. _____

CALIFORNIA PUBLIC FINANCE AUTHORITY

A RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,253,000 TO FINANCE OR REFINANCE THE COSTS OF AIRPORT-RELATED FACILITIES FOR HAYWARD HANGARS, LLC AND OTHER MATTERS RELATING THERETO

WHEREAS, pursuant to the provisions of the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California (the “Act”), Kings County and the Housing Authority of Kings County (the “Charter Members”) entered into a joint exercise of powers agreement (the “Agreement”) pursuant to which the California Public Finance Authority (the “Authority”) was organized;

WHEREAS, the City of Hayward, California (the “City”) is an Additional Member (as defined in the Agreement) of the Authority pursuant to the provisions of the Agreement;

WHEREAS, the Authority is authorized by its Agreement and under the Act to, among other things, issue bonds, notes or other evidences of indebtedness in connection with, and to make loans to assist in the financing of certain projects;

WHEREAS, Hayward Hangars, LLC, a Delaware limited liability company (the “Borrower”), wishes to finance all or a portion of the costs of: (i) the construction, furnishing and equipping of an approximately 18,000 square foot aircraft storage hangar, consisting of eight (8) box hangar units, to be located at the Hayward Executive Airport, at the following street numbers of Skywest Drive, 20995, 20999 and 22049 Skywest Drive, Hayward, California (the “Airport”) in the City; (ii) refinancing certain outstanding lines of credit, loans and promissory notes of the Borrower, which financed and refinanced other airport-related facilities at the Airport; and (iii) financing, if and as needed, amounts required for reserves, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds (as defined below) (collectively, the “Project”);

WHEREAS, the Project is to be initially principally used, owned, operated and/or managed by the Borrower and the Borrower has requested the assistance of the Authority in financing the Project;

WHEREAS, pursuant to an Indenture of Trust to be dated as of April 1, 2024 (or such other date as the parties may mutually agree) (the “Indenture”), by and between the Authority and UMB Bank, N.A., as trustee thereunder (the “Trustee”), the Authority will issue its (i) Industrial Revenue Bonds (Hayward Hangars Project), Series 2024A (AMT) (Tax-Exempt) (the “Series 2024A Bonds”) and (ii) Industrial Revenue Bonds (Hayward Hangars Project), Series 2024B (Taxable) (the “Series 2024B Bonds” and together with the Series 2024A Bonds, the “Bonds”), in an aggregate principal amount not to exceed \$5,253,000, for the purpose, among other things, of financing the Project;

WHEREAS, pursuant to a Loan Agreement to be dated as of April 1, 2024 (or such other date as the parties may mutually agree) (the “Loan Agreement”), by and between the Authority and the Borrower, the Authority will lend the proceeds of the Bonds to the Borrower for the purpose, among other things, of financing the Project;

WHEREAS, to evidence the Borrower’s obligations under the Loan Agreement, the Borrower will execute and deliver to the Authority one or more promissory notes to secure the applicable series of Bonds (each a “Note”) and the Authority will assign each Note to the Trustee under the Indenture;

WHEREAS, pursuant to a Bond Placement Agreement, to be dated the date of placement of the Bonds (the “Bond Placement Agreement”), by and among American Veterans Group, PBC and D.A. Davidson & Co., as co-placement agents (collectively, the “Placement Agents”), the Authority and the Borrower, the Placement Agents will arrange for the sale of the Bonds to Greenwich Investment Management, Inc., a Connecticut corporation, or such other purchaser or purchasers selected by the Placement Agents and the Borrower, through a private placement and the proceeds of such sale will be used as set forth in the Indenture to finance the Project;

WHEREAS, in connection with the issuance of the Bonds the Authority will deliver a tax regulatory agreement, tax certificate, or other similarly titled instrument setting forth certain representations, expectations and covenants of the Authority pertaining to the tax-exempt status of the Series 2024A Bonds (the “Tax Certificate”);

WHEREAS, pursuant to Section 5852.1 of the California Government Code, the Authority, as a conduit financing provider, has received certain representations and good faith estimates from the Borrower and has disclosed such good faith estimates as set forth on Exhibit A hereto;

WHEREAS, there have been made available to the Board of Directors of the Authority the following documents and agreements:

- (1) A proposed form of the Indenture (including the proposed form of the Bonds);
- (2) A proposed form of the Loan Agreement (including the form of the Note from the Borrower to the Authority and assigned to the Trustee);
- (3) A proposed form of the Bond Placement Agreement; and
- (4) A proposed form of a Limited Offering Memorandum prepared under the direction of the Borrower to be used by the Placement Agents in connection with the offering and sale of the Bonds (the “Limited Offering Memorandum”).

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the California Public Finance Authority, as follows:

Section 1. Pursuant to the Act and the Indenture, the Authority is hereby authorized to issue its revenue bonds designated as the (i) “California Public Finance Authority Industrial Revenue Bonds (Hayward Hangars Project), Series 2024A (AMT) (Tax-Exempt)” and (ii) “California Public Finance Authority Industrial Revenue Bonds (Hayward Hangars Project), Series 2024B (Taxable)” with the following terms:

(a) The Bonds shall be issued in an aggregate principal amount not to exceed \$5,253,000, of which the tax-exempt portion shall be in an amount not to exceed \$3,361,000, and shall be secured in accordance with the terms of the Indenture and shall be in substantially the forms in the Indenture and presented at this meeting;

(b) Any of the Subseries of the Bonds may be further divided into one or more tax-exempt or taxable sub-series for whatever purposes and however designated as determined under the Indenture as finally executed;

(c) The final maturity of the Bonds shall not exceed thirty (30) years from the date of issuance (the “*Maximum Term*”);

(d) the maximum interest rate per annum to be borne by the Bonds (inclusive of any “taxable,” “penalty,” or “default” rate) shall not exceed (i) 9.125% per annum with respect to the Series 2024A Bonds and (ii) 10.250% per annum with respect to the Series 2024B Bonds (collectively, the “*Maximum Rate*”);

(e) The principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the designated trust office of the Trustee, in such capacity as permitted under the Indenture, including as registrar, or at the office of any successor or additional registrar in accordance with the Indenture;

(f) The Bonds shall be subject to mandatory and optional redemption prior to maturity as provided in the Indenture as finally executed; and

(g) The authorized denominations, dated dates, maturity date or dates, interest rate or rates, interest and principal payment periods and date or dates, principal amounts, denominations, forms, registration, manner of execution, place or places of payment, tax-exempt or taxable determinations, conditions for issuance of additional bonds, covenants and other terms of the Bonds shall be as provided in the Indenture as finally executed.

The Bonds shall be issued and secured in accordance with the terms of, and shall be in the form or forms set forth in, the Indenture. The Bonds shall be executed on behalf of the Authority by the manual or facsimile signature of the Chair of the Authority or the manual signature of any member of the Board of Directors of the Authority or their administrative delegates duly authorized pursuant to Resolution No. 17-01C of the Authority, adopted on April 25, 2017 (each, an “Authorized Signatory”), and attested by the manual or facsimile signature of the Secretary of the Authority or the manual signature of any Authorized Signatory.

Section 2. The proposed form of Indenture, including the proposed form of the Bonds, as made available to the Board of Directors, is hereby approved. Any Authorized Signatory is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver the

Indenture in substantially said form, with such changes and insertions therein as any member of the Board of Directors, with the advice of counsel to the Authority, may approve, such approval to be conclusively evidenced by the execution and delivery thereof. The Trustee, dated date, maturity date or dates, interest rate or rates, interest payment dates, denominations, forms, registration privileges, manner of execution, place or places of payment, terms of redemption and other terms of the Bonds shall be as provided in the Indenture, as finally executed.

Section 3. The proposed form of Loan Agreement (and the assignment by the Authority of its rights and obligations thereunder, other than the Authority's Reserved Rights as defined in the Indenture, to the Trustee), as made available to the Board of Directors, is hereby approved. Any Authorized Signatory is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver the Loan Agreement in substantially said form, with such changes and insertions therein as any member of the Board of Directors, with the advice of counsel to the Authority, may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 4. The proposed form of the Bond Placement Agreement, as made available to the Board of Directors, is hereby approved. Any Authorized Signatory is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver the Bond Placement Agreement, in substantially said form, with such changes and insertions therein as any member of the Board of Directors, with the advice of counsel to the Authority, may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 5. The proposed form of the Limited Offering Memorandum, as made available to the Board of Directors, is hereby approved, with such changes and insertions therein as any member of the Board of Directors, with the advice of counsel to the Authority, may approve. The Placement Agent is hereby authorized to deliver the Limited Offering Memorandum to the purchasers of the Bonds, with such changes as may be approved as aforesaid.

Section 6. An Authorized Signatory is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver the Tax Certificate, in such form as such Authorized Signatory, with the advice of Bond Counsel, may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 6. The Bonds, when executed as provided in Section 1, shall be delivered to the Trustee for authentication by the Trustee. The Trustee is hereby requested and directed to authenticate the Bonds by executing the Trustee's Certificate of Authentication appearing thereon, and to deliver the Bonds, when duly executed and authenticated, to the purchaser or purchasers thereof in accordance with written instructions executed on behalf of the Authority by an Authorized Signatory, which any Authorized Signatory, acting alone, is authorized and directed, for and on behalf of the Authority, to execute and deliver to the Trustee. Such instructions shall provide for the delivery of the Bonds to the purchaser or purchasers thereof, upon payment of the purchase price thereof.

Section 7. The Chair, the Vice Chair, the Secretary, the Treasurer, any other members of the Board of Directors of the Authority and other appropriate officers and agents of the Authority are hereby authorized and directed, jointly and severally, for and in the name and on

behalf of the Authority, to execute and deliver any and all documents, including, without limitation, any and all documents and certificates to be executed in connection with securing credit support, if any, for the Bonds, and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the Authority has approved in this Resolution and to consummate by the Authority the transactions contemplated by the documents approved hereby, including any subsequent amendments, waivers or consents entered into or given in accordance with such documents.

Section 8. All actions heretofore taken by the Chair, the Vice Chair, the Secretary, the Treasurer, any other members of the Board of Directors of the Authority and other appropriate officers and agents of the Authority with respect to the issuance of the Bonds are hereby ratified, confirmed and approved.

Section 9. Notwithstanding anything to the contrary in this Resolution, no documents referenced in this Resolution may be executed and delivered until the City and Kings County have each held the hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, if required by said Section, and provided approval with respect to the financing or refinancing of the Project.

Section 10. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the California Public Finance Authority this ____ day of _____, 20__.

I, the undersigned, an Authorized Signatory of the California Public Finance Authority, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Directors of the Authority at a duly called and properly noticed regular meeting of the Board of Directors of the Authority, at which a quorum was acting and present throughout, held in accordance with law on _____, 20__.

By: _____
Authorized Signatory
California Public Finance Authority

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, at 10:00 a.m., on Tuesday, April 9, 2024, the Board of Supervisors of the County of Kings (the “County”), through the California Public Finance Authority (the “Authority”), will conduct a telephone-only public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (the “Code”), concerning the proposed issuance by the Authority of its exempt facility airport revenue bonds under Section 142(a)(1) of the Code, captioned as Industrial Revenue Bonds (Hayward Hangars Project), Series 2024, in one or more tax-exempt or taxable series, from time to time pursuant to a plan of finance, in an aggregate amount not to exceed \$5,253,000 (collectively, the “Bonds”) of which the tax-exempt portion is in an amount not to exceed \$3,361,000.

The Bonds are expected to be issued pursuant to Section 6546 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California (the “Act”), and the proceeds from the sale of the Bonds will be loaned to Hayward Hangars, LLC (the “Borrower”) and used to finance all or a portion of the costs of: (i) the construction, furnishing and equipping of an approximately 18,000 square foot aircraft storage hangar, consisting of eight (8) box hangar units, to be located at the Hayward Executive Airport, at the following street numbers of Skywest Drive, 20995, 20999 and 22049 Skywest Drive, Hayward, California (the “Airport”) in the City of Hayward, California; (ii) refinancing certain outstanding lines of credit, loans and promissory notes of the Borrower, which financed and refinanced other airport-related facilities at the Airport; and (iii) financing, if and as needed, amounts required for reserves, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds (collectively, the “Project”). The Project will be initially principally used, owned, operated and/or managed by the Borrower.

The Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the indenture for the Bonds.

Those wishing to comment on the proposed issuance of the Bonds and the nature and location of the Project may dial into the hearing using the following toll free teleconference line: [1-800-747-5150](tel:1-800-747-5150), followed by Access Code 4501310#, or may submit written comments, which must be received no later than 4:00 pm on Monday, April 8, 2024, to the Clerk of the Board at 1400 W. Lacey Boulevard, Hanford, California 93230 or at bosquestions@co.kings.ca.us.

Dated: April 2, 2024

COUNTY OF KINGS

By: /s/ Catherine Venturella
Clerk of the Board

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

* * * * *

IN THE MATTER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF KINGS APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF ITS BONDS, IN ONE OR MORE SERIES, FROM TIME TO TIME PURSUANT TO A PLAN OF FINANCE, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,253,000, FOR THE PURPOSE OF FINANCING AND/OR REFINANCING THE CONSTRUCTION, FURNISHING AND EQUIPPING OF CERTAIN FACILITIES FOR THE BENEFIT OF HAYWARD HANGARS, LLC AND CERTAIN OTHER MATTERS RELATING THERETO RESOLUTION NO. _____

WHEREAS, Hayward Hangars, LLC (the “Borrower”), a Delaware limited liability company, has requested that the California Public Finance Authority (the “Authority”) participate in the issuance of its exempt facility airport revenue bonds under Section 142(a)(1) of the Internal Revenue Code of 1986, as amended (the “Code”), in one or more tax-exempt or taxable series, from time to time pursuant to a plan of finance, in an aggregate principal amount not to exceed \$5,253,000 (the “Bonds”), of which the tax-exempt portion is in an amount not to exceed \$3,361,000, the proceeds of which are to be loaned to the Borrower to finance all or a portion of the costs of (i) the construction, furnishing and equipping of an approximately 18,000 square foot aircraft storage hangar, consisting of eight (8) box hangar units, to be located at the Hayward Executive Airport, at the following street numbers of Skywest Drive, 20995, 20999 and 22049 Skywest Drive, Hayward, California (the “Airport”) in the City of Hayward, California (the “City”); (ii) refinancing certain outstanding lines of credit, loans and promissory notes of the Borrower, which financed and refinanced other airport-related facilities at the Airport; and (iii) financing, if and as needed, amounts required for reserves, capitalized interest, costs of issuance and other financing expenses related to the issuance of the Bonds (collectively, the “Project”); and

WHEREAS, the Project will be initially principally used, owned, operated and/or managed by the Borrower and will be located within the City; and

WHEREAS, the Authority is a joint powers authority created by the County of Kings (the “County”) and the Housing Authority of Kings County and located in the County; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the issuance of the Bonds by the Authority must be approved by the County; and

WHEREAS, the Board of Supervisors of the County (the “Board of Supervisors”) is the elected legislative body of the County and is the applicable elected representative under Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors has, following notice duly given, through the Authority, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority; and

WHEREAS, the Board of Supervisors understands that its actions in holding this public hearing and in approving this Resolution do not obligate the County in any manner for payment of the principal, interest, fees or any other costs associated with the issuance of the Bonds, and said Board of Supervisors expressly conditions its approval of this Resolution on that understanding.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF KINGS HEREBY RESOLVES THAT:

Section 1. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority, from time to time pursuant to a plan of finance, for the purposes of financing and/or refinancing the Project. It is the purpose and intent of the Board of Supervisors that this Resolution constitute approval of the issuance of the Bonds by the Authority for the purpose of Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Authority is located.

Section 2. The officers of the Board of Supervisors are hereby authorized and directed, jointly and severally, to do any and all things and execute and deliver any and all documents, certificates and other instruments which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby. Any actions heretofore taken by such officers are hereby ratified and approved.

Section 3. The Board of Supervisors expressly conditions its approval of this Resolution on its understanding that the County shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Bonds for the financing and/or refinancing of the Project.

Section 4. This Resolution shall take effect from and after its passage and approval.

The foregoing resolution was adopted upon motion by Supervisor _____, seconded by Supervisor _____ at a regular meeting held on the ___ day of _____, 2024, by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

Chairperson of the Board of Supervisors
County of Kings, State of California

IN WITNESS WHEREOF, I have set my hand this _____ day of _____, 2024.

Clerk of said Board of Supervisors



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Administration – Kyria Martinez
Chemical Waste Management – Bob Henry

SUBJECT: KETTLEMAN HILLS WASTE FACILITY QUARTERLY REPORT

SUMMARY:

Overview:

Every quarterly, Chemical Waste Management (CMW) presents to the Board a report of facility activities at the Kettleman Hills Hazardous Waste Facility, as is required under the Conditional Use Permit obtained for the facility.

Recommendation:

Accept the quarterly report from Chemical Waste Management regarding activity at the Kettleman Hills Hazardous Waste Facility.

Fiscal Impact:

None.

BACKGROUND:

On December 22, 2009, the Board adopted Resolution No. 09-073, which authorized issuing Conditional Use Permit No. 05-10 for CWM to operate the Kettleman Hills Hazardous Waste Facility. As part of the conditions of approval as cited in condition #B-4 of Resolution No. 09-073, “the General Manager of the CWM Kettleman Hills Facility shall give quarterly rather than monthly reports to the Board of Supervisors, in person, concerning the monitoring program and any and all other work or activity at the site, including any and all information sent to all regulatory agencies.” In accordance with these provisions, the General Manager will attend the meeting updating the Board on the previous quarter’s activities. The Board also may, from time to time, require special reports concerning specific items or activities about which they are concerned in addition to the regular update.

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Human Services Agency – Wendy Osikafo/Monica Connor

SUBJECT: CHILD ABUSE PREVENTION AWARENESS MONTH RESOLUTION

SUMMARY:

Overview:

National Child Abuse Prevention Awareness Month shines a light on child abuse and encourages the community to come together as partners to bring awareness and keep children safe. Every child is entitled to love and care in a safe and nurturing environment free from abuse and neglect. Community partnerships are essential to build relationships, share expertise, access services, advocate, and bring awareness to child abuse. As residents of Kings County, the community has the power to focus on family strengths and help build resilience in children, youth, and families.

Recommendation:

Adopt a resolution to proclaim the month of April 2024 as Child Abuse Prevention Awareness Month.

Fiscal Impact:

None.

BACKGROUND:

April 1983 was first proclaimed Child Abuse Prevention Awareness Month by presidential proclamation. Since then, April has been a time to acknowledge the importance of families and communities working together to prevent child abuse. This is also a time to promote the social and emotional well-being of children and families.

During the month of April and throughout the year, communities are encouraged to share child abuse and neglect prevention awareness strategies, activities, and promote prevention across the country.

(Cont'd)

BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

CHILD ABUSE PREVENTION AWARENESS MONTH RESOLUTION

April 9, 2024

Page 2 of 2

Adopting a resolution to proclaim the month of April 2024 as Child Abuse Prevention Awareness Month will provide an opportunity for the Board to honor local service providers, bring awareness, and show support for children and families.

Kings County received 2,252 child abuse hotline calls in 2023, which resulted in 1,042 suspected child abuse investigations.

The Child Abuse Prevention Coordinating Counsel is sponsoring the following events in April to raise awareness in the community:

1. Pinwheels for Prevention campaign: Pinwheels are the national symbol for child abuse awareness and will be displayed around Kings County.
2. Blue Ribbon Campaign for National Child Abuse Prevention Month. A blue ribbon serves as a reminder to fight for the protection of children.
3. Longfield Center events and activities free for families to provide information and awareness with regards to child abuse and neglect.
4. Balloon release to bring awareness to child abuse prevention; blue balloons will honor and represent children that have been affected by child abuse.

The resolution has been reviewed and approved by County Counsel as to form.

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF PROCLAIMING
THE MONTH OF APRIL 2024 AS CHILD
ABUSE PREVENTION AWARENESS MONTH _____/

RESOLUTION NO. _____

WHEREAS, children thrive in safe, stable, nurturing families;

WHEREAS, every child is entitled to love and care in a safe and nurturing environment free from abuse and neglect;

WHEREAS, by establishing partnerships that fortify the bonds between parents and children, can build strong, healthy families and resilient, thriving communities;

WHEREAS, we work together to protect the most vulnerable among us, and behind healthy families is a strong community that enabled them to meet their own needs and we must work together to strengthen our communities and build accessible, localized support systems;

WHEREAS, April is National Child Abuse Prevention Month;

WHEREAS, the County of Kings received 2252 child abuse hotline calls in 2023, which resulted in 1042 investigations of child maltreatment;

WHEREAS, Kings County has currently 358 children living in foster care;

WHEREAS, a campaign, “Pinwheels for Prevention” has been launched during the month of April to celebrate and bring awareness of the great potential of all children by the placement of pinwheels around the county during the month of April.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The Kings County Board of Supervisors proclaims the month of April 2024, as Kings County Child Abuse Prevention Awareness Month.

The foregoing Resolution was adopted upon motion by Supervisor _____, second by Supervisor _____, at a regular meeting held _____, 2024, by the following vote:

AYES: Supervisors
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

Doug Verboon,
Chairperson of the Board of Supervisors
County of Kings, State of California

IN WITNESS WHEREOF, I have set my hand this _____ day of April 2024

Catherine Venturella,
Clerk of said Board of Supervisors



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Information Technology Department – John Devlin

SUBJECT: RENEWAL OF THREE-YEAR MAINTENANCE AGREEMENT FOR
MICROSOFT SERVER SOFTWARE AND OFFICE 365

SUMMARY:

Overview:

In June 2021, the County entered into a maintenance agreement (Server and Cloud Product Agreement) with Microsoft for server and related server software. Furthermore, in May 2021, the County signed the initial three-year Enterprise Agreement for Office 365 user license subscriptions. Thus, the County needs to renew the maintenance for the next three years.

Recommendation:

- a. Approve the Enterprise Agreement with Microsoft to renew Office 365 user license subscriptions effective from May 1, 2024 through April 30, 2027;
- b. Approve the Server and Cloud Product Agreement with Microsoft for server and related server software maintenance effective from June 1, 2024 through May 1, 2027;
- c. Authorize the Purchasing Manager to sign the Purchase order for the Enterprise Agreement and Server and Cloud Product Agreement.

Fiscal Impact:

The cost for the three-year Enterprise Agreement is \$1,296,300. The first installment of \$432,100 is included in Information Technology’s (IT) budget for fiscal year (FY) 2023-24. Subsequent payments of \$432,100 are included in the FY 2024-25 Requested Budget, and will be requested in the FY 2025-26 budget. The cost for the three-year Server and Cloud Product Agreement is \$323,340. The first installment of \$107,780 is included in IT’s budget for FY 2023-24. Subsequent payments of \$107,780 are included in the FY 2024-25 Requested Budget, and will be requested in the FY 2025-26 budget. These costs are charged back to departments via the IT Rates and were included in the current year and in the FY 2024-25 Requested Budget.

(Cont’d)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

RENEWAL OF THREE-YEAR MAINTENANCE AGREEMENT FOR MICROSOFT SERVER SOFTWARE AND OFFICE 365

April 9, 2024

Page 2 of 2

BACKGROUND:

The County utilizes various Microsoft software products for servers, Active Directory, System Center, SQL Servers, and Office 365 for data needs. The County's day-to-day productivity would be disturbed without these Microsoft products, as they power every department's function in serving the public. The Microsoft three-year maintenance is a strategic investment that helps the County to stay up to date, optimize licensing costs, and leverage Microsoft technologies effectively.

The agreements have been reviewed and approved by County Counsel as to form.

Program Signature Form

MBA/MBSA number

7-36XHZZWNYL

Agreement number

8084445

Note: Enter the applicable active numbers associated with the documents below. Microsoft requires the associated active number be indicated here, or listed below as new.

For the purposes of this form, "Customer" can mean the signing entity, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

This signature form and all contract documents identified in the table below are entered into between the Customer and the Microsoft Affiliate signing, as of the effective date identified below.

Contract Document	Number or Code
Enterprise Enrollment (Indirect)	X20-10636
Enterprise Amendment	M97 (New)
Product Selection Form	2653671.003_PSF

By signing below, Customer and the Microsoft Affiliate agree that both parties (1) have received, read and understand the above contract documents, including any websites or documents incorporated by reference and any amendments and (2) agree to be bound by the terms of all such documents.

Customer
Name of Entity (must be legal entity name)* COUNTY OF KINGS Signature* Printed First and Last Name* Printed Title Signature Date*
Tax ID

* indicates required field

Microsoft Affiliate
Microsoft Corporation
Signature Printed First and Last Name Printed Title Signature Date (date Microsoft Affiliate countersigns)
Agreement Effective Date (may be different than Microsoft's signature date)

Optional 2nd Customer signature or Outsourcer signature (if applicable)

Customer
Name of Entity (must be legal entity name)* Signature* Printed First and Last Name* Printed Title Signature Date*

** indicates required field*

Outsourcer
Name of Entity (must be legal entity name)* Signature* _____ Printed First and Last Name* Printed Title Signature Date*

** indicates required field*

If Customer requires additional contacts or is reporting multiple previous Enrollments, include the appropriate form(s) with this signature form.

After this signature form is signed by the Customer, send it and the Contract Documents to Customer's channel partner or Microsoft account manager, who must submit them to the following address. When the signature form is fully executed by Microsoft, Customer will receive a confirmation copy.

Microsoft Corporation
 Dept. 551, Volume Licensing
 6880 Sierra Center Parkway
 Reno, Nevada 89511
 USA

Enterprise Enrollment

State and Local

Enterprise Enrollment number <i>(Microsoft to complete)</i>	87825373	Framework ID <i>(if applicable)</i>	
Previous Enrollment number <i>(Reseller to complete)</i>	51313926		

This Enrollment must be attached to a signature form to be valid.

This Microsoft Enterprise Enrollment is entered into between the entities as identified in the signature form as of the effective date. Enrolled Affiliate represents and warrants it is the same Customer, or an Affiliate of the Customer, that entered into the Enterprise Agreement identified on the program signature form.

This Enrollment consists of: (1) these terms and conditions, (2) the terms of the Enterprise Agreement identified on the signature form, (3) the Product Selection Form, (4) the Product Terms, (5) any Supplemental Contact Information Form, Previous Agreement/Enrollment form, and other forms that may be required, and (6) any order submitted under this Enrollment. This Enrollment may only be entered into under a 2011 or later Enterprise Agreement. By entering into this Enrollment, Enrolled Affiliate agrees to be bound by the terms and conditions of the Enterprise Agreement.

All terms used but not defined are located at <http://www.microsoft.com/licensing/contracts>. In the event of any conflict the terms of this Agreement control.

Effective date. If Enrolled Affiliate is renewing Software Assurance or Subscription Licenses from one or more previous Enrollments or agreements, then the effective date will be the day after the first prior Enrollment or agreement expires or terminates. If this Enrollment is renewed, the effective date of the renewal term will be the day after the Expiration Date of the initial term. Otherwise, the effective date will be the date this Enrollment is accepted by Microsoft. Any reference to “anniversary date” refers to the anniversary of the effective date of the applicable initial or renewal term for each year this Enrollment is in effect.

Term. The initial term of this Enrollment will expire on the last day of the month, 36 full calendar months from the effective date of the initial term. The renewal term will expire 36 full calendar months after the effective date of the renewal term.

Terms and Conditions

1. Definitions.

Terms used but not defined in this Enrollment will have the definition in the Enterprise Agreement. The following definitions are used in this Enrollment:

“Additional Product” means any Product identified as such in the Product Terms and chosen by Enrolled Affiliate under this Enrollment.

“Community” means the community consisting of one or more of the following: (1) a Government, (2) an Enrolled Affiliate using eligible Government Community Cloud Services to provide solutions to a Government or a qualified member of the Community, or (3) a Customer with Customer Data that is subject to Government regulations for which Customer determines and Microsoft agrees that the use of Government Community Cloud Services is appropriate to meet Customer’s regulatory requirements.

Membership in the Community is ultimately at Microsoft's discretion, which may vary by Government Community Cloud Service.

"Enterprise Online Service" means any Online Service designated as an Enterprise Online Service in the Product Terms and chosen by Enrolled Affiliate under this Enrollment. Enterprise Online Services are treated as Online Services, except as noted.

"Enterprise Product" means any Desktop Platform Product that Microsoft designates as an Enterprise Product in the Product Terms and chosen by Enrolled Affiliate under this Enrollment. Enterprise Products must be licensed for all Qualified Devices and Qualified Users on an Enterprise-wide basis under this program.

"Expiration Date" means the date upon which the Enrollment expires.

"Federal Agency" means a bureau, office, agency, department or other entity of the United States Government.

"Government" means a Federal Agency, State/Local Entity, or Tribal Entity acting in its governmental capacity.

"Government Community Cloud Services" means Microsoft Online Services that are provisioned in Microsoft's multi-tenant data centers for exclusive use by or for the Community and offered in accordance with the National Institute of Standards and Technology (NIST) Special Publication 800-145. Microsoft Online Services that are Government Community Cloud Services are designated as such in the Use Rights and Product Terms.

"Industry Device" (also known as line of business device) means any device that: (1) is not useable in its deployed configuration as a general purpose personal computing device (such as a personal computer), a multi-function server, or a commercially viable substitute for one of these systems; and (2) only employs an industry or task-specific software program (e.g. a computer-aided design program used by an architect or a point of sale program) ("Industry Program"). The device may include features and functions derived from Microsoft software or third-party software. If the device performs desktop functions (such as email, word processing, spreadsheets, database, network or Internet browsing, or scheduling, or personal finance), then the desktop functions: (1) may only be used for the purpose of supporting the Industry Program functionality; and (2) must be technically integrated with the Industry Program or employ technically enforced policies or architecture to operate only when used with the Industry Program functionality.

"Managed Device" means any device on which any Affiliate in the Enterprise directly or indirectly controls one or more operating system environments. Examples of Managed Devices can be found in the Product Terms.

"Qualified Device" means any device that is used by or for the benefit of Enrolled Affiliate's Enterprise and is: (1) a personal desktop computer, portable computer, workstation, or similar device capable of running Windows Pro locally (in a physical or virtual operating system environment), or (2) a device used to access a virtual desktop infrastructure ("VDI"). Qualified Devices do not include any device that is: (1) designated as a server and not used as a personal computer, (2) an Industry Device, or (3) not a Managed Device. At its option, the Enrolled Affiliate may designate any device excluded above (e.g., Industry Device) that is used by or for the benefit of the Enrolled Affiliate's Enterprise as a Qualified Device for all or a subset of Enterprise Products or Online Services the Enrolled Affiliate has selected.

"Qualified User" means a person (e.g., employee, consultant, contingent staff) who: (1) is a user of a Qualified Device, or (2) accesses any server software requiring an Enterprise Product Client Access License or any Enterprise Online Service. It does not include a person who accesses server software or an Online Service solely under a License identified in the Qualified User exemptions in the Product Terms.

"Reseller" means an entity authorized by Microsoft to resell Licenses under this program and engaged by an Enrolled Affiliate to provide pre- and post-transaction assistance related to this agreement;

"Reserved License" means for an Online Service identified as eligible for true-ups in the Product Terms, the License reserved by Enrolled Affiliate prior to use and for which Microsoft will make the Online Service available for activation.

"State/Local Entity" means (1) any agency of a state or local government in the United States, or (2) any United States county, borough, commonwealth, city, municipality, town, township, special purpose district, or other similar type of governmental instrumentality established by the laws of Customer's state and located within Customer's state's jurisdiction and geographic boundaries.

"Tribal Entity" means a federally recognized tribal entity performing tribal governmental functions and eligible for funding and services from the U.S. Department of Interior by virtue of its status as an Indian tribe.

"Use Rights" means, with respect to any licensing program, the use rights or terms of service for each Product and version published for that licensing program at the Volume Licensing Site and updated from time to time. The Use Rights include the Product-Specific License Terms, the License Model terms, the Universal License Terms, the Data Protection Terms, and the Other Legal Terms. The Use Rights supersede the terms of any end user license agreement (on-screen or otherwise) that accompanies a Product.

"Volume Licensing Site" means <http://www.microsoft.com/licensing/contracts> or a successor site.

2. Order requirements.

- a. Minimum order requirements.** Enrolled Affiliate's Enterprise must have a minimum of 250 Qualified Users or Qualified Devices. The initial order must include at least 250 Licenses for Enterprise Products or Enterprise Online Services.
 - (i) Enterprise commitment.** Enrolled Affiliate must order enough Licenses to cover all Qualified Users or Qualified Devices, depending on the License Type, with one or more Enterprise Products or a mix of Enterprise Products and the corresponding Enterprise Online Services (as long as all Qualified Devices not covered by a License are only used by users covered with a user License).
 - (ii) Enterprise Online Services only.** If no Enterprise Product is ordered, then Enrolled Affiliate need only maintain at least 250 Subscription Licenses for Enterprise Online Services.
- b. Additional Products.** Upon satisfying the minimum order requirements above, Enrolled Affiliate may order Additional Products.
- c. Use Rights for Enterprise Products.** For Enterprise Products, if a new Product version has more restrictive use rights than the version that is current at the start of the applicable initial or renewal term of the Enrollment, those more restrictive use rights will not apply to Enrolled Affiliate's use of that Product during that term.
- d. Country of usage.** Enrolled Affiliate must specify the countries where Licenses will be used on its initial order and on any additional orders.
- e. Resellers.** Enrolled Affiliate must choose and maintain a Reseller authorized in the United States. Enrolled Affiliate will acquire its Licenses through its chosen Reseller. Orders must be submitted to the Reseller who will transmit the order to Microsoft. The Reseller and Enrolled Affiliate determine pricing and payment terms as between them, and Microsoft will invoice the Reseller based on those terms. Throughout this Agreement the term "price" refers to reference price. Resellers and other third parties do not have authority to bind or impose any obligation or liability on Microsoft.
- f. Adding Products.**
 - (i) Adding new Products not previously ordered.** New Enterprise Products or Enterprise Online Services may be added at any time by contacting a Microsoft Account Manager or Reseller. New Additional Products, other than Online Services, may be used if an order is placed in the month the Product is first used. For Additional Products that are Online Services, an initial order for the Online Service is required prior to use.

- (ii) Adding Licenses for previously ordered Products.** Additional Licenses for previously ordered Products other than Online Services may be added at any time but must be included in the next true-up order. Additional Licenses for Online Services must be ordered prior to use, unless the Online Services are (1) identified as eligible for true-up in the Product Terms or (2) included as part of other Licenses.
- g. True-up requirements.** Enrolled Affiliate must submit an annual true-up order that accounts for any changes since the initial order or last order. If there are no changes, then an update statement must be submitted instead of a true-up order.
- (i) Enterprise Products.** For Enterprise Products, Enrolled Affiliate must determine the number of Qualified Devices and Qualified Users (if ordering user-based Licenses) at the time the true-up order is placed and must order additional Licenses for all Qualified Devices and Qualified Users that are not already covered by existing Licenses, including any Enterprise Online Services.
- (ii) Additional Products.** For Additional Products that have been previously ordered under this Enrollment, Enrolled Affiliate must determine the maximum number of Additional Products used since the latter of the initial order, the last true-up order, or the prior anniversary date and submit a true-up order that accounts for any increase.
- (iii) Online Services.** For Online Services identified as eligible for true-up in the Product Terms, Enrolled Affiliate may place a reservation order for the additional Licenses prior to use and payment may be deferred until the next true-up order. Microsoft will provide a report of Reserved Licenses ordered but not yet invoiced to Enrolled Affiliate and its Reseller. Reserved Licenses will be invoiced retrospectively to the month in which they were ordered.
- (iv) Subscription License reductions.** Enrolled Affiliate may reduce the quantity of Subscription Licenses at the Enrollment anniversary date on a prospective basis if permitted in the Product Terms, as follows:
- 1)** For Subscription Licenses that are part of an Enterprise-wide purchase, Licenses may be reduced if the total quantity of Licenses and Software Assurance for an applicable group meets or exceeds the quantity of Qualified Devices and Qualified Users (if ordering user-based Licenses) identified on the Product Selection Form, and includes any additional Qualified Devices and Qualified Users added in any prior true-up orders. Step-up Licenses do not count towards this total count.
 - 2)** For Enterprise Online Services in a given Product pool that are not a part of an Enterprise-wide purchase, Licenses can be reduced as long as (a) the initial order minimum requirements are maintained and (b) all then-active users of each Online Service are included the total quantity of Licenses remaining after the reduction. An Enrolled Affiliate may reduce Licenses for Online Services on or before the Enrollment anniversary date and place a reservation order for such licenses within 90 days after the anniversary date; however, any licenses ordered as described in this section will be invoiced to the Enrolled Affiliate for the time period the licenses were made available.
 - 3)** For Additional Products available as Subscription Licenses, Enrolled Affiliate may reduce the Licenses. If the License count is reduced to zero, then Enrolled Affiliate's use of the applicable Subscription License will be cancelled.
- Invoices will be adjusted to reflect any reductions in Subscription Licenses at the true-up order Enrollment anniversary date and effective as of such date.
- (v) Update statement.** An update statement must be submitted instead of a true-up order if, since the initial order or last true-up order, Enrolled Affiliate's Enterprise: (1) has not changed the number of Qualified Devices and Qualified Users licensed with Enterprise Products or Enterprise Online Services; and (2) has not increased its usage of Additional

Products. This update statement must be signed by Enrolled Affiliate's authorized representative.

(vi) True-up order period. The true-up order or update statement must be received by Microsoft between 60 and 30 days prior to each Enrollment anniversary date. The third-year true-up order or update statement is due within 30 days prior to the Expiration Date, and any license reservations within this 30 day period will not be accepted. Enrolled Affiliate may submit true-up orders more often to account for increases in Product usage, but an annual true-up order or update statement must still be submitted during the annual order period.

(vii) Late true-up order. If the true-up order or update statement is not received when due, Microsoft may invoice Reseller for all Reserved Licenses not previously invoiced and Subscription License reductions cannot be reported until the following Enrollment anniversary date (or at Enrollment renewal, as applicable).

- h. Step-up Licenses.** For Licenses eligible for a step-up under this Enrollment, Enrolled Affiliate may step-up to a higher edition or suite as follows:
- (i)** For step-up Licenses included on an initial order, Enrolled Affiliate may order according to the true-up process.
 - (ii)** If step-up Licenses are not included on an initial order, Enrolled Affiliate may step-up initially by following the process described in the Section titled "Adding new Products not previously ordered," then for additional step-up Licenses, by following the true-up order process.
- i. Clerical errors.** Microsoft may correct clerical errors in this Enrollment, and any documents submitted with or under this Enrollment, by providing notice by email and a reasonable opportunity for Enrolled Affiliate to object to the correction. Clerical errors include minor mistakes, unintentional additions and omissions. This provision does not apply to material terms, such as the identity, quantity or price of a Product ordered.
- j. Verifying compliance.** Microsoft may, in its discretion and at its expense, verify compliance with this Enrollment as set forth in the Enterprise Agreement.

3. Pricing.

- a. Price Levels.** For both the initial and any renewal term Enrolled Affiliate's Price Level for all Products ordered under this Enrollment will be Level "D" throughout the term of the Enrollment.
- b. Setting Prices.** Unless otherwise expressly agreed to by the parties and except for Online Services designated in the Product Terms as being exempt from fixed pricing, Enrolled Affiliate's prices for each Product or Service will be established by its Reseller. As long as Enrolled Affiliate continues to qualify for the same price level, Microsoft's prices for Resellers for each Product or Service ordered will be fixed throughout the applicable initial or renewal Enrollment term. Microsoft's prices to Resellers are reestablished at the beginning of the renewal term.

4. Payment terms.

For the initial or renewal order, Microsoft will invoice Enrolled Affiliate's Reseller in three equal annual installments. The first installment will be invoiced upon Microsoft's acceptance of this Enrollment and remaining installments will be invoiced on each subsequent Enrollment anniversary date. Subsequent orders are invoiced upon acceptance of the order and Enrolled Affiliate may elect to pay annually or upfront for Online Services and upfront for all other Licenses.

5. **End of Enrollment term and termination.**

- a. **General.** At the Expiration Date, Enrolled Affiliate must immediately order and pay for Licenses for Products it has used but has not previously submitted an order, except as otherwise provided in this Enrollment.
- b. **Renewal option.** At the Expiration Date of the initial term, Enrolled Affiliate can renew Products by renewing this Enrollment for one additional 36-month term or by signing a new Enrollment. Microsoft must receive a Renewal Form, Product Selection Form, and renewal order prior to or at the Expiration Date. Microsoft will not unreasonably reject any renewal. Microsoft may make changes to this program that will make it necessary for Customer and its Enrolled Affiliates to enter into new agreements and Enrollments at renewal.
- c. **If Enrolled Affiliate elects not to renew.**
 - (i) **Software Assurance.** If Enrolled Affiliate elects not to renew Software Assurance for any Product under its Enrollment, then Enrolled Affiliate will not be permitted to order Software Assurance later without first acquiring a new License with Software Assurance.
 - (ii) **Online Services eligible for an Extended Term.** For Online Services identified as eligible for an Extended Term in the Product Terms, the following options are available at the end of the Enrollment initial or renewal term.
 - 1) **Extended Term.** Licenses for Online Services will automatically expire in accordance with the terms of the Enrollment. An extended term option that allows Online Services to continue month-to-month (“Extended Term”) is available. During the Extended Term, Online Services will be invoiced monthly at the then-current published price as of the Expiration Date plus a 3% administrative fee for up to one year. If Enrolled Affiliate wants an Extended Term, Enrolled Affiliate must submit a request to Microsoft at least 30 days prior to the Expiration Date.
 - 2) **Cancellation during Extended Term.** At any time during the first twelve months of the Extended Term, Enrolled Affiliate may terminate the Extended Term by submitting a notice of cancellation to Microsoft for each Online Service. Thereafter, Microsoft may condition the continued use of each Online Service on the acceptance of new terms by the Enrolled Affiliate. Enrolled Affiliate will be notified in writing of any new terms at least 60 days before any such changes take effect. Enrolled Affiliate acknowledges and agrees that after the notice described in this section, its continued use of each Online Service after the effective date provided in the notice will constitute its acceptance of the new terms. If Enrolled Affiliate does not agree to the new terms, it must stop using the Online Services and terminate the Extended Term as provided in this section. Enrolled Affiliate’s termination under this section will be effective at the end of the month following 30 days after Microsoft has received the notice.
 - (iii) **Subscription Licenses and Online Services not eligible for an Extended Term.** If Enrolled Affiliate elects not to renew, the Licenses will be cancelled and will terminate as of the Expiration Date. Any associated media must be uninstalled and destroyed and Enrolled Affiliate’s Enterprise must discontinue use. Microsoft may request written certification to verify compliance.
- d. **Termination for cause.** Any termination for cause of this Enrollment will be subject to the “Termination for cause” section of the Agreement. In addition, it shall be a breach of this Enrollment if Enrolled Affiliate or any Affiliate in the Enterprise that uses Government Community Cloud Services fails to meet and maintain the conditions of membership in the definition of Community.
- e. **Early termination.** Any early termination of this Enrollment will be subject to the “Early Termination” Section of the Enterprise Agreement.

For Subscription Licenses, in the event of a breach by Microsoft, or if Microsoft terminates an Online Service for regulatory reasons, Microsoft will issue Reseller a credit for any amount paid in advance for the period after termination.

6. Government Community Cloud.

- a. Community requirements.** If Enrolled Affiliate purchases Government Community Cloud Services, Enrolled Affiliate certifies that it is a member of the Community and agrees to use Government Community Cloud Services solely in its capacity as a member of the Community and, for eligible Government Community Cloud Services, for the benefit of end users that are members of the Community. Use of Government Community Cloud Services by an entity that is not a member of the Community or to provide services to non-Community members is strictly prohibited and could result in termination of Enrolled Affiliate's license(s) for Government Community Cloud Services without notice. Enrolled Affiliate acknowledges that only Community members may use Government Community Cloud Services.
- b.** All terms and conditions applicable to non-Government Community Cloud Services also apply to their corresponding Government Community Cloud Services, except as otherwise noted in the Use Rights, Product Terms, and this Enrollment.
- c.** Enrolled Affiliate may not deploy or use Government Community Cloud Services and corresponding non-Government Community Cloud Services in the same domain.
- d. Use Rights for Government Community Cloud Services.** For Government Community Cloud Services, notwithstanding anything to the contrary in the Use Rights:
 - (i)** Government Community Cloud Services will be offered only within the United States.
 - (ii)** Additional European Terms, as set forth in the Use Rights, will not apply.
 - (iii)** References to geographic areas in the Use Rights with respect to the location of Customer Data at rest, as set forth in the Use Rights, refer only to the United States.

Enrollment Details

1. Enrolled Affiliate's Enterprise.

Identify which Agency Affiliates are included in the Enterprise. (Required) Enrolled Affiliate's Enterprise must consist of entire offices, bureaus, agencies, departments or other entities of Enrolled Affiliate, not partial offices, bureaus, agencies, or departments, or other partial entities. Check only one box in this section. If no boxes are checked, Microsoft will deem the Enterprise to include the Enrolled Affiliate only. If more than one box is checked, Microsoft will deem the Enterprise to include the largest number of Affiliates:

- Enrolled Affiliate only
 Enrolled Affiliate and the following Affiliate(s):

Unless specifically identified above, all Affiliates of Customer, either existing at the execution of this Enrollment or created or acquired after the execution of this Enrollment, will be excluded from the Enterprise. To request that an additional Affiliate be included in Customer's Enterprise, Customer must identify an Affiliate to Microsoft in writing and provide any required documentation. Microsoft will reasonably review requests under this paragraph and may approve the inclusion of an Affiliate in Customer's Enterprise in its sole discretion.

1. Contact information.

Each party will notify the other in writing if any of the information in the following contact information page(s) changes. The asterisks (*) indicate required fields. By providing contact information, Enrolled Affiliate consents to its use for purposes of administering this Enrollment by Microsoft, its Affiliates, and other parties that help administer this Enrollment. The personal information provided in connection with this Enrollment will be used and protected in accordance with the privacy statement available at <https://www.microsoft.com/licensing/servicecenter>.

- a. **Primary contact.** This contact is the primary contact for the Enrollment from within Enrolled Affiliate's Enterprise. This contact is also an Online Administrator for the Volume Licensing Service Center and may grant online access to others. The primary contact will be the default contact for all purposes unless separate contacts are identified for specific purposes

Name of entity (must be legal entity name)* COUNTY OF KINGS

Contact name: First* Middle Last* Shubert

Contact email address* dave.shubert@co.kings.ca.us

Street address* 1400 W LACEY BLVD

City* Hanford

State* CA

Postal code* 93230-5905 -

(Please provide the zip + 4, e.g. xxxxx-xxxx)

Country* United States

Phone* 559-852-2567

Tax ID

** indicates required fields*

- b. **Notices contact and Online Administrator.** This contact (1) receives the contractual notices, (2) is the Online Administrator for the Volume Licensing Service Center and may grant online access to others, and (3) is authorized to order Reserved Licenses for eligible Online Services, including adding or reassigning Licenses and stepping-up prior to a true-up order.

Same as primary contact (default if no information is provided below, even if the box is not checked).

Contact name: First* Dave Middle Last* Shubert
Contact email address* dave.shubert@co.kings.ca.us
Street address* 1400 W LACEY BLVD
City* Hanford
State* CA
Postal code* 93230-5905 -
(Please provide the zip + 4, e.g. xxxxx-xxxx)
Country* United States
Phone* 559-852-2567

Language preference. Choose the language for notices. English

This contact is a third party (not the Enrolled Affiliate). Warning: This contact receives personally identifiable information of the Customer and its Affiliates.

** indicates required fields*

- c. **Online Services Manager.** This contact is authorized to manage the Online Services ordered under the Enrollment and (for applicable Online Services) to add or reassign Licenses and step-up prior to a true-up order.

Same as notices contact and Online Administrator (default if no information is provided below, even if box is not checked)

Contact name: First* Reah Middle Last* Tibayan
Contact email address* reah.tibayan@co.kings.ca.us
Phone* 559-852-2576

This contact is from a third party organization (not the entity). Warning: This contact receives personally identifiable information of the entity.

** indicates required fields*

- d. **Reseller information.** Reseller contact for this Enrollment is:

Reseller company name* Crayon Software Experts LLC
Street address (PO boxes will not be accepted)* 12221 Merit Drive Suite 800
City* Dallas
State* TX
Postal code* 75251-1313
Country* United States
Contact name* Crayon US OPS TEAM
Phone* 469-329-0290

Contact email address* license.us@crayon.com

** indicates required fields*

By signing below, the Reseller identified above confirms that all information provided in this Enrollment is correct.

Signature*

Printed name*

Printed title*

Date*

** indicates required fields*

Changing a Reseller. If Microsoft or the Reseller chooses to discontinue doing business with each other, Enrolled Affiliate must choose a replacement Reseller. If Enrolled Affiliate or the Reseller intends to terminate their relationship, the initiating party must notify Microsoft and the other party using a form provided by Microsoft at least 90 days prior to the date on which the change is to take effect.

- e. If Enrolled Affiliate requires a separate contact for any of the following, attach the Supplemental Contact Information form. *Otherwise, the notices contact and Online Administrator remains the default.*
- (i) Additional notices contact
 - (ii) Software Assurance manager
 - (iii) Subscriptions manager
 - (iv) Customer Support Manager (CSM) contact

1. Financing elections.

Is a purchase under this Enrollment being financed through MS Financing? Yes, No.

If a purchase under this Enrollment is financed through MS Financing, and Enrolled Affiliate chooses not to finance any associated taxes, it must pay these taxes directly to Microsoft.

Physically Submitted

Previous Enrollment(s)/Agreement(s) Form

Entity Name: COUNTY OF KINGS

Contract that this form is attached to: State Local Government

For the purposes of this form, "entity" can mean the signing entity, Customer, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

Please provide a description of the previous Enrollment(s), Agreement(s), Purchasing Account(s), and/or Affiliate Registration(s) being renewed or consolidated into the new contract identified above.

- a. Entity may select below any previous contract(s) from which to transfer MSDN subscribers to this new contract. Entity shall ensure that each MSDN subscriber transferred is either properly licensed under the new contract or is removed.
- b. Entity may select below only one previous contract from which to transfer the Software Assurance (SA) Benefit contact details, i.e., benefits contact (*not* the SA manager) and the program codes, to this new contract.
- c. An Open License cannot be used to transfer either the SA Benefit details or MSDN subscribers.
- d. The date of the earliest expiring Enrollment/Agreement that contains SA or Online Services will be the effective date of the new contract (or SA coverage period for Select Plus).
- e. Please insert the number of the earliest expiring Enrollment/Agreement with SA or Online Services in the appropriate fields of the new contract.

Enrollment/Agreement/ Purchasing Account/Affiliate Registration Description	Enrollment/Agreement/ Purchasing Account/Affiliate Registration Public Customer Number	Transfer SA Benefit Contact	Transfer MSDN Subscribers
Standard Enrollment	51313926	X	X

Amendment to Contract Documents

Agreement Number

7-36XHZZWNYL

This amendment (“Amendment”) is entered into between the parties identified on the attached program signature form. It amends the Enrollment or Agreement identified above. All terms used but not defined in this Amendment will have the same meanings provided in that Enrollment or Agreement.

Enterprise Enrollment Invoice for Quoted Price Amendment ID M97

The price quoted to Enrolled Affiliate is a fixed price based on an estimated order submission date. Microsoft will invoice Enrolled Affiliate based on this fixed price quote. If this order is submitted later than the estimated order submission date, Enrolled Affiliate will be charged for net new Monthly Subscriptions (including Online Services) for the period during which these services were not provided. For Indirect models, Pricing to Enrolled Affiliate is agreed between Enrolled Affiliate and Enrolled Affiliate’s Reseller.

SKU Number	SKU Description	Existing Quantity	Incremental quantities
AAA-11894	O365 G3 GCC Sub Per User	1702	0
P3U-00001	Visio P2 GCC Sub Per User	18	0
NMH-00001	Intune Device P1 GCC Sub Per Device	381	0
SEL-00001	Power Apps Premium GCC Sub Per User	2	0
SFR-00001	Power Automate GCC Sub Per User	2	0
6U1-00004	Power BI Premium USL GCC Sub Per User	1	0
DDJ-00001	Power BI Pro GCC Sub Per User	6	0
NYH-00001	Teams AC with Dial Out US/CA GCC Sub Add-on	1700	2

Except for changes made by this Amendment, the Enrollment or Agreement identified above remains unchanged and in full force and effect. If there is any conflict between any provision in this Amendment and any provision in the Enrollment or Agreement identified above, this Amendment shall control.

This Amendment must be attached to a signature form to be valid.

Microsoft Internal Use Only:

(M97)EnrAmend(Ind)(InvoiceforQuotedPrice)(WW)(ENG)(Jan2023)v2(IU).docx		M97	B
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Proposal ID

2653671.003

Enrollment Number

Language: English (United States)

Enrolled Affiliate's Enterprise Products and Enterprise Online Services summary for the initial order:				
Profile	Qualified Devices	Qualified Users	Device / User Ratio	CAL Licensing Model
Enterprise	1,702	1,702	1.0	User Licenses

Products	Enterprise Quantity
Office 365 Plans	
O365 G3 GCC	1,702

Enrolled Affiliate's Product Quantities:				
Price Group	1	2	3	4
Enterprise Products	Office Professional Plus + M365 Apps for Enterprise + Office 365 (Plans E3 and E5) + Microsoft 365 Enterprise	Client Access License + Office 365 (Plans E1, E3 and E5) + Microsoft 365 Enterprise	Client Access License + Windows Intune + EMS USL + Microsoft 365 Enterprise	Win E3 + Win E5 + Win VDA + Microsoft 365 Enterprise
Quantity	1702	1702	0	0

Enrolled Affiliate's Price Level:	
Product Offering / Pool	Price Level
Enterprise Products and Enterprise Online Services USLs: Unless otherwise indicated in associated contract documents, Price level set using the highest quantity from Groups 1 through 4.	D
Additional Product Application Pool: Unless otherwise indicated in associated contract documents, Price level set using quantity from Group 1.	D
Additional Product Server Pool: Unless otherwise indicated in associated contract documents, Price level set using the highest quantity from Group 2 or 3.	D
Additional Product Systems Pool: Unless otherwise indicated in associated contract documents, Price level set using quantity from Group 4.	D

Notes	
Unless otherwise indicated in the associated contract documents, the price level for each Product offering / pool is set as described above, based upon the quantity to price level mapping below:	
Quantity of Licenses and Software Assurance	Price Level
2,399 and below	A
2,400 to 5,999	B
6,000 to 14,999	C
15,000 and above	D
Note 1: Enterprise Online Services may not be available in all locations. Please see the Product List for a list of locations where these may be purchased.	
Note 2: If Enrolled Affiliate does not order an Enterprise Product or Enterprise Online Service associated with an applicable Product pool, the price level for Additional Products in the same pool will be price level "A" throughout the term of the Enrollment. Refer to the Qualifying Government Entity Addendum pricing provision for more details on price leveling.	

Program Signature Form

MBA/MBSA number

7-36XHZZZLXZ

Agreement number

8084445

Note: Enter the applicable active numbers associated with the documents below. Microsoft requires the associated active number be indicated here, or listed below as new.

For the purposes of this form, "Customer" can mean the signing entity, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

This signature form and all contract documents identified in the table below are entered into between the Customer and the Microsoft Affiliate signing, as of the effective date identified below.

Contract Document	Number or Code
Server and Cloud Enrollment	X20-12115
Enterprise Amendment	M325 (New)
Product Selection Form	X20-12875

By signing below, Customer and the Microsoft Affiliate agree that both parties (1) have received, read and understand the above contract documents, including any websites or documents incorporated by reference and any amendments and (2) agree to be bound by the terms of all such documents.

Customer
Name of Entity (must be legal entity name)* COUNTY OF KINGS Signature* Printed First and Last Name* Printed Title Signature Date*
Tax ID

* indicates required field

Microsoft Affiliate
Microsoft Corporation
Signature Printed First and Last Name Printed Title Signature Date (date Microsoft Affiliate countersigns)
Agreement Effective Date (may be different than Microsoft's signature date)

Optional 2nd Customer signature or Outsourcer signature (if applicable)

Customer
Name of Entity (must be legal entity name)* Signature* Printed First and Last Name* Printed Title Signature Date*

** indicates required field*

Outsourcer
Name of Entity (must be legal entity name)* Signature* _____ Printed First and Last Name* Printed Title Signature Date*

** indicates required field*

If Customer requires additional contacts or is reporting multiple previous Enrollments, include the appropriate form(s) with this signature form.

After this signature form is signed by the Customer, send it and the Contract Documents to Customer's channel partner or Microsoft account manager, who must submit them to the following address. When the signature form is fully executed by Microsoft, Customer will receive a confirmation copy.

Microsoft Corporation
 Dept. 551, Volume Licensing
 6880 Sierra Center Parkway
 Reno, Nevada 89511
 USA

Server and Cloud Enrollment

State and Local

Server and Cloud Enrollment number <i>Microsoft to complete</i>	68205929	Framework ID <i>(if applicable)</i>	
Previous Enrollment number <i>Reseller to complete</i>	82326242		

This Enrollment must be attached to a signature form to be valid.

This Microsoft Server and Cloud Enrollment is entered into between the entities identified on the signature form as of the effective date. Enrolled Affiliate represents and warrants it is the same Customer, or Customer's Affiliate, that entered into the Enterprise Agreement identified on the signature form.

This Enrollment consists of: (1) these terms and conditions, (2) the terms of the Enterprise Agreement identified on the signature form, (3) the Product Selection Form, (4) the Product Terms, (5) any Supplemental Contact Information Form, Previous Agreement/Enrollment form, and other forms that may be required, (6) the Online Services Supplemental Terms and Conditions if the Enterprise Agreement is a version 2010 or earlier and Enrolled Affiliate is ordering Online Services, and (7) any order submitted under this Enrollment. By entering into this Enrollment, Enrolled Affiliate agrees to be bound by the terms and conditions of the Enterprise Agreement. If this Enrollment is entered into under an Enterprise Agreement version 2009 or earlier, the terms and conditions of this Enrollment supersede any conflicting terms and conditions in the Enterprise Agreement with respect to Products licensed under this Enrollment.

Effective date. If Enrolled Affiliate is renewing Software Assurance or Subscription Licenses from one or more previous Enrollments or agreements, then the effective date will be the day after the first prior Enrollment or agreement expires or terminates. If this Enrollment is renewed, the effective date of the renewal term will be the day after the Expiration Date of the initial term. Otherwise, the effective date will be the date this Enrollment is accepted by Microsoft. Any reference to "anniversary date" refers to the anniversary of the effective date of the applicable initial or renewal term for each year this Enrollment is in effect.

Term. The initial term of this Enrollment will expire on the last day of the month, 36 full calendar months from the effective date of the initial term. If the Enrollment is renewed, the renewal term will expire on the last day of the month, 36 full calendar months after the effective date of the renewal term.

Prior Enrollment(s). If renewing Software Assurance or Subscription Licenses from another Enrollment or agreement, the previous Enrollment or agreement number must be identified in the appropriate box above. If renewing from multiple Enrollments or agreements, or transferring Software Assurance or MSDN details, the Previous Agreement/Enrollment form must be used.

Terms and Conditions

1. Definitions.

Terms used but not defined in this Enrollment will have the definition in the Enterprise Agreement. The following definitions also apply:

"Additional Product" means any Product identified as such in the Product Terms, excluding any Server and Tools Product, and chosen by Enrolled Affiliate under this Enrollment.

“Azure Government Services” means one or more of the services or features Microsoft makes available to Enrolled Affiliate under this Enrollment and identified at <http://azure.microsoft.com/en-us/regions/#services>, which are Government Community Cloud Services.

“Baseline Agreements” means all Microsoft license agreements, including, without limitation, volume licensing agreements, OEM licenses and retail licenses, under which any Affiliate in the Enterprise uses the selected Server and Tools Products. Baseline Agreements do not include any Service Provider License Agreements or Independent Software Vendor Royalty License and Distribution Agreements under which the Enterprise has the right to provide software services or unified solutions to unaffiliated end users.

“Baseline Licenses” means Existing Baseline Licenses and New Baseline Licenses, collectively.

“Community” means the community consisting of one or more of the following: (1) a Government, (2) an Enrolled Affiliate using eligible Government Community Cloud Services to provide solutions to a Government or a qualified member of the Community, or (3) a Customer with Customer Data that is subject to Government regulations for which Customer determines and Microsoft agrees that the use of Government Community Cloud Services is appropriate to meet Customer’s regulatory requirements. Membership in the Community is ultimately at Microsoft’s discretion, which may vary by Government Community Cloud Service.

“Existing Baseline Licenses” means all Licenses in use by any Affiliate in the Enterprise for the selected Server and Tools Products that were obtained under any Baseline Agreement before this Enrollment.

“Expiration Date” means the date upon which the Enrollment expires.

“Federal Agency” means a bureau, office, agency, department or other entity of the United States Government.

“Government” means a Federal Agency, State/Local Entity, or Tribal Entity acting in its governmental capacity.

“Government Community Cloud Services” means Microsoft Online Services that are provisioned in Microsoft’s multi-tenant data centers for exclusive use by or for the Community and offered in accordance with the National Institute of Standards and Technology (NIST) Special Publication 800-145. Microsoft Online Services that are Government Community Cloud Services are designated as such in the Use Rights and Product Terms.

“Microsoft Azure Services” means one or more of the Microsoft Azure services or features made available to Enrolled Affiliate under this Enrollment by Microsoft and identified at <http://www.windowsazure.com/en-us/home/features/overview/>, except Microsoft Azure Marketplace (which is governed by separate terms).

“New Baseline Licenses” means the quantity of Licenses for Server and Tools Products ordered under this Enrollment in excess of the Existing Baseline Licenses.

“Product Family” or “Family” means the group of Products designated as a Product Family on the Product Selection Form.

“Product Selection Form” means the document provided by Microsoft or Enrolled Affiliate’s Reseller that (1) identifies all Baseline Licenses, (2) defines the Product Families, (3) establishes the Enrolled Affiliate’s price levels for each Product pool and (4) specifies the minimum quantity of Licenses that must be ordered to qualify for this Enrollment.

“Reseller” means an entity authorized by Microsoft to resell Licenses under this program and engaged by an Enrolled Affiliate to provide pre- and post-transaction assistance related to this agreement.

“Reserved License” means for an Online Service identified as eligible for true-up in the Product Terms, the License reserved by Enrolled Affiliate prior to use and for which Microsoft will make the Online Service available for activation.

“Server and Tools Product” means any Product identified as such in the Product Selection Form and chosen by Enrolled Affiliate to be included under this Enrollment.

“State/Local Entity” means (1) any agency of a state or local government in the United States, or (2) any United States county, borough, commonwealth, city, municipality, town, township, special purpose district,

or other similar type of governmental instrumentality established by the laws of Customer's state and located within Customer's state's jurisdiction and geographic boundaries.

"Tribal Entity" means a federally-recognized tribal entity performing tribal governmental functions and eligible for funding and services from the U.S. Department of Interior by virtue of its status as an Indian tribe.

"Use Rights" means, with respect to any licensing program, the use rights or terms of service for each Product and version published for that licensing program at the Volume Licensing Site and updated from time to time. The Use Rights include the Product-Specific License Terms, the License Model terms, the Universal License Terms, the Data Protection Terms, and the Other Legal Terms. The Use Rights supersede the terms of any end user license agreement (on-screen or otherwise) that accompanies a Product.

"Volume Licensing Site" means <http://www.microsoft.com/licensing/contracts> or a successor site.

2. Product Use Rights and Service Level Agreement.

Enrolled Affiliate and its Enterprise may download, install and use software Products and access and use Online Services ordered under this Enrollment subject to the terms of this Enrollment, the applicable Use Rights and the Product Terms. In addition to applicable use rights terms of the Enterprise Agreement, the following terms apply to this Enrollment:

- a. All terms and conditions applicable to Microsoft Azure Services also apply to Azure Government Services, except as otherwise noted in the Use Rights and this Enrollment.
- b. **Use Rights for Server and Tools Products.** For Server and Tools Products, if a new Product version has more restrictive use rights than the version that is current at the start of the applicable initial or renewal term of the Enrollment, those more restrictive use rights will not apply to Enrolled Affiliate's use of that Product during that term.

3. Order requirements.

a. Minimum order requirements.

(i) Server and Tools Products.

- 1) **Existing Baseline Licenses.** When ordering a Server and Tools Product other than Microsoft Azure, Enrolled Affiliate must identify all Existing Baseline Licenses for the applicable Server and Tools Product Family. Perpetual Licenses owned by the Enterprise but not identified as Existing Baseline Licenses in the applicable Product Family at the start of this Enrollment may not be used during this Enrollment term.
- 2) **Initial Order.** Enrolled Affiliate's initial order must meet the minimum purchase requirements for at least one Product Family. For every applicable Product Family except Microsoft Azure the initial order must also include the following:
 - A. Software Assurance on all perpetual Existing Baseline Licenses that have been continuously covered under Software Assurance;
 - B. License with Software Assurance or Subscription License for each Existing Baseline License that has not been continuously covered under Software Assurance; and
 - C. License with Software Assurance or Subscription Licenses for all New Baseline Licenses.
- 3) **Effect of Subscription License coverage on Existing Baseline Licenses.** If Enrolled Affiliate orders Subscription Licenses for any Existing Baseline Licenses, the following provisions will apply for the duration of this Enrollment, notwithstanding any provisions to the contrary in the Baseline Agreements:

- A. The use rights for those Existing Baseline Licenses will be superseded and replaced by the use rights for the Subscription Licenses.
 - B. The Existing Baseline Licenses shall be non-transferrable.
 - C. The Enrolled Affiliate and its Affiliates must continue to perform any obligations under their Baseline Agreement(s), including but not limited to making payments for any of the Existing Baseline Licenses.
 - D. When this Enrollment expires or is terminated, the Enrolled Affiliate or its Affiliates, as applicable, will have the rights under the Baseline Agreement(s) that it had as of the effective date of this Enrollment, unless it exercises its buy-out option as provided in this Enrollment.
- b. Additional Products.** Upon satisfying the minimum order requirements above, Enrolled Affiliate may order Additional Products and Services.
- c. Country of Usage.** Enrolled Affiliate must specify the countries where Licenses will be used on its initial order and on any subsequent orders.
- d. Resellers.** Enrolled Affiliate must choose and maintain a Reseller authorized in the United States. Enrolled Affiliate will acquire its Licenses through its chosen Reseller. Orders must be submitted to the Reseller who will transmit the order to Microsoft. The Reseller and Enrolled Affiliate determine pricing and payment terms as between them, and Microsoft will invoice the Reseller based on those terms. Throughout this Agreement the term “price” refers to reference price. Resellers and other third parties do not have authority to bind or impose any obligation or liability on Microsoft.
- e. Adding Products.**
- (i) Adding new Products not previously ordered.**
 - 1) New Server and Tools Products may be added by contacting a Microsoft Account Manager or Reseller.
 - 2) New Server and Tools Products included in a previously ordered Product Family may be added at any time but must be included in the next annual true-up order.
 - 3) Orders for new Additional Products, other than Online Services, must be placed in the month the Additional Product is first used.
 - 4) Subscription Licenses for new Online Services other than Microsoft Azure Services must be ordered prior to use.
 - 5) Microsoft Azure Services may be added as provided in the Product Terms.
 - (ii) Adding Licenses for previously ordered Products.**
 - 1) Additional Licenses for previously ordered Products may be added at any time but must be included in the next annual true-up order.
 - 2) Additional Subscription Licenses for Online Services must be ordered prior to use unless the Online Services are (1) identified as eligible for true-up in the Product Terms or (2) included as part of other Licenses.
- f. True-up requirements.** Enrolled Affiliate must submit an annual true-up order that accounts for any changes since the initial order or last order. If there are no changes, then an update statement must be submitted instead of a true-up order.
- (i) Annual order period.** A true-up order or update statement must be received by Microsoft between 60 and 30 days prior to each Enrollment anniversary date. The third-year true-up order or update statement is due within 30 days prior to the Expiration Date. Enrolled Affiliate may submit true-up orders more often to account for increases in Product usage,

but an annual true-up order or update statement must still be received by Microsoft during the annual order period.

(ii) True-up order. Enrolled Affiliate must determine the maximum number of Products used since the latter of the initial order, the last true-up order, or the prior anniversary date and submit a true-up order that accounts for any increase. For Subscription Licenses for Products other than Online Services, the true-up order must indicate the initial use date(s) for each additional Subscription License ordered. For Online Services identified as eligible for true-up in the Product Terms, Enrolled Affiliate may place a reservation order for the additional Licenses prior to use, and payment may be deferred until the next true-up order. Microsoft will provide a report of Reserved Licenses ordered but not yet invoiced to Enrolled Affiliate and its Reseller. Reserved Licenses will be invoiced retrospectively to the month in which they were ordered.

(iii) Update statement. An update statement must be submitted if there has been no change in the number of Products used within Enrolled Affiliate's Enterprise since the latter of the initial order, the last true-up order, or the prior anniversary date. This update statement must be signed by Enrolled Affiliate's authorized representative.

(iv) Subscription License reductions. Enrolled Affiliate may reduce the quantity of Subscription Licenses only on the Enrollment anniversary date on a prospective basis if permitted in the Product Terms as follows:

- 1) For Server and Tools Products available as Subscription Licenses, Licenses may be reduced only as long as the minimum order requirements are maintained. If reducing Subscription Licenses that cover Existing Baseline Licenses, Enrolled Affiliate may not use or transfer those Existing Baseline Licenses for the remainder of the term.
- 2) For Online Services available as Additional Product Subscription Licenses, Enrolled Affiliate may reduce the Licenses. If the License count is reduced to zero, the applicable Subscription License will be cancelled.

Subscription Licenses added after the initial order may not be reduced on the anniversary date immediately following the order but must remain in effect at least until the subsequent anniversary date. Notwithstanding the foregoing, Microsoft Azure Monetary Commitment added after the initial order may be reduced on any anniversary date. Invoices will be adjusted to reflect any reductions in Subscription Licenses and will be effective as of the Enrollment anniversary date. Except as otherwise prohibited in this section, Enrolled Affiliate may reduce Subscription Licenses on or before the Enrollment anniversary date and place a reservation order for such licenses within 90 days after the anniversary date; however, any licenses ordered as described in this sentence will be invoiced to the Enrolled Affiliate for the time period the licenses were made available.

(v) Late true-up order. If the annual true-up order is not received when due:

- 1) Microsoft will invoice Enrolled Affiliate's Reseller for the following year for the quantity of Subscription Licenses ordered in the prior year; however, such invoice will not constitute a waiver of the annual order requirement;
- 2) Subscription License reductions will not take effect until the following Enrollment anniversary date (or at Enrollment renewal, as applicable); and
- 3) Microsoft may invoice Enrolled Affiliate's Reseller for all Reserved Licenses not previously invoiced.

g. Step-up Licenses. For Licenses eligible for a step-up under this Enrollment, Enrolled Affiliate may step-up to a higher edition or suite as follows:

(i) For step-up Licenses included on an initial order, Enrolled Affiliate may order according to the true-up order process.

- (ii) If step-up Licenses are not included on an initial order, Enrolled Affiliate may step-up initially by following the process described in the Section titled “Adding new Products not previously ordered,” then for additional step-up Licenses, by following the true-up order process.
- h. **Clerical Errors.** Microsoft may correct clerical errors in this Enrollment, and any documents submitted with or under this Enrollment, by providing notice by email and a reasonable opportunity for Enrolled Affiliate to object to the correction. Clerical errors include minor mistakes, unintentional additions and omissions. This provision does not apply to material terms, such as the identity, quantity or price of a Product ordered.
- i. **Verifying compliance.** Microsoft may, in its discretion and at its expense, verify compliance with this Enrollment as set forth in the Agreement.

4. **Pricing.**

- a. **Price levels.** Each Product is assigned to a Product pool as shown on the Product Terms. Price levels (A, B, C, or D) are set separately for each pool. Price levels for the applicable Product pools are set forth in the Product Selection Form. Enrolled Affiliate's price level for each Product pool under this Enrollment will be Level D.
- b. **Setting prices.** Enrolled Affiliate's prices for each Product or Service will be established by its Reseller. Unless otherwise expressly agreed to by the parties and except for Online Services designated in the Product Terms as being exempt from fixed pricing, Microsoft's prices for Resellers for each Product or Service ordered (except for Microsoft Azure Services) are fixed throughout the applicable Enrollment term.

5. **Payment terms.**

- a. **License with Software Assurance and Software Assurance.** For the initial and any renewal order for License with Software Assurance and Software Assurance, Enrolled Affiliate may pay upfront or elect to spread its payments over the applicable Enrollment term. If an upfront payment is elected, Microsoft will invoice Enrolled Affiliate's Reseller in full upon acceptance of this Enrollment. If spread payments are elected, Microsoft will invoice Enrolled Affiliate's Reseller in three equal annual installments unless indicated otherwise. The first installment will be invoiced to Enrolled Affiliate's Reseller upon Microsoft's acceptance of this Enrollment and additional installments will be invoiced on each Enrollment anniversary date. Subsequent orders will be invoiced to Enrolled Affiliate's Reseller upon acceptance of the order and must be paid upfront.
- b. **Subscription Licenses (except Microsoft Azure Services).** Microsoft will invoice Enrolled Affiliate's Reseller annually in full upon acceptance of each order. Microsoft will invoice Reseller for annual orders on each Enrollment anniversary date. Subsequent orders are invoiced upon acceptance of the order and Enrolled Affiliate may elect to pay annually or upfront.
- c. **Microsoft Azure services.** Invoicing for Microsoft Azure Services is described in the Product Terms.

6. **End of Enrollment term and termination.**

- a. **General.** At the Expiration Date, Enrolled Affiliate must immediately order and pay for Licenses for Products it has used but for which it has not previously submitted an order.
- b. **End of term rights for Server and Tools Products.** Provided Enrolled Affiliate has paid for all required Licenses, including any Baseline Licenses, on the Expiration Date Enrolled Affiliate will have the following rights:

- (i) **Existing Baseline Licenses with continuous Software Assurance.** For perpetual Existing Baseline Licenses continuously covered by Software Assurance, Enrolled Affiliate will have perpetual Licenses to use the latest version of the Product available (or any prior version) as of the Expiration Date, provided that the Existing Baseline Licenses are fully paid.
 - (ii) **New Baseline Licenses.** For New Baseline Licenses (excluding Subscription Licenses), Enrolled Affiliate will have perpetual Licenses to use the latest version of the Product available (or any prior version) as of the Expiration Date.
- c. **Renewal option.** At the Expiration Date of the initial term, Enrolled Affiliate can renew Products and Services by renewing this Enrollment for one additional 36 full calendar month term or by signing a new Enrollment. Microsoft must receive a Renewal Form, Product Selection Form and renewal order prior to or at the Expiration Date. Microsoft will not unreasonably reject any renewal. Microsoft may make changes to this program that will make it necessary for Enrolled Affiliate to enter into new agreements and Enrollments at renewal.
- d. **If Enrolled Affiliate elects not to renew.**
 - (i) **Software Assurance.** If Enrolled Affiliate elects not to renew Software Assurance for any Product under its Enrollment, then Enrolled Affiliate will not be permitted to order Software Assurance later without first acquiring a new License with Software Assurance.
 - (ii) **Extended Term for eligible Online Services.** For Online Services identified as eligible for an Extended Term in the Product Terms, the following options are available at the end of the Enrollment initial or renewal term.
 - 1) **Extended Term.** Licenses for Online Services will automatically expire in accordance with the terms of the Enrollment. An extended term option that allows Online Services to continue month-to-month (“Extended Term”) is available. During the Extended Term, Online Services will be invoiced monthly at the then-current published price as of the Expiration Date plus a 3% administrative fee for up to one year. If Enrolled Affiliate wants an Extended Term, Enrolled Affiliate must submit a request to Microsoft at least 30 days prior to the Expiration Date.
 - 2) **Cancellation during Extended Term.** At any time during the first twelve months of the Extended Term, Enrolled Affiliate may terminate the Extended Term by submitting a notice of cancellation to Microsoft for each Online Service. Thereafter, Microsoft may condition the continued use of each Online Service on the acceptance of new terms by the Enrolled Affiliate. Enrolled Affiliate will be notified in writing of any new terms at least 60 days before any such changes take effect. Enrolled Affiliate acknowledges and agrees that after the notice described in this section, its continued use of each Online Service after the effective date provided in the notice will constitute its acceptance of the new terms. If Enrolled Affiliate does not agree to the new terms, it must stop using the Online Services and terminate the Extended Term as provided in this section. Enrolled Affiliate’s termination under this section will be effective at the end of the month following 30 days after Microsoft has received the notice.
 - (iii) **Subscription Licenses and Online Services without an Extended Term.** If Enrolled Affiliate elects not to renew or exercise its buy-out rights for Products eligible for buy-out, Subscription Licenses will be cancelled and will terminate as of the Expiration Date. Any associated software must be uninstalled, media must be destroyed and the Enterprise must discontinue use. Microsoft may request written certification to verify compliance.
- e. **Buy-out option.**
 - (i) **For Subscription Licenses.** Enrolled Affiliate may buy out active Subscription Licenses acquired under this Enrollment for Products other than Online Services and acquire perpetual Licenses for the latest version of the Product as of the Expiration Date by placing an order for such Licenses.

- (ii) **Buy-out order date.** Microsoft must receive the buy-out order no more than 30 days prior to the Expiration Date. The Expiration Date will be the invoice date for the buy-out order.
- f. **Termination for cause.** Any termination for cause of this Enrollment will be subject to the “Termination for cause” Section of the Agreement. In addition, the following will constitute a breach of this Enrollment: (1) Enrolled Affiliate or any Affiliate in the Enterprise fails to timely pay for any existing Baseline License, (2) any existing Baseline Agreement is terminated for cause prior to full payment, or (3) Enrolled Affiliate or any Affiliate in the Enterprise that uses Government Community Cloud Services fails to meet and maintain the conditions of membership in the definition of Community.
- g. **Early termination.** If Enrolled Affiliate terminates this Enrollment as a result of a breach by Microsoft, or if Microsoft terminates this Enrollment because Enrolled Affiliate has ceased to be Customer’s Affiliate, then Enrolled Affiliate will have the following options for Licenses, excluding Subscription Licenses:
 - (i) It may immediately pay the total remaining amount due, including all installments, in which case, Enrolled Affiliate will have perpetual rights (1) for Server and Tools Products, as described in the section entitled “End of Term rights for Server and Tools Products” and (2) for Additional Products, for all Licenses (excluding Subscription Licenses) it has ordered (for the latest version of Products ordered under Software Assurance coverage in an initial or renewal term); or
 - (ii) It may pay only amounts due as of the termination date, in which case Enrolled Affiliate will have perpetual Licenses (for the latest version of Products ordered under Software Assurance coverage in an initial or renewal term) for (1) all copies of Products for which payment has been made in full, and (2) a proportional number of copies of Products it has ordered for which payment has been made.
- h. **Early termination for Subscription Licenses.** Notwithstanding anything to the contrary in any of the documents that collectively constitute the Enterprise Agreement, if an Enrolled Affiliate terminates its Enrollment as a result of a breach by Microsoft, or if Microsoft terminates this Enrollment because Enrolled Affiliate has ceased to be Customer’s Affiliate, then Enrolled Affiliate will have the following options with respect to Subscription Licenses:
 - (i) Enrolled Affiliate may obtain perpetual Licenses as described in the section entitled “Buy-out option,” provided that Microsoft receives the buy-out order for those Licenses within 60 days after Enrolled Affiliate provides notice of termination.
 - (ii) If not exercising the buy-out option, Enrolled Affiliate will receive a credit for any amount paid in advance that would apply after the date of termination.
- i. **Early termination for Online Services.** For Online Services, if an Enrolled Affiliate terminates its Enrollment as a result of a breach by Microsoft, or if Microsoft terminates this Enrollment for regulatory reasons or because Enrolled Affiliate has ceased to be Customer’s Affiliate, then Microsoft will issue Reseller a credit for any amount paid in advance for the period after termination.

7. Government Community Cloud.

- a. **Community requirements.** If Enrolled Affiliate purchases Government Community Cloud Services, Enrolled Affiliate certifies that it is a member of the Community and agrees to use Government Community Cloud Services solely in its capacity as a member of the Community and, for eligible Government Community Cloud Services, for the benefit of end users that are members of the Community. Use of Government Community Cloud Services by an entity that is not a member of the Community or to provide services to non-Community members is strictly prohibited and could result in termination of Enrolled Affiliate’s license(s) for Government Community Cloud Services without notice. Enrolled Affiliate acknowledges that only Community members may use Government Community Cloud Services.

- b. All terms and conditions applicable to non-Government Community Cloud Services also apply to their corresponding Government Community Cloud Services, except as otherwise noted in the Use Rights, Product Terms, and this Enrollment.
- c. Enrolled Affiliate may not deploy or use Government Community Cloud Services and corresponding non-Government Community Cloud Services in the same domain.
- d. **Use Rights for Government Community Cloud Services.** For Government Community Cloud Services, notwithstanding anything to the contrary in the Use Rights:
 - (i) Government Community Cloud Services will be offered only within the United States.
 - (ii) Additional European Terms, as set forth in the Use Rights, will not apply.
 - (iii) References to geographic areas in the Use Rights with respect to the location of Customer Data at rest, as set forth in the Use Rights, refer only to the United States.

Enrollment Details

1. Enrolled Affiliate's Enterprise.

Identify which Agency Affiliates are included in the Enterprise. (Required) Enrolled Affiliate's Enterprise must consist of entire offices, bureaus, agencies, departments or other entities of Enrolled Affiliate, not partial offices, bureaus, agencies, or departments, or other partial entities.

Check **only one box** in this section. If no boxes are checked, Microsoft will deem the Enterprise to include the Enrolled Affiliate only. If more than one box is checked, Microsoft will deem the Enterprise to include the largest number of Affiliates.

Enrolled Affiliate only

Enrolled Affiliate and the following Affiliate(s):

Unless specifically identified above, all Affiliates of Customer, either existing at the execution of this Enrollment or created or acquired after the execution of this Enrollment, will be excluded from the Enterprise. To request that an additional Affiliate be included in Customer's Enterprise, Customer must identify an Affiliate to Microsoft in writing and provide any required documentation. Microsoft will reasonably review requests under this paragraph and may approve the inclusion of an Affiliate in Customer's Enterprise in its sole discretion.

2. Contact information.

Each party will notify the other in writing if any of the information in the following contact information page(s) changes. The asterisks (*) indicate required fields. By providing contact information, Enrolled Affiliate consents to its use for purposes of administering this Enrollment by Microsoft, its Affiliates, and other parties that help administer this Enrollment. The personal information provided in connection with this Enrollment will be used and protected in accordance with the privacy statement available at <https://www.microsoft.com/licensing/servicecenter>.

- a. **Primary contact.** This contact is the primary contact for the Enrollment from within Enrolled Affiliate's Enterprise. This contact is also an Online Administrator for the Volume Licensing Service Center and may grant online access to others. The Primary contact will be the default contact for all purposes unless separate contacts are identified for specific purposes.

Name of entity (must be legal entity name)* COUNTY OF KINGS

Contact name: First* Reah **Middle** **Last*** Tibayan

Contact email address* reah.tibayan@co.kings.ca.us

Street address* 1400 W LACEY BLVD

City* Hanford

State/Province* CA

Postal code* 93230-5905 -

(Please provide the zip + 4, e.g. xxxxx-xxxx)

Country* United States

Phone* 559-852-2576

Tax ID

** indicates required field*

- b. **Notices contact and Online Administrator.** This contact (1) receives the contractual notices, (2) is the Online Administrator for the Volume Licensing Service Center and may grant online access to others, and (3) is authorized to order Reserved Licenses for eligible Online Services, including adding or reassigning Licenses and stepping-up prior to a true-up order.

Same as primary contact (default if no information is provided below, even if box is not checked)

Name of entity*: COUNTY OF KINGS

Contact name: First* Angela **Middle** **Last*** Amith

Contact email address* ITService.Contracts@co.kings.ca.us

Street address* 1400 W LACEY BLVD

City* Hanford

State/Province* CA

Postal code* 93230-5905 -

(Please provide the zip + 4, e.g. xxxxx-xxxx)

Country* United States

Phone* 559-852-2546

Language preference. Choose the language for notices. English

This contact is a third party (not Enrolled Affiliate). Warning: This contact receives personally identifiable information of the Customer and its Affiliates.

** indicates required field*

- c. **Online Services Manager.** This contact is authorized to manage the Online Services ordered under the Enrollment.

Same as notices contact and Online Administrator (default if no information is provided below, even if box is not checked)

Contact name: First* Reah **Middle** **Last*** Tibayan

Contact email address* reah.tibayan@co.kings.ca.us

Phone* 559-852-2576

This contact is from a third party organization (not the entity). Warning: This contact receives personally identifiable information of the entity.

** indicates required field*

- d. **Azure Services Administrator.** This contact is authorized to manage the Azure Services ordered under the Enrollment.

Same as notices contact and Online Administrator (default if no information is provided below, even if box is not checked)

Contact name: First* Reah **Middle** **Last*** Tibayan

Contact email address* reah.tibayan@co.kings.ca.us

Phone 559-852-2576

This contact is from a third party organization (not the entity). Warning: This contact receives personally identifiable information of the entity.

** indicates required field*

- e. **Reseller information.** Reseller's contact for this Enrollment is:

Reseller company name* Crayon Software Experts LLC

Street address (PO boxes will not be accepted)* 12221 Merit Drive Suite 800

City* Dallas

State/Province* TX

Postal code* 75251-1313

Country* United States

Contact name* Crayon US OPS TEAM

Phone* 469-329-0290

Contact email address* license.us@crayon.com

** indicates required field*

By signing below, the Reseller identified above confirms that all information provided in this Enrollment is correct.

Name of Reseller* Crayon Software Experts LLC
Signature* _____
Printed name*
Printed title*
Date*

* indicates required field

Changing a Reseller. If Microsoft or the Reseller chooses to discontinue doing business with each other, Enrolled Affiliate must choose a replacement Reseller. If Enrolled Affiliate or the Reseller intends to terminate their relationship, the initiating party must notify Microsoft and the other party using a form provided by Microsoft at least 90 days prior to the date on which the change is to take effect.

- f. If Enrolled Affiliate requires a separate contact for any of the following, attach the Supplemental Contact Information form. *Otherwise, the Notices Contact and Online Administrator remains the default.*
- (i) Additional Notices Contact
 - (ii) Software Assurance Manager
 - (iii) Subscriptions Manager
 - (iv) Customer Support Manager (CSM) contact

3. **Financing.**

Is a purchase under this Enrollment being financed through MS Financing? Yes, No.

4. **Upfront Payment.**

Does Enrolled Affiliate wish to pay upfront as allowed in the Payment terms section of this Enrollment?
 Yes, No.

Previous Enrollment(s)/Agreement(s) Form

Entity Name: COUNTY OF KINGS

Contract that this form is attached to: SLG - Server and Cloud Enrollment

For the purposes of this form, "entity" can mean the signing entity, Customer, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

Please provide a description of the previous Enrollment(s), Agreement(s), Purchasing Account(s), and/or Affiliate Registration(s) being renewed or consolidated into the new contract identified above.

- a. Entity may select below any previous contract(s) from which to transfer MSDN subscribers to this new contract. Entity shall ensure that each MSDN subscriber transferred is either properly licensed under the new contract or is removed.
- b. Entity may select below only one previous contract from which to transfer the Software Assurance (SA) Benefit contact details, i.e., benefits contact (*not* the SA manager) and the program codes, to this new contract.
- c. An Open License cannot be used to transfer either the SA Benefit details or MSDN subscribers.
- d. The date of the earliest expiring Enrollment/Agreement that contains SA or Online Services will be the effective date of the new contract (or SA coverage period for Select Plus).
- e. Please insert the number of the earliest expiring Enrollment/Agreement with SA or Online Services in the appropriate fields of the new contract.

Enrollment/Agreement/ Purchasing Account/Affiliate Registration Description	Enrollment/Agreement/ Purchasing Account/Affiliate Registration Public Customer Number	Transfer SA Benefit Contact	Transfer MSDN Subscribers
Standard Enrollment	82326242	X	X

Amendment to Contract Documents

Enrollment Number

7-36XHZZLXZ

This amendment (“Amendment”) is entered into between the parties identified on the attached program signature form. It amends the Enrollment or Agreement identified above. All terms used but not defined in this Amendment will have the same meanings provided in that Enrollment or Agreement.

Server and Cloud Enrollment Early Commitment Amendment ID M325

For the purposes of this Amendment, “Entity” can mean the signing entity, Customer, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.

The parties agree that the Enrollment is amended by adding a section entitled “Early Commitment.”

Early Commitment

- a. In this Amendment, “Entity” can mean the signing entity, Customer, Enrolled Affiliate, Government Partner, Institution, or other party entering into a volume licensing program agreement.
- b. This renewal may be earlier than the required timeline. The effective date of this Enrollment shall be one day following the Expiring Enrollment.
- c. Entity’s initial order under this Enrollment includes a renewal of Entity’s Software Assurance and/or Subscription Licenses previously ordered under the Expiring Enrollment number 82326242 for the full term of the Expiring Enrollment from the day after expiration. The following conditions apply to this renewal:
 - (i) Entity’s final true-up order on the Expiring Enrollment shall be placed at the time this Enrollment is signed and any contents of that true-up order that Entity wishes to renew must also be added to this Enrollment’s initial order.
 - (ii) Any subsequent true-up orders placed under the Expiring Enrollment after the signing of this Enrollment must be placed no later than 15 days prior to the Expiring Enrollment’s Expiration Date, and must be placed with the assistance of Entity’s Microsoft Account Manager, Software Advisor or Reseller.
 - (iii) During the period between the execution and effective date of this Enrollment, Entity may add new Products to the Expiring Enrollment. No later than 15 days prior to the Expiring Enrollment’s Expiration Date, Entity may renew Software Assurance or Subscription Licenses for such Products under this Enrollment with the assistance of Entity’s Microsoft Account Manager, Software Advisor or Reseller by submitting a supplemental order.
 - (iv) Entity should tick the following box if this is the final True Up under their current Expiring Agreement.

Except for changes made by this Amendment, the Enrollment or Agreement identified above remains unchanged and in full force and effect. If there is any conflict between any provision in this Amendment and any provision in the Enrollment or Agreement identified above, this Amendment shall control.

This Amendment must be attached to a signature form to be valid.

Microsoft Internal Use Only:

(M325)EnrAmend(EarlyCommitment)(WW)(E NG)(June2019)(IU).docx		M325	PLSS
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Server and Cloud Enrollment Product Selection Form

This document must be attached to a signature form to be valid.

Terms used but not defined herein will have the meaning provided in the Enrollment.

Price Levels for Server and Tools Products and Additional Products:

Instructions: Include the agreement or enrollment name and number below that qualifies the Enrolled Affiliate for the price levels indicated in this Product Selection Form.

Agreement or Enrollment Name		Agreement or Enrollment Number	
Enterprise Enrollment			
Server Pool Price Level	Applications Pool Price Level	Systems Pool Price Level	
D	D	D	

Instructions: Fill out the Product Selection Form (PSF), and the associated Customer Price Sheet (CPS) according to the table below.

Baseline Licenses at Enrollment Effective Date	Product Selection Form	Customer Price Sheet SKUs
Licenses with Software Assurance	Existing Baseline Licenses with continuous Software Assurance	SA
New Subscription Licenses	New Subscription Licenses	MSU
New Licenses	New Licenses with Software Assurance	LicSAPk

Determining the number of Licenses and SKUs

Enter the actual number of licenses in the PSF. Some SKUs (SQL and Biztalk) include more than one license. For such SKUs, divide the number of licenses on the PSF by the number of licenses included in each SKU to determine the quantity of SKUs to enter on the Customer Price Sheet.

Product Selection Form

Product selection		Baseline Licenses		
		<u>Existing Baseline Licenses</u>	<u>New Baseline Licenses</u>	
		Existing Licenses with Software Assurance	New Subscription Licenses	New Licenses with Software Assurance
Product Family	Server and Tools Product			
SQL Server ⁽¹⁾	SQL Server Enterprise Per Core	40		
	SQL Server Standard Per Core	60		18
	SQL Server Standard Server	5		
	SQL Server CAL	125		
BizTalk Server	BizTalk Server Enterprise Per Core			
	BizTalk Server Standard Per Core			
	BizTalk Server Branch Per Core			
Visual Studio	Visual Studio Ultimate with MSDN	N/A ⁽²⁾	N/A	N/A
	Visual Studio Premium with MSDN	N/A ⁽²⁾	N/A	N/A
	Visual Studio Enterprise with MSDN			
	Visual Studio Enterprise with GitHub Enterprise			
	Visual Studio Test Professional with MSDN			
	Azure DevOps Server CAL			

Product Selection		Baseline Licenses		
		<u>Existing Baseline Licenses</u>	<u>New Baseline Licenses</u>	
		Existing Licenses with Software Assurance	New Subscription Licenses	New Licenses with Software Assurance
Product Family	Server and Tools Product			
Visual Studio (Continued)	MSDN Platforms			
SharePoint Server	SharePoint Server			
Azure	Azure Monetary Commitment	The monetary commitment is tracked on the CPS if applicable		
Core Infrastructure Suite	CIS Datacenter	300		
	CIS Standard	100		
	Windows Server Datacenter	(3)	N/A	N/A
	System Center Datacenter	(3)	N/A	N/A
	Windows Server Standard	(3)	N/A	N/A
	System Center Standard	(3)	N/A	N/A

(1) SQL Server Enterprise Edition Server (non-core) licenses are not required as part of the baseline, however SA renewal is available as an additional product. If customers choose not to renew SA, it cannot be attached later.

(2) Visual Studio Premium with MSDN and Visual Studio Ultimate with MSDN Existing Baseline Licenses should be counted as Visual Studio Enterprise with MSDN Licenses.

(3) Quantities of Windows Server and System Center Licenses with continuous Software Assurance can be combined to renew CIS SA as described in the Product Terms, or added to the CPS using the appropriate L+SA CIS w/o SKU where the quantity of each is different. For example, 100 Windows Server and 100 System Center licenses with Software Assurance can be combined as 100 CIS SA renewals (of the equivalent edition). 100 Windows Server and 50 System Center licenses with Software Assurance can be combined as 50 CIS licenses (of the equivalent edition) and 50 L&SA CIS w/o Windows Server.

(4) Quantities of Windows Server and System Center without continuous Software Assurance will be added as full CIS subscriptions.

Minimum Purchase Requirements

Product Family	Minimum Initial Order
SQL Server	The quantity of SQL Per Core licenses needed for 50 cores OR 5 SQL Server editions with 250 CALs (SQL Server editions require CALs).
BizTalk Server	24 Cores of any combination of Biztalk Server Editions. The SQL Server product family must be selected in the above table.
Visual Studio	20 Licenses of any combination of: Visual Studio Enterprise with MSDN, Visual Studio Enterprise with GitHub Enterprise and MSDN Platforms. A Baseline License is required for each user of any software licensed through MSDN subscription. Use of MSDN Software includes, but is not limited to, developing and testing programs using the software as well as installing, configuring and managing the software. Examples of users include (but are not limited to): developers, testers, and other IT employees interacting with application development infrastructure.
SharePoint Server	5 Servers. The SQL Server product family must be selected in the above table.
Core Infrastructure Suites	All licensed Windows Server deployments must be licensed with an appropriate Core Infrastructure Suite SKU. Minimum order is 400 Core Licenses for Core Infrastructure Server Suites Standard or Datacenter (either edition or any combination of both).
Azure Monetary Commitment	<p>For commercial customers in Argentina, Australia, Austria, Belgium, Canada, Chile, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Jamaica, Italy, Lichtenstein, Luxemburg, Netherlands, Norway, Portugal, Puerto Rico, South Africa, Spain, Sweden, Switzerland, Trinidad & Tobago, U.K., U.S., and Uruguay, Azure Monetary Commitment is no longer allowed to be purchased as the only Server and Tools Product.</p> <p>Otherwise, if Azure Monetary Commitment is the only Server and Tools Product selected and the Enrollment is versioned 2016 or later, the Minimum Initial Order for Monetary Commitment is 10 Monetary Commitment units per month.</p> <p>If Azure Monetary Commitment is not the only Server and Tools Product selected, the Minimum Initial Order for Monetary Commitment is 1 Monetary Commitment unit per month.</p>



County of Kings

Quote Date: 2.16.2024 County of Kings
 Attn: Reah Tibayan
 Reah.Tibayan@co.kings.ca.us

Agreement Information		
Expiring Enrollment	Term	Coverage Period
51313926	3 Years	5/1/2024-4/30/2027

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 1 Annual Billing (Coverage 5/1/2024-4/30/2025)				
Enterprise Products - Monthly Subscriptions				
AAA-11894	O365 G3 GCC Sub Per User	1702	\$ 246.60	\$ 419,713.20
Additional Products - Monthly Subscriptions				
NMH-00001	Intune Device GCC Sub Per Device	381	\$ 20.10	\$ 7,658.10
NYH-00001	Teams AC with Dial Out US/CA GCC Sub Add-on	1700	\$ -	\$ -
P3U-00001	Visio P2 GCC Sub Per User	18	\$ 136.69	\$ 2,460.42
SEL-00001	Power Apps Premium GCC Sub Per User	2	\$ 214.42	\$ 428.84
SFR-00001	Power Automate GCC Sub Per User	2	\$ 160.81	\$ 321.62
6U1-00004	Power BI Premium USL GCC Sub Per User	1	\$ 182.25	\$ 182.25
DDJ-00001	Power BI Pro GCC Sub Per User	6	\$ 91.01	\$ 546.06
6VC-01253	Win Remote Desktop Services CAL ALng SA DCAL	40	\$ 19.74	\$ 789.60
Total Year 1				\$ 432,100.09

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 2 Annual Billing (Coverage 5/1/2025-4/30/2026)				
Enterprise Products - Monthly Subscriptions				
AAA-11894	O365 G3 GCC Sub Per User	1702	\$ 246.60	\$ 419,713.20
Additional Products - Monthly Subscriptions				
NMH-00001	Intune Device GCC Sub Per Device	381	\$ 20.10	\$ 7,658.10
NYH-00001	Teams AC with Dial Out US/CA GCC Sub Add-on	1700	\$ -	\$ -
P3U-00001	Visio P2 GCC Sub Per User	18	\$ 136.69	\$ 2,460.42
SEL-00001	Power Apps Premium GCC Sub Per User	2	\$ 214.42	\$ 428.84
SFR-00001	Power Automate GCC Sub Per User	2	\$ 160.81	\$ 321.62
6U1-00004	Power BI Premium USL GCC Sub Per User	1	\$ 182.25	\$ 182.25
DDJ-00001	Power BI Pro GCC Sub Per User	6	\$ 91.01	\$ 546.06
6VC-01253	Win Remote Desktop Services CAL ALng SA DCAL	40	\$ 19.74	\$ 789.60
Total Year 2				\$ 432,100.09

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 3 Annual Billing (Coverage 5/1/2026-4/30/2027)				
Enterprise Products - Monthly Subscriptions				
AAA-11894	O365 G3 GCC Sub Per User	1702	\$ 246.60	\$ 419,713.20
Additional Products - Monthly Subscriptions				
NMH-00001	Intune Device GCC Sub Per Device	381	\$ 20.10	\$ 7,658.10
NYH-00001	Teams AC with Dial Out US/CA GCC Sub Add-on	1700	\$ -	\$ -
P3U-00001	Visio P2 GCC Sub Per User	18	\$ 136.69	\$ 2,460.42
SEL-00001	Power Apps Premium GCC Sub Per User	2	\$ 214.42	\$ 428.84
SFR-00001	Power Automate GCC Sub Per User	2	\$ 160.81	\$ 321.62
6U1-00004	Power BI Premium USL GCC Sub Per User	1	\$ 182.25	\$ 182.25
DDJ-00001	Power BI Pro GCC Sub Per User	6	\$ 91.01	\$ 546.06
6VC-01253	Win Remote Desktop Services CAL ALng SA DCAL	40	\$ 19.74	\$ 789.60
Total Year 3				\$ 432,100.09

Pricing is valid for 30 days

All items included in this RFQ are new, unused, not refurbished, with original manufacturer warranty.

Total Year 1- 3	\$ 1,296,300.27
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Remit to Address:
 Crayon Software Experts, LLC
 Attn: Finance Manager
 12221 Merit Drive, Suite 1400
 Dallas, TX 75251
 Phone: 469-329-0290
 finance.us@crayon.com

Send PO:
 sled.us@crayon.com



County of Kings

Agreement Information							
Enrollment	True Up Year	True Up Start Date	True Up End Date	Anniversary	Enrollment Start	Enrollment End	
51313926	Year 3 of 3	3/1/2024	4/30/2024	4/30/2024	4/9/2021	4/30/2024	

Part#	Description	Country of Usage	Previous Count	Current Count	True Up Quantity	True Up Unit Price	Extended Price
Additional Products - On Premise Licenses							
6VC-01251	Win Remote Desktop Services CAL ALng LSA DCAL	United States	40	40	0	\$ 105.02	\$ -

Total True Up	\$ -
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Agreement Information						
Enrollment	True Up Year	True Up Start Date	True Up End Date	Anniversary	Enrollment Start	Enrollment End
51313926	Year 3 of 3	3/1/2024	4/30/2024	4/30/2024	4/9/2021	4/30/2024

Current Monthly Subscriptions

Part#	Product Description	Country of Usage	Current Count	Reservation Total	Total Count	Reduction Quantity*	Go Forward Quantity	Monthly Unit Price
Enterprise Products - Monthly Subscriptions								
AAA-11894	O365 G3 GCC Sub Per User	United States	1702	0	1702	0	1702	\$ 17.42
Additional Products - Monthly Subscriptions								
NMH-00001	Intune Device GCC Sub Per Device	United States	381	0	381	0	381	\$ 1.68
SEL-00001	Power Apps Premium GCC Sub Per User	United States	2	0	2	0	2	\$ 17.87
SFR-00001	Power Automate GCC Sub Per User	United States	2	0	2	0	2	\$ 13.40
6U1-00004	Power BI Premium USL GCC Sub Per User	United States	1	0	1	0	1	\$ 15.19
DDJ-00001	Power BI Pro GCC Sub Per User	United States	6	0	6	0	6	\$ 7.58
NYH-00001	Teams AC with Dial Out US/CA GCC Sub Add-on	United States	1700	0	1700	0	1700	\$ -
P3U-00001	Visio P2 GCC Sub Per User	United States	18	0	18	0	18	\$ 11.33

* Not all items are reduction eligible. Verification will need to be done prior to submitting a reduction request.

Outstanding Reservations

Part#	Description	Country of Usage	Billing Start Date	# of Months	Quantity	Monthly Price	Extended Price
Enterprise Products - Monthly Subscriptions							
	No Reservations to Reconcile						
Additional Products - Monthly Subscriptions							

Total YR1 Reservation	\$ -
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County of Kings

Agreement Information							
Enrollment	True Up Year	True Up Start Date	True Up End Date	Anniversary	Enrollment Start	Enrollment End	
82326242	Year 3 of 3	5/1/2024	5/31/2024	6/1/2024	6/1/2021	5/31/2024	

Part#	Description	Country of Usage	Previous Count	Current Count	True Up Quantity	True Up Unit Price	Extended Price
Additional Products - On Premise Licenses							
9GS-00495	CIS Suite Datacenter Core ALng LSA 2L	United States	232	232	0	\$ 637.89	\$ -
9GA-00006	CIS Suite Standard Core ALng LSA 2L	United States	186	186	0	\$ 130.36	\$ -
359-00960	SQL CAL ALng LSA User CAL	United States	125	125	0	\$ 131.03	\$ -
7JQ-00341	SQL Server Enterprise Core ALng LSA 2L	United States	29	29	0	\$ 8,621.60	\$ -
228-04437	SQL Server Standard ALng LSA	United States	5	5	0	\$ 563.15	\$ -
7NQ-00302	SQL Server Standard Core ALng LSA 2L	United States	30	30	0	\$ 2,248.39	\$ -

Total True Up	\$	-
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County of Kings

Quote Date: 2.16.2024 County of Kings
 Attn: Reah Tibayan
 Reah.Tibayan@co.kings.ca.us

Agreement Information		
Expiring Enrollment	Term	Coverage Period
82326242	3 Years	6/1/2024-5/31/2027

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 1 Annual Billing (Coverage 6/1/2024-5/31/2025)				
Server and Cloud Products - License and Software Assurance				
7NQ-00292	SQL Server Standard Core ALng SA 2L	30	\$ 614.25	\$ 18,427.50
7NQ-00302	SQL Server Standard Core ALng LSA 2L	9	\$ 1,282.36	\$ 11,541.24
9GA-00313	CIS Suite Standard Core ALng SA 2L	50	\$ 33.99	\$ 1,699.50
7JQ-00343	SQL Server Enterprise Core ALng SA 2L	20	\$ 2,355.41	\$ 47,108.20
359-00961	SQL CAL ALng SA User CAL	125	\$ 35.82	\$ 4,477.50
228-04433	SQL Server Standard ALng SA	5	\$ 153.87	\$ 769.35
9GS-00135	CIS Suite Datacenter Core ALng SA 2L	150	\$ 158.38	\$ 23,757.00
Total Year 1				\$ 107,780.29

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 2 Annual Billing (Coverage 6/1/2025-5/31/2026)				
Server and Cloud Products - License and Software Assurance				
7NQ-00292	SQL Server Standard Core ALng SA 2L	30	\$ 614.25	\$ 18,427.50
7NQ-00302	SQL Server Standard Core ALng LSA 2L	9	\$ 1,282.36	\$ 11,541.24
9GA-00313	CIS Suite Standard Core ALng SA 2L	50	\$ 33.99	\$ 1,699.50
7JQ-00343	SQL Server Enterprise Core ALng SA 2L	20	\$ 2,355.41	\$ 47,108.20
359-00961	SQL CAL ALng SA User CAL	125	\$ 35.82	\$ 4,477.50
228-04433	SQL Server Standard ALng SA	5	\$ 153.87	\$ 769.35
9GS-00135	CIS Suite Datacenter Core ALng SA 2L	150	\$ 158.38	\$ 23,757.00
Total Year 2				\$ 107,780.29

Part#	Product Description	Quantity	Annual Unit Price	Extended Price
Year 3 Annual Billing (Coverage 6/1/2026-5/31/2027)				
Server and Cloud Products - License and Software Assurance				
7NQ-00292	SQL Server Standard Core ALng SA 2L	30	\$ 614.25	\$ 18,427.50
7NQ-00302	SQL Server Standard Core ALng LSA 2L	9	\$ 1,282.36	\$ 11,541.24
9GA-00313	CIS Suite Standard Core ALng SA 2L	50	\$ 33.99	\$ 1,699.50
7JQ-00343	SQL Server Enterprise Core ALng SA 2L	20	\$ 2,355.41	\$ 47,108.20
359-00961	SQL CAL ALng SA User CAL	125	\$ 35.82	\$ 4,477.50
228-04433	SQL Server Standard ALng SA	5	\$ 153.87	\$ 769.35
9GS-00135	CIS Suite Datacenter Core ALng SA 2L	150	\$ 158.38	\$ 23,757.00
Total Year 3				\$ 107,780.29

Total Year 1-3	\$ 323,340.87
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Pricing is valid for 30 days

All items included in this RFQ are new, unused, not refurbished, with original manufacturer warranty.

Remit to Address:
 Crayon Software Experts, LLC
 Attn: Finance Manager
 12221 Merit Drive, Suite 1400
 Dallas, TX 75251
 Phone: 469-329-0290
 finance.us@crayon.com

Send PO:
 sled.us@crayon.com



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Sheriff's Office – David Robinson

SUBJECT: PURCHASE OF POLARIS UTILITY TASK VEHICLE FOR THE SHERIFF'S OFFICE WATER RESCUE UNIT

SUMMARY:

Overview:

The Sheriff's Office is requesting to utilize one-time revenues from the California Department of Parks and Recreation to purchase a 2024 Polaris RZR Pro XP four-seater Utility Task Vehicle (UTV) for the Water Rescue Unit (WRU) to use for enforcement and education along waterways in Kings County.

Recommendation:

- a. Authorize the Sheriff's Office to purchase a 2024 Polaris utility task vehicle for the Water Rescue Unit;
- b. Adopt the budget change. (4/5 vote required)

Fiscal Impact:

The Sheriff's Office is requesting to utilize a portion of one-time revenues from the California Department of Parks and Recreation to fund the entire cost of one Polaris UTV for the WRU. The estimated cost of the UTV with sales tax, registration, off-road lighting equipment, and other emergency equipment is not to exceed \$45,000. Ongoing fuel and maintenance costs will become part of the Sheriff's Operations budget in Budget Unit 222000. However, the majority of these costs will be claimed and reimbursed by the California Boating and Safety Enforcement Financial Aid program that the Sheriff's Office participates in annually.

BACKGROUND:

The Kings County Sheriff's Office WRU is requesting authorization for the purchase of a 2024 Polaris RZR Pro XP four-seater UTV. Currently, the WRU does not have a UTV to conduct enforcement or education. The

(Cont'd)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

PURCHASE OF POLARIS UTILITY TASK VEHICLE FOR THE SHERIFF'S OFFICE WATER RESCUE UNIT

April 9, 2024

Page 2 of 2

WRU is responsible for patrolling the Kings River throughout the county. There are also several other waterways throughout the county, including the California Aqueduct, and thousands of miles of canals and levee roads. These areas are frequently used by off-road vehicles and most of the time they are travelling on private property. The Sheriff's Office has seen an increase in calls for service regarding trespassing in the Kings River, California Aqueduct, and the Kettleman/Avenal hills.

The purchase of this vehicle is essential for the Sheriff's Office to patrol the above-mentioned areas safely and efficiently. While patrolling in this vehicle, Sheriff deputies would be enforcing County ordinances, the California Vehicle Code, along with the California Penal Code. Other areas where this vehicle would assist the WRU would be for transporting dive equipment to locations along the riverbanks where patrol trucks and cars are unable to access. The UTV would be utilized to assist with Search and Rescue (SAR) type missions where the terrain is undrivable for the common patrol truck or car. The UTV would ultimately provide another resource in the efforts to provide top notch quality law enforcement services for the residents, farmers, and ranchers in Kings County. The WRU requested bids from various local vendors and selected the lowest price bid that has the UTV available.

KINGS COUNTY
OFFICE OF THE AUDITOR-CONTROLLER
BUDGET APPROPRIATION AND TRANSFER FORM

Auditor Use Only	
Date _____	
J/E No. _____	
Page _____	of _____

(A) New Appropriation

Expenditures:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	APPROPRIATION AMOUNT
General	Sheriff - Operations	Capital - Other Vehicle	100000	222000	94004	\$45,000
					TOTAL	\$45,000

Funding Sources:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	APPROPRIATION AMOUNT
General	Sheriff - Operations	St Aid - Boat & Waterway	100000	222000	85080	\$59,258
					TOTAL	\$59,258

(B) Budget Transfer:

Transfer From:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	AMOUNT TO BE TRANSFERRED OUT
					TOTAL	\$0

Transfer To:						
FUND NAME	DEPT. NAME	ACCOUNT NAME	FUND NO.	DEPT. NO.	ACCOUNT NO.	AMOUNT TRANSFERRED IN
					TOTAL	\$0

Explanation: (Use additional sheets or expand form for more data entry rows or additional narrative, if needed.)

To increase capital asset - other vehicle line for purchase of Polaris UTV and increase revenues on State Aid Boat & Waterway line for a one-time augmentation of \$59,258.

Dept. of Finance Approval _____ Department Head 

Administration Approval  _____ Board Approval _____

BOS meeting date _____ 4/9/2024

Clawson Motorsports

6334 N. Blackstone Ave. Fresno, CA 93710
(559)435-5020

BILL OF SALE

Sales Associate: Ricardo De La Rosa
Deal Number: _____ Date: 03/20/2024
Co-Buyer Information: _____

Buyer Information:

KINGS COUNTY SHERIFF
1550 KINGS COUNTY DR
HANFORD CA 93230

Phone: H: 559-817-7699 W: _____

Customer P.O.# _____

H: _____ W: _____

County: KINGS

Unit(s)

Stock #	Yr	Make	Model	Color	VIN	Engine #	Odom	Price
S8094	New	2024	POLARIS	RZR PRO XP SUPER	3NSR4D925RG061536	0120891011993	0	31,999.00

Lienholder: "NONE"

Trade In

Yr	Make	Model	VIN
----	------	-------	-----

BUYER ACKNOWLEDGEMENT:

[] I understand that unless I am charged for insurance, NONE is provided by the seller.

[] Seller recommends that the BUYER or OPERATOR review the Manufacturer's Recommendations in the owner's manual prior to any vehicle or equipment operation. I understand that pre-operation checks and inspections as recommended are my responsibility, as is the use of safety equipment.

[] I understand that the manufacturer's warranty does NOT cover regular maintenance costs including the first service unless stated otherwise in writing.

[] USED VEHICLES and equipment are sold "AS IS" with NO WARRANTY expressed or implied unless stated in writing.

SERVICE CONTRACT

Company: _____ Term: 0

Buyer(s) X _____ X _____

The terms/conditions of this agreement comprise the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding, or promise whatsoever will be recognized. Buyer certifies that he/she is 18 years of age or older.

ITEMIZATION OF SALE

Base Price	31,999.00
Freight	1,570.00
Handling	1,998.00
Accessories	0.00
Documentation Fee	85.00
Sales Tax	2,584.77
Service Contract	0.00
GAP	0.00
Battery For Life	0.00
Tire & Wheel	0.00
Paint Protection	0.00
PPM	0.00
Stargard Theft GPS	0.00
SUB TOTAL	38,236.77
DMV Electronic Filing	33.00
License Fees	50.00
California Tire Fee	7.00
Delivery Fee	0.00
GRAND TOTAL	38,326.77
Trade Allowance	0.00
Less Payoff	0.00
Net Trade in	0.00
Deferred Payment Due	0.00
Manufacturers Rebate	0.00
Previous Deposits	0.00
Remaining Downpayment due	0.00
TOTAL DOWN PAYMENT	0.00
BALANCE DUE ON DELIVERY	38,326.77

THERE IS NO COOLING OFF PERIOD. -California law does not provide for a "cooling off" or other cancellation period for vehicle sales. Therefore, you cannot later cancel this sale simply because you change your mind, decide the vehicle cost too much, or wish you had acquired a different vehicle. After you sign below, you may only cancel this sale with the agreement of the seller or for legal cause, such as fraud.

BUYER: _____ CO-BUYER: _____

CLAWSON MOTORSPORTS by  Manager
Name _____



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Administration – Kyria Martinez

SUBJECT: APPOINTMENT OF LIBRARY DIRECTOR

SUMMARY:

Overview:

On December 29, 2023 the Library Director, Natalie Rencher, retired leaving a vacancy in this role. The Board directed staff to initiate a recruitment to fill the vacant position. This process has been completed and it is recommended that the Board set the compensation for the newly appointed Library Director, Ms. Vikki Cervantes, with an effective date of April 15, 2024.

Recommendation:

Confirm the appointment of Vikki Cervantes to the position of Library Director effective April 15, 2024 and set the compensation.

Fiscal Impact:

The position is recommended at \$11,778 per month including management benefits. The salary and benefits were included in the Fiscal Year 2023-2024 Adopted Budget.

BACKGROUND:

The Library Director position is a critical position with the County. This position is responsible for oversight and is the administrative head of the County’s Public Library System. The current County Library Director position is vacant after our previous Library Director retired on December 29, 2023.

The Board of Supervisors directed Administration to open the recruitment once they were advised of Natalie Rencher’s retirement date. That recruitment was opened on January 26, 2024 and concluded on March 11, 2024. Upon completion of that recruitment, a conditional offer was extended to Ms. Vikki Cervantes who accepted the offer.

Ms. Cervantes has a Master’s Degree from San Jose State University where she majored in Library and Information Science. Ms. Cervantes also received her Bachelor’s Degree from Chapman University where she

(Cont’d)

BOARD ACTION:

APPROVED AS RECOMMENDED: ____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

APPOINTMENT OF LIBRARY DIRECTOR

April 9, 2024

Page 2 of 2

majored in Social Science. Ms. Cervantes has been the City Librarian for the City of Porterville for the past sixteen years and prior to that she was the Librarian for the City of Tulare for more than 4 years. Ms. Cervantes has the requisite experience in those previous roles to lead Kings County's Public Library System.

Therefore, it is recommended that the board confirm the appointment of Ms. Vikki Cervantes to the position of Library Director effective April 15, 2024 and set the compensation.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Administration – Kyria Matinez

SUBJECT: SOCIAL MEDIA POLICY FOR COUNTY EMPLOYEES

SUMMARY:

Overview:

County staff is proposing a policy to establish protocols and procedures to guide departments/agencies in developing appropriate standards for online social media activity. The intent of this policy is to also incorporate countywide social media use protocols and procedures intended to mitigate associated risks from use of this technology. The County officially launched their social media platforms on May 16, 2023.

Recommendation:

Approve the County’s Social Media Policy.

Fiscal Impact:

None.

BACKGROUND:

Social media provides local governments with a powerful tool to engage with their communities, disseminate information, and gather feedback. Platforms like Twitter, Facebook, and Instagram enable governments to quickly communicate important updates, such as emergency alerts, road closures, and event announcements. Additionally, social media facilitates two-way communication, allowing officials to receive input from residents, address concerns, and gauge public sentiment on various issues. By leveraging social media effectively, local governments can foster transparency, increase civic participation, and build stronger connections with their constituents.

With the County’s increased use of online social media platforms, there is a need to establish protocols and procedures to guide departments and agencies in developing appropriate standards for online social media activity.

(Cont’d)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

SOCIAL MEDIA POLICY FOR COUNTY EMPLOYEES

April 9, 2024


Page 2 of 2

This policy aims to incorporate countywide social media use protocols and procedures to mitigate associated risks from the use of this technology. The purpose of this policy is to provide guidelines for County departments and agencies to effectively and responsibly use social media platforms. By establishing clear standards, the County aims to enhance communication with the public while safeguarding the County's reputation and ensuring compliance with relevant laws and regulations. The County officially launched their social media platforms on May 16, 2023. Since then the metrics are as followed:

Facebook: 798 Likes

Instagram: 776 Followers

Twitter: 161 Followers

	<p style="text-align: center;">COUNTY OF KINGS California POLICY MANUAL</p>	<p>Number: BOS Agenda Date:</p>
<p>SUBJECT Social Media Policy</p>		
<p>DEPARTMENT</p>		<p>Effective Date: Revision Date:</p>

PURPOSE

This policy establishes protocols and procedures to guide departments/agencies in developing appropriate standards for online social media activity, utilizing authorized networks; providing direction on determining appropriate content and addressing inappropriate public commentary in social media settings; and to protect confidential and/or proprietary information, the County brand, and citizen information. This policy also incorporates countywide social media use protocols and procedures intended to mitigate associated risks from use of this technology.


SCOPE

This policy applies to all Kings County employees involved in the management and/or use of social media on behalf of the County, except where specifically stated otherwise within this document.

DEFINITIONS

a. Content – Refers to all text, images or other media, and material submitted, posted, or published to an online source that is accessible by the public. This includes but may not be limited to still photographs, writings, documents, spoken statements, music, audio, video, video recordings, slides, portraits, caricatures, and graphics.

b. Hyperlink – A hyperlink (or link) is a reference to a webpage, website, document, or content that the reader can directly follow or that is followed automatically. The reference points to content in its entirety or to a specific element within the content.

	<p align="center">COUNTY OF KINGS California POLICY MANUAL</p>	<p>Number: BOS Agenda Date:</p>
<p>SUBJECT Social Media Policy</p>		
<p>DEPARTMENT</p>	<p>Effective Date: Revision Date:</p>	

c. Mass Email Blast – Refers to the use of an email-based delivery system to disseminate information to the public electronically in mass distribution, such as a newsletter subscriber group.

d. Social Media Platform/Network/Site – Refers to any medium whereby content (including, but not limited to images, videos, messages, and sound files) is broadcast to, or capable of being broadcast to, the general public or a significant section of the general public. For the sake of clarity, and by way of example, Social Media Platforms include (but are not limited to) YouTube, Instagram, Facebook, X (formerly Twitter), and any “blog” or other type of web journal.

POLICY


1. POLICY ADMINISTRATOR

The County Administrative Officer shall be responsible for the administration and biennial review of this policy.

2. SOCIAL MEDIA GUIDELINES FOR COUNTY STAFF

The same standards, principles, and guidelines that apply to Kings County employees in the performance of their assigned duties apply to employees’ online activities. The County has an expectation that all employees will exercise professional responsibility whenever they participate in social media as a representative of the County and recognizes that the proper use of social media is another important tool available to improve communications with the public.

a. Social media involvement is intended to add value to a County agency/department. Value can be measured in many ways: furthering the accomplishment of the agency/departmental

	<p align="center">COUNTY OF KINGS California POLICY MANUAL</p>	<p>Number: BOS Agenda Date:</p>
<p>SUBJECT Social Media Policy</p>		
<p>DEPARTMENT</p>		<p>Effective Date: Revision Date:</p>

mission, helping to improve the public knowledge of County services, building a sense of community, and/or solving a problem.

b. The County’s websites are its primary internet presence, and when used appropriately, social media may be useful in furthering the goals of the County and the missions of its departments in informing and interacting with the public by directing back to content offered on websites, such as in-depth information, forms and related documents, payment portals, and other services. When possible, all content posted to social media platforms should be accessible on the County’s websites.


c. Proper representation: Staff should appropriately identify themselves as a County representative when posting information to a social media site. County personnel rules of conduct apply.

d. Professional presentation: Staff should be conscientious and thoughtful about how the County is presented online. As a representative of a County agency/department, staff and the County will be judged by the language used on social media.

e. Proper use of grammar and style are crucial. Minimize the use of jargon and acronyms that would not be widely understood by every group of individuals.

f. Be vigilant about not disclosing County confidential or proprietary information.

g. Show respect for others. Respect the privacy of others and carefully consider the discussion of any topics that might be objectionable or inflammatory.

	<p align="center">COUNTY OF KINGS California POLICY MANUAL</p>	<p>Number: BOS Agenda Date:</p>
<p>SUBJECT Social Media Policy</p>		
<p>DEPARTMENT</p>		<p>Effective Date: Revision Date:</p>

h. Ensure that posts are factually correct. If the accuracy of information is uncertain, take all steps possible to check the facts and check with agency/department leadership before the information is published.

i. Acknowledge mistakes. Timely correction of errors or inaccurate information is essential.

j. Exercise discipline. County social media activities must not interfere with an employee's other job duties or commitments to the public and co-workers.

3. APPROVED PLATFORMS


Agency/department social media technology use is limited to approved social media networks and associated site usage standards.

a. Approved Networks:

A list of approved social media networks will be maintained by each department. The list will be updated to reflect new or removed networks and changes based on periodic reviews and as needed. Departments are charged with providing this list to the County Administration and Department of Information Technology on an annual basis. Before being added to the list of County approved social media networks, newly launched social media networks must be approved by County Administration and IT.

b. Review and Approval Process

Kings County IT will maintain a procedure for reviewing and approving the use of new sites on the IT policies intranet page.

	<p align="center">COUNTY OF KINGS California POLICY MANUAL</p>	<p>Number: BOS Agenda Date:</p>
<p>SUBJECT Social Media Policy</p>		
<p>DEPARTMENT</p>		<p>Effective Date: Revision Date:</p>


- i. New requests shall be sent to the Agency/Department Head or designee.
- ii. Review triggers: changes to the use case, site functionality, terms of service, or relevant County policy.

4. USAGE STANDARDS

- a. Usage standards for approved social networks will be maintained by IT on the IT Policies Intranet page in the form of “social media platform playbooks.” Options that have not been defined are at the discretion of the agency/department.
- b. Since social network capabilities may change without notice at any time, standard items listed within this document may become outdated, and agency Public Information Officers, in conjunction with departmental leadership, must evaluate continued use to uphold the intent and requirements of this policy.
- c. Report new or obsolete usage standards, business cases, and platform terms of service to the agency/department head or designee.
- d. Agencies/departments are advised to periodically audit assigned accounts to limit access to those with business necessity.
- e. Departments must use a county email address for all accounts created to post to social media.

5. APPROPRIATENESS OF CONTENT & PUBLIC COMMENTS

This section provides agencies/departments with general direction on what Kings County considers appropriate and inappropriate content for public sharing online and identifies the types

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of public comments that may be considered inappropriate and subject to deletion from County online discussion sites.

a. Appropriateness of Content

Kings County provides a significant amount of information to the public by electronic means. As a government agency, the County consistently strives to present itself professionally and in a manner that is suitable to its diverse audience. This policy provides general direction on what the County considers appropriate and inappropriate content for public sharing online.


i. Applicable Formats

This policy applies to all electronic content hosted online or disseminated electronically, for public view, by any Kings County workforce member. Applicable electronic formats may include, but are not limited to, text, comments, video, audio, graphics, images, documents, hyperlinks, websites, portals, social media sites, mass email blasts, etc.

ii. Responsibility

County agencies/departments that provide information to the public via electronic format are responsible for ensuring electronic content conforms and is managed in compliance with this policy. Agencies/departments may develop additional department procedures, within policy compliance, as deemed business appropriate.

iii. Unauthorized content includes information that:

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a. Threatens, condescends, or degrades any group belonging to a particular race, color, religion, national origin, sex, creed, political affiliation, ancestry, marital status, age, or disability.

b. Is profane, vulgar, obscene, or sexually explicit

c. Promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation

d. Can be classified as confidential, private, or proprietary, or can be classified as personal health information under the Health Insurance Portability and Accountability Act (HIPAA)

e. May infringe on a third party's copyright or intellectual property rights

f. Contains a solicitation of commerce

g. Contains a solicitation for non-county affiliated private events.

h. Contains unauthorized paid advertisements or endorsements

i. Contains plagiarized material


j. May be illegal or encourages illegal activity

k. May compromise the safety or security of the public or public systems

iv. Do not knowingly violate an authorized provider's terms of service for allowed usage.

v. Correct content mistakenly published with errors or misrepresentations in a timely manner.

b. Social Media Public Comment Policy


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The Kings County Social Media Public Comment Policy, incorporated herein as Appendix A, is intended to be posted and “pinned” (where applicable) to the top of every county online site that permits public comment. The policy includes terms for participating in County online discussions and identifies the types of public comment that may be considered inappropriate and subject to deletion from County online discussion sites.

DRAFT

Appendix A

Social Media Public Comment Policy

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PURPOSE

The purpose of this policy is to make the public aware of the County’s terms for participating in County online discussions and to identify the types of public comments that may be considered inappropriate and subject to deletion from County online discussion sites.

SCOPE


This policy applies to all Kings County online sites that permit public comment, including but not be limited to websites, portals, blogs, and social networking sites.

POLICY ADMINISTRATOR

Agencies/departments that establish/administer online discussions are responsible for ensuring policy compliance.

POLICY

1. County agency/department online sites that permit public comment (websites, portals, blogs, county-established social network sites, etc.) shall prominently display this policy on each online page that displays discussion content.
2. Whenever possible, online discussions should be moderated by designated staff. All unmoderated discussions should be monitored regularly for compliance with this policy.
3. Posted comments that do not comply with this policy shall be rejected when received via moderated online discussions and promptly removed from public view when received via

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unmoderated discussions. This includes but is not limited to statements, links, video, images, documents, etc.

4. The County’s Official Online Comment Policy is as follows:

ONLINE COMMENT POLICY

The County of Kings welcomes you and your comments. The purpose of this discussion is to present information relevant to the stated purpose of this site regarding matters of public interest in the County of Kings, including its many residents, businesses, and visitors. We encourage you to submit your comments, but please note that this is a moderated online discussion site for specific topics, intended to be a limited public forum. As such, discussions are subject to reasonable content restrictions in light of the purpose served by the forum. Please note that the comments expressed on this site do not necessarily reflect the opinions or positions of the County of Kings, its officers, agents, affiliates, or employees. By posting anything to this site, you, as a user, agree to the following terms:

- a. You will treat others with respect.
- b. You warrant that you own or have permission to post the information contained in your postings, including but not limited to video, photos, or digital reproductions, and that no copyright or trademark infringement has taken place due to posting it on this site. Further, the County of Kings does not guarantee or warrant that any information posted by users on this site is correct and

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disclaims any liability whatsoever for any loss or damage resulting from reliance on any such information.

c. You do not retain any rights over your postings. Postings are intended for public view, and any personal information posted constitutes a waiver of any rights to privacy or confidentiality.

d. Once a submission is posted, the County of Kings reserves the right to delete submissions that violate the Terms of Use Guidelines found, within this Social Media Public Comment Policy, and the terms of established by the social media platform, the County of Kings Social Media Public Comment Policy.

e. Any content posted may be subject to public disclosure upon request. Activity on County sites is subject to all applicable federal, state, and local laws, regulations, and policies. Submissions posted to this page will be monitored, and content which violates either the Terms of Use Guidelines or the County of Kings Social Media Public Comment Policy will be removed as soon as possible and without prior notice. The County of Kings reserves the right to remove content, including, but not limited to:

- a.** Profane or obscene content
- b.** Defamatory statements
- c.** Content that promotes, fosters, or perpetuates discrimination
- d.** Sexual content or links to sexual content
- e.** Content that includes unlawful harassment or threats of violence

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- f.** Comments that are not topically related or out of context
- g.** Solicitations of commerce
- h.** Conduct or encouragement of illegal activity
- i.** Information that may tend to compromise the safety or security of the public or public systems
- j.** Content that violates a legal ownership interest of any other party
- k.** Content that infringes on copyright or trademark.
- l.** Content that defames any person, group, or organization
- m.** False content or statements made with actual malice concerning any employee, the County, or its operations
- n.** Disclosure of any proprietary, confidential, or privileged information
- o.** Repeated postings of content which violates either the Terms of Use Guidelines or the County of Kings Social Media Public Comment Policy
- p.** Statements regarding political campaigns, candidates, or ballot measures.
- q.** Content that is spam or links to other sites.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Behavioral Health Department – Lisa Lewis/Christi Lupkes
SUBJECT: PASSAGE OF THE BEHAVIORAL HEALTH SERVICES PROGRAM AND BOND MEASURE

SUMMARY:

Overview:

This update is to provide the Board information regarding the Proposition One Behavioral Health Services Program and Bond Measure (Proposition 1), which was recently passed by voters during the March 2024 election.

Recommendation:

Receive an overview and update on Proposition 1 and a summary of anticipated local changes to Mental Health Services Act funding based on its passage.

Fiscal Impact:

The passage of this bond measure will make changes to the formula of required funding for the Mental Health Services Act (MHSA) funding. The changes include direct investment in housing at both the state and local level. The changes include a portion of local funds to be reallocated toward the state, shifts from direct service allocations toward increased local housing efforts, as well as an increase in the population being served. As MHSA funding requires approval of a formal plan, a modification to the local plan will be required.

BACKGROUND:

During the March 2024 elections, voters passed Proposition 1, also known as the Behavioral Health Services Act (BHSA). Proposition 1 is comprised of two legislative bills: Senate Bill (SB) 326 and Assembly Bill (AB) 531, of which both have passed the legislature and were signed by Governor Newsom on October 12, 2023. SB 326 redesigns the 2004 voter-approved Proposition 63 MHSA, and AB 531 creates a bond to build residential settings ranging from congregate and community housing to locked facilities.

(Cont'd)

BOARD ACTION :

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk to the Board

By _____, Deputy.

Agenda Item

PASSAGE OF THE BEHAVIORAL HEALTH SERVICES PROGRAM AND BOND MEASURE

APRIL 9, 2024

Page 2 of 2

While Proposition 1 is large and complex, much of the details related to the implementation is unknown until the State Department of Health Care Services (DHCS) and the Behavioral Health Services Oversight and Accountability Commission (OAC) finalize local county guidance. This informational presentation before the Board is to summarize some of the known most notable impacts from the approval of Proposition 1. Those notable impacts are as follows:

- Significantly shifts MHSA allocations to create a new Housing category and increases a portion of funding the State will receive from local allocations (from 5% to 10%)
- Allows counties to incorporate Substance Use Disorder-only populations (with no expansion in funding)
- Moves from an MHSA Plan to a BHSA Integrated Plan and adds new required stakeholders
- Increases State control of local BHSA funds, and reduces local control of programming priorities
- Creates a \$6.3 billion bond to build residential settings ranging from congregate and community housing to locked facilities

The roll-out of Proposition 1 will be over the next two-and-a-half years, from March 2024 through June 2026, with a go-live date of July 1, 2026. During 2024, DHCS and the OAC will work to develop county guidelines for planning and implementation of Proposition 1 as well as develop state-wide metrics for county reporting and templates for new three-year and annual reporting. Starting January 2025 and concluding at the end of the calendar year of 2025, counties will begin working towards the adoption of the new planning and implementation requirements. Much of 2025 will be used to develop department and program resources to meet the new and revised requirements and conduct the required cross-organizational and community planning process. Starting January 2026, counties will use the results of the planning processes from 2025 to create the first required Proposition 1 BHSA Integrated Three-Year Plan covering fiscal years 2026-27 through 2028-29.

Kings County Behavioral Health will bring back to the Board any additional information that may be necessary for Board presentation once more detailed information is released.



KINGS COUNTY

Proposition 1: Behavioral Health Services Program and Bond Measure
Information Presentation

Lisa D. Lewis, PhD, Director of Behavioral Health
Christi Lupkes, Deputy Director of Behavioral Health



Objectives

- Outcome of Prop 1 Vote
- What is Prop 1
- Prop 1 Changes to Mental Health Services Act (MHSA)
- Impact to Local Program
- Next Steps



Outcome of Vote

- Prop 1 was passed by voters as of March 20, 2024

2024 CALIF. 1 - BEHAVIORAL HEALTH SERVICES PROGRAM GENERAL BALLOT MEASURE

AP estimates
99% of votes counted

Yes wins. AP race call at 5:11 p.m. on March 20, 2024.

CANDIDATE	VOTES	PCT.
✓ Yes	3,624,512	50.2%
No	3,596,373	49.8%

Updated Mar 22, 2024, 5:16 PM



What is Prop 1

- California proposition 1 (Prop 1) is also known as the Behavioral Health Services Program and Bond Measure
- Prop 1 was composed of Senate Bill (SB) 326 which redesigns Prop 63 (2004) Mental Health Services Act (MHSA) and Assembly Bill (AB) 531 which creates a bond to build residential settings
- Both Bills passed legislature and were signed by Gov. Newsom Oct 12, 2023



Changes from Prop 1

- Significantly shifts MHSA allocations to create a new Housing category and increases portion of funding the State will receive (from 5% to 10%)
- Allows counties to incorporate SUD-only populations (with no expansion in funding)
- Moves from a Mental Health Services Act Plan to a Behavioral Health Services Act (BHSA) Integrated Plan and adds new required Stakeholders
- Increases State control of local BHSA funds, and reduces local control of programming priorities
- Creates a \$6.3B bond to build residential settings ranging from congregate and community housing to locked facilities



Prop 1 Changes to Funding

Current MHSA Allocations

76% towards Community Services & Supports (CSS) (direct services) with at least 51% towards Full-Services Partnership (FSP)

29% towards Prevention & Early Intervention (PEI) with at least 51% towards individual under 25

5% Innovation (INN)

5% State receives for administration

Prop 1 BHSA Allocations

35% towards FSP

30% towards housing

35% towards Behavioral Health Services & Supports (BHSS) with at least 51% towards Early Intervention and 51% of that towards those under 25

3% State receives for administration

3% State receives to assist with workforce incentives

4% State receives to assist with population-based prevention

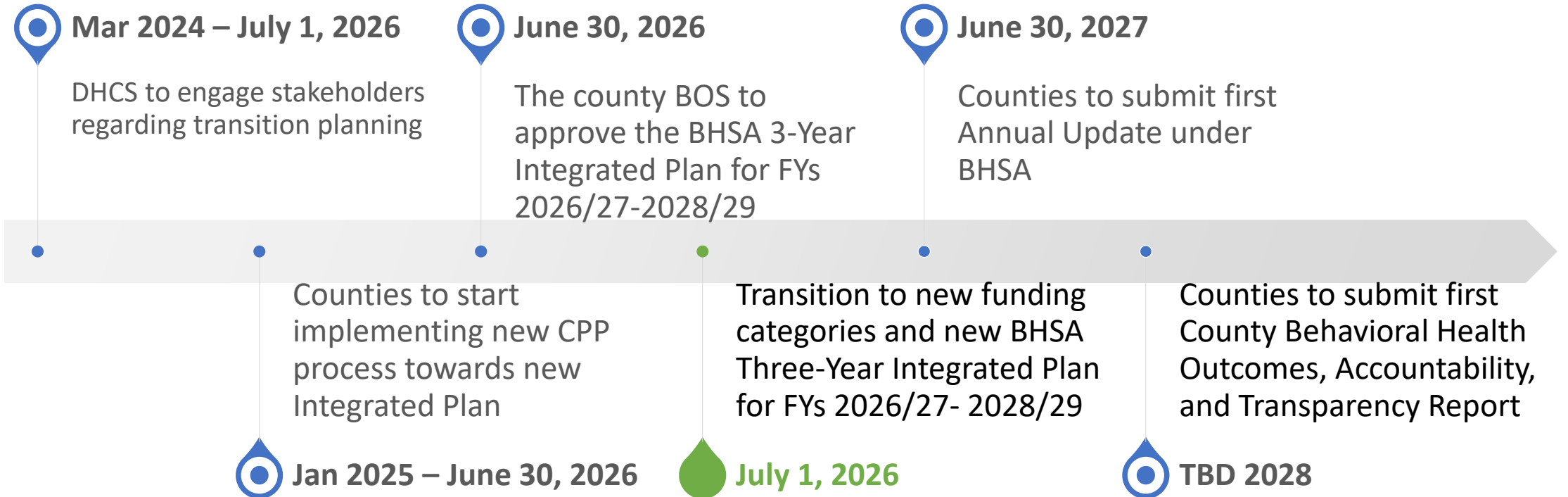


Prop 1 Impacts to Local Program

- Reduces amount of BHSA (MHSA) funding due to increase of state portion from 5% to 10%
- Shifts money for direct services to housing (FSP reduced from 76% to 35%)
- More complex Community Planning among larger required Stakeholder group
- Increases population to be served
- Increases reporting requirements



Next Steps





Questions?

PROPOSITION 1

This law proposed by Senate Bill 326 of the 2023–2024 Regular Session (Chapter 790, Statutes of 2023) and Assembly Bill 531 of the 2023–2024 Regular Session (Chapter 789, Statutes of 2023) is submitted to the people in accordance with the provisions of Section 10 of Article II of, and Article XVI of, the California Constitution. This proposed law amends and adds sections to the Welfare and Institutions Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

PROVISIONS PROPOSED BY CHAPTER 790 OF THE STATUTES OF 2023

SECTION 1. The people of the State of California hereby find and declare all of the following:

- (a) One in 20 adults in California is living with a serious mental illness (SMI). One in 13 children in California has a serious emotional disturbance (SED) and 30 percent of youth 12 to 24 years of age experience serious psychological distress.
- (b) One in 10 Californians meet the criteria for a substance use disorder.
- (c) The number of amphetamine-related emergency department (ED) visits increased nearly 50 percent between 2018 and 2020, while the number of non-heroin-related opioid ED visits, including fentanyl ED visits, more than doubled in the same period. Data shows a 121% increase in opioid deaths between 2019 and 2021.
- (d) Nationally, suicide rates among youth between 10 and 18 years of age have increased. Hospitals have reported a significant increase in the number of adolescents seeking psychiatric treatment in emergency departments.
- (e) Veterans have a higher rate of suicide than the general population and experience higher rates of mental illness or substance abuse disorder. In 2020, there were over 10,000 Californian veterans experiencing homelessness.
- (f) Recent research from the University of California, San Francisco found that the majority of homeless Californians (82%) reported a period in their life where they experienced a serious mental health condition. More than one quarter (27%) had been hospitalized for a mental health condition. Nearly two-thirds (65%) reported having had a period in their life in which they regularly used illicit drugs.
- (g) California's behavioral health care system must serve the state's diversity of people, families, and communities and reduce gaps in access and outcomes for all—including gaps due to geography, age, gender, race, ethnicity, or other factors identified by data.

(h) Research shows that incarcerating the mentally ill is counterproductive to rehabilitation and long-term public safety due to recidivism. It costs \$100,000 per person to incarcerate an estimated 150,000 people who are mentally ill; treatment provides far better outcomes at far less cost.

(i) The limited availability of community-based care facilities to support rehabilitation and recovery contributes to the growing crisis of homelessness and incarceration among those living with a mental health disorder. Research indicates that the state has a shortage of over 2,700 subacute and nearly 3,000 community residential beds. This shortage leads to huge increases in emergency department visits for mental health treatment at a very high cost.

SEC. 2. The purposes and intent in enacting this act are as follows:

- (a) In 2004, California voters passed Proposition 63, the Mental Health Services Act (MHSA) to expand mental health support and services in California communities.
- (b) The time has come to modernize the MHSA to focus funds where they are most needed: expanding services to include treatment for those with substance use disorders and prioritizing care for those with the most serious mental illness, including the disproportionate number experiencing unsheltered homelessness.
- (c) Reforms will provide guaranteed, ongoing resources for housing for those needing behavioral health services and continuing support for prevention and early intervention. This includes taking a whole person approach that is streamlined and seamless in service delivery, and supports the individual's recovery and well-being.
- (d) Reforms will require strict accountability measures to ensure funds are focused on outcomes for all California families and communities and provide transparency for the public, utilizing all available behavioral health fund sources that local governments have at their disposal. Strong oversight will ensure investments are being made in effective, equitable and high-quality care.
- (e) Reforms will provide funding for a robust behavioral health workforce, including thousands of counselors and psychologists. The state will lead efforts to recruit, train, and create pathways to high-quality jobs that can meet the growing and changing behavioral health care needs of Californians.
- (f) Reforms will provide ongoing funding to build and sustain the necessary treatment centers and professional workforce to treat people with mental illness to avoid incarceration.
- (g) Reforms will include bond funding that is intended to build more than 10,000 new treatment beds and supportive housing. Over 100,000 people per year with behavioral health conditions will get treatment, including those experiencing homelessness, veterans, and youth.

(h) The bond will dedicate funding for veterans experiencing challenges with mental health or substance abuse and homelessness.

(i) Overall, this measure strengthens the continuum of care for all Californians and especially the most vulnerable. It provides substantial state investment, improves statewide accountability, and increases Californians' access to behavioral health services.

SEC. 14. Section 5604 of the Welfare and Institutions Code is amended to read:

5604. (a) (1) Each community mental health service shall have a mental health board consisting of 10 to 15 members, depending on the preference of the county, appointed by the governing body, except that boards in counties with a population of fewer than 80,000 may have a minimum of five members. A county with more than five supervisors shall have at least the same number of members as the size of its board of supervisors. This section does not limit the ability of the governing body to increase the number of members above 15.

(2) (A) The board shall serve in an advisory role to the governing body, and one member of the board shall be a member of the local governing body. Local mental health boards may recommend appointees to the county supervisors. The board membership should reflect the diversity of the client population in the county to the extent possible.

(B) Fifty percent of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.

(C) (i) In counties with a population of 100,000 or more, at least one member of the board shall be a veteran or veteran advocate. In counties with a population of fewer than 100,000, the county shall give a strong preference to appointing at least one member of the board who is a veteran or a veteran advocate.

(ii) To comply with clause (i), a county shall notify its county veterans service officer about vacancies on the board, if a county has a veterans service officer.

(D) In addition to the requirements in subparagraphs (B) and (C), counties are encouraged to appoint individuals who have experience with, and knowledge of, the mental health system. This would include members of the community that engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service providers.

(3) (A) In counties with a population that is fewer than 80,000, at least one member shall be a consumer and at least one member shall be a parent, spouse, sibling,

or adult child of a consumer who is receiving, or has received, mental health services.

(B) Notwithstanding subparagraph (A), a board in a county with a population that is fewer than 80,000 that elects to have the board exceed the five-member minimum permitted under paragraph (1) shall be required to comply with paragraph (2).

(b) The mental health board shall review and evaluate the local public mental health system, pursuant to Section 5604.2, and advise the governing body on community mental health services delivered by the local mental health agency or local behavioral health agency, as applicable.

(c) The term of each member of the board shall be for three years. The governing body shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year.

(d) If two or more local agencies jointly establish a community mental health service pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the mental health board for the community mental health service shall consist of an additional two members for each additional agency, one of whom shall be a consumer or a parent, spouse, sibling, or adult child of a consumer who has received mental health services.

(e) (1) Except as provided in paragraph (2), a member of the board or the member's spouse shall not be a full-time or part-time county employee of a county mental health service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of the governing body of, a mental health contract agency.

(2) A consumer of mental health services who has obtained employment with an employer described in paragraph (1) and who holds a position in which the consumer does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the board. The member shall abstain from voting on any financial or contractual issue concerning the member's employer that may come before the board.

(f) Members of the board shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

(g) If it is not possible to secure membership as specified in this section from among persons who reside in the county, the governing body may substitute representatives of the public interest in mental health who are not full-time or part-time employees of the county mental health service, the State Department of Health Care Services, or on the staff of, or a paid member of the governing body of, a mental health contract agency.

(h) The mental health board may be established as an advisory board or a commission, depending on the preference of the county.

(i) For purposes of this section, “veteran advocate” means either a parent, spouse, or adult child of a veteran, or an individual who is part of a veterans organization, including the Veterans of Foreign Wars or the American Legion.

(j) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of January 1, 2026, is repealed.*

SEC. 15. Section 5604 is added to the Welfare and Institutions Code, to read:

5604. (a) (1) (A) *Each community mental health service shall have a behavioral health board consisting of 10 to 15 members, depending on the preference of the county, appointed by the governing body, except that a board in a county with a population of fewer than 80,000 may have a minimum of 5 members.*

(B) *A county with more than five supervisors shall have at least the same number of members as the size of its board of supervisors.*

(C) *This section does not limit the ability of the governing body to increase the number of members above 15.*

(2) (A) (i) *The board shall serve in an advisory role to the governing body, and one member of the board shall be a member of the local governing body.*

(ii) *Local behavioral health boards may recommend appointees to the county supervisors.*

(iii) *The board membership shall reflect the diversity of the client population in the county to the extent possible.*

(B) (i) *Fifty percent of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services. At least one of these members shall be an individual who is 25 years of age or younger.*

(ii) *At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.*

(C) (i) *In a county with a population of 100,000 or more, at least one member of the board shall be a veteran or veteran advocate. In a county with a population of fewer than 100,000, the county shall give a strong preference to appointing at least one member of the board who is a veteran or a veteran advocate.*

(ii) *To comply with clause (i), a county shall notify its county veterans service officer about vacancies on the board, if the county has a veterans service officer.*

(D) (i) *At least one member of the board shall be an employee of a local education agency.*

(ii) *To comply with clause (i), a county shall notify its county office of education about vacancies on the board.*

(E) (i) *In addition to the requirements in subparagraphs (B), (C), and (D), counties are encouraged to appoint*

individuals who have experience with, and knowledge of, the behavioral health system.

(ii) *This would include members of the community who engage with individuals living with mental illness or substance use disorder in the course of daily operations, such as representatives of county offices of education, large and small businesses, hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service providers.*

(3) (A) *In counties with a population that is fewer than 80,000, at least one member shall be a consumer and at least one member shall be a parent, spouse, sibling, or adult child of a consumer who is receiving, or has received, mental health or substance use disorder treatment services.*

(B) *Notwithstanding subparagraph (A), a board in a county with a population that is fewer than 80,000 that elects to have the board exceed the five-member minimum permitted under paragraph (1) shall be required to comply with paragraph (2).*

(b) (1) *The behavioral health board shall review and evaluate the local public mental health system, pursuant to Section 5604.2, and review and evaluate the local public substance use disorder treatment system.*

(2) *The behavioral health board shall advise the governing body on community mental health and substance use disorder services delivered by the local mental health agency or local behavioral health agency, as applicable.*

(c) (1) *The term of each member of the board shall be for three years.*

(2) *The governing body shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year.*

(d) *If two or more local agencies jointly establish a community mental health service pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the behavioral health board for the community mental health service shall consist of an additional two members for each additional agency, one of whom shall be a consumer or a parent, spouse, sibling, or adult child of a consumer who has received mental health or substance use disorder treatment services.*

(e) (1) *Except as provided in paragraph (2), a member of the board or the member’s spouse shall not be a full-time or part-time county employee of a county mental health and substance use disorder service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of the governing body of, a mental health or substance use disorder contract agency.*

(2) (A) *A consumer of behavioral health services who has obtained employment with an employer described in paragraph (1) and who holds a position in which the consumer does not have an interest, influence, or*

authority over a financial or contractual matter concerning the employer may be appointed to the board.

(B) The member shall abstain from voting on a financial or contractual issue concerning the member's employer that may come before the board.

(f) Members of the board shall abstain from voting on an issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

(g) If it is not possible to secure membership as specified in this section from among persons who reside in the county, the governing body may substitute representatives of the public interest in behavioral health who are not full-time or part-time employees of the county behavioral health service, the State Department of Health Care Services, or on the staff of, or a paid member of the governing body of, a behavioral health contract agency.

(h) The behavioral health board may be established as an advisory board or a commission, depending on the preference of the county.

(i) For purposes of this section, "veteran advocate" means either a parent, spouse, or adult child of a veteran, or an individual who is part of a veterans organization, including the Veterans of Foreign Wars or the American Legion.

(j) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 18. Section 5604.2 of the Welfare and Institutions Code is amended to read:

5604.2. (a) The local mental health board shall do all of the following:

(1) Review and evaluate the community's public mental health needs, services, facilities, and special problems in any facility within the county or jurisdiction where mental health evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.

(2) Review any county agreements entered into pursuant to Section 5650. The local mental health board may make recommendations to the governing body regarding concerns identified within these agreements.

(3) Advise the governing body and the local mental health director as to any aspect of the local mental health program. Local mental health boards may request assistance from the local patients' rights advocates when reviewing and advising on mental health evaluations or services provided in public facilities with limited access.

(4) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. Involvement shall include individuals with lived experience of mental illness and their families, community members, advocacy organizations, and mental health professionals. It shall also include

other professionals that interact with individuals living with mental illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.

(5) Submit an annual report to the governing body on the needs and performance of the county's mental health system.

(6) Review and make recommendations on applicants for the appointment of a local director of mental health services. The board shall be included in the selection process prior to the vote of the governing body.

(7) Review and comment on the county's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.

(8) This part does not limit the ability of the governing body to transfer additional duties or authority to a mental health board.

(b) It is the intent of the Legislature that, as part of its duties pursuant to subdivision (a), the board shall assess the impact of the realignment of services from the state to the county, on services delivered to clients and on the local community.

(c) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of January 1, 2026, is repealed.

SEC. 19. Section 5604.2 is added to the Welfare and Institutions Code, to read:

5604.2. (a) The local behavioral health board shall do all of the following:

(1) Review and evaluate the community's public behavioral health needs, services, facilities, and special problems in a facility within the county or jurisdiction where mental health or substance use disorder evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.

(2) (A) Review county agreements entered into pursuant to Section 5650.

(B) The local behavioral health board may make recommendations to the governing body regarding concerns identified within these agreements.

(3) (A) Advise the governing body and the local behavioral health director as to any aspect of the local behavioral health systems.

(B) Local behavioral health boards may request assistance from the local patients' rights advocates when reviewing and advising on mental health or substance use disorder evaluations or services provided in public facilities with limited access.

(4) (A) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.

(B) Involvement shall include individuals with lived experience of mental illness, substance use disorder, or

both, and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illnesses or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, public safety, local business owners, social services, older adults, transportation, and veterans.

(5) Submit an annual report to the governing body on the needs and performance of the county's behavioral health system.

(6) (A) Review and make recommendations on applicants for the appointment of a local director of behavioral health services.

(B) The board shall be included in the selection process prior to the vote of the governing body.

(7) Review and comment on the county's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.

(8) This part does not limit the ability of the governing body to transfer additional duties or authority to a behavioral health board.

(b) It is the intent of the Legislature that, as part of its duties pursuant to subdivision (a), the board shall assess the impact of the realignment of services from the state to the county on services delivered to clients and on the local community.

(c) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 20. Section 5604.3 of the Welfare and Institutions Code is amended to read:

5604.3. (a) The board of supervisors may pay from any available funds the actual and necessary expenses of the members of the mental health board of a community mental health service incurred incident to the performance of their official duties and functions. The expenses may include travel, lodging, childcare, and meals for the members of an advisory board while on official business as approved by the director of the local mental health program.

(b) Governing bodies are encouraged to provide a budget for the local mental health board, using planning and administrative revenues identified in subdivision (c) of Section 5892, that is sufficient to facilitate the purpose, duties, and responsibilities of the local mental health board.

(c) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of January 1, 2026, is repealed.

SEC. 21. Section 5604.3 is added to the Welfare and Institutions Code, to read:

5604.3. (a) (1) The board of supervisors may pay from available funds the actual and necessary expenses of the members of the behavioral health board of a community mental health service incurred incident to the performance of their official duties and functions.

(2) The expenses may include travel, lodging, childcare, and meals for the members of the board while on official business as approved by the director of the local behavioral health program.

(b) Governing bodies are encouraged to provide a budget for the local behavioral health board using planning and administrative revenues identified in paragraph (1) of subdivision (e) of Section 5892, that is sufficient to facilitate the purpose, duties, and responsibilities of the local behavioral health board.

(c) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 22. Section 5604.5 of the Welfare and Institutions Code is amended to read:

5604.5. The local mental health board shall develop bylaws to be approved by the governing body which shall do all of the following:

(a) Establish the specific number of members on the mental health board, consistent with subdivision (a) of Section 5604.

(b) Ensure that the composition of the mental health board represents and reflects the diversity and demographics of the county as a whole, to the extent feasible.

(c) Establish that a quorum be one person more than one-half of the appointed members.

(d) Establish that the chairperson of the mental health board be in consultation with the local mental health director.

(e) Establish that there may be an executive committee of the mental health board.

(f) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of January 1, 2026, is repealed.

SEC. 23. Section 5604.5 is added to the Welfare and Institutions Code, to read:

5604.5. The local behavioral health board shall develop bylaws to be approved by the governing body that shall do all of the following:

(a) Establish the specific number of members on the behavioral health board, consistent with subdivision (a) of Section 5604.

(b) Ensure that the composition of the behavioral health board represents and reflects the diversity and demographics of the county as a whole, to the extent feasible.

(c) *Establish that a quorum be one person more than one-half of the appointed members.*

(d) *Establish that the chairperson of the behavioral health board be in consultation with the local behavioral health director.*

(e) *Establish that there may be an executive committee of the behavioral health board.*

(f) *This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 28. Section 5614 of the Welfare and Institutions Code is amended to read:

5614. (a) The department, in consultation with the Compliance Advisory Committee that shall have representatives from relevant stakeholders, including, but not limited to, local ~~mental~~ behavioral health departments, local ~~mental~~ behavioral health boards and commissions, private and community-based providers, consumers and family members of consumers, *local educational agency representatives including, but not limited to, educators and school staff*, and advocates, shall establish a protocol for ensuring that local ~~mental~~ behavioral health departments meet statutory and regulatory requirements for the provision of publicly funded community mental health services provided under this part.

(b) The protocol shall include a procedure for review and assurance of compliance for all of the following elements, and any other ~~elements~~ *element* required in law or regulation:

(1) Financial maintenance of effort requirements provided for under Section 17608.05.

(2) Each local ~~mental~~ behavioral health board has approved procedures that ensure citizen and professional involvement in the local mental health *and substance use disorder* planning process.

(3) Children's services are funded pursuant to the requirements of Sections 5704.5 and 5704.6.

(4) The local ~~mental~~ behavioral health department complies with reporting requirements developed by the department.

(5) To the extent resources are available, the local ~~mental~~ behavioral health department maintains the program principles and the array of treatment options required under Sections 5600.2 to 5600.9, inclusive.

(6) The local ~~mental~~ behavioral health department meets the reporting required by the performance outcome systems for adults and children.

(c) (1) The protocol developed pursuant to subdivision (a) shall focus on law and regulations and shall include, but not be limited to, the items specified in subdivision (b).

(2) The protocol shall include data collection procedures so that state review and reporting may occur.

(3) The protocol shall also include a procedure for the provision of technical ~~assistance~~, *assistance* and formal decision rules and procedures for enforcement consequences when the requirements of law and regulations are not met.

(4) These standards and decision rules shall be established through the consensual stakeholder process established by the department.

(d) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of January 1, 2027, is repealed.*

SEC. 29. Section 5614 is added to the Welfare and Institutions Code, to read:

5614. (a) *The department, in consultation with the Compliance Advisory Committee that shall have representatives from relevant stakeholders, including, but not limited to, local behavioral health departments, local behavioral health boards and commissions, private and community-based providers, consumers and family members of consumers, local education agency representatives including, but not limited to, educators and school staff, and advocates, shall establish a protocol for ensuring that local behavioral health departments meet statutory and regulatory requirements for the provision of publicly funded community mental health services provided under this part.*

(b) *The protocol shall include a procedure for review and assurance of compliance for all of the following elements, and any other element required in law or regulation:*

(1) *Financial maintenance of effort requirements provided for under Section 17608.05.*

(2) *Each local behavioral health board has approved procedures that ensure citizen and professional involvement in the local mental health and substance use disorder planning process.*

(3) *Children's services are funded pursuant to the requirements of Sections 5704.5 and 5704.6.*

(4) *The local behavioral health department complies with reporting requirements developed by the department.*

(5) *To the extent resources are available, the local behavioral health department maintains the program principles and the array of treatment options required under Sections 5600.2 to 5600.9, inclusive.*

(6) *The local behavioral health department meets the reporting required by the performance outcome systems for adults and children.*

(c) (1) *The protocol developed pursuant to subdivision (a) shall focus on law and regulations and shall include, but not be limited to, the items specified in subdivision (b).*

(2) *The protocol shall include data collection procedures so that state review and reporting may occur.*

(3) *The protocol shall also include a procedure for the provision of technical assistance, and formal decision rules and procedures for enforcement consequences when the requirements of law and regulations are not met.*

(4) *These standards and decision rules shall be established through the consensual stakeholder process established by the department.*

(d) *This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 30. Section 5664 of the Welfare and Institutions Code is amended to read:

5664. (a) In consultation with the County Behavioral Health Directors Association of California, the State Department of Health Care Services, the Mental Health Services Oversight and Accountability Commission, the California Behavioral Health Planning Council, and the California Health and Human Services Agency, county behavioral health systems shall provide reports and data to meet the information needs of the state, as necessary.

(b) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall remain in effect only until January 1, 2025, and as of that date is repealed.*

SEC. 35. Section 5805 of the Welfare and Institutions Code is amended to read:

5805. (a) The State Department of Health Care Services shall require counties to use available state and matching funds for the client target population as defined in Section 5600.3 to develop a comprehensive array of services as defined in Sections 5600.6 and 5600.7.

(b) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 36. Section 5805 is added to the Welfare and Institutions Code, to read:

5805. (a) *The State Department of Health Care Services shall require counties to use funds distributed pursuant to subdivision (c) of Section 5891 for eligible adults and older adults, as defined in Section 5892, to develop a comprehensive array of services, as defined in Sections 5600.6 and 5600.7, and substance use disorder treatment services, as defined in Section 5891.5.*

(b) *A county may include services to address first episode psychosis.*

(c) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 37. Section 5806 of the Welfare and Institutions Code is amended to read:

5806. The State Department of Health Care Services shall establish service standards that ensure that members of the target population are identified, and services provided to assist them to live independently, work, and reach their potential as productive citizens. The department shall provide annual oversight of grants issued pursuant to this part for compliance with these standards. These standards shall include, but are not limited to, all of the following:

(a) A service planning and delivery process that is target population based and includes the following:

(1) Determination of the numbers of clients to be served and the programs and services that will be provided to meet their needs. The local director of mental health shall consult with the sheriff, the police chief, the probation officer, the mental health board, contract agencies, and family, client, ethnic, and citizen constituency groups as determined by the director.

(2) Plans for services, including outreach to families whose severely mentally ill adult is living with them, design of mental health services, coordination and access to medications, psychiatric and psychological services, substance abuse services, supportive housing or other housing assistance, vocational rehabilitation, and veterans' services. Plans also shall contain evaluation ~~strategies~~, *strategies* that shall consider cultural, linguistic, gender, age, and special needs of minorities in the target populations. Provision shall be made for ~~staff~~ *a workforce* with the cultural background and linguistic skills necessary to remove barriers to mental health services due to limited-English-speaking ability and cultural differences. Recipients of outreach services may include families, the public, primary care physicians, and others who are likely to come into contact with individuals who may be suffering from an untreated severe mental illness who would be likely to become homeless if the illness continued to be untreated for a substantial period of time. Outreach to adults may include adults voluntarily or involuntarily hospitalized as a result of a severe mental illness.

(3) Provision for services to meet the needs of target population clients who are physically disabled.

(4) Provision for services to meet the special needs of older adults.

(5) Provision for family support and consultation services, parenting support and consultation services, and peer support or self-help group support, where appropriate for the individual.

(6) Provision for services to be client-directed and that employ psychosocial rehabilitation and recovery principles.

(7) Provision for psychiatric and psychological services that are integrated with other services and for psychiatric and psychological collaboration in overall service planning.

(8) Provision for services specifically directed to seriously mentally ill young adults 25 years of age or younger who are homeless or at significant risk of becoming homeless. These provisions may include continuation of services that still would be received through other funds had eligibility not been terminated due to age.

(9) Services reflecting special needs of women from diverse cultural backgrounds, including supportive housing that accepts children, personal services coordinator therapeutic treatment, and substance treatment programs that address gender-specific trauma and abuse in the lives of persons with mental illness, and vocational rehabilitation programs that offer job training programs free of gender bias and sensitive to the needs of women.

(10) Provision for housing for clients that is immediate, transitional, permanent, or all of these.

(11) Provision for clients who have been suffering from an untreated severe mental illness for less than one year, and who do not require the full range of services but are at risk of becoming homeless unless a comprehensive individual and family support services plan is implemented. These clients shall be served in a manner that is designed to meet their needs.

(12) Provision for services for veterans.

(b) A client shall have a clearly designated mental health personal services coordinator who may be part of a multidisciplinary treatment team who is responsible for providing or assuring needed services. Responsibilities include complete assessment of the client's needs, development of the client's personal services plan, linkage with all appropriate community services, monitoring of the quality and followthrough of services, and necessary advocacy to ensure that the client receives those services that are agreed to in the personal services plan. A client shall participate in the development of his or her *their* personal services plan, and responsible staff shall consult with the designated conservator, if one has been appointed, and, with the consent of the client, consult with the family and other significant persons as appropriate.

(c) The individual personal services plan shall ensure that members of the target population involved in the system of care receive age-appropriate, gender-appropriate, and culturally appropriate services or appropriate services based on any characteristic listed or defined in Section 11135 of the Government Code, to the extent feasible, that are designed to enable recipients to:

(1) Live in the most independent, least restrictive housing feasible in the local community, and for clients with children, to live in a supportive housing environment that strives for reunification with their

children or assists clients in maintaining custody of their children as is appropriate.

(2) Engage in the highest level of work or productive activity appropriate to their abilities and experience.

(3) Create and maintain a support system consisting of friends, family, and participation in community activities.

(4) Access an appropriate level of academic education or vocational training.

(5) Obtain an adequate income.

(6) Self-manage their illness and exert as much control as possible over both the day-to-day and long-term decisions that affect their lives.

(7) Access necessary physical health care and maintain the best possible physical health.

(8) Reduce or eliminate serious antisocial or criminal behavior and thereby reduce or eliminate their contact with the criminal justice system.

(9) Reduce or eliminate the distress caused by the symptoms of mental illness.

(10) Have freedom from dangerous addictive substances.

(d) The individual personal services plan shall describe the service array that meets the requirements of subdivision (e), and (c) and, to the extent applicable to the individual, the requirements of subdivision (a).

(e) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 38. Section 5806 is added to the Welfare and Institutions Code, to read:

5806. (a) The State Department of Health Care Services shall establish service standards so that adults and older adults in the target population are identified and receive needed and appropriate services from qualified staff in the least restrictive environment to assist them to live independently, work, and thrive in their communities. This section shall not apply to services covered by the Medi-Cal program and services covered by a health care service plan or other insurance coverage. These standards shall include, but are not limited to, all of the following:

(1) For services funded pursuant to subdivision (a) of Section 5892, the county may consult with the stakeholders listed in paragraph (1) of subdivision (a) of Section 5963.03.

(2) (A) Outreach to adults with a serious mental illness or a substance use disorder to provide coordination and access to behavioral health services, medications, housing interventions pursuant to Section 5830, supportive services, as defined in subdivision (g) of Section 5887, and veterans' services.

(B) Service planning shall include evaluation strategies that consider cultural, linguistic, gender, age, and special needs of the target populations.

(C) Provision shall be made for a workforce with the cultural background and linguistic skills necessary to remove barriers to mental health services and substance use disorder treatment services due to limited-English-speaking ability and cultural differences.

(D) Recipients of outreach services may include families, the public, primary care physicians, hospitals, including emergency departments, behavioral health urgent care, and others who are likely to come into contact with individuals who may be suffering from either an untreated serious mental illness or substance use disorder, or both, who would likely become homeless or incarcerated if the illness continued to be untreated for a substantial period of time.

(E) Outreach to adults may include adults voluntarily or involuntarily hospitalized as a result of a serious mental illness.

(3) Provision for services for populations with identified disparities in behavioral health outcomes.

(4) Provision for full participation of the family in all aspects of assessment, service planning, and treatment, including, but not limited to, family support and consultation services, parenting support and consultation services, and peer support or self-help group support, where appropriate and when supported by the individual.

(5) Treatment for clients who have been suffering from an untreated serious mental illness or substance use disorder, or both, for less than one year and who do not require the full range of services but are at risk of becoming homeless or incarcerated unless comprehensive individual and family support services are provided consistent with the planning process specified in subdivision (d). This includes services that are available and designed to meet their needs, including housing for clients that is immediate, transitional, permanent, or all of these services.

(6) (A) Provision for services to be client-directed and to employ psychosocial rehabilitation and recovery principles.

(B) Services may be integrated with other services and may include psychiatric and psychological collaboration in overall service planning.

(7) Provision for services specifically directed to young adults 25 years of age or younger with either a serious mental illness or substance use disorder, or both, who are chronically homeless, experiencing homelessness or are at risk of homelessness, as defined in subdivision (j) of Section 5892, or experiencing first episode psychosis. These provisions may include continuation of services that still would be received through other funds had eligibility not been terminated due to age.

(8) Provision for services for frequent users of behavioral health urgent care, crisis stabilization units,

and hospitals or emergency room services as the primary resource for mental health and substance use disorder treatment.

(9) Provision for services to meet the special needs of clients who are physically disabled, clients who are intellectually or developmentally disabled, veterans, or persons of American Indian or Alaska Native descent.

(10) Provision for services to meet the special needs of women from diverse cultural backgrounds, including supportive housing that accepts children and youth, personal services coordinators, therapeutic treatment, and substance use disorder treatment programs that address gender-specific trauma and abuse in the lives of persons with either a serious mental illness or a substance use disorder, or both, and vocational rehabilitation programs that offer job training programs free of gender bias and sensitive to the needs of women.

(b) Each adult or older adult shall have a clearly designated personal services coordinator, or case manager who may be part of a multidisciplinary treatment team who is responsible for providing case management services. The personal services coordinator may be a person or entity formally designated as primarily responsible for coordinating the services accessed by the client. The client shall be provided information on how to contact their designated person or entity.

(c) A personal services coordinator shall perform all of the following:

(1) Conduct a comprehensive assessment and periodic reassessment of a client's needs. The assessment shall include all of the following:

(A) Taking the client's history.

(B) Identifying the individual's needs, including reviewing available records and gathering information from other sources, including behavioral health service providers, medical providers, family members, social workers, and others needed to form a complete assessment.

(C) Assessing the client's living arrangements, employment status, and training needs.

(2) Plan for services using information collected through the assessment. The planning process shall do all of the following:

(A) Identify the client's goals and the behavioral health, supportive, medical, educational, social, prevocational, vocational, rehabilitative, housing, or other community services needed to assist the client to reach their goals.

(B) Include active participation of the client and others in the development of the client's goals.

(C) Identify a course of action to address the client's needs.

(D) Address the transition of care when a client has achieved their goals.

(3) Assist the client in accessing needed behavioral health, supportive, medical, educational, social,

prevocational, vocational, rehabilitative, housing, or other community services.

(4) Coordinate the services the county furnishes to the client between settings of care, including appropriate discharge planning for short-term hospital and institutional stays.

(5) Coordinate the services the county furnishes to the client with the services the client receives from managed care organizations, the Medicaid fee-for-service delivery system, other human services agencies, and community and social support providers.

(6) Ensure that, in the course of coordinating care, the client's privacy is protected in accordance with all federal and state privacy laws.

(d) The county shall ensure that each provider furnishing services to clients maintains and shares, as appropriate, client health records in accordance with professional standards.

(e) The service planning process shall ensure that adults and older adults receive age-appropriate, gender-appropriate, and culturally appropriate services, or appropriate services based on a characteristic listed or defined in Section 11135 of the Government Code, to the extent feasible, that are designed to enable recipients to:

(1) (A) Live in the most independent, least restrictive housing feasible in the local community and for clients with children and youth, to live in a supportive housing environment that strives for reunification with their children and youth or assists clients in maintaining custody of their children and youth, as appropriate.

(B) Assist individuals to rejoin or return to a home that had previously been maintained with a family member or in a shared housing environment that is supportive of their recovery and stabilization.

(2) Engage in the highest level of work or productive activity appropriate to their abilities and experience.

(3) Create and maintain a support system consisting of friends, family, and participation in community activities.

(4) Access an appropriate level of academic education or vocational training.

(5) Obtain an adequate income.

(6) Self-manage their illness and exert as much control as possible over both the day-to-day and long-term decisions that affect their lives.

(7) Access necessary physical health care and maintain the best possible physical health.

(8) Reduce or eliminate serious antisocial or criminal behavior and thereby reduce or eliminate their contact with the justice system.

(9) Reduce or eliminate the distress caused by the symptoms of either serious mental illness or substance use disorder, or both.

(10) Utilize trauma-informed approaches to reduce trauma and avoid retraumatization.

(f) (1) (A) The client's clinical record shall describe the service array that meets the requirements of subdivisions (c) and (e) and, to the extent applicable to the individual, the requirements of subdivisions (a) and (b).

(B) The State Department of Health Care Services may develop and revise documentation standards for service planning to be consistent with the standards developed pursuant to paragraph (3) of subdivision (h) of Section 14184.402.

(2) Documentation of the service planning process in the client's clinical record pursuant to paragraph (1) may fulfill the documentation requirements for both the Medi-Cal program and this section.

(g) For purposes of this section, "behavioral health services" shall have the meaning as defined in subdivision (j) of Section 5892.

(h) For purposes of this section, "substance use disorder" shall have the meaning as defined in subdivision (c) of Section 5891.5.

(i) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 39. Section 5813.5 of the Welfare and Institutions Code is amended to read:

5813.5. Subject to the availability of funds from the Mental Health Services Fund, the state shall distribute funds for the provision of services under Sections 5801, 5802, and 5806 to county mental health programs. Services shall be available to adults and seniors with severe illnesses who meet the eligibility criteria in subdivisions (b) and (c) of Section 5600.3. For purposes of this act, "seniors" means older adult persons identified in Part 3 (commencing with Section 5800) of this division.

(a) Funding shall be provided at sufficient levels to ensure that counties can provide each adult and senior served pursuant to this part with the medically necessary mental health services, medications, and supportive services set forth in the applicable treatment plan.

(b) The funding shall only cover the portions of those costs of services that cannot be paid for with other funds, including other mental health funds, public and private insurance, and other local, state, and federal funds.

(c) Each county mental health program's plan shall provide for services in accordance with the system of care for adults and seniors who meet the eligibility criteria in subdivisions (b) and (c) of Section 5600.3.

(d) Planning for services shall be consistent with the philosophy, principles, and practices of the Recovery Vision for mental health consumers:

(1) To promote concepts key to the recovery for individuals who have mental illness: hope, personal empowerment, respect, social connections, self-responsibility, and self-determination.

(2) To promote consumer-operated services as a way to support recovery.

(3) To reflect the cultural, ethnic, and racial diversity of mental health consumers.

(4) To plan for each consumer's individual needs.

(e) The plan for each county mental health program shall indicate, subject to the availability of funds as determined by Part 4.5 (commencing with Section 5890) of this division, and other funds available for mental health services, adults and seniors with a severe mental illness being served by this program are either receiving services from this program or have a mental illness that is not sufficiently severe to require the level of services required of this program.

(f) Each county plan and annual update pursuant to Section 5847 shall consider ways to provide services similar to those established pursuant to the Mentally Ill Offender Crime Reduction Grant Program. Funds shall not be used to pay for persons incarcerated in state prison. Funds may be used to provide services to persons who are participating in a presentencing or postsentencing diversion program or who are on parole, probation, postrelease community supervision, or mandatory supervision. When included in county plans pursuant to Section 5847, funds may be used for the provision of mental health services under Sections 5347 and 5348 in counties that elect to participate in the Assisted Outpatient Treatment Demonstration Project Act of 2002 (Article 9 (commencing with Section 5345) of Chapter 2 of Part 1), and for the provision of services to clients pursuant to Part 8 (commencing with Section 5970).

(g) The department shall contract for services with county mental health programs pursuant to Section 5897. After November 2, 2004, the term "grants," as used in Sections 5814 and 5814.5, shall refer to those contracts.

(h) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 40. Section 5813.5 is added to the Welfare and Institutions Code, to read:

5813.5. (a) Counties shall use funds distributed pursuant to subdivision (c) of Section 5891 for the provision of behavioral health services under Sections 5801, 5802, 5806, and 5891.5 to county behavioral health programs. This part does not obligate the counties to use funds from any other source for services pursuant to this part.

(b) Services shall be available to eligible adults and older adults, as defined in Section 5892.

(c) Funding shall be provided at sufficient levels to ensure counties can provide each adult and older adult served pursuant to this part with the medically necessary mental health and substance use disorder treatment services and medications identified during

the service planning process pursuant to Section 5806, which are in the applicable client clinical record.

(1) To maximize federal financial participation in furtherance of subdivision (d) of Section 5890, a county shall submit claims for reimbursement to the State Department of Health Care Services in accordance with applicable Medi-Cal rules and procedures for a behavioral health service or supportive service eligible for reimbursement pursuant to Title XIX or XXI of the federal Social Security Act (42 U.S.C. Sec. 1396, et seq. and 1397aa, et seq.) when such service is paid, in whole or in part, using funds from the Behavioral Health Services Fund established pursuant to Section 5890.

(2) (A) To maximize funding from other sources, a county shall seek reimbursement for a behavioral health service, supportive service, housing intervention, or other related activity provided pursuant to subdivision (a) of Section 5892 that is covered by or can be paid from another available funding source, including other mental health funds, substance use disorder funds, public and private insurance, and other local, state, and federal funds. This paragraph does not require counties to exhaust other funding sources before using behavioral health services fund moneys to pay for a service or related activity.

(B) A county shall make a good faith effort to enter into contracts, single case agreements, or other agreements to obtain reimbursement with health care service plans and disability insurance plans, pursuant to Section 1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code.

(C) A county shall submit requests for prior authorization for services, request letters of agreement for payment as an out-of-network provider, and pursue other means to obtain reimbursement in accordance with state and federal laws.

(3) (A) A county may report to the Department of Managed Health Care or the Department of Insurance, as appropriate, complaints about a health plan's or a health insurer's failure to make a good faith effort to contract or enter into a single case agreement or other agreements to obtain reimbursement with the county.

(B) A county may also report to the Department of Managed Health Care or the Department of Insurance, respectively, a failure by a health plan or insurer to timely reimburse the county for services the plan or insurer must cover as required by state or federal law, including, but not limited to, Sections 1374.72 and 1374.721 of the Health and Safety Code and Sections 10144.5 and 10144.52 of the Insurance Code.

(C) Upon receipt of a complaint from a county, the Department of Managed Health Care or the Department of Insurance, as applicable, shall timely investigate the complaint.

(d) Each county behavioral health program's integrated plan pursuant to Section 5963.02 shall provide for services to eligible adults and older adults, as defined in Section 5892, in accordance with the system of care for adults and older adults.

(e) *Planning for services shall be consistent with the philosophy, principles, and practices of the Recovery Vision for behavioral health consumers:*

(1) *To promote concepts key to the recovery for individuals who have a mental illness or substance use disorder, or both: hope, personal empowerment, respect, social connections, self-responsibility, and self-determination.*

(2) *To promote consumer-operated services as a way to support recovery.*

(3) *To reflect the cultural, ethnic, and racial diversity of behavioral health consumers by addressing the inequities in behavioral health service delivery.*

(4) *To plan for each consumer's individual needs.*

(f) *The integrated plan for each county pursuant to Section 5963.02 shall indicate, subject to the availability of funds as determined by Part 4.5 (commencing with Section 5890) and other funds available for behavioral health services as defined in Section 5892, that eligible adults and older adults, as defined in Section 5892, being served by this program are either receiving services from this program or have a mental illness or substance use disorder that is not sufficiently severe to require the level of services required of this program.*

(g) (1) *Each county integrated plan and annual update pursuant to Section 5963.02 shall consider ways to provide mental health services similar to those established pursuant to the Mentally Ill Offender Crime Reduction Grant Program.*

(2) *Funds shall not be used to pay for persons incarcerated in state prison.*

(3) *Funds may be used to provide services to persons who are participating in a presentencing or postsentencing diversion program or who are on parole, probation, postrelease community supervision, or mandatory supervision or in a community reentry program.*

(4) *When included in county integrated plans pursuant to Section 5963.02, funds may be used for the provision of mental health services under Sections 5347 and 5348 in counties that elect to participate in the Assisted Outpatient Treatment Demonstration Project Act of 2002 (Article 9 (commencing with Section 5345) of Chapter 2 of Part 1) and for the provision of services to clients pursuant to Part 8 (commencing with Section 5970).*

(h) (1) *The department shall contract for services with county behavioral health programs pursuant to Section 5897.*

(2) *After November 2, 2004, the term "grants," as used in Sections 5814 and 5814.5, shall refer to those contracts.*

(i) *For purposes of this section, "behavioral health services" shall have the meaning as defined in subdivision (j) of Section 5892.*

(j) *For purposes of this section, "substance use disorder" shall have the meaning as defined in subdivision (c) of Section 5891.5.*

(k) *For purposes of this section, "substance use disorder treatment services" shall have the meaning as defined in subdivision (c) of Section 5891.5.*

(l) *For purposes of this section, "supportive services" shall have the meaning as defined in subdivision (h) of Section 5887.*

(m) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 42. Section 5830 of the Welfare and Institutions Code is amended to read:

5830. County mental health programs shall develop plans for innovative programs to be funded pursuant to paragraph (6) of subdivision (a) of Section 5892.

(a) The innovative programs shall have the following purposes:

(1) To increase access to underserved groups.

(2) To increase the quality of services, including better outcomes.

(3) To promote interagency collaboration.

(4) To increase access to services, including, but not limited to, services provided through permanent supportive housing.

(b) All projects included in the innovative program portion of the county plan shall meet the following requirements:

(1) Address one of the following purposes as its primary purpose:

(A) Increase access to underserved groups, which may include providing access through the provision of permanent supportive housing.

(B) Increase the quality of services, including measurable outcomes.

(C) Promote interagency and community collaboration.

(D) Increase access to services, which may include providing access through the provision of permanent supportive housing.

(2) Support innovative approaches by doing one of the following:

(A) Introducing new mental health practices or approaches, including, but not limited to, prevention and early intervention.

(B) Making a change to an existing mental health practice or approach, including, but not limited to, adaptation for a new setting or community.

(C) Introducing a new application to the mental health system of a promising community-driven practice or an approach that has been successful in nonmental health contexts or settings.

(D) Participating in a housing program designed to stabilize a person's living situation while also providing supportive services on site.

(c) An innovative project may affect virtually any aspect of mental health practices or assess a new or changed application of a promising approach to solving persistent, seemingly intractable mental health challenges, including, but not limited to, any of the following:

(1) Administrative, governance, and organizational practices, processes, or procedures.

(2) Advocacy.

(3) Education and training for service providers, including nontraditional mental health practitioners.

(4) Outreach, capacity building, and community development.

(5) System development.

(6) Public education efforts.

(7) Research. If research is chosen for an innovative project, the county mental health program shall consider, but is not required to implement, research of the brain and its physical and biochemical processes that may have broad applications, but that have specific potential for understanding, treating, and managing mental illness, including, but not limited to, research through the Cal-BRAIN program pursuant to Section 92986 of the Education Code or other collaborative, public-private initiatives designed to map the dynamics of neuron activity.

(8) Services and interventions, including prevention, early intervention, and treatment.

(9) Permanent supportive housing development.

(d) If an innovative project has proven to be successful and a county chooses to continue it, the project workplan shall transition to another category of funding as appropriate.

(e) County mental health programs shall expend funds for their innovation programs upon approval by the Mental Health Services Oversight and Accountability Commission.

(f) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 43. Section 5830 is added to the Welfare and Institutions Code, to read:

5830. (a) (1) *Each county shall establish and administer a program for housing interventions to serve persons who are chronically homeless or experiencing homelessness or are at risk of homelessness, as defined in Section 5892, and meet one of the following conditions:*

(A) *Eligible children and youth, as defined in Section 5892.*

(B) Eligible adults and older adults, as defined in Section 5892.

(2) Housing interventions shall not be limited to individuals enrolled in full-service partnerships pursuant to subdivision (d) of Section 5887.

(3) Housing interventions shall not be limited to individuals enrolled in Medi-Cal.

(4) Housing interventions shall not discriminate against or deny access to housing for individuals that are utilizing medications for addiction treatment or other authorized medications.

(5) Housing interventions shall comply with the core components of Housing First, as defined in subdivision (b) of Section 8255, and may include recovery housing, as defined by the federal Department of Housing and Urban Development.

(b) (1) County programs for housing interventions may include any of the following:

(A) Rental subsidies.

(B) Operating subsidies.

(C) Shared housing.

(D) Family housing for eligible children and youth who meet the criteria specified in subdivision (a).

(E) The nonfederal share for transitional rent.

(F) Other housing supports, as defined by the State Department of Health Care Services, including, but not limited to, the community supports policy guide.

(G) Capital development projects, including affordable housing, as described in paragraph (2).

(H) Project-based housing assistance, including master leasing of project-based housing.

(I) Funds pursuant to paragraph (1) of subdivision (a) of Section 5892 shall not be used for mental health and substance use disorder treatment services.

(2) (A) County programs for housing interventions may include capital development projects, under the provisions of Section 5831, to either construct or rehabilitate housing units, or both, for the persons meeting the criteria specified in subdivision (a) consistent with the State Department of Health Care Services guidelines for this purpose.

(B) The units funded pursuant to this provision shall be available in a reasonable timeframe, as specified by the State Department of Health Care Services and consistent with the county integrated plan pursuant to Section 5963.02, and shall meet a cost-per-unit threshold as specified by the State Department of Health Care Services.

(C) For purposes of this section and Section 5831, "affordable housing" includes supportive housing. "Supportive housing" has the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(3) County programs for housing interventions shall comply with all requirements specified by the State Department of Health Care Services, pursuant to

Section 5963.05, for the purposes of administering paragraphs (1) and (2).

(c) (1) To the extent that necessary federal approvals have been obtained for the Medi-Cal program to cover housing interventions and federal financial participation is available and not otherwise jeopardized, the housing interventions funds distributed pursuant to paragraph (1) of subdivision (a) of Section 5892 may be used for the nonfederal share of Medi-Cal covered housing related services. The housing intervention funds distributed pursuant to paragraph (1) of subdivision (a) of Section 5892 shall only cover the costs that cannot be paid for with Medi-Cal program funds, including costs for Medi-Cal members enrolled in a Medi-Cal managed care plan, as defined in subdivision (j) of Section 14184.101, that does not cover those services.

(2) Funds shall not be used for housing interventions covered by a Medi-Cal managed care plan, as defined in subdivision (j) of Section 14184.101.

(d) Notwithstanding any other law, a capital development project funded pursuant to this section shall not constitute a “low rent housing project,” as provided for in subdivision (e).

(e) “Low rent housing project,” as defined in Section 1 of Article XXXIV of the California Constitution, does not apply to a project that meets any of the following criteria:

(1) The project meets both of the following criteria:

(A) Is privately owned housing, receiving no ad valorem property tax exemption other than exemptions granted pursuant to subdivision (f) or (g) of Section 214 of the Revenue and Taxation Code, not fully reimbursed to all taxing entities.

(B) Not more than 49 percent of the dwellings, apartments, or other living accommodations of the development may be occupied by persons of low income.

(2) The project is privately owned housing, is not exempt from ad valorem taxation by reason of public ownership, and is not financed with direct long-term financing from a public body.

(3) The project is intended for owner-occupancy, which may include a limited-equity housing cooperative, as defined in Section 50076.5 of the Health and Safety Code, cooperative, or condominium ownership rather than for rental-occupancy.

(4) The project consists of newly constructed, privately owned, one- to four-family dwellings not located on adjoining sites.

(5) The project consists of existing dwelling units leased by the state public body from the private owner of these dwelling units.

(6) The project consists of the rehabilitation, reconstruction, improvement, or addition to, or replacement of, dwelling units of a previously existing low-rent housing project or a project previously or currently occupied by lower income households, as

defined in Section 50079.5 of the Health and Safety Code.

(7) The project consists of the acquisition, rehabilitation, reconstruction, or improvement, or any combination thereof, of a project that, prior to the date of the transaction to acquire, rehabilitate, reconstruct, or improve, or any combination thereof, was subject to a contract for federal or state public body assistance for the purpose of providing affordable housing for low-income households and maintains, or enters into, a contract for federal or state public body assistance for the purpose of providing affordable housing for low-income households.

(8) The project consists of the acquisition, rehabilitation, reconstruction, alterations work, or new construction, or a combination thereof, of lodging facilities or dwelling units using moneys received from the Behavioral Health Services Fund established pursuant to subdivision (a) of Section 5890.

(f) This section shall be implemented only to the extent that funds are provided from the Behavioral Health Services Fund for purposes of this section. This section does not obligate the counties to use funds from any other source for services pursuant to this section.

(g) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 44. Section 5831 is added to the Welfare and Institutions Code, to read:

5831. (a) (1) Notwithstanding any other law, a capital development project funded, in whole or in part, pursuant to Section 5892 shall be a use by right that shall be subject to the streamlined, ministerial review process, pursuant to subdivision (b), if it meets all of the following criteria:

(A) (i) Affordable housing shall be located in a zone where multifamily residential, office, retail, or parking are a principally permitted use. Nothing here shall be construed to limit other housing interventions pursuant to Section 5830 that conform to existing zoning.

(ii) The intent of capital development funding is to prioritize the production of housing that provides long-term housing stability.

(B) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.

(C) It satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code.

(D) It is not on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.

(E) The development will meet the following objective zoning standards, objective subdivision standards, and objective design review standards:

(i) For affordable housing, the applicable objective standards shall be those for the zone that allows residential use at a greater density between the following:

(I) The existing zoning designation for the parcel if existing zoning allows for residential use.

(II) The zoning designation for the closest parcel that allows residential use at a density deemed appropriate to accommodate housing for lower income households in that jurisdiction as specified in paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code.

(ii) The applicable objective standards shall be those in effect at the time that the development application is submitted to the local government pursuant to this article.

(iii) A development proposed pursuant to this section shall be eligible for the same density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios applicable to a project that meets the criteria specified in subparagraph (G) of paragraph (1) of subdivision (b) of Section 65915 of the Government Code.

(F) No housing units were acquired by eminent domain.

(G) The housing units will be in decent, safe, and sanitary condition at the time of their occupancy.

(H) The project meets the labor standards contained in Sections 65912.130 and 65912.131 of the Government Code.

(I) The project provides housing for individuals who meet the criteria specified in subdivision (a) of Section 5830 and their families.

(J) Affordable housing shall require long-term covenants and restrictions require the housing units to be restricted to persons who meet the criteria specified in subdivision (a) for no fewer than 30 years.

(2) (A) For purposes of this subdivision, parcels only separated by a street or highway shall be considered to be adjoined.

(B) For purposes of this subdivision, “dedicated to industrial use” means any of the following:

(i) The square footage is currently being used as an industrial use.

(ii) The most recently permitted use of the square footage is an industrial use.

(iii) The site was designated for industrial use in the latest version of a local government’s general plan adopted before January 1, 2022.

(b) The project shall be subject to the following streamlined, ministerial review process:

(1) (A) If the local government determines that a development submitted pursuant to this article is consistent with the objective planning standards specified in this article, it shall approve the development.

(B) If a local government determines that a development submitted pursuant to this article is in conflict with any of the objective planning standards specified in this article, it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the following timeframes:

(i) Within 60 days of submission of the development proposal to the local government if the development contains 150 or fewer housing units.

(ii) Within 90 days of submission of the development proposal to the local government if the development contains more than 150 housing units.

(C) If the local government fails to provide the required documentation pursuant to subparagraph (B), the development shall be deemed to satisfy the required objective planning standards.

(D) (i) For purposes of this section, a development is consistent with the objective planning standards if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(ii) For purposes of this section, a development is not in conflict with the objective planning standards solely on the basis that application materials are not included, if the application contains substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(E) The determination of whether a proposed project submitted pursuant to this section is or is not in conflict with the objective planning standards is not a “project” as defined in Section 21065 of the Public Resources Code.

(2) Design review of the development may be conducted by the local government’s planning commission or any equivalent board or commission responsible for design review. That design review shall be objective and be strictly focused on assessing compliance with criteria required for streamlined, ministerial review of projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submittal of the development to the local government, and shall be broadly applicable to developments within the jurisdiction. That design review shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development proposal to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development proposal to the local government pursuant to this section if the development contains more than 150 housing units.

(c) Division 13 (commencing with Section 21000) of the Public Resources Code shall not apply to actions taken by the Department of Housing and Community Development, the State Department of Health Care Services, or a local agency not acting as the lead agency to provide financial assistance or insurance for the development and construction of projects built pursuant to this section.

(d) The applicant shall file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located in the manner specified in subdivisions (b) and (c) of Section 21152 of the Public Resources Code.

(e) For purposes of this section, the following definitions shall apply:

(1) “Objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(2) “Use by right” means a development project that satisfies both of the following conditions:

(A) The development project does not require a conditional use permit, planned unit development permit, or other discretionary local government review.

(B) The development project is not a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(f) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 49. Section 5840 of the Welfare and Institutions Code is amended to read:

5840. (a) The State Department of Health Care Services, in coordination with counties, shall establish a program designed to prevent mental illnesses from becoming severe and disabling. The program shall emphasize improving timely access to services for underserved populations.

(b) The program shall include the following components:

(1) Outreach to families, employers, primary care health care providers, and others to recognize the early signs of potentially severe and disabling mental illnesses.

(2) Access and linkage to medically necessary care provided by county mental health programs for children with severe serious mental illness, as defined in Section 5600.3, and for adults and seniors with severe mental

illness, as defined in Section 5600.3, as early in the onset of these conditions as practicable.

(3) Reduction in stigma associated with either being diagnosed with a mental illness or seeking mental health services.

(4) Reduction in discrimination against people with mental illness.

(c) The program shall include mental health services similar to those provided under other programs that are effective in preventing mental illnesses from becoming severe, and shall also include components similar to programs that have been successful in reducing the duration of untreated severe mental illnesses and assisting people in quickly regaining productive lives.

(d) The program shall emphasize strategies to reduce the following negative outcomes that may result from untreated mental illness:

(1) Suicide.

(2) Incarcerations.

(3) School failure or dropout.

(4) Unemployment.

(5) Prolonged suffering.

(6) Homelessness.

(7) Removal of children from their homes.

(e) Prevention and early intervention funds may be used to broaden the provision of community-based mental health services by adding prevention and early intervention services or activities to these services, including prevention and early intervention strategies that address mental health needs, substance misuse or substance use disorders, or needs relating to cooccurring mental health and substance use services.

~~(f) In consultation with mental health stakeholders, and consistent with regulations from the Mental Health Services Oversight and Accountability Commission, pursuant to Section 5846, the department shall revise the program elements in Section 5840 applicable to all county mental health programs in future years to reflect what is learned about the most effective prevention and intervention programs for children, adults, and seniors.~~

~~(f) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.~~

SEC. 50. Section 5840 is added to the Welfare and Institutions Code, to read:

5840. (a) (1) Each county shall establish and administer an early intervention program that is designed to prevent mental illnesses and substance use disorders from becoming severe and disabling and to reduce disparities in behavioral health.

(2) Early intervention programs shall be funded pursuant to clause (ii) of subparagraph (A) of paragraph (3) of subdivision (a) of Section 5892.

(b) An early intervention program shall include the following components:

(1) Outreach to families, employers, primary care health care providers, behavioral health urgent care, hospitals, inclusive of emergency departments, education, including early care and learning, T-12, and higher education, and others to recognize the early signs of potentially severe and disabling mental health illnesses and substance use disorders.

(2) (A) Access and linkage to medically necessary care provided by county behavioral health programs as early in the onset of these conditions as practicable.

(B) Access and linkage to care includes the scaling of, and referral to, the Early Psychosis Intervention (EPI) Plus Program, pursuant to Part 3.4 (commencing with Section 5835), Coordinated Specialty Care, or other similar evidence-based practices and community-defined evidence practices for early psychosis and mood disorder detection and intervention programs.

(3) (A) Mental health and substance use disorder treatment services, evidence-based practices and community-defined evidence practices for similar to those provided under other programs that are effective in preventing mental health illnesses and substance use disorders from becoming severe, and components similar to programs that have been successful in reducing the duration of untreated serious mental health illnesses and substance use disorders and assisting people in quickly gaining productive lives.

(B) Mental health treatment services may include services to address first episode psychosis.

(C) Mental health and substance use disorder services shall include services that are demonstrated to be effective at meeting the cultural and linguistic needs of diverse communities.

(D) Mental health and substance use disorder services may be provided to the following eligible children and youth:

(E) Mental health and substance use services may include services that prevent, respond, or treat a behavioral health crisis.

(i) Individual children and youth at high risk for a behavioral health disorder due to experiencing trauma, as evidenced by scoring in the high-risk range under a trauma screening tool such as an adverse childhood experiences (ACEs) screening tool, involvement in the child welfare system or juvenile justice system, or experiencing homelessness.

(ii) Individual children and youth in populations with identified disparities in behavioral health outcomes.

(4) Additional components developed by the State Department of Health Care Services.

(c) (1) The State Department of Health Care Services, in consultation with the Behavioral Health Services Oversight and Accountability Commission, counties, and stakeholders, shall establish a biennial list of evidence-based practices and community-defined evidence practices that may include practices identified

pursuant to the Children and Youth Behavioral Health Initiative Act set forth in Chapter 2 (commencing with Section 5961) of Part 7.

(2) Evidence-based practices and community-defined evidence practices may focus on addressing the needs of those who decompensate into severe behavioral health conditions.

(3) Local programs utilizing evidence-based practices and community-defined evidence practices may focus on addressing the needs of underserved communities, such as BIPOC and LGBTQ+.

(4) Counties shall utilize the list to determine which evidence-based practices and community-defined evidence practices to implement locally.

(5) The State Department of Health Care Services may require a county to implement specific evidence-based and community-defined evidence practices.

(d) The early intervention program shall emphasize the reduction of the likelihood of:

(1) Suicide and self-harm.

(2) Incarcerations.

(3) School, including early childhood 0 to 5 years of age, inclusive, TK-12, and higher education, suspension, expulsion, referral to an alternative or community school, or failure to complete.

(4) Unemployment.

(5) Prolonged suffering.

(6) Homelessness.

(7) Removal of children from their homes.

(8) Overdose.

(9) Mental illness in children and youth from social, emotional, developmental, and behavioral needs in early childhood.

(e) For purposes of this section, “substance use disorder” shall have the meaning as defined in subdivision (c) of Section 5891.5.

(f) For purposes of this section, “community-defined evidence practices” is defined as an alternative or complement to evidence-based practices, that offers culturally anchored interventions that reflect the values, practices, histories, and lived-experiences of the communities they serve. These practices come from the community and the organizations that serve them and are found to yield positive results as determined by community consensus over time.

(g) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 51. Section 5840.5 of the Welfare and Institutions Code is amended to read:

5840.5. It is the intent of the Legislature that this chapter achieve all of the following:

(a) Expand the provision of high quality Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) programs at the county level in California.

(b) Increase the number of PEI programs and systems, including those utilizing community-defined practices, that focus on reducing disparities for unserved, underserved, and inappropriately served racial, ethnic, and cultural communities.

(c) Reduce unnecessary hospitalizations, homelessness, suicides, and inpatient days by appropriately utilizing community-based services and improving timely access to prevention and early intervention services.

(d) Increase participation in community activities, school attendance, social interactions, physical and primary health care services, personal bonding relationships, and rehabilitation, including employment and daily living function development for clients.

(e) Increase collaboration and coordination among primary care, mental health, and aging service providers, and reduce hesitance to seek treatment and services due to mental health stigma.

(f) Create a more focused approach for PEI requirements.

(g) Increase programmatic and fiscal oversight of county MHSA-funded PEI programs.

(h) Encourage counties to coordinate and blend funding streams and initiatives to ensure services are integrated across systems.

(i) Encourage counties to leverage innovative technology platforms.

(j) Reflect the stated goals as outlined in the PEI component of the MHSA, as stated in Section 5840.

(k) *This section shall be repealed on January 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 52. Section 5840.6 of the Welfare and Institutions Code is amended to read:

5840.6. For purposes of this chapter, the following definitions shall apply:

(a) “Commission” means the Mental Health Services Oversight and Accountability Commission established pursuant to Section 5845.

(b) “County” also includes a city receiving funds pursuant to Section 5701.5.

(c) “Prevention and early intervention funds” means funds from the Mental Health Services Fund allocated for prevention and early intervention programs pursuant to paragraph (3) of subdivision (a) of Section 5892.

(d) “Childhood trauma prevention and early intervention” refers to a program that targets children exposed to, or who are at risk of exposure to, adverse and traumatic childhood events and prolonged toxic stress in order to deal with the early origins of mental

health needs and prevent long-term mental health concerns. This may include, but is not limited to, all of the following:

(1) Focused outreach and early intervention to at-risk and in-need populations.

(2) Implementation of appropriate trauma and developmental screening and assessment tools with linkages to early intervention services to children that qualify for these services.

(3) Collaborative, strengths-based approaches that appreciate the resilience of trauma survivors and support their parents and caregivers when appropriate.

(4) Support from peer support specialists and community health workers trained to provide mental health services.

(5) Multigenerational family engagement, education, and support for navigation and service referrals across systems that aid the healthy development of children and families.

(6) Linkages to primary care health settings, including, but not limited to, federally qualified health centers, rural health centers, community-based providers, school-based health centers, and school-based programs.

(7) Leveraging the healing value of traditional cultural connections, including policies, protocols, and processes that are responsive to the racial, ethnic, and cultural needs of individuals served and recognition of historical trauma.

(8) Coordinated and blended funding streams to ensure individuals and families experiencing toxic stress have comprehensive and integrated supports across systems.

(e) “Early psychosis and mood disorder detection and intervention” has the same meaning as set forth in paragraph (2) of subdivision (b) of Section 5835 and may include programming across the age span.

(f) “Youth outreach and engagement” means strategies that target secondary school and transition age youth, with a priority on partnerships with college mental health programs that educate and engage students and provide either on-campus, off-campus, or linkages to mental health services not provided through the campus to students who are attending colleges and universities, including, but not limited to, public community colleges. Outreach and engagement may include, but is not limited to, all of the following:

(1) Meeting the mental health needs of students that cannot be met through existing education funds.

(2) Establishing direct linkages for students to community-based mental health services.

(3) Addressing direct services, including, but not limited to, increasing college mental health staff-to-student ratios and decreasing wait times.

(4) Participating in evidence-based and community-defined best practice programs for mental health services.

(5) Serving underserved and vulnerable populations, including, but not limited to, lesbian, gay, bisexual, transgender, and queer persons, victims of domestic violence and sexual abuse, and veterans.

(6) Establishing direct linkages for students to community-based mental health services for which reimbursement is available through the students' health coverage.

(7) Reducing racial disparities in access to mental health services.

(8) Funding mental health stigma reduction training and activities.

(9) Providing college employees and students with education and training in early identification, intervention, and referral of students with mental health needs.

(10) Interventions for youth with signs of behavioral or emotional problems who are at risk of, or have had any, contact with the juvenile justice system.

(11) Integrated youth mental health programming.

(12) Suicide prevention programming.

(g) "Culturally competent and linguistically appropriate prevention and intervention" refers to a program that creates critical linkages with community-based organizations, including, but not limited to, clinics licensed or operated under subdivision (a) of Section 1204 of the Health and Safety Code, or clinics exempt from clinic licensure pursuant to subdivision (c) of Section 1206 of the Health and Safety Code.

(1) "Culturally competent and linguistically appropriate" means the ability to reach underserved cultural populations and address specific barriers related to racial, ethnic, cultural, language, gender, age, economic, or other disparities in mental health services access, quality, and outcomes.

(2) "Underserved cultural populations" means those who are unlikely to seek help from any traditional mental health service because of stigma, lack of knowledge, or other barriers, including members of ethnically and racially diverse communities, members of the gay, lesbian, bisexual, and transgender communities, and veterans, across their lifespans.

(h) "Strategies targeting the mental health needs of older adults" means, but is not limited to, all of the following:

(1) Outreach and engagement strategies that target caregivers, victims of elder abuse, and individuals who live alone.

(2) Suicide prevention programming.

(3) Outreach to older adults who are isolated.

(4) Early identification programming of mental health symptoms and disorders, including, but not limited to, anxiety, depression, and psychosis.

(i) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become*

inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 53. Section 5840.6 is added to the Welfare and Institutions Code, to read:

5840.6. For purposes of this chapter, the following definitions shall apply:

(a) "County" includes a city receiving funds pursuant to Section 5701.5.

(b) "Early intervention funds" means funds from the Behavioral Health Services Fund allocated for early intervention services and programs pursuant to clause (ii) of subparagraph (A) of paragraph (3) of subdivision (a) of Section 5892.

(c) "Childhood trauma early intervention" refers to a program that targets eligible children and youth exposed to, or who are at risk of exposure to, adverse and traumatic childhood events and prolonged toxic stress in order to deal with the early origins of mental health and substance use disorder needs and prevent long-term mental health and substance use disorder concerns. This may include, but is not limited to, all of the following:

(1) *Focused outreach and early intervention to at-risk and in-need populations, including youth experiencing homelessness, justice-involved youth, LGBTQ+ youth, and child welfare-involved youth.*

(2) *Implementation of appropriate trauma and developmental screening and assessment tools with linkages to early intervention services to eligible children and youth who qualify for these services.*

(3) *Collaborative, strengths-based approaches that appreciate the resilience of trauma survivors and support their parents and caregivers when appropriate.*

(4) *Support from peer support specialists, wellness coaches, and community health workers trained to provide mental health and substance use disorder treatment services with an emphasis on culturally and linguistically tailored approaches.*

(5) *Multigenerational family engagement, education, and support for navigation and service referrals across systems that aid the healthy development of children and youth and their families.*

(6) *Collaboration with county child welfare agencies and other system partners, including Medi-Cal managed care plans, as defined in subdivision (j) of Section 14184.101, and homeless youth service providers, to address the physical and behavioral health-related needs and social needs of child-welfare-involved youth.*

(7) *Linkages to primary care health settings, including, but not limited to, federally qualified health centers, rural health centers, community-based providers, school-based health centers, school-linked providers, and school-based programs and community-based organizations specializing in serving underserved communities.*

(8) *Leveraging the healing value of traditional cultural connections and faith-based organizations, including policies, protocols, and processes that are responsive to the racial, ethnic, and cultural needs of individuals served and recognition of historical trauma.*

(9) *Blended funding streams to provide individuals and families experiencing toxic stress comprehensive and integrated supports across systems.*

(10) *Partnerships with local educational agencies and school-based behavioral health professionals to identify and address children exposed to, or who are at risk of exposure to, adverse and traumatic childhood events and prolonged toxic stress.*

(d) *“Early psychosis and mood disorder detection and intervention” has the same meaning as set forth in paragraph (2) of subdivision (b) of Section 5835 and may include programming across the age span.*

(e) *“Youth outreach and engagement” means strategies that target out-of-school youth and secondary schoolage youth, including, but not limited to, all of the following:*

(1) *Establishing direct linkages for youth to community-based mental health and substance use disorder treatment services.*

(2) *Participating in evidence-based practices and community-defined evidence programs for mental health and substance use disorder treatment services.*

(3) *Providing supports to facilitate access to services and programs, including those utilizing community-defined evidence practices, for underserved and vulnerable populations, including, but not limited to, members of ethnically and racially diverse communities, members of the LGBTQ+ communities, victims of domestic violence and sexual abuse, and veterans.*

(4) *Establishing direct linkages for students to community-based mental health and substance use disorder treatment services for which reimbursement is available through the students’ health coverage.*

(5) *Reducing racial disparities in access to mental health and substance use disorder treatment services.*

(6) *Providing school employees and students with education and training in early identification, intervention, and referral of students with mental health and substance use disorder needs.*

(7) *Strategies and programs for youth with signs of behavioral or emotional problems or substance misuse who are at risk of, or have had, contact with the child welfare or juvenile justice system.*

(8) *Integrated youth mental health and substance use disorder programming.*

(f) *“Culturally competent and linguistically appropriate intervention” refers to a program that creates critical linkages with community-based organizations, including, but not limited to, clinics licensed or operated under subdivision (a) of Section 1204 of the Health and Safety Code and clinics exempt from clinic licensure pursuant to subdivision (c) of Section 1206 of the*

Health and Safety Code. The community-based organizations include facilities and providers licensed or certified by the State Department of Health Care Services, including, but not limited to, residential substance use disorder facilities licensed pursuant to Section 11834.01 of the Health and Safety Code or certified pursuant to Section 11830.1 of the Health and Safety Code and narcotic treatment programs licensed pursuant to Section 11839 of the Health and Safety Code. Community-based organizations may also include those organizations that provide community-defined evidence practices.

(1) *“Culturally competent and linguistically appropriate” means the ability to reach underserved cultural populations and address specific barriers related to racial, ethnic, cultural, language, gender, age, economic, or other disparities in mental health and substance use disorder treatment services access, quality, and outcomes.*

(2) *“Underserved cultural populations” means those who are unlikely to seek help from providers of traditional mental health and substance use disorder services because of stigma, lack of knowledge, or other barriers, including members of ethnically and racially diverse communities, members of the LGBTQ+ communities, victims of domestic violence and sexual abuse, and veterans, across their lifespans.*

(g) *“Strategies targeting the mental health and substance use disorder needs of older adults” means, but is not limited to, all of the following:*

(1) *Outreach and engagement strategies that target caregivers, victims of elder abuse, and individuals who live alone.*

(2) *Outreach to older adults who are isolated.*

(3) *Programs for early identification of mental health disorders and substance use disorders.*

(h) *“Community-defined evidence practices” is defined as an alternative or complement to evidence-based practices, that offer culturally anchored interventions that reflect the values, practices, histories, and lived-experiences of the communities they serve. These practices come from the community and the organizations that serve them and are found to yield positive results as determined by community consensus over time.*

(i) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Service Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 54. Section 5840.7 of the Welfare and Institutions Code is amended to read:

5840.7. (a) On or before January 1, 2020, the commission shall establish priorities for the use of prevention and early intervention funds. These priorities shall include, but are not limited to, the following:

(1) *Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.*

(2) Early psychosis and mood disorder detection and intervention, and mood disorder and suicide prevention programming that occurs across the lifespan.

(3) Youth outreach and engagement strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs.

(4) Culturally competent and linguistically appropriate prevention and intervention.

(5) Strategies targeting the mental health needs of older adults.

(6) Other programs the commission identifies, with stakeholder participation, that are proven effective in achieving, and are reflective of, the goals stated in Section 5840.

(b) On or before January 1, 2020, the commission shall develop a statewide strategy for monitoring implementation of this part, including enhancing public understanding of prevention and early intervention and creating metrics for assessing the effectiveness of how prevention and early intervention funds are used and the outcomes that are achieved. The commission shall analyze and monitor the established metrics using existing data, if available, and shall propose new data collection and reporting strategies, if necessary.

(c) The commission shall establish a strategy for technical assistance, support, and evaluation to support the successful implementation of the objectives, metrics, data collection, and reporting strategy.

(d) (1) The portion of funds in the county plan relating to prevention and early intervention shall focus on the established priorities, and shall be allocated, as determined by the county, with stakeholder input. A county may include other priorities, as determined through the stakeholder process, either in place of, or in addition to, the established priorities. If the county chooses to include other programs, the plan shall include a description of why those programs are included and metrics by which the effectiveness of those programs is to be measured.

(2) Counties may act jointly to meet the requirements of this section.

(e) If the commission requires additional resources for these purposes, it may prepare a proposal for consideration by the appropriate policy committees of the Legislature.

(f) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 55. Section 5840.7 is added to the Welfare and Institutions Code, to read:

5840.7. (a) *The State Department of Health Care Services, in consultation with the Behavioral Health Services Oversight and Accountability Commission, shall establish priorities for the use of early intervention*

funds. These priorities shall include, but are not limited to, the following:

(1) *Childhood trauma early intervention to deal with the early origins of mental health and substance use disorder treatment needs, including strategies focused on eligible children and youth experiencing homelessness, justice-involved children and youth, child welfare-involved children and youth with a history of trauma, and other populations at risk of developing a mental health disorder or condition as specified in subdivision (d) of Section 14184.402 or substance use disorders. Childhood trauma early intervention services shall not be limited to individuals enrolled in the Medi-Cal program.*

(2) *Early psychosis and mood disorder detection and intervention and mood disorder programming that occurs across the lifespan.*

(3) *Outreach and engagement strategies that target early childhood 0 to 5 years of age, inclusive, out-of-school youth, and secondary school youth. Partnerships with community-based organizations and college mental health and substance use disorder programs may be utilized to implement the strategies.*

(4) *Culturally competent and linguistically appropriate interventions.*

(5) *Strategies targeting the mental health and substance use disorder needs of older adults.*

(6) *Strategies targeting the mental health needs of eligible children and youth, as defined in Section 5892, who are 0 to 5 years of age, including, but not limited to, infant and early childhood mental health consultation.*

(7) *Strategies to advance equity and reduce disparities.*

(8) *Programs that include community-defined evidence practices and evidence-based practices and mental health and substance use disorder treatment services similar to those provided under other programs that are effective in preventing mental illness and substance use disorders from becoming severe and components similar to programs that have been successful in reducing the duration of untreated severe mental illness and substance use disorders to assist people in quickly regaining productive lives.*

(9) *Other programs the State Department of Health Care Services identifies that are proven effective in preventing mental illness and substance use disorders from becoming severe and disabling, consistent with Section 5840.*

(10) *Strategies to address the needs of individuals at high risk of crisis.*

(b) (1) (A) *The portion of funds in the county plan relating to early intervention shall focus on the established priorities and shall be allocated as determined by the county with stakeholder input.*

(B) (i) *A county may include other priorities, as determined through the stakeholder process, in addition to the established priorities.*

(ii) If a county chooses to include other programs, the plan shall include a description of why those programs are included and metrics by which the effectiveness of those programs is to be measured.

(2) Counties may act jointly to meet the requirements of this section.

(c) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 56. Section 5840.8 of the Welfare and Institutions Code is amended to read:

5840.8. (a) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the commission may implement this chapter without taking regulatory action until regulations are adopted. The commission may use information notices or related communications to implement this chapter.

(b) This section shall be repealed on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 57. Section 5845 of the Welfare and Institutions Code is amended to read:

5845. (a) The Mental Health Services Oversight and Accountability Commission is hereby established to oversee Part 3 (commencing with Section 5800), the Adult and Older Adult Mental Health System of Care Act; Part 3.1 (commencing with Section 5820), Human Resources, Education, and Training Programs; Part 3.2 (commencing with Section 5830), Innovative Programs; Part 3.6 (commencing with Section 5840), Prevention and Early Intervention Programs; and Part 4 (commencing with Section 5850), the Children's Mental Health Services Act. The commission shall replace the advisory committee established pursuant to Section 5814. The commission shall consist of 16 voting members as follows:

(1) The Attorney General or the Attorney General's designee.

(2) The Superintendent of Public Instruction or the Superintendent's designee.

(3) The Chairperson of the Senate Committee on Health, the Chairperson of the Senate Committee on Human Services, or another member of the Senate selected by the President pro Tempore of the Senate.

(4) The Chairperson of the Assembly Committee on Health or another member of the Assembly selected by the Speaker of the Assembly.

(5) Two persons with a severe mental illness, a family member of an adult or senior with a severe mental illness, a family member of a child who has or has had a severe mental illness, a physician specializing in alcohol and drug treatment, a mental health professional, a county sheriff, a superintendent of a school district, a representative of a labor organization,

a representative of an employer with less than 500 employees, a representative of an employer with more than 500 employees, and a representative of a health care service plan or insurer, all appointed by the Governor. In making appointments, the Governor shall seek individuals who have had personal or family experience with mental illness. At least one person appointed pursuant to this paragraph shall have a background in auditing.

(b) Members shall serve without compensation, but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties.

(c) The term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year.

(d) In carrying out its duties and responsibilities, the commission may do all of the following:

(1) Meet at least once each quarter at any time and location convenient to the public as it may deem appropriate. All meetings of the commission shall be open to the public.

(2) Within the limit of funds allocated for these purposes, pursuant to the laws and regulations governing state civil service, employ staff, including any clerical, legal, and technical assistance necessary. The commission shall administer its operations separate and apart from the State Department of Health Care Services and the California Health and Human Services Agency.

(3) Establish technical advisory committees, such as a committee of consumers and family members.

(4) Employ all other appropriate strategies necessary or convenient to enable it to fully and adequately perform its duties and exercise the powers expressly granted, notwithstanding any authority expressly granted to an officer or employee of state government.

(5) Enter into contracts.

(6) Obtain data and information from the State Department of Health Care Services, the Office of Statewide Health Planning and Development, or other state or local entities that receive Mental Health Services Act funds, for the commission to utilize in its oversight, review, training and technical assistance, accountability, and evaluation capacity regarding projects and programs supported with Mental Health Services Act funds.

(7) Participate in the joint state-county decisionmaking process, as contained in Section 4061, for training, technical assistance, and regulatory resources to meet the mission and goals of the state's mental health system.

(8) Develop strategies to overcome stigma and discrimination, and accomplish all other objectives of Part 3.2 (commencing with Section 5830), Part 3.6 (commencing with Section 5840), and the other provisions of the Mental Health Services Act.

(9) At any time, advise the Governor or the Legislature regarding actions the state may take to improve care and services for people with mental illness.

(10) If the commission identifies a critical issue related to the performance of a county mental health program, it may refer the issue to the State Department of Health Care Services for consideration pursuant to the department's authority in Section 5655.

(11) Assist in providing technical assistance to accomplish the purposes of the Mental Health Services Act, Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) in collaboration with the State Department of Health Care Services and in consultation with the County Behavioral Health Directors Association of California.

(12) Work in collaboration with the State Department of Health Care Services and the California Behavioral Health Planning Council, and in consultation with the County Behavioral Health Directors Association of California, in designing a comprehensive joint plan for a coordinated evaluation of client outcomes in the community-based mental health system, including, but not limited to, parts listed in subdivision (a). The California Health and Human Services Agency shall lead this comprehensive joint plan effort.

(13) Establish a framework and voluntary standard for mental health in the workplace that serves to reduce mental health stigma, increase public, employee, and employer awareness of the recovery goals of the Mental Health Services Act, and provide guidance to California's employer community to put in place strategies and programs, as determined by the commission, to support the mental health and wellness of employees. The commission shall consult with the Labor and Workforce Development Agency or its designee to develop the standard.

(e) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 58. Section 5845 is added to the Welfare and Institutions Code, to read:

5845. (a) The Behavioral Health Services Oversight and Accountability Commission is hereby established to promote transformational change in California's behavioral health system through research, evaluation and tracking outcomes, and other strategies to assess and report progress. The commission shall use this information and analyses to inform the commission's grant making, identify key policy issues and emerging best practices, provide technical assistance and training, promote high-quality programs implemented, and advise the Governor and the Legislature, pursuant to the Behavioral Health Services Act and related components of California's behavioral health system. For this purpose, the commission shall collaborate with the California Health and Human Services Agency, its departments and other state entities.

(b) (1) The commission shall replace the advisory committee established pursuant to Section 5814.

(2) The commission shall consist of 27 voting members as follows:

(A) The Attorney General or the Attorney General's designee.

(B) The Superintendent of Public Instruction or the Superintendent's designee.

(C) The Chairperson of the Senate Committee on Health, the Chairperson of the Senate Committee on Human Services, or another member of the Senate selected by the President pro Tempore of the Senate, or their designee.

(D) The Chairperson of the Assembly Committee on Health, the Chairperson of the Assembly Committee on Human Services, or another Member of the Assembly selected by the Speaker of the Assembly, or their designee.

(E) (i) The following individuals, all appointed by the Governor:

(I) Two persons who have or have had a mental health disorder.

(II) Two persons who have or have had a substance use disorder.

(III) A family member of an adult or older adult who has or has had a mental health disorder.

(IV) One person who is 25 years of age or younger and has or has had a mental health disorder, substance use disorder, or cooccurring disorder.

(V) A family member of an adult or older adult who has or has had a substance use disorder.

(VI) A family member of a child or youth who has or has had a mental health disorder.

(VII) A family member of a child or youth who has or has had a substance use disorder.

(VIII) A current or former county behavioral health director.

(IX) A physician specializing in substance use disorder treatment, including the provision of medications for addiction treatment.

(X) A mental health professional.

(XI) A professional with expertise in housing and homelessness.

(XII) A county sheriff.

(XIII) A superintendent of a school district.

(XIV) A representative of a labor organization.

(XV) A representative of an employer with less than 500 employees.

(XVI) A representative of an employer with more than 500 employees.

(XVII) A representative of a health care service plan or insurer.

(XVIII) A representative of an aging or disability organization.

(XIX) A person with knowledge and experience in community-defined evidence practices and reducing behavioral health disparities.

(XX) A representative of a children and youth organization.

(XXI) A veteran or a representative of a veterans organization.

(ii) In making appointments, the Governor shall seek individuals who have had personal or family experience with mental illness or substance use disorder.

(c) Members shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties.

(d) The term of each member shall be three years, to be staggered so that approximately one-third of the appointments expire in each year.

(e) (1) The commission shall have an Executive Director.

(2) The Executive Director will be responsible for management over the administrative, fiscal, and program performance of the commission.

(3) The Executive Director shall be selected by the commission.

(f) In carrying out its duties and responsibilities, the commission may do all of the following:

(1) (A) Meet at least once each quarter at a time and location convenient to the public as it may deem appropriate.

(B) All meetings of the commission shall be open to the public.

(2) Within the limit of funds allocated for these purposes, pursuant to the laws and regulations governing state civil service, employ staff, including clerical, legal, and technical assistance, as necessary.

(3) The commission shall administer its operations separate and apart from the State Department of Health Care Services and the California Health and Human Services Agency.

(4) Establish technical advisory committees, such as a committee of consumers and family members, and a reducing disparities committee focusing on demographic, geographic, and other communities. The commission may provide pertinent information gained from those committees to relevant state agencies and departments, including, but not limited to, the California Health and Human Services Agency and its departments.

(5) Employ all other appropriate strategies necessary or convenient to enable it to fully and adequately perform its duties and exercise the powers expressly granted, notwithstanding authority expressly granted to an officer or employee of state government.

(6) Enter into contracts.

(7) Make reasonable requests for data and information to the State Department of Health Care Services, the Department of Health Care Access and Information, the State Department of Public Health, or other state and local entities that receive Behavioral Health Services Act funds. These entities shall respond in a timely manner and provide information and data in their possession that the commission deems necessary for the purposes of carrying out its responsibilities.

(8) Participate in the joint state-county decisionmaking process, as described in Section 4061, for training, technical assistance, and regulatory resources to meet the mission and goals of the state's mental health system.

(9) Identify best practices to overcome stigma and discrimination, in consultation with the State Department of Public Health.

(10) At any time, advise the Governor or the Legislature regarding actions the state may take to improve care and services for people with mental illness or substance use disorder.

(11) If the commission identifies a critical issue related to the performance of a county mental health program, it may refer the issue to the State Department of Health Care Services pursuant to Section 5655 or 5963.04.

(12) Provide technical assistance to counties on implementation planning, training, and capacity building investments as defined by the State Department of Health Care Services and in consultation with the County Behavioral Health Directors Association of California. Technical assistance may also include innovative behavioral health models of care and innovative promising practices pursuant to subparagraph (A) of paragraph (4) of subdivision (a) of Section 5892. Technical assistance may also include compiling and publishing a list of innovative behavioral health models of care programs and promising practices for each of the programs set forth in subparagraphs (1), (2), and (3) of subdivision (a) of Section 5892.

(13) Work in collaboration with the State Department of Health Care Services to define the parameters of a report that includes recommendations for improving and standardizing promising practices across the state based on the technical assistance provided to counties as specified in paragraph (12). The commission shall prepare and publish the report on its internet website. In formulating this report, the commission shall prioritize the perspectives of the California behavioral health community through a robust public engagement process with a focus on priority populations and diverse communities.

(14) Establish a framework and voluntary standard for mental health in the workplace that serves to reduce mental health stigma, increase public, employee, and employer awareness of the recovery goals of the Mental Health Services Act, and provide guidance to California's employer community to put in place strategies and programs, as determined by the

commission, to support the mental health and wellness of employees. The commission shall consult with the Labor and Workforce Development Agency or its designee to develop the standard.

(g) (1) The commission shall work in collaboration with the State Department of Health Care Services and the California Behavioral Health Planning Council, and in consultation with the County Behavioral Health Directors Association of California, to write a report that includes recommendations for improving and standardizing promising practices for Behavioral Health Services Act programs.

(2) The commission shall complete the report and provide a written report on its internet website no later than January 1, 2030, and every three years thereafter.

(h) For purposes of this section, “substance use disorder” shall have the meaning as defined in subdivision (c) of Section 5891.5.

(i) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 59. Section 5845.1 is added to the Welfare and Institutions Code, to read:

5845.1. (a) (1) The Behavioral Health Services Act Innovation Partnership Fund is hereby created in the State Treasury.

(2) The fund shall be administered by the state for the purposes of funding a grant program administered by the Behavioral Health Services Oversight and Accountability Commission pursuant to this section and subdivision (f) of Section 5892.

(b) (1) The Behavioral Health Services Oversight and Accountability Commission shall award grants to private, public, and nonprofit partners to promote development of innovative mental health and substance use disorder programs and practices.

(2) The innovative mental health and substance use disorder programs and practices shall be designed for the following purposes:

(A) Improving Behavioral Health Services Act programs and practices funded pursuant to subdivision (a) of Section 5892 for the following groups:

(i) Underserved populations.

(ii) Low-income populations.

(iii) Communities impacted by other behavioral health disparities.

(iv) Other populations, as determined by the Behavioral Health Services Oversight and Accountability Commission.

(B) Meeting statewide Behavioral Health Services Act goals and objectives.

(3) The Behavioral Health Services Oversight and Accountability Commission, in determining the allowable uses of the funds, shall consult with the California Health and Human Services Agency and the

State Department of Health Care Services. If the Behavioral Health Services Oversight and Accountability Commission utilizes funding for population-based prevention or workforce innovation grants, the commission shall consult with the State Department of Public Health for population-based prevention innovations and the Department of Health Care Access and Information for workforce innovations.

(c) (1) The Behavioral Health Services Oversight and Accountability Commission shall submit a report to the Legislature by January 1, 2030, and every three years thereafter. The report shall cover the three-fiscal-year period immediately preceding the date of submission.

(2) The report shall include the practices funded pursuant to this section and the extent to which they accomplished the purposes specified in paragraphs (1), (2), and (3) of subdivision (b).

(3) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 62. Section 5846 of the Welfare and Institutions Code is amended to read:

5846. (a) The commission shall adopt regulations for programs and expenditures pursuant to Part 3.2 (commencing with Section 5830), for innovative programs, and Part 3.6 (commencing with Section 5840), for prevention and early intervention.

(b) Any regulations adopted by the department pursuant to Section 5898 shall be consistent with the commission’s regulations.

(c) The commission may provide technical assistance to any county mental health plan as needed to address concerns or recommendations of the commission or when local programs could benefit from technical assistance for improvement of their plans.

(d) The commission shall ensure that the perspective and participation of diverse community members reflective of California populations and others suffering from severe mental illness and their family members is a significant factor in all of its decisions and recommendations.

(e) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 63. Section 5847 of the Welfare and Institutions Code is amended to read:

5847. Integrated Plans for Prevention, Innovation, and System of Care Services.

(a) Each county mental health program shall prepare and submit a three-year program and expenditure plan, and annual updates, adopted by the county board of supervisors, to the Mental Health Services Oversight and Accountability Commission and the State Department of Health Care Services within 30 days after adoption.

(b) The three-year program and expenditure plan shall be based on available unspent funds and estimated revenue allocations provided by the state and in accordance with established stakeholder engagement and planning requirements, as required in Section 5848. The three-year program and expenditure plan and annual updates shall include all of the following:

(1) A program for prevention and early intervention in accordance with Part 3.6 (commencing with Section 5840).

(2) A program for services to children in accordance with Part 4 (commencing with Section 5850), to include a program pursuant to Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 or provide substantial evidence that it is not feasible to establish a wraparound program in that county.

(3) A program for services to adults and seniors in accordance with Part 3 (commencing with Section 5800).

(4) A program for innovations in accordance with Part 3.2 (commencing with Section 5830).

(5) A program for technological needs and capital facilities needed to provide services pursuant to Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850). All plans for proposed facilities with restrictive settings shall demonstrate that the needs of the people to be served cannot be met in a less restrictive or more integrated setting, such as permanent supportive housing.

(6) Identification of shortages in personnel to provide services pursuant to the above programs and the additional assistance needed from the education and training programs established pursuant to Part 3.1 (commencing with Section 5820).

(7) Establishment and maintenance of a prudent reserve to ensure the county program will continue to be able to serve children, adults, and seniors that it is currently serving pursuant to Part 3 (commencing with Section 5800), the Adult and Older Adult Mental Health System of Care Act, Part 3.6 (commencing with Section 5840), Prevention and Early Intervention Programs, and Part 4 (commencing with Section 5850), the Children's Mental Health Services Act, during years in which revenues for the Mental Health Services Fund are below recent averages adjusted by changes in the state population and the California Consumer Price Index.

(8) Certification by the county behavioral health director, which ensures that the county has complied with all pertinent regulations, laws, and statutes of the Mental Health Services Act, including stakeholder participation and nonsupplantation requirements.

(9) Certification by the county behavioral health director and by the county auditor-controller that the county has complied with any fiscal accountability requirements as directed by the State Department of Health Care Services, and that all expenditures are

consistent with the requirements of the Mental Health Services Act.

(c) The programs established pursuant to paragraphs (2) and (3) of subdivision (b) shall include services to address the needs of transition age youth 16 to 25 years of age, *inclusive*. In implementing this subdivision, county mental health programs shall consider the needs of transition age foster youth.

(d) Each year, the State Department of Health Care Services shall inform the County Behavioral Health Directors Association of California and the Mental Health Services Oversight and Accountability Commission of the methodology used for revenue allocation to the counties.

(e) Each county mental health program shall prepare expenditure plans pursuant to Part 3 (commencing with Section 5800) for adults and seniors, Part 3.2 (commencing with Section 5830) for innovative programs, Part 3.6 (commencing with Section 5840) for prevention and early intervention programs, and Part 4 (commencing with Section 5850) for services for children, and updates to the plans developed pursuant to this section. Each expenditure update shall indicate the number of children, adults, and seniors to be served pursuant to Part 3 (commencing with Section ~~5800~~, 5800) and Part 4 (commencing with Section ~~5850~~, 5850) and the cost per person. The expenditure update shall include utilization of unspent funds allocated in the previous year and the proposed expenditure for the same purpose.

(f) A county mental health program shall include an allocation of funds from a reserve established pursuant to paragraph (7) of subdivision (b) for services pursuant to paragraphs (2) and (3) of subdivision (b) in years in which the allocation of funds for services pursuant to subdivision (e) are not adequate to continue to serve the same number of individuals as the county had been serving in the previous fiscal year.

(g) The department shall post on its internet website the three-year program and expenditure plans submitted by every county pursuant to subdivision (a) in a timely manner.

(h) (1) Notwithstanding subdivision (a), a county that is unable to complete and submit a three-year program and expenditure plan or annual update for the 2020–21 or 2021–22 fiscal years due to the COVID-19 Public Health Emergency may extend the effective timeframe of its currently approved three-year plan or annual update to include the 2020–21 and 2021–22 fiscal years. The county shall submit a three-year program and expenditure plan or annual update to the Mental Health Services Oversight and Accountability Commission and the State Department of Health Care Services by July 1, 2022.

(2) For purposes of this subdivision, "COVID-19 Public Health Emergency" means the federal Public Health Emergency declaration made pursuant to Section 247d of Title 42 of the United States Code on January 30, 2020, entitled "Determination that a Public Health

Emergency Exists Nationwide as the Result of the 2019 Novel Coronavirus,” and any renewal of that declaration.

(i) Notwithstanding paragraph (7) of subdivision (b) and subdivision (f), a county may, during the 2020–21 and 2021–22 fiscal years, use funds from its prudent reserve for prevention and early intervention programs created in accordance with Part 3.6 (commencing with Section 5840) and for services to persons with severe mental illnesses pursuant to Part 4 (commencing with Section 5850) for the children’s system of care and Part 3 (commencing with Section 5800) for the adult and older adult system of care. These services may include housing assistance, as defined in Section 5892.5, to the target population specified in Section 5600.3.

(j) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department, without taking any further regulatory action, may implement, interpret, or make specific subdivisions (h) and (i) of this section and subdivision (i) of Section 5892 by means of all-county letters or other similar instructions.

(k) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 64. Section 5848 of the Welfare and Institutions Code is amended to read:

5848. (a) Each three-year program and expenditure plan and update shall be developed with local stakeholders, including adults and seniors with severe mental illness, families of children, adults, and seniors with severe mental illness, providers of services, law enforcement agencies, education, social services agencies, veterans, representatives from veterans organizations, providers of alcohol and drug services, health care organizations, and other important interests. Counties shall demonstrate a partnership with constituents and stakeholders throughout the process that includes meaningful stakeholder involvement on mental health policy, program planning, and implementation, monitoring, quality improvement, evaluation, and budget allocations. A draft plan and update shall be prepared and circulated for review and comment for at least 30 days to representatives of stakeholder interests and any interested party who has requested a copy of the draft plans.

(b) The mental health board established pursuant to Section 5604 shall conduct a public hearing on the draft three-year program and expenditure plan and annual updates at the close of the 30-day comment period required by subdivision (a). Each adopted three-year program and expenditure plan and update shall include any substantive written recommendations for revisions. The adopted three-year program and expenditure plan or update shall summarize and analyze the recommended revisions. The mental health board shall review the adopted plan or update and

make recommendations to the local mental health agency or local behavioral health agency, as applicable, for revisions. The local mental health agency or local behavioral health agency, as applicable, shall provide an annual report of written explanations to the local governing body and the State Department of Health Care Services for any substantive recommendations made by the local mental health board that are not included in the final plan or update.

(c) The plans shall include reports on the achievement of performance outcomes for services pursuant to Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) funded by the Mental Health Services Fund and established jointly by the State Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission, in collaboration with the County Behavioral Health Directors Association of California.

(d) Mental health services provided pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) shall be included in the review of program performance by the California Behavioral Health Planning Council required by paragraph (2) of subdivision (c) of Section 5772 and in the local mental health board’s review and comment on the performance outcome data required by paragraph (7) of subdivision (a) of Section 5604.2.

(e) The department shall annually post on its internet website a summary of the performance outcomes reports submitted by counties if clearly and separately identified by counties as the achievement of performance outcomes pursuant to subdivision (c).

(f) For purposes of this section, “substantive recommendations made by the local mental health board” means any recommendation that is brought before the board and approved by a majority vote of the membership present at a public hearing of the local mental health board that has established its quorum.

(g) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 73. Section 5852.5 of the Welfare and Institutions Code is amended to read:

5852.5. The State Department of Health Care Services, in consultation with the Mental Health Services Oversight and Accountability Commission shall review those counties that have been awarded funds to implement a comprehensive system for the delivery of mental health services to children with serious emotional disturbance and to their families or foster families to determine compliance with either of the following:

(a) The total estimated cost avoidance in all of the following categories shall equal or exceed the applications for funding award moneys:

(1) Group home costs paid by Aid to Families with Dependent Children-Foster Care (AFDC-FC) program.

(2) Children and adolescent state hospital and acute inpatient programs.

(3) Nonpublic school residential placement costs.

(4) Juvenile justice reincarcerations.

(5) Other short- and long-term savings in public funds resulting from the applications for funding award moneys.

(b) If the department determines that the total cost avoidance listed in subdivision (a) does not equal or exceed applications for funding award amounts, the department shall determine that the county that has been awarded funding shall achieve substantial compliance with all of the following goals:

(1) Total cost avoidance in the categories listed in subdivision (a) to exceed 50 percent of the applications for funding award moneys.

(2) A 20-percent reduction in out-of-county ordered placements of juvenile justice wards and social service dependents.

(3) A statistically significant reduction in the rate of recidivism by juvenile offenders.

(4) A 25-percent reduction in the rate of state hospitalization of minors from placements of special education pupils.

(5) A 10-percent reduction in out-of-county nonpublic school residential placements of special education pupils.

(6) Allow at least 50 percent of children at risk of imminent placement served by the intensive in-home crisis treatment programs, which are wholly or partially funded by applications for funding award moneys, to remain at home at least six months.

(7) Statistically significant improvement in school attendance and academic performance of seriously emotionally disturbed special education pupils treated in day treatment programs, which are wholly or partially funded by applications for funding award moneys.

(8) Statistically significant increases in services provided in nonclinic settings among agencies.

(9) Increase in ethnic minority and gender access to services proportionate to the percentage of these groups in the county's school-age population.

(c) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 74. Section 5852.5 is added to the Welfare and Institutions Code, to read:

5852.5. The State Department of Health Care Services, in consultation with the Behavioral Health Services Oversight and Accountability Commission,

shall review those counties that have been awarded funds to implement a comprehensive system for the delivery of mental health services to children with a serious emotional disturbance and to their families or foster families to determine compliance with either of the following:

(a) The total estimated cost avoidance in all of the following categories shall equal or exceed the applications for funding award moneys:

(1) Group home costs paid by Aid to Families with Dependent Children-Foster Care (AFDC-FC) program.

(2) Children and adolescent state hospital and acute inpatient programs.

(3) Nonpublic school residential placement costs.

(4) Juvenile justice reincarcerations.

(5) Other short- and long-term savings in public funds resulting from the applications for funding award moneys.

(b) If the department determines that the total cost avoidance listed in subdivision (a) does not equal or exceed applications for funding award amounts, the department shall determine that the county that has been awarded funding shall achieve substantial compliance with all of the following goals:

(1) Total cost avoidance in the categories listed in subdivision (a) to exceed 50 percent of the applications for funding award moneys.

(2) A 20-percent reduction in out-of-county ordered placements of juvenile justice wards and social service dependents.

(3) A statistically significant reduction in the rate of recidivism by juvenile offenders.

(4) A 25-percent reduction in the rate of state hospitalization of minors from placements of special education pupils.

(5) A 10-percent reduction in out-of-county nonpublic school residential placements of special education pupils.

(6) Allow at least 50 percent of children at risk of imminent placement served by the intensive in-home crisis treatment programs, which are wholly or partially funded by applications for funding award moneys, to remain at home at least six months.

(7) Statistically significant improvement in school attendance and academic performance of seriously emotionally disturbed special education pupils treated in day treatment programs that are wholly or partially funded by applications for funding award moneys.

(8) Statistically significant increases in services provided in nonclinic settings among agencies.

(9) Increase in ethnic minority and gender access to services proportionate to the percentage of these groups in the county's schoolage population.

(c) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act

are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 75. Section 5868 of the Welfare and Institutions Code is amended to read:

5868. (a) The State Department of Health Care Services shall establish service standards that ensure that children in the target population are identified and receive needed and appropriate services from qualified staff in the least restrictive environment.

(b) The standards shall include, but not be limited to:

(1) Providing a comprehensive assessment and treatment plan for each target population client to be served, and developing programs and services that will meet their needs and facilitate client outcome goals.

(2) Providing for full participation of the family in all aspects of assessment, case planning, and treatment.

(3) Providing methods of assessment and services to meet the cultural, linguistic, and special needs of minorities in the target population.

(4) Providing for staff with the cultural background and linguistic skills necessary to remove barriers to mental health services resulting from a limited ability to speak English or from cultural differences.

(5) Providing mental health case management for all target population clients in, or being considered for, out-of-home placement.

(6) Providing mental health services in the natural environment of the child to the extent feasible and appropriate.

(c) The responsibility of the case managers shall be to ensure that each child receives the following services:

(1) A comprehensive mental health assessment.

(2) Case planning with all appropriate interagency participation.

(3) Linkage with all appropriate mental health services.

(4) Service plan monitoring.

(5) Client advocacy to ensure the provision of needed services.

(d) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 76. Section 5868 is added to the Welfare and Institutions Code, to read:

5868. (a) *The State Department of Health Care Services shall establish service standards so that children and youth in the target population are identified and receive needed and appropriate services from qualified staff in the least restrictive environment to correct or ameliorate their behavioral health condition. This section shall not apply to services covered by the Medi-Cal program and services covered by a health care service plan or other insurance coverage.*

(b) *These standards shall include, but are not limited to, all of the following:*

(1) *For services funded pursuant to subdivision (a) of Section 5892, the county may consult with the stakeholders listed in paragraph (1) of subdivision (a) of Section 5963.03.*

(2) (A) *Outreach to families with a child or youth with a serious emotional disturbance or a substance use disorder to provide coordination and access to behavioral health services, medications, housing interventions pursuant to Section 5830, and supportive services as defined in subdivision (h) of Section 5887.*

(B) *Service planning shall include evaluation strategies that shall consider cultural, linguistic, gender, age, and special needs of the target populations.*

(C) *Provision shall be made for a workforce with the cultural background and linguistic skills necessary to remove barriers to mental health and substance use disorder treatment services due to limited-English-speaking ability and cultural differences.*

(D) *Recipients of outreach services may include families, the public, primary care physicians, hospitals inclusive of emergency departments, behavioral health urgent care, and others who are likely to come into contact with individuals who may be suffering from either an untreated serious emotional disturbance or substance use disorder, or both, who would likely become homeless or incarcerated if the illness continued to be untreated for a substantial period of time.*

(3) *Provision for services for populations with identified disparities in behavioral health outcomes.*

(4) *Provision for full participation of the family in all aspects of assessment, service planning, and treatment, including, but not limited to, family support and consultation services, parenting support and consultation services, and peer support or self-help group support, where appropriate for the individual.*

(5) *Provision for clients who have been suffering from an untreated serious emotional disturbance or substance use disorder, or both, for less than one year and who do not require the full range of services but are at risk of becoming homeless or justice involved unless a comprehensive individual and family support services plan is implemented. These clients shall be served in a manner that is designed to meet their needs, including housing for clients that is immediate, transitional, permanent, or all of these.*

(6) *Provision for services to be client-directed, to use psychosocial rehabilitation and recovery principles, and to be integrated with other services.*

(7) *Provision for psychiatric and psychological collaboration in overall service planning.*

(8) *Provision for services specifically directed to children and youth experiencing first episode psychosis.*

(9) *Provision for services for frequent users of behavioral health urgent care, crisis stabilization units, and hospitals or emergency departments as the primary*

resource for mental health and substance use disorder treatment.

(10) Provision for services to meet the special needs of clients who are physically disabled, clients who are intellectually or developmentally disabled, or persons of American Indian or Alaska Native descent.

(c) Each child or youth shall have a clearly designated personal services coordinator or case manager who may be part of a multidisciplinary treatment team that is responsible for providing case management services. The personal services coordinator may be a person or entity formally designated as primarily responsible for coordinating the services accessed by the client. The client shall be provided information on how to contact their designated person or entity.

(d) A personal services coordinator shall perform all of the following:

(1) Conduct a comprehensive assessment and periodic reassessment of a client's needs. The assessment shall include the following:

(A) Taking the client's history.

(B) Identifying the individual's needs, including reviewing available records and gathering information from other sources, including behavioral health service providers, medical providers, family members, social workers, and others needed to form a complete assessment.

(C) Assessing the client's living arrangements, employment or education status, and training needs.

(2) Plan for services using information collected through the assessment. The planning process shall do all of the following:

(A) Identify the client's goals and the behavioral health, supportive, medical, educational, social, prevocational, vocational, rehabilitative, housing, or other community services needed to assist the client to reach their goals.

(B) Include active participation of the client and others in the development of the client's goals.

(C) Identify a course of action to address the client's needs.

(D) Address the transition of care when a client has achieved their goals.

(3) Assist the client in accessing needed behavioral health, supportive, medical, educational, social, prevocational, vocational, rehabilitative, housing, or other community services.

(4) Coordinate the services the county furnishes to the client between settings of care, including appropriate discharge planning for short-term hospital and institutional stays.

(5) Coordinate the services the county furnishes to the client with the services the client receives from managed care organizations, the Medicaid fee-for-service delivery system, other human services agencies, and community and social support providers, including local educational agencies.

(6) Ensure that, in the course of coordinating care, the client's privacy is protected in accordance with all federal and state privacy laws.

(e) The county shall ensure that each provider furnishing services to clients maintains and shares, as appropriate, client health records in accordance with professional standards.

(f) The service planning process shall ensure children and youth receive age-appropriate, gender-appropriate, and culturally appropriate services or appropriate services based on a characteristic listed or defined in Section 11135 of the Government Code, to the extent feasible, that are designed to enable recipients to:

(1) (A) Live in the most independent, least restrictive housing feasible in the local community and to live in a supportive housing environment that strives for family reunification.

(B) Rejoin or return to a home they had previously maintained with a family member or in shared housing environment that is supportive of their recovery and stabilization.

(2) Engage in the highest level of educational or productive activity appropriate to their age, abilities, and experience.

(3) Create and maintain a support system consisting of friends, family, and participation in community activities.

(4) Access necessary physical health care and maintain the best possible physical health.

(5) Reduce or eliminate serious antisocial or criminal behavior and thereby reduce or eliminate their contact with the justice system.

(6) Reduce or eliminate the distress caused by the symptoms of either mental illness or substance use disorder, or both.

(7) Utilize trauma-informed approaches to reduce trauma and avoid retraumatization.

(g) (1) (A) The client's clinical record shall describe the service array that meets the requirements of subdivisions (d) and (f) and, to the extent applicable to the individual, the requirements of subdivision (a) and (b).

(B) The State Department of Health Care Services may develop and revise documentation standards for service planning to be consistent with the standards developed pursuant to paragraph (3) of subdivision (h) of Section 14184.402.

(2) Documentation of the service planning process in the client's clinical record pursuant to paragraph (1) may fulfill the documentation requirements for both the Medi-Cal program and this section.

(h) For purposes of this section, "behavioral health services" shall have the meaning as defined in Section 5892.

(i) For purposes of this section, "substance use disorder" shall have the meaning as defined in subdivision (c) of Section 5891.5.

(j) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 77. Section 5878.1 of the Welfare and Institutions Code is amended to read:

5878.1. (a) It is the intent of this article to establish programs that ensure services will be provided to severely mentally ill children as defined in Section 5878.2 and that they be part of the children's system of care established pursuant to this part. It is the intent of this act that services provided under this chapter to severely mentally ill children are accountable, developed in partnership with youth and their families, culturally competent, and individualized to the strengths and needs of each child and ~~his or her~~ *their* family.

(b) Nothing in this act shall be construed to authorize any services to be provided to a minor without the consent of the child's parent or legal guardian beyond those already authorized by existing statute.

(c) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 78. Section 5878.1 is added to the Welfare and Institutions Code, to read:

5878.1. (a) *It is the intent of this article to establish programs that ensure services will be provided to eligible children and youth, as defined in Section 5892, and that they are part of the children and youth system of care established pursuant to this part.*

(b) *It is the intent of this act that services provided under this chapter are accountable, developed in partnership with youth and their families and child welfare agencies, are culturally competent, and individualized to the strengths and needs of each child and their family.*

(c) *Nothing in this act shall be construed to authorize a service to be provided to a minor without the consent of the child's parent or legal guardian beyond those already authorized by existing statute.*

(d) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 79. Section 5878.2 of the Welfare and Institutions Code is amended to read:

5878.2. (a) For purposes of this article, ~~severely mentally ill children~~ *"children with a serious emotional disturbance"* means minors under the age of 18 years of age who meet the criteria set forth in subdivision (a) of Section 5600.3.

(b) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become*

inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 80. Section 5878.3 of the Welfare and Institutions Code is amended to read:

5878.3. (a) Subject to the availability of funds as determined pursuant to Part 4.5 (commencing with Section 5890) of this division, county mental health programs shall offer services to severely mentally ill children for whom services under any other public or private insurance or other mental health or entitlement program is inadequate or unavailable. Other entitlement programs include but are not limited to mental health services available pursuant to Medi-Cal, child welfare, and special education programs. The funding shall cover only those portions of care that cannot be paid for with public or private insurance, other mental health funds or other entitlement programs.

(b) Funding shall be at sufficient levels to ensure that counties can provide each child served all of the necessary services set forth in the applicable treatment plan developed in accordance with this part, including services where appropriate and necessary to prevent an out of home placement, such as services pursuant to Chapter 4 (commencing with Section 18250) of Part 6 of Division 9.

(c) The State Department of Health Care Services shall contract with county mental health programs for the provision of services under this article in the manner set forth in Section 5897.

(d) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 81. Section 5878.3 is added to the Welfare and Institutions Code, to read:

5878.3. (a) (1) (A) *Counties shall use funds distributed pursuant to subdivision (c) of Section 5891 to offer services to eligible children and youth, as defined in of Section 5892, for whom services under other public or private insurance or other mental health, substance use disorder, or other entitlement program is inadequate or unavailable. Counties are not required to spend funds for services pursuant to this part from any other source, including funds deposited in the mental health account of the local health and welfare fund.*

(B) *Other entitlement programs include, but are not limited to, mental health and substance use disorder treatment services available pursuant to Medi-Cal, child welfare, and special education programs.*

(C) *The funding shall cover only those portions of care that cannot be paid for with public or private insurance, other mental health and substance use disorder funds, or other entitlement programs.*

(2) *To maximize federal financial participation in furtherance of subdivision (d) of Section 5890, a county shall submit claims for reimbursement to the State*

Department of Health Care Services in accordance with applicable Medi-Cal rules and procedures for a behavioral health service or supportive service eligible for reimbursement pursuant to Title XIX or XXI of the federal Social Security Act (42 U.S.C. Sec. 1396, et seq. and 1397aa, et seq.) when such service is paid, in whole or in part, using funds from the Behavioral Health Services Fund established pursuant to Section 5890.

(3) (A) To maximize funding from other sources, a county shall seek reimbursement for a behavioral health service, supportive service, housing intervention, or other related activity provided pursuant to subdivision (a) of Section 5892 that is covered by, or can be paid from, another available funding source, including other mental health funds, substance use disorder funds, public and private insurance, and other local, state, and federal funds. This paragraph does not require counties to exhaust other funding sources before using behavioral health services fund moneys to pay for a service or related activity.

(B) A county shall make a good faith effort to enter into contracts or single case agreements with health care service plans and disability insurance plans, pursuant to Section 1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code, as a contracted provider.

(C) A county shall also submit requests for prior authorization for services, request letters of agreement for payment as an out-of-network provider, and pursue other means to obtain reimbursement in accordance with state and federal laws.

(4) (A) A county may report to the Department of Managed Health Care or the Department of Insurance, as appropriate, complaints about a health plan's or a health insurer's failure to make a good faith effort to contract or enter into a single case agreement with the county.

(B) A county may also report to the Department of Managed Health Care or the Department of Insurance, respectively, a failure by a health plan or insurer to timely reimburse the county for services the plan or insurer must cover as required by state or federal law, including, but not limited to, Sections 1374.72 and 1374.721 of the Health and Safety Code and Sections 10144.5 and 10144.52 of the Insurance Code.

(C) Upon receipt of a complaint from a county, the Department of Managed Health Care or the Department of Insurance, as applicable, shall timely investigate the complaint.

(b) (1) Funding shall be at sufficient levels to ensure counties can provide each child served all of the services determined to be necessary during the service planning process in accordance with this part, including services where appropriate and necessary to prevent an out of home placement, such as services pursuant to Chapter 4 (commencing with Section 18250) of Part 6 of Division 9.

(2) A county may use this funding to provide services to address first episode psychosis.

(c) The State Department of Health Care Services shall contract with county behavioral health programs for the provision of services under this article in the manner set forth in Section 5897.

(d) For purposes of this section, the following definitions shall apply:

(1) "Behavioral health services" shall have the meaning as defined in Section 5892.

(2) "Substance use disorder treatment services" shall have the meaning as defined in subdivision (c) of Section 5891.5.

(3) "Supportive services" shall have the meaning as defined in subdivision (h) of Section 5887.

(e) This act shall not be construed to modify or reduce a health plan's obligations under the Knox-Keene Health Care Service Plan Act of 1975.

(f) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 86. Part 4.1 (commencing with Section 5887) is added to Division 5 of the Welfare and Institutions Code, to read:

PART 4.1. FULL-SERVICE PARTNERSHIP

5887. (a) Each county shall establish and administer a full service partnership program that include the following services:

(1) Mental health services, supportive services, and substance use disorder treatment services.

(2) Assertive Community Treatment and Forensic Assertive Community Treatment fidelity, Individual Placement and Support model of Supported Employment, high fidelity wraparound, or other evidence-based services and treatment models, as specified by the State Department of Health Care Services. Counties with a population of less than 200,000 may request an exemption from these requirements. Exemption requests shall be subject to approval by the State Department of Health Care Services. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association of California on reasonable criteria for those requests and a timely and efficient exemption process.

(3) Assertive field-based initiation for substance use disorder treatment services, including the provision of medications for addiction treatment, as specified by the State Department of Health Care Services.

(4) Outpatient behavioral health services, either clinic or field based, necessary for the ongoing evaluation and stabilization of an enrolled individual.

(5) Ongoing engagement services necessary to maintain enrolled individuals in their treatment plan inclusive of clinical and nonclinical services, including services to support maintaining housing.

(6) Other evidence-based services and treatment models, as specified by the State Department of Health Care Services.

(7) The service planning process pursuant to Sections 5806 or 5868 and all services identified during the applicable process.

(8) Housing interventions pursuant to Section 5830.

(b) (1) (A) Full-service partnership services shall be provided pursuant to a whole-person approach that is trauma informed, age appropriate, and in partnership with families or an individual's natural supports.

(B) These services shall be provided in a streamlined and coordinated manner so as to reduce any barriers to services.

(2) Full-service partnership services shall support the individual in the recovery process, reduce health disparities, and be provided for the length of time identified during the service planning process pursuant to Sections 5806 and 5868.

(c) Full-service partnership programs shall employ community-defined evidence practices, as specified by the State Department of Health Care Services.

(d) (1) Full-service partnership programs shall enroll eligible adults and older adults, as defined in Section 5892, who meet the priority population criteria specified in subdivision (c) of Section 5892 and other criteria, as specified by the State Department of Health Care Services.

(2) Full-service partnership programs shall enroll eligible children and youth, as defined in Section 5892.

(e) Full-service partnership programs shall have an established standard of care with levels based on an individual's acuity and criteria for step-down into the least intensive level of care, as specified by the State Department of Health Care Services, in consultation with the Behavioral Health Services Oversight and Accountability Commission, counties, providers, and other stakeholders.

(f) All behavioral health services, as defined in subdivision (j) of Section 5891.5, and supportive services provided to a client enrolled in a full-service partnership shall be paid from the funds allocated pursuant to paragraph (2) of subdivision (a) of Section 5892, subject to Section 5891.

(g) (1) The clinical record of each client participating in a full service partnership program shall describe all services identified during the service planning process pursuant to Sections 5806 and 5868 that are provided to the client pursuant to this section.

(2) The State Department of Health Care Services may develop and revise documentation standards for service planning to be consistent with the standards developed pursuant to paragraph (3) of subdivision (h) of Section 14184.402.

(3) Documentation of the service planning process in the client's clinical record pursuant to paragraph (1)

may fulfill the documentation requirements for both the Medi-Cal program and this section.

(h) For purposes of this part, the following definitions shall apply:

(1) "Community-defined evidence practices" means an alternative or complement to evidence-based practices, that offer culturally anchored interventions that reflect the values, practices, histories, and lived-experiences of the communities they serve. These practices come from the community and the organizations that serve them and are found to yield positive results as determined by community consensus over time.

(2) "Substance use disorder treatment services" means those services as defined in subdivision (c) of Section 5891.5.

(3) "Supportive services" means those services necessary to support clients' recovery and wellness, including, but not limited to, food, clothing, linkages to needed social services, linkages to programs administered by the federal Social Security Administration, vocational and education-related services, employment assistance, including supported employment, psychosocial rehabilitation, family engagement, psychoeducation, transportation assistance, occupational therapy provided by an occupational therapist, and group and individual activities that promote a sense of purpose and community participation.

(i) This section shall be implemented only to the extent that funds are provided from the Behavioral Health Services Fund for purposes of this section. This section does not obligate the counties to use funds from any other source for services pursuant to this section.

5887.1. This part shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 87. Section 5890 of the Welfare and Institutions Code is amended to read:

5890. (a) The Mental Health Services Fund is hereby created in the State Treasury. The fund shall be administered by the state. Notwithstanding Section 13340 of the Government Code, all moneys in the fund are, except as provided in subdivision (d) of Section 5892, continuously appropriated, without regard to fiscal years, for the purpose of funding the following programs and other related activities as designated by other provisions of this division:

(1) Part 3 (commencing with Section 5800), the Adult and Older Adult Mental Health System of Care Act.

(2) Part 3.2 (commencing with Section 5830), Innovative Programs.

(3) Part 3.6 (commencing with Section 5840), Prevention and Early Intervention Programs.

(4) Part 3.9 (commencing with Section 5849.1), No Place Like Home Program.

(5) Part 4 (commencing with Section 5850), the Children's Mental Health Services Act.

(b) The establishment of this fund and any other provisions of the act establishing it or the programs funded shall not be construed to modify the obligation of health care service plans and disability insurance policies to provide coverage for mental health services, including those services required under Section 1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code, related to mental health parity. This act shall not be construed to modify the oversight duties of the Department of Managed Health Care or the duties of the Department of Insurance with respect to enforcing these obligations of plans and insurance policies.

(c) This act shall not be construed to modify or reduce the existing authority or responsibility of the State Department of Health Care Services.

(d) The State Department of Health Care Services shall seek approval of all applicable federal Medicaid approvals to maximize the availability of federal funds and eligibility of participating children, adults, and seniors for medically necessary care.

(e) Share of costs for services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) of this division, shall be determined in accordance with the Uniform Method of Determining Ability to Pay applicable to other publicly funded mental health services, unless this Uniform Method is replaced by another method of determining copayments, in which case the new method applicable to other mental health services shall be applicable to services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) of this division.

(f) (1) The Supportive Housing Program Subaccount is hereby created in the Mental Health Services Fund. Notwithstanding Section 13340 of the Government Code, all moneys in the subaccount are reserved and continuously appropriated, without regard to fiscal years, to the California Health Facilities Financing Authority to provide funds to meet its financial obligations pursuant to any service contracts entered into pursuant to Section 5849.35. Notwithstanding any other law, including any other provision of this section, no later than the last day of each month, the Controller shall, before any transfer or expenditure from the fund for any other purpose for the following month, transfer from the Mental Health Services Fund to the Supportive Housing Program Subaccount an amount that has been certified by the California Health Facilities Financing Authority pursuant to paragraph (3) of subdivision (a) of Section 5849.35, but not to exceed an aggregate amount of one hundred forty million dollars (\$140,000,000) per year. ~~If~~ *if*, in any ~~month~~ *month*, the amounts in the Mental Health Services Fund are insufficient to fully transfer to the subaccount or the amounts in the subaccount are insufficient to fully pay the amount certified by the California Health Facilities Financing Authority, the shortfall shall be carried over

to the next month, to be transferred by the Controller with any transfer required by the preceding sentence. Moneys in the Supportive Housing Program Subaccount shall not be loaned to the General Fund pursuant to Section 16310 or 16381 of the Government Code.

(2) Prior to the issuance of any bonds pursuant to Section 15463 of the Government Code, the Legislature may appropriate for transfer funds in the Mental Health Services Fund to the Supportive Housing Program Subaccount in an amount up to one hundred forty million dollars (\$140,000,000) per year. Any amount appropriated for transfer pursuant to this paragraph and deposited in the No Place Like Home Fund shall reduce the authorized but unissued amount of bonds that the California Health Facilities Financing Authority may issue pursuant to Section 15463 of the Government Code by a corresponding amount. Notwithstanding Section 13340 of the Government Code, all moneys in the subaccount transferred pursuant to this paragraph are reserved and continuously appropriated, without regard to fiscal years, for transfer to the No Place Like Home Fund, to be used for purposes of Part 3.9 (commencing with Section 5849.1). The Controller shall, before any transfer or expenditure from the fund for any other purpose for the following month but after any transfer from the fund for purposes of paragraph (1), transfer moneys appropriated from the Mental Health Services Fund to the subaccount pursuant to this paragraph in equal amounts over the following 12-month period, beginning no later than 90 days after the effective date of the appropriation by the Legislature. ~~If~~ *If*, in any ~~month~~ *month*, the amounts in the Mental Health Services Fund are insufficient to fully transfer to the subaccount or the amounts in the subaccount are insufficient to fully pay the amount appropriated for transfer pursuant to this paragraph, the shortfall shall be carried over to the next month.

(3) The sum of any transfers described in paragraphs (1) and (2) shall not exceed an aggregate of one hundred forty million dollars (\$140,000,000) per year.

(4) Paragraph (2) shall become inoperative once any bonds authorized pursuant to Section 15463 of the Government Code are issued.

(g) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 88. Section 5890 is added to the Welfare and Institutions Code, to read:

5890. (a) (1) *The Behavioral Health Services Fund is hereby created in the State Treasury.*

(2) The fund shall be administered by the state.

(3) Notwithstanding Section 13340 of the Government Code, all moneys in the fund are, except as provided in subdivision (e) of Section 5892, continuously appropriated, without regard to fiscal years, for the

purpose of funding the programs, services, and other related activities as specified in Section 5892 and Part 3.9 (commencing with Section 5849.1), the No Place Like Home Program.

(b) (1) The establishment of this fund and other provisions of the act establishing it or the programs funded shall not be construed to modify the obligation of health care service plans and disability insurance policies to provide coverage for behavioral health services, including those services required under Section 1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code, related to mental health and substance use disorder parity.

(2) This act does not modify the oversight duties of the Department of Managed Health Care or the duties of the Department of Insurance with respect to enforcing these obligations of plans and insurance policies.

(c) This act does not modify or reduce the existing authority or responsibility of the State Department of Health Care Services.

(d) The State Department of Health Care Services shall seek approval of all applicable federal Medicaid approvals to maximize the availability of federal funds and eligibility of participating children and youth, adults, and older adults for medically necessary care.

(e) Share of costs for services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) shall be determined in accordance with the Uniform Method of Determining Ability to Pay applicable to other publicly funded mental health and substance use disorder treatment services, unless this uniform method is replaced by another method of determining copayments, in which case the new method applicable to other mental health and substance use disorder treatment services shall be applicable to services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850).

(f) (1) (A) The Supportive Housing Program Subaccount is hereby created in the Behavioral Health Services Fund.

(B) Notwithstanding Section 13340 of the Government Code, all moneys in the subaccount are reserved and continuously appropriated, without regard to fiscal years, to the California Health Facilities Financing Authority to provide funds to meet its financial obligations pursuant to service contracts entered into pursuant to Section 5849.35.

(C) Notwithstanding any other law, including any other provision of this section, no later than the last day of each month, the Controller shall, before any transfer or expenditure from the fund for any other purpose for the following month, transfer from the Behavioral Health Services Fund to the Supportive Housing Program Subaccount an amount that has been certified by the California Health Facilities Financing Authority pursuant to paragraph (3) of subdivision (a) of Section 5849.35 but not to exceed an aggregate amount of one hundred forty million dollars (\$140,000,000) per year.

(D) If, in any month, the amounts in the Behavioral Health Services Fund are insufficient to fully transfer to the subaccount or the amounts in the subaccount are insufficient to fully pay the amount certified by the California Health Facilities Financing Authority, the shortfall shall be carried over to the next month, to be transferred by the Controller with any transfer required by the preceding sentence.

(E) Moneys in the Supportive Housing Program Subaccount shall not be loaned to the General Fund pursuant to Section 16310 or 16381 of the Government Code.

(2) (A) Prior to the issuance of any bonds pursuant to Section 15463 of the Government Code, the Legislature may appropriate for transfer funds in the Behavioral Health Services Fund to the Supportive Housing Program Subaccount in an amount up to one hundred forty million dollars (\$140,000,000) per year.

(B) Any amount appropriated for transfer pursuant to this paragraph and deposited in the No Place Like Home Fund shall reduce the authorized but unissued amount of bonds that the California Health Facilities Financing Authority may issue pursuant to Section 15463 of the Government Code by a corresponding amount.

(C) Notwithstanding Section 13340 of the Government Code, all moneys in the subaccount transferred pursuant to this paragraph are reserved and continuously appropriated, without regard to fiscal years, for transfer to the No Place Like Home Fund, to be used for purposes of Part 3.9 (commencing with Section 5849.1).

(D) The Controller shall, before any transfer or expenditure from the fund for any other purpose for the following month but after any transfer from the fund for purposes of paragraph (1), transfer moneys appropriated from the Behavioral Health Services Fund to the subaccount pursuant to this paragraph in equal amounts over the following 12-month period, beginning no later than 90 days after the effective date of the appropriation by the Legislature.

(E) If, in any month, the amounts in the Behavioral Health Services Fund are insufficient to fully transfer to the subaccount or the amounts in the subaccount are insufficient to fully pay the amount appropriated for transfer pursuant to this paragraph, the shortfall shall be carried over to the next month.

(3) The sum of any transfer described in paragraphs (1) and (2) shall not exceed an aggregate of one hundred forty million dollars (\$140,000,000) per year.

(4) Paragraph (2) shall become inoperative once bonds authorized pursuant to Section 15463 of the Government Code are issued.

(g) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 89. Section 5891 of the Welfare and Institutions Code is amended to read:

5891. (a) (1) (A) The funding established pursuant to this act shall be utilized to expand mental health services.

(B) Except as provided in subdivision (j) of Section 5892 due to the state's fiscal crisis, these funds shall not be used to supplant existing state or county funds utilized to provide mental health services.

(C) The state shall continue to provide financial support for mental health programs with not less than the same entitlements, amounts of allocations from the General Fund or from the Local Revenue Fund 2011 in the State Treasury, and formula distributions of dedicated funds as provided in the last fiscal year which ended prior to the effective date of this act.

(D) The state shall not make any change to the structure of financing mental health services, which increases a county's share of costs or financial risk for mental health services unless the state includes adequate funding to fully compensate for such increased costs or financial risk.

(E) These funds shall only be used to pay for the programs authorized in Sections 5890 and 5892. These funds may not be used to pay for any other program.

(F) These funds may not be loaned to the General Fund or any other fund of the state, or a county general fund or any other county fund for any purpose other than those authorized by Sections 5890 and 5892.

(2) *To maximize federal financial participation in furtherance of subdivision (d) of Section 5890, a county shall submit claims for reimbursement to the State Department of Health Care Services in accordance with applicable Medi-Cal rules and procedures for a behavioral health service or supportive service eligible for reimbursement pursuant to Title XIX or XXI of the federal Social Security Act (42 U.S.C. Sec. 1396, et seq. and 1397aa, et seq.) when such service is paid, in whole or in part, using the funding established pursuant to this act.*

(3) (A) *To maximize funding from other sources, a county shall seek reimbursement for a behavioral health service, supportive service, housing intervention, or other related activity provided, pursuant to subdivision (a) of Section 5892, that is covered by or can be paid from another available funding source, including other mental health funds, substance use disorder funds, public and private insurance, and other local, state, and federal funds. This paragraph does not require counties to exhaust other funding sources before using behavioral health services fund moneys to pay for a service-related activity.*

(B) *A county shall make a good faith effort to enter into contracts, single case agreements, or other agreements to obtain reimbursement with health care service plans and disability insurance plans, pursuant to Section 1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code.*

(C) A county shall also submit requests for prior authorization for services, request letters of agreement for payment as an out-of-network provider, and pursue other means to obtain reimbursement in accordance with state and federal laws.

(b) (1) Notwithstanding subdivision (a), and except as provided in paragraph (2), the Controller may use the funds created pursuant to this part for loans to the General Fund as provided in Sections 16310 and 16381 of the Government Code. Any such loan shall be repaid from the General Fund with interest computed at 110 percent of the Pooled Money Investment Account rate, with interest commencing to accrue on the date the loan is made from the fund. This subdivision does not authorize any transfer that would interfere with the carrying out of the object for which these funds were created.

(2) This subdivision does not apply to the Supportive Housing Program Subaccount created by subdivision (f) of Section 5890 or any moneys paid by the California Health Facilities Financing Authority to the Department of Housing and Community Development as a service fee pursuant to a service contract authorized by Section 5849.35.

(c) Commencing July 1, 2012, on or before the 15th day of each month, pursuant to a methodology provided by the State Department of Health Care Services, the Controller shall distribute to each Local Mental Health Service Fund established by counties pursuant to subdivision (f) of Section 5892, all unexpended and unreserved funds on deposit as of the last day of the prior month in the Mental Health Services Fund, established pursuant to Section 5890, for the provision of programs and other related activities set forth in Part 3 (commencing with Section 5800), Part 3.2 (commencing with Section 5830), Part 3.6 (commencing with Section 5840), Part 3.9 (commencing with Section 5849.1), and Part 4 (commencing with Section 5850).

(d) (1) Counties shall base their expenditures on the county mental health program's three-year program and expenditure plan or annual update, as required by Section 5847. ~~Nothing in this subdivision shall affect subdivision (a) or (b).~~

(2) *This subdivision does not affect subdivision (a) or (b).*

(e) *This act shall not be construed to modify or reduce a health plan's obligations under the Knox-Keene Health Care Service Plan Act of 1975.*

(f) *This section shall become operative immediately if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

(g) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 90. Section 5891 is added to the Welfare and Institutions Code, to read:

5891. (a) (1) (A) *The funding established pursuant to this act shall be utilized by counties to expand mental health and substance use disorder treatment services.*

(B) *These funds shall not be used to supplant existing state or county funds utilized to provide mental health services or substance use disorder treatment services.*

(C) *The state shall continue to provide financial support for mental health and substance use disorder programs with not less than the same entitlements, amounts of allocations from the General Fund or from the Local Revenue Fund 2011 in the State Treasury, and formula distributions of dedicated funds as provided in the last fiscal year which ended prior to the effective date of this act.*

(D) *The state shall not make a change to the structure of financing mental health and substance use disorder treatment services that increases a county's share of costs or financial risk for behavioral health services unless the state includes adequate funding to fully compensate for such increased costs or financial risk.*

(E) *These funds shall only be used to pay for the programs authorized in Sections 5890 and 5892.*

(F) *These funds may not be used to pay for another program.*

(G) *These funds may not be loaned to the General Fund or another fund of the state, a county general fund, or another county fund for any purpose other than those authorized by Sections 5890 and 5892.*

(2) *To maximize federal financial participation in furtherance of subdivision (d) of Section 5890, a county shall submit claims for reimbursement to the State Department of Health Care Services in accordance with applicable Medi-Cal rules and procedures for a behavioral health service or supportive service eligible for reimbursement pursuant to Title XIX or XXI of the federal Social Security Act (42 U.S.C. Sec. 1396, et seq. and 1397aa, et seq.) when such service is paid, in whole or in part, using the funding established pursuant to this act.*

(3) (A) *To maximize funding from other sources, a county shall seek reimbursement for a behavioral health service, supportive service, housing intervention, or other related activity provided, pursuant to subdivision (a) of Section 5892, that is covered by or can be paid from another available funding source, including other mental health funds, substance use disorder funds, public and private insurance, and other local, state, and federal funds. This paragraph does not require counties to exhaust other funding sources before using behavioral health services fund moneys to pay for a service or related activity.*

(B) *A county shall make a good faith effort to enter into contracts, single case agreements, or other agreements to obtain reimbursement with health care service plans and disability insurance plans, pursuant to Section*

1374.72 of the Health and Safety Code and Section 10144.5 of the Insurance Code.

(C) *A county shall also submit requests for prior authorization for services, request letters of agreement for payment as an out-of-network provider, and pursue other means to obtain reimbursement in accordance with state and federal laws.*

(4) (A) *A county may report to the Department of Managed Health Care or the Department of Insurance, as appropriate, complaints about a health plan's or a health insurer's failure to make a good faith effort to contract or enter into a single case agreement or other agreement with the county.*

(B) *A county may also report to the Department of Managed Health Care or the Department of Insurance, respectively, a failure by a health plan or insurer to timely reimburse the county for services the plan or insurer must cover as required by state or federal law, including, but not limited to, Sections 1374.72 and 1374.721 of the Health and Safety Code and Sections 10144.5 and 10144.52 of the Insurance Code.*

(C) *Upon receipt of a complaint from a county, the Department of Managed Health Care or the Department of Insurance, as applicable, shall timely investigate the complaint.*

(b) (1) (A) *Notwithstanding subdivision (a) and except as provided in paragraph (2), the Controller may use the funds created pursuant to this part for loans to the General Fund as provided in Sections 16310 and 16381 of the Government Code.*

(B) *Those loans shall be repaid from the General Fund with interest computed at 110 percent of the Pooled Money Investment Account rate, with interest commencing to accrue on the date the loan is made from the fund.*

(C) *This subdivision does not authorize a transfer that would interfere with the carrying out of the object for which these funds were created.*

(2) *This subdivision does not apply to the Supportive Housing Program Subaccount created by subdivision (f) of Section 5890 or moneys paid by the California Health Facilities Financing Authority to the Department of Housing and Community Development as a service fee pursuant to a service contract authorized by Section 5849.35.*

(c) *Commencing July 1, 2012, on or before the 15th day of each month, pursuant to a methodology provided by the State Department of Health Care Services, the Controller shall distribute to each Local Behavioral Health Service Fund established by counties, pursuant to subdivision (f) of Section 5892, all unexpended and unreserved funds on deposit as of the last day of the prior month in the Behavioral Health Services Fund, established pursuant to Section 5890, for the provision of programs and other related activities set forth in Section 5892.*

(d) (1) *A county shall base its expenditures on the county mental health and substance use disorder*

program's integrated plan or annual update as required by Section 5963.02 or intermittent update pursuant to subdivision (c) of Section 5963.03.

(2) This subdivision does not affect subdivision (a) or (b).

(e) Each year, the State Department of Health Care Services shall post on its internet website the methodology used for allocating revenue from the Behavioral Health Service Fund to the counties.

(f) For purposes of this section, "behavioral health services" shall have the meaning as defined in subdivision (k) of Section 5892.

(g) For purposes of this section, "substance use disorder" shall have the meaning as defined in subdivision (c) of Section 5891.5.

(h) For purposes of this section, "substance use disorder treatment services" shall have the meaning as defined in subdivision (c) of Section 5891.5.

(i) For purposes of this section, "supportive services" shall have the meaning as defined in subdivision (h) of Section 5887.

(j) This act shall not be construed to modify or reduce a health plan's obligations under the Knox-Keene Health Care Service Plan Act of 1975.

(k) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 91. Section 5891.5 of the Welfare and Institutions Code is amended to read:

5891.5. (a) (1) The programs in paragraphs (1) to (3), inclusive, and paragraph (5) of subdivision (a) of Section 5890 may include substance use disorder treatment for children, adults, and older adults with cooccurring mental health and substance use disorders who are eligible to receive mental health services pursuant to those programs. The MHSA includes persons with a serious mental disorder and a diagnosis of substance abuse in the definition of persons who are eligible for MHSA services in Sections 5878.2 and 5813.5, which reference paragraph (2) of subdivision (b) of Section 5600.3.

(2) Provision of substance use disorder *treatment* services pursuant to this section shall comply with all applicable requirements of the Mental Health Services Act.

(3) Treatment of cooccurring mental health and substance use disorders shall be identified in a county's three-year program and expenditure plan or annual update, as required by Section 5847.

(b) (1) When a person being treated for cooccurring mental health and substance use disorders pursuant to subdivision (a) is determined to not need the mental health services that are eligible for funding pursuant to the MHSA, the county shall refer the person receiving treatment to substance use disorder treatment services in a timely manner.

(2) Funding established pursuant to the MHSA may be used to assess whether a person has cooccurring mental health and substance use disorders and to treat a person who is preliminarily assessed to have cooccurring mental health and substance use disorders, even when the person is later determined not to be eligible for services provided with funding established pursuant to the MHSA.

(c) A county shall report to the department, in a form and manner determined by the department, both of the following:

(1) The number of people assessed for cooccurring mental health and substance use disorders.

(2) The number of people assessed for cooccurring mental health and substance use disorders who were ultimately determined to have only a substance use disorder without another cooccurring mental health condition.

(d) The department shall by January 1, 2022, and each January 1 thereafter, publish on its internet website a report summarizing county activities pursuant to this section for the prior fiscal year. Data shall be reported statewide and by county or groupings of counties, as necessary to protect the private health information of persons assessed.

(e) (1) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific this section by means of plan or county letters, information notices, plan or provider bulletins, or other similar instructions, without taking any further regulatory action.

(2) On or before July 1, 2025, the department shall adopt regulations necessary to implement this section in accordance with the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 92. Section 5891.5 is added to the Welfare and Institutions Code, to read:

5891.5. (a) (1) *Notwithstanding any other law, the programs and services and supports in paragraphs (1), (2), and (3) of subdivision (a) of Section 5892 may include substance use disorder treatment services, as defined in this section for children, youth, adults, and older adults.*

(2) *Notwithstanding Section 5830, the provision of housing interventions to individuals with a substance use disorder shall be optional for counties.*

(3) *Counties that provide substance use disorder treatment services shall provide all forms of federal Food and Drug Administration approved medications for addiction treatment.*

(4) Funding established pursuant to the Behavioral Health Services Act may be used to assess whether a person has a substance use disorder and to treat a person prior to a diagnosis of a substance use disorder, even when the person is later determined not to be eligible for services provided with funding established pursuant to the Behavioral Health Services Act.

(5) Substance use disorder treatment services shall be identified in a county's integrated plan or annual update, as required by Section 5963.02.

(b) (1) A county shall report to the department data and information regarding implementation of this section specified by the department.

(2) The data and information shall be reported in a form, manner, and frequency determined by the department.

(c) (1) For purposes of this section, "substance use disorder" means an adult, child, or youth who has at least one diagnosis of a moderate or severe substance use disorder from the most current version of the Diagnostic and Statistical Manual of Mental Disorders for Substance-Related and Addictive Disorders, with the exception of tobacco-related disorders and non-substance-related disorders.

(2) For purposes of this section, "substance use disorder treatment services" include harm reduction, treatment, and recovery services, including federal Food and Drug Administration approved medications.

(d) (1) The department shall, by January 1, 2022, and each January 1 thereafter, publish on its internet website a report summarizing county activities pursuant to this section for the prior fiscal year.

(2) Data shall be reported statewide and by county or groupings of counties, as necessary to protect the private health information of persons assessed.

(e) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 93. Section 5892 of the Welfare and Institutions Code is amended to read:

5892. (a) In order to promote efficient implementation of this act, the county shall use funds distributed from the Mental Health Services Fund as follows:

(1) In the 2005–06, 2006–07, and 2007–08 fiscal years, 10 percent shall be placed in a trust fund to be expended for education and training programs pursuant to Part 3.1 (commencing with Section 5820).

(2) In the 2005–06, 2006–07, and 2007–08 fiscal years, 10 percent for capital facilities and technological needs shall be distributed to counties in accordance with a formula developed in consultation with the County Behavioral Health Directors Association of California to implement plans developed pursuant to Section 5847.

(3) Twenty percent of funds distributed to the counties pursuant to subdivision (c) of Section 5891 shall be used for prevention and early intervention programs in accordance with Part 3.6 (commencing with Section 5840).

(4) The expenditure for prevention and early intervention may be increased in any county in which the department determines that the increase will decrease the need and cost for additional services to persons with severe mental illness in that county by an amount at least commensurate with the proposed increase.

(5) The balance of funds shall be distributed to county mental health programs for services to persons with severe mental illnesses pursuant to Part 4 (commencing with Section 5850) for the children's system of care and Part 3 (commencing with Section 5800) for the adult and older adult system of care. These services may include housing assistance, as defined in Section 5892.5, to the target population specified in Section 5600.3.

(6) Five percent of the total funding for each county mental health program for Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850), shall be utilized for innovative programs in accordance with Sections 5830, 5847, and 5848.

(b) (1) In any fiscal year after the 2007–08 fiscal year, programs for services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below the average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five fiscal years pursuant to this section.

(2) A county shall calculate an amount it establishes as the prudent reserve for its Local Mental Health Services Fund, not to exceed 33 percent of the average community services and support revenue received for the fund in the preceding five years. The county shall reassess the maximum amount of this reserve every five years and certify the reassessment as part of the three-year program and expenditure plan required pursuant to Section 5847.

(3) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the State Department of Health Care Services may allow counties to determine the percentage of funds to allocate across programs created pursuant to Part 4 (commencing with Section 5850) for the children's system of care and Part 3 (commencing with Section 5800) for the adult and older adult system of care for the 2020–21 and 2021–22 fiscal years by means of all-county letters or other similar instructions without taking further regulatory action.

(c) The allocations pursuant to subdivisions (a) and (b) shall include funding for annual planning costs pursuant to Section 5848. The total of these costs shall not exceed 5 percent of the total of annual revenues received for the fund. The planning costs shall include funds for county mental health programs to pay for the costs of consumers, family members, and other stakeholders to participate in the planning process and for the planning and implementation required for private provider contracts to be significantly expanded to provide additional services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850).

(d) Prior to making the allocations pursuant to subdivisions (a), (b), and (c), funds shall be reserved for the costs for the State Department of Health Care Services, the California Behavioral Health Planning Council, the Office of Statewide Health Planning and Development, the Mental Health Services Oversight and Accountability Commission, the State Department of Public Health, and any other state agency to implement all duties pursuant to the programs set forth in this section. These costs shall not exceed 5 percent of the total of annual revenues received for the fund. The administrative costs shall include funds to assist consumers and family members to ensure the appropriate state and county agencies give full consideration to concerns about quality, structure of service delivery, or access to services. The amounts allocated for administration shall include amounts sufficient to ensure adequate research and evaluation regarding the effectiveness of services being provided and achievement of the outcome measures set forth in Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850). The amount of funds available for the purposes of this subdivision in any fiscal year is subject to appropriation in the annual Budget Act.

(e) In the 2004–05 fiscal year, funds shall be allocated as follows:

(1) Forty-five percent for education and training pursuant to Part 3.1 (commencing with Section 5820).

(2) Forty-five percent for capital facilities and technology needs in the manner specified by paragraph (2) of subdivision (a).

(3) Five percent for local planning in the manner specified in subdivision (c).

(4) Five percent for state implementation in the manner specified in subdivision (d).

(f) Each county shall place all funds received from the State Mental Health Services Fund in a local Mental Health Services Fund. The Local Mental Health Services Fund balance shall be invested consistent with other county funds and the interest earned on the investments shall be transferred into the fund. The earnings on investment of these funds shall be available for distribution from the fund in future fiscal years.

(g) All expenditures for county mental health programs shall be consistent with a currently approved plan or update pursuant to Section 5847.

(h) (1) Other than funds placed in a reserve in accordance with an approved plan, any funds allocated to a county that have not been spent for their authorized purpose within three years, and the interest accruing on those funds, shall revert to the state to be deposited into the Reversion Account, hereby established in the fund, and available for other counties in future years, provided, however, that funds, including interest accrued on those funds, for capital facilities, technological needs, or education and training may be retained for up to 10 years before reverting to the Reversion Account.

(2) (A) If a county receives approval from the Mental Health Services Oversight and Accountability Commission of a plan for innovative programs, pursuant to subdivision (e) of Section 5830, the county's funds identified in that plan for innovative programs shall not revert to the state pursuant to paragraph (1) so long as they are encumbered under the terms of the approved project plan, including any subsequent amendments approved by the commission, or until three years after the date of approval, whichever is later.

(B) Subparagraph (A) applies to all plans for innovative programs that have received commission approval and are in the process at the time of enactment of the act that added this subparagraph, and to all plans that receive commission approval thereafter.

(3) Notwithstanding paragraph (1), funds allocated to a county with a population of less than 200,000 that have not been spent for their authorized purpose within five years shall revert to the state as described in paragraph (1).

(4) (A) Notwithstanding paragraphs (1) and (2), if a county with a population of less than 200,000 receives approval from the Mental Health Services Oversight and Accountability Commission of a plan for innovative programs, pursuant to subdivision (e) of Section 5830, the county's funds identified in that plan for innovative programs shall not revert to the state pursuant to paragraph (1) so long as they are encumbered under the terms of the approved project plan, including any subsequent amendments approved by the commission, or until five years after the date of approval, whichever is later.

(B) Subparagraph (A) applies to all plans for innovative programs that have received commission approval and are in the process at the time of enactment of the act that added this subparagraph, and to all plans that receive commission approval thereafter.

(i) Notwithstanding subdivision (h) and Section 5892.1, unspent funds allocated to a county, and interest accruing on those funds, which are subject to reversion as of July 1, 2019, and July 1, 2020, shall be subject to reversion on July 1, 2021.

(j) If there are revenues available in the fund after the Mental Health Services Oversight and Accountability

Commission has determined there are prudent reserves and no unmet needs for any of the programs funded pursuant to this section, including all purposes of the Prevention and Early Intervention Program, the commission shall develop a plan for expenditures of these revenues to further the purposes of this act and the Legislature may appropriate these funds for any purpose consistent with the commission's adopted plan that furthers the purposes of this act.

(k) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 94. Section 5892 is added to the Welfare and Institutions Code, to read:

5892. (a) *To promote efficient implementation of this act, the county shall use funds distributed from the Mental Health Services Fund as follows:*

(1) Twenty percent of funds distributed to the counties pursuant to subdivision (c) of Section 5891 shall be used for prevention and early intervention programs in accordance with Part 3.6 (commencing with Section 5840).

(2) The expenditure for prevention and early intervention may be increased in a county in which the department determines that the increase will decrease the need and cost for additional services to persons with severe mental illness in that county by an amount at least commensurate with the proposed increase.

(3) The balance of funds shall be distributed to county mental health programs for services to persons with severe mental illnesses pursuant to Part 4 (commencing with Section 5850) for the children's system of care and Part 3 (commencing with Section 5800) for the adult and older adult system of care. These services may include housing assistance, as defined in Section 5892.5, to the target population specified in Section 5600.3.

(4) Five percent of the total funding for each county mental health program for Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) shall be utilized for innovative programs in accordance with Sections 5830, 5847, and 5963.03.

(b) (1) Programs for services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850) may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below the average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five fiscal years pursuant to this section.

(2) A county shall calculate a maximum amount it establishes as the prudent reserve for its Local Behavioral Health Services Fund, not to exceed 33

percent of the average of the total funds distributed to the county pursuant to subdivision (c) of Section 5891 in the preceding five years.

(3) A county with a population of less than 200,000 shall calculate a maximum amount it establishes as the prudent reserve for its Local Behavioral Health Services Fund, not to exceed 25 percent of the average of the total funds distributed to the county pursuant to subdivision (c) of Section 5891 in the preceding five years.

(c) Notwithstanding subdivision (a) of Section 5891, the allocations pursuant to subdivisions (a) and (b) shall include funding for annual planning costs pursuant to Sections 5847 and 5963.03. The total of these costs shall not exceed 5 percent of the total of annual revenues received for the Local Behavioral Health Services Fund. The planning costs shall include funds for county mental health programs to pay for the costs of consumers, family members, and other stakeholders to participate in the planning process and for the planning and implementation required for private provider contracts to be significantly expanded to provide additional services pursuant to Part 3 (commencing with Section 5800) and Part 4 (commencing with Section 5850).

(d) (1) Notwithstanding subdivision (a) of Section 5891, the allocations pursuant to subdivision (a) may include funding to improve plan operations, quality outcomes, fiscal and programmatic data reporting, and monitoring of subcontractor compliance for all county behavioral health programs, including, but not limited to, programs administered by a Medi-Cal behavioral health delivery system, as defined in subdivision (i) of Section 14184.101, and programs funded by the Projects for Assistance in Transition from Homelessness grant, the Community Mental Health Services Block Grant, and other Substance Abuse and Mental Health Services Administration grants.

(2) The total of these costs shall not exceed 2 percent of the total of annual revenues received for the Local Behavioral Health Services Fund.

(3) A county may commence use of funding pursuant to this paragraph on July 1, 2025.

(e) (1) (A) Prior to making the allocations pursuant to subdivisions (a), (b), (c), and (d), funds shall be reserved for state directed purposes for the California Health and Human Services Agency, the State Department of Health Care Services, the California Behavioral Health Planning Council, the Department of Health Care Access and Information, the Behavioral Health Services Oversight and Accountability Commission, the State Department of Public Health, and any other state agency.

(B) These costs shall not exceed 5 percent of the total of annual revenues received for the fund.

(C) The costs shall include funds to assist consumers and family members to ensure the appropriate state and county agencies give full consideration to concerns

about quality, structure of service delivery, or access to services.

(D) The amounts allocated for state directed purposes shall include amounts sufficient to ensure adequate research and evaluation regarding the effectiveness of services being provided and achievement of the outcome measures set forth in Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850).

(E) The amount of funds available for the purposes of this subdivision in any fiscal year is subject to appropriation in the annual Budget Act.

(2) Prior to making the allocations pursuant to subdivisions (a), (b), (c), and (d), funds shall be reserved for the costs of the Department of Health Care Access and Information to administer a behavioral health workforce initiative in collaboration with the California Health and Human Services Agency. Funding for this purpose shall not exceed thirty-six million dollars. The amount of funds available for the purposes of this subdivision in any fiscal year is subject to appropriation in the annual Budget Act.

(f) Each county shall place all funds received from the State Mental Health Services Fund in a local Mental Health Services Fund. The Local Mental Health Services Fund balance shall be invested consistent with other county funds and the interest earned on the investments shall be transferred into the fund. The earnings on investment of these funds shall be available for distribution from the fund in future fiscal years.

(g) All expenditures for county mental health programs shall be consistent with a currently approved plan or update pursuant to Section 5847.

(h) (1) Other than funds placed in a reserve in accordance with an approved plan, any funds allocated to a county that have not been spent for their authorized purpose within three years, and the interest accruing on those funds, shall revert to the state to be deposited into the Reversion Account, hereby established in the fund, and available for other counties in future years, provided, however, that funds, including interest accrued on those funds, for capital facilities, technological needs, or education and training may be retained for up to 10 years before reverting to the Reversion Account.

(2) (A) If a county receives approval from the Mental Health Services Oversight and Accountability Commission of a plan for innovative programs, pursuant to subdivision (e) of Section 5830, the county's funds identified in that plan for innovative programs shall not revert to the state pursuant to paragraph (1) so long as they are encumbered under the terms of the approved project plan, including any subsequent amendments approved by the commission, or until three years after the date of approval, whichever is later.

(B) Subparagraph (A) applies to all plans for innovative programs that have received commission approval and are in the process at the time of enactment of the act

that added this subparagraph, and to all plans that receive commission approval thereafter.

(3) Notwithstanding paragraph (1), funds allocated to a county with a population of less than 200,000 that have not been spent for their authorized purpose within five years shall revert to the state as described in paragraph (1).

(4) (A) Notwithstanding paragraphs (1) and (2), if a county with a population of less than 200,000 receives approval from the Mental Health Services Oversight and Accountability Commission of a plan for innovative programs, pursuant to subdivision (e) of Section 5830, the county's funds identified in that plan for innovative programs shall not revert to the state pursuant to paragraph (1) so long as they are encumbered under the terms of the approved project plan, including any subsequent amendments approved by the commission, or until five years after the date of approval, whichever is later.

(B) Subparagraph (A) applies to all plans for innovative programs that have received commission approval and are in the process at the time of enactment of the act that added this subparagraph, and to all plans that receive commission approval thereafter.

(i) Notwithstanding subdivision (h) and Section 5892.1, unspent funds allocated to a county, and interest accruing on those funds, which are subject to reversion as of July 1, 2019, and July 1, 2020, shall be subject to reversion on July 1, 2021.

(j) If there are revenues available in the fund after the State Department of Health Care Services has determined there are prudent reserves and no unmet needs for any of the programs funded pursuant to this section, the department, in consultation with counties, shall develop a plan for expenditures of these revenues to further the purposes of this act and the Legislature may appropriate these funds for any purpose consistent with the department's plan that furthers the purposes of this act.

(k) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

(l) This section shall become inoperative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 95. Section 5892 is added to the Welfare and Institutions Code, to read:

5892. (a) To promote efficient implementation of this act, subject to subdivision (c), the county shall use funds distributed from the Behavioral Health Services Fund as follows:

(1) (A) (i) Thirty percent of funds distributed to the counties pursuant to subdivision (c) of Section 5891 shall be used for housing interventions programs pursuant to Part 3.2 (commencing with Section 5830).

(ii) Of the funds distributed pursuant to clause (i), 50 percent shall be used for housing interventions for persons who are chronically homeless, with a focus on those in encampments.

(iii) Of the funds distributed pursuant clause (i), no more than 25 percent may be used for capital development projects pursuant to paragraph (2) of subdivision (b) of Section 5830.

(B) Commencing with the 2026–29 fiscal years' county integrated plan, pursuant to Section 5963.02, and ongoing thereafter, for counties with a population of less than 200,000, the State Department of Health Care Services shall establish criteria and a process for approving county requests for an exemption from subparagraph (A) that considers factors including a county's homeless population, the number of individuals receiving Medi-Cal specialty behavioral health services or substance use disorder treatment services in another county, and other factors as determined by the State Department of Health Care Services. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association of California on reasonable criteria for those requests and a timely and efficient exemption process. Requests for approval of an exemption under this subparagraph shall be responded to, approved, or denied within 30 days of receipt by the department, or shall otherwise be deemed approved by the department.

(C) Commencing with the 2032–35 fiscal years' county integrated plan, pursuant to Section 5963.02, and ongoing thereafter, the State Department of Health Care Services may establish criteria and a process for approving county requests for an exemption from subparagraph (A) that considers the factors set forth in subparagraph (B), regardless of the population size of the county. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association of California on reasonable criteria for those requests and a timely and efficient exemption process.

(2) (A) Thirty-five percent of the funds distributed to counties pursuant to subdivision (c) of Section 5891 shall be used for full-service partnership programs pursuant to Part 4.1 (commencing with Section 5887).

(B) Commencing with the 2032–35 fiscal years' county integrated plan, pursuant to Section 5963.02, and ongoing thereafter, the State Department of Health Care Services may establish criteria and a process for approving requests for an exemption from subparagraph (A) that considers factors such as county population, client counts, and other factors as determined by the State Department of Health Care Services. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association of California on reasonable criteria for those requests and a timely and efficient exemption process.

(C) Housing interventions provided to individuals enrolled in full-service partnership programs shall be funded pursuant to subparagraph (A) of paragraph (1).

(3) (A) Thirty-five percent of the funds distributed to counties pursuant to subdivision (c) of Section 5891 shall be used for the following Behavioral Health Services and Supports:

(i) Services pursuant to Part 4 (commencing with Section 5850) for the children's system of care and Part 3 (commencing with Section 5800) for the adult and older adult system of care, excluding those services specified in paragraphs (1) and (2).

(ii) Early intervention programs in accordance with Part 3.6 (commencing with Section 5840).

(iii) Outreach and engagement.

(iv) Workforce education and training.

(v) Capital facilities and technological needs.

(vi) Innovative behavioral health pilots and projects.

(B) (i) A county shall utilize at least 51 percent of Behavioral Health Services and Supports funding for early intervention programs.

(ii) A county shall utilize at least 51 percent of the county's funding allocated for early intervention programs to serve individuals who are 25 years of age and younger.

(iii) A county shall comply with other funding allocations specified by the State Department of Health Care Services for the purposes listed in subparagraph (A).

(4) (A) A county may pilot and test innovative behavioral health models of care programs or innovative promising practices for the programs specified in paragraphs (1), (2), and (3).

(B) The goal of these innovative pilots and innovative promising practices is to build the evidence base for the effectiveness of new statewide strategies.

(5) The programs established pursuant to paragraphs (1), (2), (3), and (4) shall include services to address the needs of eligible children and youth, 0 to 5 years of age, inclusive, transition age youth, and foster youth.

(6) A county is only obligated to fund the programs established pursuant to paragraphs (1) to (4), inclusive, with the funds it receives pursuant to subdivision (c) of Section 5891.

(b) (1) A county shall establish and maintain a prudent reserve to ensure county programs are able to continue to meet the needs of children and youth, adults, and older adults participating in housing intervention programs pursuant to paragraph (1) of subdivision (a), full-service partnership programs pursuant to paragraph (2) of subdivision (a), and receiving services pursuant to clauses (i), (ii), and (iii) of paragraph (3) of subdivision (a), during years in which revenues for the Behavioral Health Services Fund are below recent averages adjusted by changes in the state population and the California Consumer Price Index.

(2) Notwithstanding the allocation percentages specified in paragraphs (1), (2), and (3) of subdivision (a), a county may transfer funds into the prudent reserve from housing intervention programs pursuant to paragraph (1) of subdivision (a), full-service partnership programs pursuant to paragraph (2) of subdivision (a), and Behavioral Health Services and Supports pursuant to paragraph (3) of subdivision (a).

(3) A county shall calculate a maximum amount it establishes as the prudent reserve for its Local Behavioral Health Services Fund, not to exceed 20 percent of the average of the total funds distributed to the county pursuant to subdivision (c) of Section 5891 in the preceding five years.

(4) A county with a population of less than 200,000 shall calculate a maximum amount it establishes as the prudent reserve for its Local Behavioral Health Services Fund, not to exceed 25 percent of the average of the total funds distributed to the county pursuant to subdivision (c) of Section 5891 in the preceding five years.

(5) (A) A county shall assess the maximum amount of its prudent reserve pursuant to paragraphs (3) and (4) every three years and shall include a plan for the expenditure of funds exceeding the maximum amount in the county's integrated plan required pursuant to Section 5963.02.

(B) A county shall spend funds exceeding the maximum amount on programs and services authorized in paragraphs (1), (2), and (3) of subdivision (a).

(6) (A) A county shall spend prudent reserve funds on the programs and services authorized in paragraphs (1) and (3), and clauses (i), (ii), and (iii) of paragraph (3) of subdivision (a).

(B) A county shall not spend prudent reserve funds for the purposes specified in paragraph (2) of subdivision (b) of Section 5830.

(c) (1) A county may transfer up to 14 percent of the total funds allocated to the county in a fiscal year between one or more of the purposes authorized in paragraphs (1), (2) and (3) of subdivision (a). A county shall not decrease the allocation for any one of the purposes authorized in paragraph (1), (2) or (3) by more than 7 percent of the total funds allocated to the county in a fiscal year. County changes to the allocation percentages specified in paragraphs (1), (2), and (3) of subdivision (a) shall be subject to the approval of the State Department of Health Care Services.

(2) A county changing its allocation percentages pursuant to this subdivision does not relieve the county from the obligation to comply with any applicable laws, including, but not limited to, clauses (ii) and (iii) of subparagraph (A) of paragraph (1), and paragraphs (3) and (5), of subdivision (a).

(3) A county shall include proposed changes to the allocation percentages in the county integrated plan pursuant to Section 5963.02, and shall consult with local stakeholders pursuant to Section 5963.03.

(4) A county shall submit a request to shift funding allocation to the State Department of Health Care Services for approval after fulfilling the integrated planning and local stakeholder consultation requirements pursuant to Sections 5963.02 and 5963.03. The county shall submit the request for approval in a form and manner, and in accordance with timelines, prescribed by the department. Counties shall provide any other information, records, and reports that the department deems necessary for the purposes of this subdivision. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association of California on reasonable criteria for those requests and a timely and efficient approval process. Requests for approval of a shift under this subparagraph shall be responded to, approved, or denied within 30 days of receipt by the department, or shall otherwise be deemed approved by the department.

(A) The department shall review a county's request based on the county's compliance with paragraphs (1) and (2) and demonstration that the requested shift is responsive to local priorities, based on, at a minimum, local data and community input in the planning process.

(B) The State Department of Health Care Services may approve a proposed shift in funding allocations for the current integrated planning period based upon data and information a county submits demonstrating the need for the adjustment.

(C) Unless an annual change is approved by the State Department of Health Care Services, approved allocation adjustments are irrevocable during the applicable three-year period and a county shall not adjust the allocation of funds in the county's subsequent annual and intermittent updates to the county's integrated plan. The State Department of Health Care Services shall collaborate with the California State Association of Counties and the County Behavioral Health Directors Association on reasonable criteria for such requests and a timely and efficient approval process. Requests for approval of a change under this subparagraph shall be responded to, approved, or denied within 30 days of receipt by the department, or shall otherwise be deemed approved by the department.

(d) The programs established pursuant to subdivision (a) shall prioritize services for the following populations:

(1) Eligible adults and older adults, as defined in subdivision (k), who satisfy one of the following:

(A) Are chronically homeless or experiencing homelessness or are at risk of homelessness.

(B) Are in, or are at risk of being in, the justice system.

(C) Are reentering the community from prison or jail.

(D) Are at risk of conservatorship pursuant to Chapter 3 (commencing with Section 5350) of Part 1 of Division 5.

(E) Are at risk of institutionalization.

(2) *Eligible children and youth, as defined in subdivision (k), who satisfy one of the following:*

(A) *Are chronically homeless or experiencing homelessness or are at risk of homelessness.*

(B) *Are in, or at risk of being in, the juvenile justice system.*

(C) *Are reentering the community from a youth correctional facility.*

(D) *Are in the child welfare system pursuant to Section 300, 601, or 602.*

(E) *Are at risk of institutionalization.*

(e) (1) (A) *Notwithstanding subdivision (a) of Section 5891, the allocations pursuant to subdivision (a) shall include funding for annual planning costs pursuant to Sections 5963.02 and 5963.03.*

(B) *The total of these costs shall not exceed 5 percent of the total of annual revenues received for the Local Behavioral Health Services Fund.*

(C) *The planning costs shall include funds for county mental health and substance use disorder programs to pay for the costs of consumers, family members, and other stakeholders to participate in the planning process.*

(2) (A) *Notwithstanding subdivision (a) of Section 5891, the allocations pursuant to subdivision (a) may include funding to improve plan operations, quality outcomes, fiscal and programmatic data reporting pursuant to Section 5963.04, and monitoring of subcontractor compliance for all county behavioral health programs, including, but not limited to, programs administered by a Medi-Cal behavioral health delivery system, as defined in subdivision (i) of Section 14184.101, and programs funded by the Projects for Assistance in Transition from Homelessness grant, the Community Mental Health Services Block Grant, and other Substance Abuse and Mental Health Services Administration grants.*

(B) *The total of the costs in subparagraph (A) shall not exceed 2 percent of the total of annual revenues received for the Local Behavioral Health Services Fund. For counties with a population of less than 200,000, the total of the costs in subparagraph (A) shall not exceed 4 percent of the total annual revenues received from the Local Behavioral Health Services Fund.*

(C) *A county may commence use of funding pursuant to this paragraph on July 1, 2025.*

(D) *Notwithstanding any other law, new costs to implement this article that exceed existing county obligations and are in excess of the funds provided by subparagraph (B) of paragraph (2) of subdivision (e) shall be evaluated by the State Department of Health Care Services for inclusion in the Governor's 2024–25 May Revision. The department shall consult with the California State Association of Counties and the County Behavioral Health Directors Association of California, no later than March 15, 2024, to evaluate the resources needed to implement this article.*

(f) (1) *Notwithstanding subdivision (a) of Section 5891, prior to making the allocations pursuant to subdivisions (a), (b), (d), and (e), funds shall be reserved for:*

(A) *State directed purposes consistent with the Behavioral Health Services Act, for the California Health and Human Services Agency, State Department of Health Care Services, the California Behavioral Health Planning Council, the Department of Health Care Access and Information, the Behavioral Health Services Oversight and Accountability Commission, the State Department of Public Health, and any other state agency.*

(B) *The costs to assist consumers and family members so that the appropriate state and county agencies give full consideration to concerns about quality, structure of service delivery, or access to services.*

(C) *The costs for research and evaluation regarding the effectiveness of programs and services listed in subdivision (a) and achievement of the outcome measures and metrics pursuant to subdivision (d) of Section 5897.*

(D) (i) *The costs of the Department of Health Care Access and Information to implement a behavioral health workforce initiative. The cost for this initiative shall be a minimum of 3 percent of the total funds allocated pursuant to this subdivision.*

(ii) *This initiative shall be developed in consultation with stakeholders, including, but not limited to, behavioral health professionals, counties, behavioral health education and training programs, and behavioral health consumer advocates. The initiative shall focus on efforts to build and support the workforce to meet the need to provide holistic and quality services and support the development and implementation of strategies for training, supporting, and retaining the county behavioral health workforce and noncounty contracted behavioral health workforce, including efforts to increase the racial, ethnic, and linguistic diversity of behavioral health providers and increase access to behavioral health providers in geographically underserved areas.*

(iii) *A portion of the workforce initiative may focus on providing technical assistance and support to county contracted providers to implement and maintain workforce provisions that support the stabilization and retention of the broad behavioral health workforce.*

(iv) *A portion of the workforce initiative may focus on providing technical assistance and support to county and contracted providers to maximize the use of peer support specialists.*

(E) *The costs for the State Department of Public Health to provide population-based mental health and substance use disorder prevention programs. A minimum of 4 percent of the total funds allocated pursuant to this subdivision shall be distributed to the State Department of Public Health for this purpose. Of these funds, at least 51 percent shall be used for programs serving populations who are 25 years of age*

or younger. The State Department of Public Health shall consult with the State Department of Health Care Services and the Behavioral Health Services Oversight and Accountability Commission to ensure the provision of these programs.

(i) Population-based prevention programs are activities designed to reduce the prevalence of mental health and substance use disorders and resulting conditions.

(ii) Population-based prevention programs shall incorporate evidence-based promising or community-defined evidence practices and meet one or more of the following conditions:

(I) Target the entire population of the state, county, or particular community to reduce the risk of individuals developing a mental health or substance use disorder.

(II) Target specific populations at elevated risk for a mental health, substance misuse, or substance use disorder.

(III) Reduce stigma associated with seeking help for mental health challenges and substance use disorders.

(IV) Target populations disproportionately impacted by systemic racism and discrimination.

(V) Prevent suicide, self-harm, or overdose.

(iii) Population-based prevention programs may be implemented statewide or in community settings.

(iv) Population-based prevention programs shall not include the provision of early intervention, diagnostic, and treatment for individuals.

(v) Population-based prevention programs shall be provided on a schoolwide or classroom basis and may be provided by a community-based organization off campus or on school grounds.

(vi) School-based prevention supports and programs shall be provided at a school site or arranged for by a school on a schoolwide or classroom basis and shall not provide services and supports for individuals. These supports and programs may include, but are not limited to:

(I) School-based health centers, student wellness centers, or student wellbeing centers.

(II) Activities, including, but not limited to, group coaching and consultation, designed to prevent substance misuse, increase mindfulness, self-regulation, development of protective factors, calming strategies, and communication skills.

(III) Integrated or embedded school-based programs designed to reduce stigma associated with seeking help for mental health challenges and substance use disorders.

(IV) Student mental health first aid programs designed to identify and prevent suicide or overdose.

(V) Integrated training and systems of support for teachers and school administrators designed to mitigate suspension and expulsion practices and assist with classroom management.

(vii) Early childhood population-based prevention programs for children 0 to 5 years of age, inclusive, shall be provided in a range of settings.

(viii) Funding under this provision shall comply with Section 5891 and shall be used to strengthen population-based strategies and not supplant funding for services and supports for which ongoing funding is available through Children and Youth Behavioral Health Initiative or other sources.

(F) The Behavioral Health Services Act Innovation Partnership Fund as provided for in Section 5845.1. A maximum of twenty million dollars (\$20,000,000) shall be deposited into the fund annually, for fiscal years 2026–27 to 2030–31, inclusive. Thereafter funding shall be determined through the annual budget act.

(G) At its discretion, the commission may utilize funding received in support of the Mental Health Wellness Act to support this section, consistent with subparagraph (F) of paragraph (2) of subdivision (g), and subdivision (h), of Section 5848.5.

(2) The costs for the purposes specified in paragraph (1) shall not exceed 10 percent of the total of annual revenues received for the State Behavioral Health Services Fund. The amount of funds available for the purposes of this subdivision in any fiscal year is subject to appropriation in the annual Budget Act.

(g) Each county shall place all funds received from the State Behavioral Health Services Fund in a local Behavioral Health Services Fund. The Local Behavioral Health Services Fund balance shall be invested consistent with other county funds and the interest earned on the investments shall be transferred into the fund. The earnings on investment of these funds shall be available for distribution from the fund in future fiscal years.

(h) All expenditures for county behavioral health programs shall be consistent with a currently approved county integrated plan or annual update pursuant to Section 5963.02 or an intermittent update prepared pursuant to subdivision (c) of Section 5963.03.

(i) (1) Other than funds placed in a reserve in accordance with an approved plan, any funds allocated to a county that have not been spent for their authorized purpose within three years, and the interest accruing on those funds, shall revert to the state to be deposited into the Reversion Account, hereby established in the fund, and available for other counties in future years, provided, however, that funds, including interest accrued on those funds, for capital facilities, technological needs, or education and training may be retained for up to 10 years before reverting to the Reversion Account.

(2) (A) The Controller shall revert funds by offsetting amounts from each monthly distribution to a county's Local Behavioral Health Service Fund pursuant to subdivision (c) of Section 5891, until the full amount of the reverted funds has been offset. The reverted funds shall be deposited into the Reversion Account for use, consistent with this section and Sections 5890, 5891

and 5891.5, as determined by the State Department of Health Care Services.

(B) Funds that have been reverted that are owed to a county as a result of an audit adjustment, or for other reasons, shall be paid from the Reversion Account. If the balance of funds in the Reversion Account is inadequate, funds owed to a county shall be offset from the monthly distributions to other counties pursuant to subdivision (c) of Section 5891, based on a methodology provided by the State Department of Health Care Services. Owed funds shall be paid to a county in the monthly distribution pursuant to subdivision (c) of Section 5891.

(C) If the State Department of Health Care Services withholds funds from a monthly distribution to a county pursuant to subdivision (e) of Section 5963.04, funds shall be reverted first and the remaining balance shall be withheld.

(3) Notwithstanding paragraph (1), funds allocated to a county with a population of less than 200,000 that have not been spent for their authorized purpose within five years shall revert to the state as described in paragraph (1).

(j) If there are revenues available in the fund after the State Department of Health Care Services has determined there are prudent reserves and no unmet needs for any of the programs funded pursuant to this section, the department, in consultation with counties, shall develop a plan for expenditures of these revenues to further the purposes of this act and the Legislature may appropriate these funds for any purpose consistent with the department's plan that furthers the purposes of this act.

(k) For purposes of this section, the following definitions shall apply:

(1) "Behavioral health services" means mental health services and substance use disorder treatment services, as defined in Section 5891.5.

(2) "Chronically homeless" means an individual or family that is chronically homeless, as defined in Section 11360 of Title 42 of the United States Code, or as otherwise modified or expanded by the State Department of Health Care Services.

(3) "Experiencing homelessness or are at risk of homelessness" means people who are homeless or at risk of homelessness, as defined in Section 91.5 of Title 24 of the Code of Federal Regulations, or as otherwise defined by the State Department of Health Care Services for purposes of the Medi-Cal program.

(4) "Outreach and engagement" means activities to reach, identify, and engage individuals and communities in the behavioral health system, including peers and families, and to reduce disparities. Counties may include evidence-based practices and community-defined evidence practices in the provision of activities.

(5) "Workforce education and training" includes, but is not limited to, the following for the county workforce:

(A) Workforce recruitment, development, training, and retention.

(B) Professional licensing and/or certification testing and fees.

(C) Loan repayment.

(D) Retention incentives and stipends.

(E) Internship and apprenticeship programs.

(F) Continuing education.

(G) Efforts to increase the racial, ethnic, and geographic diversity of the behavioral health workforce.

(6) "Community-defined evidence practices" means an alternative or complement to evidence-based practices, that offer culturally anchored interventions that reflect the values, practices, histories, and lived-experiences of the communities they serve. These practices come from the community and the organizations that serve them and are found to yield positive results as determined by community consensus over time.

(7) (A) "Eligible children and youth" means persons who are 25 years of age or under, including early childhood or transition age youth who do either of the following:

(i) Meet the criteria specified in subdivision (d) of Section 14184.402, notwithstanding age limitations.

(ii) Have a substance use disorder, as defined in subdivision (c) of Section 5891.5.

(B) Eligible children and youth are not required to be enrolled in the Medi-Cal program.

(8) (A) "Eligible adults and older adults" means persons who are 26 years of age or older who do either of the following:

(i) Meet the criteria specified in subdivision (c) of Section 14184.402.

(ii) Have a substance use disorder, as defined in subdivision (c) of Section 5891.5.

(B) Eligible adults and older adults are not required to be enrolled in the Medi-Cal program.

(I) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 98. Section 5892.3 is added to the Welfare and Institutions Code, to read:

5892.3. (a) There is hereby created a Behavioral Health Services Act Revenue Stability Workgroup to assess year-over-year fluctuations in tax revenues generated by the Behavioral Health Services Act, in recognition of the need for a reliable strategy for short- and long-term fiscal stability, commencing no later than June 30, 2024.

(b) The workgroup shall develop and recommend solutions to reduce Behavioral Health Services Act revenue volatility and to propose appropriate prudent reserve levels to support the sustainability of county programs and services.

(c) (1) *The California Health and Human Services Agency and the State Department of Health Care Services shall jointly convene and lead the workgroup.*

(2) *Members of the workgroup shall serve without compensation. Members shall include representatives from the following entities:*

(A) *Behavioral Health Services Oversight and Accountability Commission.*

(B) *Legislative Analyst's Office.*

(C) *County Behavioral Health Director's Association of California.*

(D) *California State Association of Counties, including both urban and rural county representatives.*

(3) *The California Department of Finance may consult with the workgroup, as needed, to provide technical assistance.*

(d) *The workgroup shall review and analyze current and historical revenues generated pursuant to the Mental Health Services Act and the Behavioral Health Services Act and current and historical prudent reserve levels to develop the recommendations specified in subdivision (b).*

(e) *On or before June 30, 2025, the California Health and Human Services Agency and the State Department of Health Care Services shall submit a report that includes its recommendations specified in subdivision (b) to the Legislature and the Governor's Office.*

(f) *The workgroup may meet as often as necessary, as determined by the members of the workgroup, until the workgroup is disbanded upon submission of the report specified in subdivision (b).*

(g) *Prudent reserve requirements specified in this subdivision may be changed, and requirements to mitigate Behavioral Health Services Act revenue volatility and improve fiscal stability may be developed, based upon recommendations made by the Behavioral Health Services Act Revenue Stability Workgroup pursuant to Section 5892.3.*

(h) *The California Health and Human Services Agency and the State Department of Health Care Services may jointly reconvene the workgroup, if at any point the recommended revenue volatility strategy and prudent reserve requirements no longer adequately support the sustainability of county programs and services given the year-over-year fluctuations in tax revenues generated by the Behavioral Health Services Act.*

SEC. 99. Section 5892.5 of the Welfare and Institutions Code is amended to read:

5892.5. (a) (1) *The California Housing Finance Agency, with the concurrence of the State Department of Health Care Services, shall release unencumbered Mental Health Services Fund moneys dedicated to the Mental Health Services Act housing program upon the written request of the respective county. The county shall use these Mental Health Services Fund moneys released by the agency to provide housing assistance*

to the target populations who are identified in Section 5600.3.

(2) *For purposes of this section, "housing assistance" means each of the following:*

(A) *Rental assistance or capitalized operating subsidies.*

(B) *Security deposits, utility deposits, or other move-in cost assistance.*

(C) *Utility payments.*

(D) *Moving cost assistance.*

(E) *Capital funding to build or rehabilitate housing for homeless, mentally ill persons or mentally ill persons who are at risk of being homeless.*

(b) *For purposes of administering those funds released to a respective county pursuant to subdivision (a), the county shall comply with all of the requirements described in the Mental Health Services Act, including, but not limited to, Sections 5664, 5847, subdivision (h) of Section 5892, and 5899.*

(c) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 100. Section 5892.5 is added to the Welfare and Institutions Code, to read:

5892.5. (a) (1) *The California Housing Finance Agency, with the concurrence of the State Department of Health Care Services, shall release unencumbered Behavioral Health Services Fund moneys dedicated to the Mental Health Services Act housing program upon the written request of the respective county.*

(2) *The county shall use these Behavioral Health Services Fund moneys released by the agency to provide housing interventions pursuant to Section 5830.*

(b) *For purposes of administering those funds released to a respective county pursuant to subdivision (a), the county shall comply with all of the requirements described in the Behavioral Health Services Act, including, but not limited to, Section 5664, Section 5963.02, subdivision (g) of Section 5892, and Section 5963.04.*

(c) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 103. Section 5895 of the Welfare and Institutions Code is amended to read:

5895. ~~In the event (a) If any provisions of Part 3 (commencing with Section 5800), 5800) or Part 4 (commencing with Section 5850) of this division, are repealed or modified so the purposes of this act cannot be accomplished, the funds in the Mental Health Services Fund shall be administered in accordance with those sections as they read on January 1, 2004.~~

(b) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 104. Section 5897 of the Welfare and Institutions Code is amended to read:

5897. (a) Notwithstanding any other state law, the State Department of Health Care Services shall implement the mental health services provided by Part 3 (commencing with Section 5800), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) through contracts with county mental health programs or counties acting jointly. A contract may be exclusive and may be awarded on a geographic basis. For purposes of this section, a county mental health program includes a city receiving funds pursuant to Section 5701.5.

(b) Two or more counties acting jointly may agree to deliver or subcontract for the delivery of those mental health services. The agreement may encompass all or any part of the mental health services provided pursuant to these parts. Any agreement between counties shall delineate each county's responsibilities and fiscal liability.

(c) The department shall implement the provisions of Part 3 (commencing with Section 5800), Part 3.2 (commencing with Section 5830), Part 3.6 (commencing with Section 5840), and Part 4 (commencing with Section 5850) through the county mental health services performance contract, as specified in Chapter 2 (commencing with Section 5650) of Part 2.

(d) The department shall conduct program reviews of performance contracts to determine compliance. Each county performance contract shall be reviewed at least once every three years, subject to available funding for this purpose.

(e) When a county mental health program is not in compliance with its performance contract, the department may request a plan of correction with a specific timeline to achieve improvements. The department shall post on its ~~Internet Web site~~ *internet website* any plans of correction requested and the related findings.

(f) Contracts awarded by the State Department of Health Care Services, the State Department of Public Health, the California Behavioral Health Planning Council, the Office of Statewide Health Planning and Development, and the Mental Health Services Oversight and Accountability Commission pursuant to Part 3 (commencing with Section 5800), Part 3.1 (commencing with Section 5820), Part 3.2 (commencing with Section 5830), Part 3.6 (commencing with Section 5840), Part 3.7 (commencing with Section 5845), Part 4 (commencing with Section 5850), and Part 4.5 (commencing with Section 5890), may be awarded in the same manner in which contracts are awarded pursuant to Section 5814

and the provisions of subdivisions (g) and (h) of Section 5814 shall apply to those contracts.

(g) For purposes of Section 14712, the allocation of funds pursuant to Section 5892 that are used to provide services to Medi-Cal beneficiaries shall be included in calculating anticipated county matching funds and the transfer to the State Department of Health Care Services of the anticipated county matching funds needed for community mental health programs.

(h) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.

SEC. 105. Section 5897 is added to the Welfare and Institutions Code, to read:

5897. (a) (1) *Notwithstanding any other state law, the State Department of Health Care Services shall implement the programs and services specified in subdivision (a) of Section 5892, and related activities, through contracts with a county or counties acting jointly.*

(2) *A contract may be exclusive and may be awarded on a geographic basis.*

(3) *For purposes of this section, a "county" includes a city receiving funds pursuant to Section 5701.5.*

(b) (1) *Two or more counties acting jointly may agree to deliver or subcontract for the delivery of programs and services pursuant to subdivision (a) of Section 5892.*

(2) *The agreement may encompass all or part of these programs and services.*

(3) *An agreement between counties shall delineate each county's responsibilities and fiscal liability.*

(c) *The department shall contract with counties, or counties acting jointly pursuant to subdivision (a), through the county performance contract as specified in Chapter 2 (commencing with Section 5650) of Part 2.*

(d) (1) *The department shall conduct program reviews of performance contracts to determine compliance, including compliance with Sections 5963.02 and 5963.04.*

(2) *Each county performance contract shall be reviewed at least once every three years, subject to available funding for this purpose.*

(e) (1) *If a county behavioral health department is not in compliance with its performance contract, the department may request a plan of correction with a specific timeline to achieve improvements and take administrative action, including, but not limited to, the temporary withholding of funds and the imposition of monetary sanctions pursuant to Section 5963.04.*

(2) *The department shall post plans of correction requested and the related findings on its internet website.*

(f) *Contracts awarded by the State Department of Health Care Services, the State Department of Public Health, the California Behavioral Health Planning Council, the Department of Health Care Access and Information, the Behavioral Health Services Oversight and Accountability Commission and the California Health and Human Services Agency to implement programs and services set forth in subdivision (a) of Section 5892 and programs pursuant to Part 3.1 (commencing with Section 5820) may be awarded in the same manner that contracts are awarded pursuant to Section 5814, and the provisions of subdivisions (g) and (h) of Section 5814 shall apply to those contracts.*

(g) *For purposes of Section 14712, the allocation of funds pursuant to Section 5892 that are used to provide services to Medi-Cal beneficiaries shall be included in calculating anticipated county matching funds and the transfer to the State Department of Health Care Services of the anticipated county matching funds needed for community mental health programs.*

(h) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by voters at the March 5, 2024, statewide primary election.*

SEC. 106. Section 5898 of the Welfare and Institutions Code is amended to read:

5898. (a) The State Department of Health Care Services, in consultation with the Mental Health Services Oversight and Accountability Commission, shall develop regulations, as necessary, for the State Department of Health Care Services, the Mental Health Services Oversight and Accountability Commission, or designated state and local agencies to implement this act. Regulations adopted pursuant to this section shall be developed with the maximum feasible opportunity for public participation and comments.

(b) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.*

SEC. 107. Section 5898 is added to the Welfare and Institutions Code, to read:

5898. (a) (1) *The State Department of Health Care Services shall develop regulations, as necessary, to implement this act.*

(2) *Regulations adopted pursuant to this section shall be developed with the maximum feasible opportunity for public participation and comments.*

(b) *This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

SEC. 108. Section 5899 of the Welfare and Institutions Code is amended to read:

5899. (a) (1) The State Department of Health Care Services, in consultation with the Mental Health Services Oversight and Accountability Commission and

the County Behavioral Health Directors Association of California, shall develop and administer instructions for the Annual Mental Health Services Act Revenue and Expenditure Report.

(2) The instructions shall include a requirement that the county certify the accuracy of this report.

(3) With the exception of expenditures and receipts related to the capital facilities and technology needs component described in paragraph (6) of subdivision (d), each county shall adhere to uniform accounting standards and procedures that conform to the Generally Accepted Accounting Principles prescribed by the Controller pursuant to Section 30200 of the Government Code when accounting for receipts and expenditures of Mental Health Services Act (MHSA) funds in preparing the report.

(4) Counties shall report receipts and expenditures related to capital facilities and technology needs using the cash basis of accounting, which recognizes expenditures at the time payment is made.

(5) Each county shall electronically submit the report to the department and to the Mental Health Services Oversight and Accountability Commission.

(6) The department and the commission shall annually post each county's report in a text-searchable format on its ~~Internet Web site~~ *internet website* in a timely manner.

(b) The department, in consultation with the commission and the County Behavioral Health Directors Association of California, shall revise the instructions described in subdivision (a) by July 1, 2017, and as needed thereafter, to improve the timely and accurate submission of county revenue and expenditure data.

(c) The purpose of the Annual Mental Health Services Act Revenue and Expenditure Report is as follows:

(1) Identify the expenditures of MHSA funds that were distributed to each county.

(2) Quantify the amount of additional funds generated for the mental health system as a result of the MHSA.

(3) Identify unexpended ~~funds~~, *funds* and interest earned on MHSA funds.

(4) Determine reversion amounts, if applicable, from prior fiscal year distributions.

(d) This report is intended to provide information that allows for the evaluation of all of the following:

(1) Children's systems of care.

(2) Prevention and early intervention strategies.

(3) Innovative projects.

(4) Workforce education and training.

(5) Adults and older adults systems of care.

(6) Capital facilities and technology needs.

(e) If a county does not submit the annual revenue and expenditure report described in subdivision (a) by the

required deadline, the department may withhold MHSA funds until the reports are submitted.

(f) A county shall also report the amount of MHSA funds that were spent on mental health services for veterans.

(g) By October 1, 2018, and by October 1 of each subsequent year, the department shall, in consultation with counties, publish on its ~~Internet Web site~~ *internet website* a report detailing funds subject to reversion by county and by originally allocated purpose. The report also shall include the date on which the funds will revert to the Mental Health Services Fund.

(h) *If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on July 1, 2026, and as of January 1, 2027, is repealed.*

SEC. 109. Chapter 3 (commencing with Section 5963) is added to Part 7 of Division 5 of the Welfare and Institutions Code, to read:

CHAPTER 3. BEHAVIORAL HEALTH MODERNIZATION ACT

Article 2. Behavioral Health Planning and Reporting

5963. (a) *It is the intent of the Legislature that this article establish the Integrated Plan for Behavioral Health Services and Outcomes, which each county shall develop every three years to include all of the following:*

(1) *A demonstration of how the county will utilize various funds for behavioral health services to deliver high-quality, culturally responsive, and timely care along the continuum of services in the least restrictive setting from prevention and wellness in schools and other settings to community-based outpatient care, residential care, crisis care, acute care, and housing services and supports.*

(2) *A demonstration of how the county will use Behavioral Health Services Act funds to prioritize addressing the needs of those who meet both of the following:*

(A) *Chronically homeless, experiencing unsheltered homelessness, or are at risk of homelessness, are incarcerated or at risk of being incarcerated, are reentering the community from prison, jail, or a correctional facility, or at risk of institutionalization, conservatorship, or are in the child welfare or adult protective system.*

(B) *The criteria for eligible adults and older adults, as defined in Section 5892, or for eligible children and youth, as defined in Section 5892.*

(3) *A demonstration of how the county will strategically invest in early intervention and advancing behavioral health innovation.*

(4) *A demonstration of how the county has considered other local program planning efforts in the development of the integrated plan to maximize opportunities to leverage funding and services from other programs, including federal funding, Medi-Cal managed care, and commercial health plans.*

(5) *A demonstration of how the county will support and retain a robust, diverse county and noncounty contracted behavioral health workforce to achieve the statewide and local behavioral health outcome goals.*

(6) *A development process in partnership with local stakeholders.*

(7) *A set of measures used to track progress and hold counties accountable in meeting specific outcomes and goals of the integrated plan, including outcomes and goals that reduce disparities.*

(8) *Information for the state to consider, if necessary, to recommend changes to the county's integrated plan or requiring sanctions to a county's Behavioral Health Services Act funding as a result of a county not meeting its obligations or state outcome metrics.*

(b) *For purposes of this article, the following definitions apply:*

(1) *"Chronically homeless" means an individual or family that is chronically homeless, as defined in Section 11360 of Title 42 of the United States Code, or as otherwise modified or expanded by the State Department of Health Care Services.*

(2) *"Department" means the State Department of Health Care Services.*

(3) *"Experiencing homelessness or are at risk of homelessness" means people who are homeless or at risk of homelessness, as defined in Section 91.5 of Title 24 of the Code of Federal Regulations, or as otherwise defined by the department.*

(4) *"Integrated plan" means the Integrated Plan for Behavioral Health Services and Outcomes required by this section.*

(c) *Notwithstanding any other law, new and ongoing county and behavioral health agency administrative costs to implement this article and Section 14197.71, any costs for plan development required under this article that exceed the amounts set forth in subparagraph (B) of paragraph (1) of subdivision (e) of Section 5892, and any costs for reporting required by this article that exceed the amounts set forth in subparagraph (B) of paragraph (2) of subdivision (e) of Section 5892, shall be included in the Governor's 2024–25 May Revision. The State Department of Health Care Services shall consult with the California State Association of Counties and the County Behavioral Health Directors Association of California no later than March 15, 2024, to estimate the resources needed to implement this article and Section 14197.71.*

5963.01. (a) *A county shall work with each Medi-Cal managed care plan, as defined in subdivision (j) of Section 14184.101, that covers residents of the county on development of the managed care plan's population needs assessment.*

(b) *A county shall work with its local health jurisdiction on development of its community health improvement plan.*

(c) *This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act*

are approved by the voters at the March 5, 2024, statewide primary election.

5963.02. (a) (1) Each county shall prepare and submit an integrated plan and annual updates to the Behavioral Health Services Oversight and Accountability Commission and the department.

(2) All references to the three-year program and expenditure plan mean the integrated plan.

(3) Each county's board of supervisors shall approve the integrated plan and annual updates by June 30 prior to the fiscal year or years the integrated plan or update would cover.

(4) A county shall not use the integrated plan to demonstrate compliance with federal law, state law, or requirements imposed by the department related to programs listed in subdivision (c).

(b) (1) Each section of the integrated plan and annual update listed in subdivision (c) shall be based on available funding or obligations under Section 30025 of the Government Code and corresponding contracts for the applicable fiscal years and in accordance with established stakeholder engagement and planning requirements as required in Section 5963.03.

(2) A county shall consider relevant data sources, including local data, to guide addressing local needs, including the prevalence of mental health and substance use disorders, the unmet need for mental health and substance use disorder treatment in the county, behavioral health disparities, and the homelessness point-in-time count, in preparing each integrated plan and annual update, and should use the data to demonstrate how the plan appropriately allocates funding between mental health and substance use disorder treatment services.

(3) A county shall consider the population needs assessment of each Medi-Cal managed care plan, as defined in subdivision (j) of Section 14184.101, that covers residents of the county in preparing each integrated plan and annual update.

(4) A county shall consider the community health improvement plan of the local health jurisdiction for the county in preparing each integrated plan and annual update.

(5) A county shall stratify data to identify behavioral health disparities and consider approaches to eliminate disparities, including, but not limited to, promising practices, models of care, community-defined evidence practices, workforce diversity, and cultural responsiveness in preparing each integrated plan and annual update.

(6) A county shall report and consider the achievement of defined goals and outcomes measures of the prior integrated plan and annual update, in addition to other data and information as specified by the department pursuant to Section 5963.05, in preparing each integrated plan and annual update.

(7) A county with a population greater than 200,000 shall collaborate with the five most populous cities in

the county, managed care plans, and continuums of care to outline respective responsibilities and coordination of services related to housing interventions described in Section 5830.

(8) A county shall consider input and feedback into the plan provided by stakeholders, including, but not limited to, those with lived behavioral health experience, including peers and families.

(c) The integrated plan and annual updates shall include a section for each of the following:

(1) (A) Community mental health services provided pursuant to Part 2 (commencing with Section 5600).

(B) Programs and services funded from the Behavioral Health Services Fund pursuant to Section 5890, including a description of how the county meets the requirements of paragraph (7) of subdivision (b).

(C) Programs and services funded by the Projects for Assistance in Transition from Homelessness grant pursuant to Sections 290cc-21 to 290cc-35, inclusive, of Title 42 of the United States Code.

(D) Programs and services funded by the Community Mental Health Services Block Grant pursuant to Sections 300x to 300x-9, inclusive, of Title 42 of the United States Code.

(E) Programs and services funded by the Substance Abuse Block Grant pursuant to Sections 300x-21 to 300x-35, inclusive, of Title 42 of the United States Code.

(F) Programs and services provided pursuant to Article 5 (commencing with Section 14680) of Chapter 8.8 of Part 3 of Division 9 and Chapter 8.9 (commencing with Section 14700) of Part 3 of Division 9.

(G) Programs and services provided pursuant to Article 3.2 (commencing with Section 14124.20) of Chapter 7 of Part 3 of Division 9.

(H) Programs and services provided pursuant to Section 14184.401.

(I) Programs and services funded by distributions from the Opioid Settlements Fund established pursuant to Section 12534 of the Government Code.

(J) Services provided through other federal grants or other county mental health and substance use disorder programs.

(2) A budget that includes the county planned expenditures and reserves for the county distributions from the Behavioral Health Service Fund and any other funds allocated to the county to provide the services and programs set forth in paragraph (1). The budget shall also include proposed adjustments pursuant to the requirements set forth in paragraph (c) of Section 5892.

(3) (A) A description of how the integrated plan and annual update aligns with statewide behavioral health goals and outcome measures, including goals and outcome measures to reduce identified disparities, as defined by the department in consultation with counties, stakeholders, and the Behavioral Health

Services and Oversight Accountability Commission, pursuant to Section 5963.05.

(B) Outcome measures may include, but are not limited to, measures that demonstrate achievement of goals to reduce homelessness among those eligible for housing interventions pursuant to Section 5830 and measures that demonstrate reductions in the number of people who are justice-involved in the county and who are eligible adults or older adults, as defined in Section 5892, or eligible children and youth, as defined in Section 5892.

(4) A description of how the integrated plan aligns with local goals and outcome measures for behavioral health, including goals and outcome measures to reduce identified disparities.

(5) The programs and services specified in paragraph (1) shall include descriptions of efforts to reduce identified disparities in behavioral health outcomes.

(6) A description of the data sources considered to meet the requirements specified in paragraph (2) of subdivision (b).

(7) A description of how the county has considered the unique needs of LGBTQ+ youth, justice-involved youth, child welfare-involved, justice-involved adults, and older adults in the housing intervention program pursuant to Part 3.2 (commencing with Section 5830) and Full Service Partnership program pursuant to Part 4.1 (commencing with Section 5887).

(8) A description of its workforce strategy, to include actions the county will take to ensure its county and noncounty contracted behavioral health workforce is well-supported and culturally and linguistically concordant with the population to be served, and robust enough to achieve the statewide and local behavioral health goals and measures. This description shall include how the county will do all of the following:

(A) Maintain and monitor a network of appropriate, high-quality, culturally and linguistically concordant county and noncounty contracted providers, where applicable, that is sufficient to provide adequate access to services and supports for individuals with behavioral health needs.

(B) Meet federal and state standards for timely access to care and services, considering the urgency of the need for services.

(C) Ensure the health and welfare of the individual and support community integration of the individual.

(D) Promote the delivery of services in a culturally competent manner to all individuals, including those with limited English proficiency and diverse cultural and ethnic backgrounds and disabilities, regardless of age, religion, sexual orientation, and gender identity.

(E) Ensure physical access, reasonable accommodations, and accessible equipment for individuals with physical, intellectual and developmental, and mental disabilities.

(F) Select and retain all contracted network providers, including ensuring all contracted providers meet

minimum standards for license, certification, training, experience, and credentialing requirements.

(G) Ensure that the contractor's hiring practices meet applicable nondiscrimination standards and demonstrate best practices in promoting diversity and equity.

(H) Adequately fund contracts to ensure that noncounty contracted providers are resourced to achieve the behavioral health goals outlined in their contract for the purposes of meeting statewide metrics.

(I) Conduct oversight of compliance of all federal and state laws and regulations of all contracted network providers.

(J) Fill county vacancies and retain county employees providing direct behavioral health services, if applicable.

(9) A description of the system developed to transition a beneficiary's care between the beneficiary's mental health plan and their managed care plan based upon the beneficiary's health condition.

(10) Certification by the county behavioral health director, that ensures that the county has complied with all pertinent regulations, laws, and statutes, including stakeholder participation requirements.

(11) Certification by the county behavioral health director and by the county chief administration officer or their designee that the county has complied with fiscal accountability requirements, as directed by the department, and that all expenditures are consistent with applicable state and federal law.

(d) The county shall submit its integrated plan and annual updates to the department and the commission in a form and manner prescribed by the department.

(e) The department shall post on its internet website, in a timely manner, the integrated plan submitted by every county pursuant to this section.

(f) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

5963.03. (a) (1) Each integrated plan shall be developed with local stakeholders, including, but not limited to, all of the following:

(A) Eligible adults and older adults, as defined in Section 5892.

(B) Families of eligible children and youth, eligible adults, and eligible older adults, as defined in Section 5892.

(C) Youths or youth mental health or substance use disorder organizations.

(D) Providers of mental health services and substance use disorder treatment services.

(E) Public safety partners, including county juvenile justice agencies.

(F) Local education agencies.

(G) Higher education partners.

- (H) Early childhood organizations.
- (I) Local public health jurisdictions.
- (J) County social services and child welfare agencies.
- (K) Labor representative organizations.
- (L) Veterans.
- (M) Representatives from veterans organizations.
- (N) Health care organizations, including hospitals.
- (O) Health care service plans, including Medi-Cal managed care plans as defined in subdivision (j) of Section 14184.101.
- (P) Disability insurers.
- (Q) Tribal and Indian Health Program designees established for Medi-Cal Tribal consultation purposes.
- (R) The five most populous cities in counties with a population greater than 200,000.
- (S) Area agencies on aging.
- (T) Independent living centers.
- (U) Continuums of care, including representatives from the homeless service provider community.
- (V) Regional centers.
- (W) Emergency medical services.
- (X) Community-based organizations serving culturally and linguistically diverse constituents.
- (2) (A) (i) A county shall demonstrate a partnership with constituents and stakeholders throughout the process that includes meaningful stakeholder involvement on mental health and substance use disorder policy, program planning, and implementation, monitoring, workforce, quality improvement, health equity, evaluation, and budget allocations.
- (ii) Stakeholders shall include sufficient participation of individuals representing diverse viewpoints, including, but not limited to, representatives from youth from historically marginalized communities, representatives from organizations specializing in working with underserved racially and ethnically diverse communities, representatives from LGBTQ+ communities, victims of domestic violence and sexual abuse, and people with lived experience of homelessness.
- (iii) A county may provide supports, including, but not limited to, training and technical assistance, to ensure stakeholders, including peers and families, receive sufficient information and data to meaningfully participate in the development of integrated plans and annual updates.
- (B) A draft plan and update shall be prepared and circulated for review and comment for at least 30 days to representatives of stakeholder interest and any interested party who has requested a copy of the draft plan.
- (b) (1) The behavioral health board established pursuant to Section 5604 shall conduct a public hearing on the draft integrated plan and annual updates at the

- close of the 30-day comment period required by subdivision (a).
- (2) Each adopted integrated plan and update shall include substantive written recommendations for revisions.
- (3) The adopted integrated plan or update shall summarize and analyze the recommended revisions.
- (4) The behavioral health board shall review the adopted integrated plan or update and make recommendations to the local mental health agency, local substance use disorder agency, or local behavioral health agency, as applicable, for revisions.
- (5) The local mental health agency, local substance use disorder agency, or local behavioral health agency, as applicable, shall provide an annual report of written explanations to the local governing body and the department for substantive recommendations made by the local behavioral health board that are not included in the final integrated plan or update.
- (6) A county may provide training to ensure stakeholders receive sufficient information and data to meaningfully participate in the development of integrated plans and annual updates.
- (c) (1) A county shall prepare annual updates to its integrated plan and may prepare intermittent updates.
- (2) In preparing annual and intermittent updates:
- (A) A county is not required to comply with the stakeholder process described in subdivisions (a) and (b).
- (B) A county shall post on its internet website all updates to its integrated plan and a summary and justification of the changes made by the updates for a 30-day comment period prior to the effective date of the updates.
- (d) For purposes of this section, "substantive recommendations made by the local behavioral health board" means a recommendation that is brought before the board and approved by a majority vote of the membership present at a public hearing of the local behavioral health board that has established a quorum.
- (e) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.
- 5963.04. (a) (1) Annually, counties and Medi-Cal behavioral health delivery systems, as defined in subdivision (i) of Section 14184.101, shall submit the County Behavioral Health Outcomes, Accountability, and Transparency Report to the department.
- (2) This report shall include the following data and information that shall be submitted in a form, manner, and in accordance with timelines prescribed by the department:
- (A) The county's annual allocation of state and federal behavioral health funds, by category.
- (B) The county's annual expenditure of state and federal behavioral health funds, by category.

(C) The amounts of annual and cumulative unspent state and federal behavioral health funds, including funds in a reserve account, by category.

(D) The county's annual expenditure of county general funds and other funds, by category, on mental health or substance use disorder treatment services.

(E) The sources and amounts spent annually as the nonfederal share for Medi-Cal specialty mental health services and Medi-Cal substance use disorder treatment services, by category.

(F) All administrative costs, by category.

(G) All contracted services, and the cost of those contracted services, by category.

(H) Information on behavioral health services provided to persons not covered by Medi-Cal, including, but not limited to, those who are uninsured or covered by Medicare or commercial insurance, by category.

(I) Other data and information, which shall include, but is not limited to, information on spending on children and youth, service utilization data, performance outcome measures across all behavioral health delivery systems, and data and information pertaining to populations with identified disparities in behavioral health outcomes, as specified by the department. This shall include data through the lens of health equity to identify racial, ethnic, age, gender, and other demographic disparities and inform disparity reduction efforts. Other data and information may include the number of people who are eligible adults and older adults, as defined in Section 5892, who are incarcerated, experiencing homelessness, inclusive of the availability of housing, the number of eligible children and youth, as defined in Section 5892, who access evidence based early psychosis and mood disorder detection and intervention programs.

(J) Data and information on workforce measures and metrics, including, but not limited to, all of the following:

(i) Vacancies and efforts to fill vacancies.

(ii) The number of county employees providing direct clinical behavioral health services.

(iii) Whether there is a net change in the number of county employees providing direct clinical behavioral health services compared to the prior year and an explanation for that change.

(b) The department shall establish metrics, in consultation with counties, stakeholders, and the Behavioral Health Services Oversight and Accountability Commission to measure and evaluate the quality and efficacy of the behavioral health services and programs listed in paragraph (1) of subdivision (c) of Section 5963.02. The metrics shall be used to identify demographic and geographic disparities in the quality and efficacy of behavioral health services and programs listed in paragraph (1) of subdivision (c) of Section 5963.02.

(c) Each county's board of supervisors shall attest that the County Behavioral Health Outcomes,

Accountability, and Transparency Report is complete and accurate before it is submitted to the department.

(d) Each year, the department shall post on its internet website a statewide County Behavioral Health Outcomes, Accountability, and Transparency Report.

(e) (1) The department may require a county or Medi-Cal behavioral health delivery system, as defined in subdivision (i) of Section 14184.101, to revise its integrated plan or annual update pursuant to Section 5963.02 if the department determines the plan or update fails to adequately address local needs pursuant to paragraph (2) of subdivision (b) of Section 5963.02.

(2) The department may impose a corrective action plan or require a county or Medi-Cal behavioral health delivery system, as defined in subdivision (i) of Section 14184.101, to revise its integrated plan or annual update pursuant to Section 5963.02 if the department determines that the county or delivery system fails to make adequate progress in meeting the metrics established by the department pursuant to subdivision (b).

(3) (A) (i) If a county or Medi-Cal behavioral health delivery system fails to submit the data and information specified in subdivision (a) by the required deadline, or as otherwise required by the department, fails to allocate funding pursuant to Section 5892, or fails to follow the process pursuant to Section 5963.03, the department may impose a corrective action plan, monetary sanctions, or temporarily withhold payments to the county or Medi-Cal behavioral health delivery system, pursuant to Section 14197.7.

(ii) Subject to the guidance issued pursuant to Section 5963.05, if a county's actual expenditures of its allocations from the Behavioral Health Services Fund significantly varies from its budget in Section 5963.02, the department may impose a corrective action plan, monetary sanctions, or temporarily withhold payments to the county pursuant to Section 14197.7.

(iii) Notwithstanding subdivision (o) of Section 14197.7, temporarily withheld payments shall be withheld from the Behavioral Health Services Fund.

(B) (i) Notwithstanding subdivision (q) of Section 14197.7, monetary sanctions collected pursuant to this section shall be deposited in the Behavioral Health Services Act Accountability Fund, which is hereby created in the State Treasury.

(ii) Subject to the department's guidance issued pursuant to Section 5963.05, all monies in the Behavioral Health Services Act Accountability Fund shall be continuously appropriated and allocated and distributed to the county that paid the monetary sanction upon the department's determination that the county has come into compliance.

(C) The department shall temporarily withhold amounts it deems necessary to ensure the county or Medi-Cal behavioral health delivery system comes into compliance.

(D) The department shall release the temporarily withheld funds when it determines the county or Medi-Cal behavioral health delivery system has come into compliance.

(f) This section shall be read in conjunction with, and apply in addition to, any other applicable law that authorizes the department to impose sanctions or otherwise take remedial actions against a county and Medi-Cal behavioral health delivery system.

(g) This section shall become operative on July 1, 2026, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

5963.05. (a) Notwithstanding Chapter 3.5 (commencing Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific the amendments made pursuant to this act by means of plan or county letters, information notices, plan or provider bulletins, or other similar instructions without taking further regulatory action.

(b) By July 1, 2033, the department shall adopt regulations necessary to implement, interpret, or make specific the amendments made pursuant to this act in accordance with the requirements of Chapter 3.5 (commencing Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) (1) For purposes of implementing this act, the department may enter into exclusive or nonexclusive contracts, or amend existing contracts, on a bid or negotiated basis, including contracts to implement new or change existing information technology systems.

(2) Notwithstanding any other law, contracts entered into or amended, or changes to existing information technology systems made pursuant to this subdivision shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, Part 2 (commencing with Section 12100) of Division 2 of the Public Contract Code, the Statewide Information Management Manual, and the State Administrative Manual and shall be exempt from the review or approval of any division of the Department of General Services or the Department of Technology.

(d) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

5963.06. (a) The California State Auditor shall, no later than December 31, 2029, issue to the Governor, the Legislature, the Senate and Assembly Committees on Health, the Assembly Committee on Housing and Community Development, and the Senate Committee on Housing, a comprehensive report on the progress and effectiveness of the implementation of the Behavioral Health Services Act.

(b) The California State Auditor shall conduct the audit required pursuant to subdivision (a) every three years thereafter with the final audit due on or before December 31, 2035. The final report shall include final findings, conclusions, and recommendations on the topics addressed in the previous reports.

(1) The California State Auditor shall make their reports available to the public.

(2) The California State Auditor shall make every effort to provide affected entities with an opportunity to reply to any facts, findings, issues, or conclusions in their reports with which the department may disagree.

(c) The audit conducted pursuant to this section shall include an assessment of the following:

(1) The impact of the policy changes of the Behavioral Health Services Act on the overall delivery of behavioral health services in California.

(2) The timeliness and thoroughness of guidance issued and training and technical assistance provided to impacted entities by the state as it transitions from the existing behavioral health system of care to the reforms envisioned pursuant to this act.

(3) The implementation of the Behavioral Health Services Act by each of the primary entities involved in the transition and implementation, including, but not limited to, the California Health and Human Services Agency, State Department of Health Care Services, Department of Health Care Access and Information, State Department of Public Health, Behavioral Health Services Oversight and Accountability Commission, counties, and county behavioral health directors.

(4) How counties demonstrate progress towards meeting the statewide behavioral health goals and outcome measures developed pursuant to subparagraph (A) of paragraph (3) of subdivision (c) of Section 5963.02.

(5) The fiscal and programmatic aspects of the Behavioral Health Services Act, including reserve levels, reversion activity, services and system outcomes, workforce training, workforce capacity, number of individuals served, number of individuals receiving services, number of individuals receiving housing interventions, as reported to the department by counties.

(6) The revised Behavioral Health Services Act allocations pursuant to paragraphs (1), (2), and (3) of subdivision (a) of Section 5892, gaps in service, and trends in unmet needs.

(7) The degree to which the inclusion of substance use disorders, substance use disorder treatment services, and substance use disorder personnel into the Behavioral Health Services Act has impacted the system of behavioral health care and the degree to which inclusion in the Behavioral Health Services Act has been initially successful.

(8) The effectiveness and outcomes achieved through the population-based prevention programs developed

and implemented by the State Department of Public Health.

(9) *The effectiveness and compliance by the counties with the revised reporting requirements under the act that added this section.*

(10) *The department's oversight of the revised Integrated Plan for Behavioral Health Services and Outcomes and County Behavioral Health Outcomes, Accountability, and Transparency Report, including the use of corrective action plans or sanctions, or both.*

(11) *The coordination and collaboration occurring throughout the transition period between, but not limited to, the California Health and Human Services Agency, State Department of Health Care Services, Behavioral Health Services Oversight and Accountability Commission, counties, and county behavioral health directors, and an identification of areas of improvement if warranted.*

(12) *Recommendations on any changes or improvements indicated by the audit pursuant to this section.*

(d) (1) *The California Health and Human Services Agency, State Department of Health Care Services, counties, and Behavioral Health Services Oversight and Accountability Commission staff shall cooperate with all requests of the California State Auditor to the extent such information is available and the State Department of Health Care Services, counties, and Behavioral Health Services Oversight and Accountability Commission shall provide data, information, and case files as requested by the California State Auditor to perform all of their duties, to the extent that information is available.*

(2) *The California State Auditor may also provide in its reports, additional information to either the department or the Legislature at their discretion or at the request of either the department or the Legislature.*

(e) *The California State Auditor shall, in making its recommendations, indicate the predicted quickest method of implementing those recommendations, including, but not limited to, regulatory or statutory changes.*

(f) *This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.*

(g) *This section shall become inoperative on June 30, 2036, and, as of January 1, 2037, is repealed.*

SEC. 110. Section 14197.7 of the Welfare and Institutions Code is amended to read:

14197.7. (a) Notwithstanding any other law, if the director finds that any entity that contracts with the department for the delivery of health care services (contractor), including a Medi-Cal managed care plan or a prepaid health plan, fails to comply with contract requirements, state or federal law or regulations, or the state plan or approved waivers, or for other good cause, the director may terminate the contract or impose

sanctions as set forth in this section. Good cause includes, but is not limited to, a finding of deficiency that results in improper denial or delay in the delivery of health care services, potential endangerment to patient care, disruption in the contractor's provider network, failure to approve continuity of care, that claims accrued or to accrue have not or will not be recompensed, or a delay in required contractor reporting to the department.

(b) The director may identify findings of noncompliance or good cause through any means, including, but not limited to, findings in audits, investigations, contract compliance reviews, quality improvement system monitoring, routine monitoring, facility site surveys, encounter and provider data submissions, grievances and appeals, network adequacy reviews, assessments of timely access requirements, reviews of utilization data, health plan rating systems, fair hearing decisions, complaints from beneficiaries and other stakeholders, whistleblowers, and contractor self-disclosures.

(c) Except when the director determines that there is an immediate threat to the health of Medi-Cal beneficiaries receiving health care services from the contractor, at the request of the contractor, the department shall hold a public hearing to commence 30 days after notice of intent to terminate the contract has been received by the contractor. The department shall present evidence at the hearing showing good cause for the termination. The department shall assign an administrative law judge who shall provide a written recommendation to the department on the termination of the contract within 30 days after conclusion of the hearing. Reasonable notice of the hearing shall be given to the contractor, Medi-Cal beneficiaries receiving services through the contractor, and other interested parties, including any other persons and organizations as the director may deem necessary. The notice shall state the effective date of, and the reason for, the termination.

(d) In lieu of contract termination, the director shall have the power and authority to require or impose a plan of correction and issue one or more of the following sanctions against a contractor for findings of noncompliance or good cause, including, but not limited to, those specified in subdivision (a):

(1) Temporarily or permanently suspend enrollment and marketing activities.

(2) Require the contractor to suspend or terminate contractor personnel or subcontractors.

(3) Issue one or more of the temporary suspension orders set forth in subdivision (j).

(4) Impose temporary management consistent with the requirements specified in Section 438.706 of Title 42 of the Code of Federal Regulations.

(5) Suspend default enrollment of enrollees who do not select a contractor for the delivery of health care services.

(6) Impose civil monetary sanctions consistent with the dollar amounts and violations specified in Section 438.704 of Title 42 of the Code of Federal Regulations, as follows:

(A) A limit of twenty-five thousand dollars (\$25,000) for each determination of the following:

(i) The contractor fails to provide medically necessary services that the contractor is required to provide, under law or under its contract with the department, to an enrollee covered under the contract.

(ii) The contractor misrepresents or falsifies information to an enrollee, potential enrollee, or health care provider.

(iii) The contractor distributes directly, or indirectly through an agent or independent contractor, marketing materials that have not been approved by the state or that contain false or materially misleading information.

(B) A limit of one hundred thousand dollars (\$100,000) for each determination of the following:

(i) The contractor conducts any act of discrimination against an enrollee on the basis of their health status or need for health care services. This includes termination of enrollment or refusal to reenroll a beneficiary, except as permitted under the Medicaid program, or any practice that would reasonably be expected to discourage enrollment by beneficiaries whose medical condition or history indicates probable need for substantial future medical services.

(ii) The contractor misrepresents or falsifies information that it furnishes to the federal Centers for Medicare and Medicaid Services or to the department.

(C) A limit of fifteen thousand dollars (\$15,000) for each beneficiary the director determines was not enrolled because of a discriminatory practice under clause (i) of subparagraph (B). This sanction is subject to the overall limit of one hundred thousand dollars (\$100,000) under subparagraph (B).

(e) Notwithstanding the monetary sanctions imposed for the violations set forth in paragraph (6) of subdivision (d), the director may impose monetary sanctions in accordance with this section based on any of the following:

(1) The contractor violates any federal or state statute or regulation.

(2) The contractor violates any provision of its contract with the department.

(3) The contractor violates any provision of the state plan or approved waivers.

(4) The contractor fails to meet quality metrics or benchmarks established by the department. Any changes to the minimum quality metrics or benchmarks made by the department that are effective on or after January 1, 2020, shall be established in advance of the applicable reporting or performance measurement period, unless required by the federal government.

(5) The contractor fails to demonstrate that it has an adequate network to meet anticipated utilization in its service area.

(6) The contractor fails to comply with network adequacy standards, including, but not limited to, time and distance, timely access, and provider-to-beneficiary ratio requirements pursuant to standards and formulae that are set forth in federal or state law, regulation, state plan or contract, and that are posted in advance to the department's internet website.

(7) The contractor fails to comply with the requirements of a corrective action plan.

(8) The contractor fails to submit timely and accurate network provider data.

(9) The director identifies deficiencies in the contractor's delivery of health care services.

(10) The director identifies deficiencies in the contractor's operations, including the timely payment of claims.

(11) The contractor fails to comply with reporting requirements, including, but not limited to, those set forth in Section 53862 of Title 22 of the California Code of Regulations.

(12) The contractor fails to timely and accurately process grievances or appeals.

(f) (1) Monetary sanctions imposed pursuant to subdivision (e) may be separately and independently assessed and may also be assessed for each day the contractor fails to correct an identified deficiency. For a deficiency that impacts beneficiaries, each beneficiary impacted constitutes a separate violation. Monetary sanctions shall be assessed in the following amounts:

(A) Up to twenty-five thousand dollars (\$25,000) for a first violation.

(B) Up to fifty thousand dollars (\$50,000) for a second violation.

(C) Up to one hundred thousand dollars (\$100,000) for each subsequent violation.

(2) For monetary sanctions imposed on a contractor that is funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n), the department shall calculate a percentage of the funds attributable to the contractor to be offset per month pursuant to paragraphs (2) to (4), inclusive, of subdivision (n) until the amount offset equals the amount of the penalty imposed pursuant to paragraph (1).

(g) When assessing sanctions pursuant to this section, the director shall determine the appropriate amount of the penalty for each violation based upon one or more of the following nonexclusive factors:

(1) The nature, scope, and gravity of the violation, including the potential harm or impact on beneficiaries.

(2) The good or bad faith of the contractor.

(3) The contractor's history of violations.

(4) The willfulness of the violation.

- (5) The nature and extent to which the contractor cooperated with the department's investigation.
- (6) The nature and extent to which the contractor aggravated or mitigated any injury or damage caused by the violation.
- (7) The nature and extent to which the contractor has taken corrective action to ensure the violation will not recur.
- (8) The financial status of the contractor, including whether the sanction will affect the ability of the contractor to come into compliance.
- (9) The financial cost of the health care service that was denied, delayed, or modified.
- (10) Whether the violation is an isolated incident.
- (11) The amount of the penalty necessary to deter similar violations in the future.
- (12) Any other mitigating factors presented by the contractor.
- (h) Except in exigent circumstances in which there is an immediate risk to the health of beneficiaries, as determined by the department, the director shall give reasonable written notice to the contractor of the intention to impose any of the sanctions authorized by this section and others who may be directly interested, including any other persons and organizations as the director may deem necessary. The notice shall include the effective date for, the duration of, and the reason for each sanction proposed by the director. A contractor may request the department to meet and confer with the contractor to discuss information and evidence that may impact the director's final decision to impose sanctions authorized by this section. The director shall grant a request to meet and confer prior to issuance of a final sanction if the contractor submits the request in writing to the department no later than two business days after the contractor's receipt of the director's notice of intention to impose sanctions.
- (i) Notwithstanding subdivision (d), the director shall terminate a contract with a contractor that the United States Secretary of Health and Human Services has determined does not meet the requirements for participation in the Medicaid program contained in Subchapter XIX (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.
- (j) (1) The department may make one or more of the following temporary suspension orders as an immediate sanction:
- (A) Temporarily suspend enrollment activities.
- (B) Temporarily suspend marketing activities.
- (C) Require the contractor to temporarily suspend specified personnel of the contractor.
- (D) Require the contractor to temporarily suspend participation by a specified subcontractor.
- (2) The temporary suspension orders shall be effective no earlier than 20 days after the notice specified in subdivision (k).

(k) Prior to issuing a temporary suspension order, or temporarily withholding funds pursuant to subdivision (o), the department shall provide the contractor with a written notice. The notice shall state the department's intent to impose a temporary suspension or temporary withhold, and specify the nature and effective date of the temporary suspension or temporary withhold. The contractor shall have 30 calendar days from the date of receipt of the notice to file a written appeal with the department. Upon receipt of a written appeal filed by the contractor, the department ~~shall~~ *shall*, within 15 ~~days~~ *days*, set the matter for hearing, which shall be held as soon as possible, but not later than 30 days after receipt of the notice of hearing by the contractor. The hearing may be continued at the request of the contractor if a continuance is necessary to permit presentation of an adequate defense. The temporary suspension order shall remain in effect until the hearing is completed and the department has made a final determination on the merits. However, the temporary suspension order shall be deemed vacated if the director fails to make a final determination on the merits within 60 days after the original hearing has been completed. The department shall stay imposition of a temporary withhold, pursuant to subdivision (o), until the hearing is completed and the department has made a final determination on the merits.

(l) (1) Except as provided in paragraph (2), a contractor may request a hearing in connection with any sanctions applied pursuant to subdivision (d) or (e) within 15 working days after the notice of the effective date of the sanctions has been given, by sending a letter so stating to the address specified in the notice. The department shall stay collection of monetary sanctions upon receipt of the request for a hearing. Collection of the sanction shall remain stayed until the effective date of the final decision of the department.

(2) With respect to mental health plans, the due process and appeals process specified in paragraph (4) of subdivision (b) of Section 14718 shall be made available in connection with any contract termination actions, temporary suspension orders, temporary withholds of funds pursuant to subdivision (o), and sanctions applied pursuant to subdivision (d) or (e).

(m) Except as otherwise provided in this section, all hearings to review the imposition of sanctions, including temporary suspension orders, the withholding or offsetting of funds pursuant to subdivision (n), or the temporary withholding of funds pursuant to subdivision (o), shall be held pursuant to the procedures set forth in Section 100171 of the Health and Safety Code.

(n) (1) If the director imposes monetary sanctions pursuant to this section on a contractor, except for a contractor described in paragraphs (2) to (4), inclusive, the amount of the sanction may be collected by withholding the amount from capitation or other associated payments owed to the contractor.

(2) If the director imposes monetary sanctions on a contractor that is funded from the Mental Health Subaccount, the Mental Health Equity Subaccount, the

Vehicle License Collection Account of the Local Revenue Fund, or the Mental Health Account, the director may offset the monetary sanctions from the respective account. The offset is subject to paragraph (2) of subdivision (q).

(3) If the director imposes monetary sanctions on a contractor that is funded from the Behavioral Health Subaccount of the Local Revenue Fund 2011, the director may offset the monetary sanctions from that account from the distribution attributable to the applicable contractor. The offset is subject to paragraph (2) of subdivision (q).

(4) If the director imposes monetary sanctions on a contractor that is funded from any other mental health or substance use disorder realignment funds from which the Controller is authorized to make distributions to the contractor, the director may offset the monetary sanctions from these funds if the funds described in paragraphs (2) and (3) are insufficient for the purposes described in this subdivision, as appropriate. The offset is subject to paragraph (2) of subdivision (q).

(o) (1) Whenever the department determines that a mental health plan or any entity that contracts with the department to provide Drug Medi-Cal services has violated state or federal law, a requirement of this chapter, Chapter 8 (commencing with Section 14200), Chapter 8.8 (commencing with Section 14600), or Chapter 8.9 (commencing with Section 14700), or any regulations, the state plan, or a term or condition of an approved waiver, or a provision of its contract with the department, the department may temporarily withhold payments of federal financial participation and payments from the accounts listed in paragraphs (2) to (4), inclusive, of subdivision (n). The department shall temporarily withhold amounts it deems necessary to ensure the mental health plan or the entity that contracts with the department to provide Drug Medi-Cal services promptly corrects the violation. The department shall release the temporarily withheld funds when it determines the mental health plan or the entity that contracts with the department to provide Drug Medi-Cal services has come into compliance.

(2) A mental health plan, or any entity that contracts with the department to provide Drug Medi-Cal services, may appeal the imposition of a temporary withhold pursuant to this subdivision in accordance with the procedures described in subdivisions (k) and (m). Imposition of a temporary withhold shall be stayed until the effective date of the final decision of the department.

(p) This section shall be read in conjunction with, and apply in addition to, any other applicable law that authorizes the department to impose sanctions or otherwise take remedial action upon contractors.

(q) (1) Notwithstanding any other law, nonfederal moneys collected by the department pursuant to this section, except for moneys collected from a contractor funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n), shall be deposited into the General

Fund for use, and upon appropriation by the Legislature, to address workforce issues in the Medi-Cal program and to improve access to care in the Medi-Cal program.

(2) Monetary sanctions imposed via offset on a contractor that is funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n) shall be redeposited into the account from which the monetary sanctions were offset pursuant to paragraphs (2) to (4), inclusive, of subdivision (n). The department shall notify the Department of Finance of the percentage reduction for the affected county. The Department of Finance shall subsequently notify the Controller, and the Controller shall redistribute the monetary sanction amount to nonsanctioned counties based on each county's prorated share of the monthly base allocations from the realigned account. With respect to an individual contractor, the department shall not collect via offset more than 25 percent of the total amount of the funds distributed from the applicable account or accounts that are attributable to the contractor in a given month. If the department is not able to collect the full amount of monetary sanctions imposed on a contractor funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n) in a given month, the department shall continue to offset the amounts attributable to the contractor in subsequent months until the full amount of monetary sanctions has been collected.

(r) (1) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific this section, in whole or in part, by means of plan or county letters, information notices, plan or provider bulletins, or other similar instructions, without taking any further regulatory action.

(2) By July 1, 2025, the department shall adopt any regulations necessary to implement this section in accordance with the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(s) This section shall be implemented only to the extent that any necessary federal approvals have been obtained and that federal financial participation is available.

(t) For purposes of this section, "contractor" means any individual, organization, or entity that enters into a contract with the department to provide services to enrolled Medi-Cal beneficiaries pursuant to any of the following:

(1) Article 2.7 (commencing with Section 14087.3), including dental managed care programs developed pursuant to Section 14087.46.

(2) Article 2.8 (commencing with Section 14087.5).

(3) Article 2.81 (commencing with Section 14087.96).

(4) Article 2.82 (commencing with Section 14087.98).

- (5) Article 2.9 (commencing with Section 14088).
- (6) Article 2.91 (commencing with Section 14089).
- (7) Chapter 8 (commencing with Section 14200), including dental managed care plans.
- (8) Chapter 8.9 (commencing with Section 14700).
- (9) A county Drug Medi-Cal organized delivery system authorized under the California Medi-Cal 2020 Demonstration pursuant to Article 5.5 (commencing with Section 14184) or a successor demonstration or waiver, as applicable.

(u) If amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election, this section shall become inoperative on January 1, 2025, and as of that date is repealed.

SEC. 111. Section 14197.7 is added to the Welfare and Institutions Code, to read:

14197.7. (a) (1) Notwithstanding any other law, if the director finds that an entity that contracts with the department for the delivery of health care services (contractor), including a Medi-Cal managed care plan or a prepaid health plan, fails to comply with contract requirements, state or federal law or regulations, or the state plan or approved waivers, or for other good cause, the director may terminate the contract or impose sanctions as set forth in this section.

(2) Good cause includes, but is not limited to, a finding of deficiency that results in improper denial or delay in the delivery of health care services, potential endangerment to patient care, disruption in the contractor's provider network, failure to approve continuity of care, that claims accrued or to accrue have not or will not be recompensed, or a delay in required contractor reporting to the department.

(b) The director may identify findings of noncompliance or good cause through any means, including, but not limited to, findings in audits, investigations, contract compliance reviews, quality improvement system monitoring, routine monitoring, facility site surveys, encounter and provider data submissions, grievances and appeals, network adequacy reviews, assessments of timely access requirements, reviews of utilization data, health plan rating systems, fair hearing decisions, complaints from beneficiaries and other stakeholders, whistleblowers, and contractor self-disclosures.

(c) (1) Except when the director determines there is an immediate threat to the health of Medi-Cal beneficiaries receiving health care services from the contractor, at the request of the contractor, the department shall hold a public hearing to commence 30 days after notice of intent to terminate the contract has been received by the contractor.

(2) The department shall present evidence at the hearing showing good cause for the termination.

(3) The department shall assign an administrative law judge who shall provide a written recommendation to the department on the termination of the contract within 30 days after conclusion of the hearing.

(4) (A) Reasonable notice of the hearing shall be given to the contractor, Medi-Cal beneficiaries receiving services through the contractor, and other interested parties, including any other person and organization the director may deem necessary.

(B) The notice shall state the effective date of, and the reason for, the termination.

(d) In lieu of contract termination, the director shall have the power and authority to require or impose a plan of correction and issue one or more of the following sanctions against a contractor for findings of noncompliance or good cause, including, but not limited to, those specified in subdivision (a):

(1) Temporarily or permanently suspend enrollment and marketing activities.

(2) Require the contractor to suspend or terminate contractor personnel or subcontractors.

(3) Issue one or more of the temporary suspension orders set forth in subdivision (j).

(4) Impose temporary management consistent with the requirements specified in Section 438.706 of Title 42 of the Code of Federal Regulations.

(5) Suspend default enrollment of enrollees who do not select a contractor for the delivery of health care services.

(6) Impose civil monetary sanctions consistent with the dollar amounts and violations specified in Section 438.704 of Title 42 of the Code of Federal Regulations, as follows:

(A) A limit of twenty-five thousand dollars (\$25,000) for each determination of the following:

(i) The contractor fails to provide medically necessary services that the contractor is required to provide, under law or under its contract with the department, to an enrollee covered under the contract.

(ii) The contractor misrepresents or falsifies information to an enrollee, potential enrollee, or health care provider.

(iii) The contractor distributes directly, or indirectly through an agent or independent contractor, marketing materials that have not been approved by the state or that contain false or materially misleading information.

(B) A limit of one hundred thousand dollars (\$100,000) for each determination of the following:

(i) The contractor conducts an act of discrimination against an enrollee on the basis of their health status or need for health care services. This includes termination of enrollment or refusal to reenroll a beneficiary, except as permitted under the Medicaid program, or a practice that would reasonably be expected to discourage enrollment by beneficiaries whose medical condition or history indicates probable need for substantial future medical services.

(ii) The contractor misrepresents or falsifies information that it furnishes to the federal Centers for Medicare and Medicaid Services or to the department.

(C) A limit of fifteen thousand dollars (\$15,000) for each beneficiary the director determines was not enrolled because of a discriminatory practice under clause (i) of subparagraph (B). This sanction is subject to the overall limit of one hundred thousand dollars (\$100,000) under subparagraph (B).

(e) Notwithstanding the monetary sanctions imposed for the violations set forth in paragraph (6) of subdivision (d), the director may impose monetary sanctions in accordance with this section based on any of the following:

(1) The contractor violates a federal or state statute or regulation.

(2) The contractor violates a provision of its contract with the department.

(3) The contractor violates a provision of the state plan or approved waivers.

(4) The contractor fails to meet quality metrics or benchmarks established by the department. Any changes to the minimum quality metrics or benchmarks made by the department that are effective on or after January 1, 2020, shall be established in advance of the applicable reporting or performance measurement period, unless required by the federal government.

(5) The contractor fails to demonstrate that it has an adequate network to meet anticipated utilization in its service area.

(6) The contractor fails to comply with network adequacy standards, including, but not limited to, time and distance, timely access, and provider-to-beneficiary ratio requirements pursuant to standards and formulae that are set forth in federal or state law, regulation, state plan, or contract and that are posted in advance to the department's internet website.

(7) The contractor fails to comply with the requirements of a corrective action plan.

(8) The contractor fails to submit timely and accurate network provider data.

(9) The director identifies deficiencies in the contractor's delivery of health care services.

(10) The director identifies deficiencies in the contractor's operations, including the timely payment of claims.

(11) The contractor fails to comply with reporting requirements, including, but not limited to, those set forth in Section 53862 of Title 22 of the California Code of Regulations.

(12) The contractor fails to timely and accurately process grievances or appeals.

(f) (1) Monetary sanctions imposed pursuant to subdivision (e) may be separately and independently assessed and may also be assessed for each day the contractor fails to correct an identified deficiency. For a deficiency that impacts beneficiaries, each beneficiary impacted constitutes a separate violation. Monetary sanctions shall be assessed in the following amounts:

(A) Up to twenty-five thousand dollars (\$25,000) for a first violation.

(B) Up to fifty thousand dollars (\$50,000) for a second violation.

(C) Up to one hundred thousand dollars (\$100,000) for each subsequent violation.

(2) For monetary sanctions imposed on a contractor that is funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n), the department shall calculate a percentage of the funds attributable to the contractor to be offset per month pursuant to paragraphs (2) to (4), inclusive, of subdivision (n) until the amount offset equals the amount of the penalty imposed pursuant to paragraph (1).

(g) When assessing sanctions pursuant to this section, the director shall determine the appropriate amount of the penalty for each violation based upon one or more of the following nonexclusive factors:

(1) The nature, scope, and gravity of the violation, including the potential harm or impact on beneficiaries.

(2) The good or bad faith of the contractor.

(3) The contractor's history of violations.

(4) The willfulness of the violation.

(5) The nature and extent to which the contractor cooperated with the department's investigation.

(6) The nature and extent to which the contractor aggravated or mitigated any injury or damage caused by the violation.

(7) The nature and extent to which the contractor has taken corrective action to ensure the violation will not recur.

(8) The financial status of the contractor, including whether the sanction will affect the ability of the contractor to come into compliance.

(9) The financial cost of the health care service that was denied, delayed, or modified.

(10) Whether the violation is an isolated incident.

(11) The amount of the penalty necessary to deter similar violations in the future.

(12) Other mitigating factors presented by the contractor.

(h) (1) Except in exigent circumstances in which there is an immediate risk to the health of beneficiaries, as determined by the department, the director shall give reasonable written notice to the contractor of the intention to impose any of the sanctions authorized by this section and others who may be directly interested, including any other persons and organizations the director may deem necessary.

(2) The notice shall include the effective date for, the duration of, and the reason for each sanction proposed by the director.

(3) A contractor may request the department to meet and confer with the contractor to discuss information

and evidence that may impact the director's final decision to impose sanctions authorized by this section.

(4) The director shall grant a request to meet and confer prior to issuance of a final sanction if the contractor submits the request in writing to the department no later than two business days after the contractor's receipt of the director's notice of intention to impose sanctions.

(i) Notwithstanding subdivision (d), the director shall terminate a contract with a contractor that the United States Secretary of Health and Human Services has determined does not meet the requirements for participation in the Medicaid program contained in Subchapter XIX (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code.

(j) (1) The department may make one or more of the following temporary suspension orders as an immediate sanction:

(A) Temporarily suspend enrollment activities.

(B) Temporarily suspend marketing activities.

(C) Require the contractor to temporarily suspend specified personnel of the contractor.

(D) Require the contractor to temporarily suspend participation by a specified subcontractor.

(2) The temporary suspension orders shall be effective no earlier than 20 days after the notice specified in subdivision (k).

(k) (1) Prior to issuing a temporary suspension order, or temporarily withholding funds pursuant to subdivision (o), the department shall provide the contractor with a written notice.

(2) The notice shall state the department's intent to impose a temporary suspension or temporary withhold and specify the nature and effective date of the temporary suspension or temporary withhold.

(3) The contractor shall have 30 calendar days from the date of receipt of the notice to file a written appeal with the department.

(4) Upon receipt of a written appeal filed by the contractor, the department shall, within 15 days, set the matter for hearing, which shall be held as soon as possible but not later than 30 days after receipt of the notice of hearing by the contractor.

(5) The hearing may be continued at the request of the contractor if a continuance is necessary to permit presentation of an adequate defense.

(6) The temporary suspension order shall remain in effect until the hearing is completed and the department has made a final determination on the merits. However, the temporary suspension order shall be deemed vacated if the director fails to make a final determination on the merits within 60 days of the close of the record for the matter.

(7) The department shall stay imposition of a temporary withhold, pursuant to subdivision (o), until the hearing is completed and the department has made

a final determination on the merits within 60 days of the close of the record for the matter.

(l) (1) A contractor may request a hearing in connection with sanctions applied pursuant to subdivision (d) or (e) within 15 working days after the notice of the effective date of the sanctions has been given by sending a letter so stating to the address specified in the notice.

(2) The department shall stay collection of monetary sanctions upon receipt of the request for a hearing.

(3) Collection of the sanction shall remain stayed until the effective date of the final decision of the department.

(m) Except as otherwise provided in this section, all hearings to review the imposition of sanctions, including temporary suspension orders, the withholding or offsetting of funds pursuant to subdivision (n), or the temporary withholding of funds pursuant to subdivision (o) shall be held pursuant to the procedures set forth in Section 100171 of the Health and Safety Code.

(n) (1) If the director imposes monetary sanctions pursuant to this section on a contractor, except for a contractor described in paragraphs (2) to (5), inclusive, the amount of the sanction may be collected by withholding the amount from capitation or other associated payments owed to the contractor.

(2) If the director imposes monetary sanctions on a contractor that is funded from the Mental Health Subaccount, the Mental Health Equity Subaccount, the Vehicle License Collection Account of the Local Revenue Fund, or the Mental Health Account, the director may offset the monetary sanctions from the respective account. The offset is subject to paragraph (2) of subdivision (q).

(3) If the director imposes monetary sanctions on a contractor that is funded from the Behavioral Health Subaccount of the Local Revenue Fund 2011, the director may offset the monetary sanctions from that account from the distribution attributable to the applicable contractor. The offset is subject to paragraph (2) of subdivision (q).

(4) If the director imposes monetary sanctions on a contractor that is funded from another mental health or substance use disorder realignment fund from which the Controller is authorized to make distributions to the contractor, the director may offset the monetary sanctions from these funds if the funds described in paragraphs (2) and (3) are insufficient for the purposes described in this subdivision, as appropriate. The offset is subject to paragraph (2) of subdivision (q).

(5) (A) If the director imposes monetary sanctions pursuant to subdivision (e) of Section 5963.04, the director may offset the monetary sanctions from the Behavioral Health Services Fund from the distribution attributable to the applicable contractor.

(B) With respect to an individual contractor, the department shall not collect via offset more than 25 percent of the total amount of the funds distributed

from the Behavioral Health Services Fund that are attributable to the contractor in a given month.

(C) If the department is not able to collect the full amount of monetary sanctions imposed on a contractor in a given month, the department shall continue to offset the amounts attributable to the contractor in subsequent months until the full amount of monetary sanctions has been collected. The offset is subject to paragraph (3) of subdivision (q).

(o) (1) (A) Whenever the department determines that a mental health plan or an entity that contracts with the department to provide Drug Medi-Cal services has violated state or federal law, a requirement of this chapter, Chapter 8 (commencing with Section 14200), Chapter 8.8 (commencing with Section 14600), or Chapter 8.9 (commencing with Section 14700), or any regulations, the state plan, a term or condition of an approved waiver, or a provision of its contract with the department, the department may temporarily withhold payments of federal financial participation and payments from the accounts listed in paragraphs (2) to (4), inclusive, of subdivision (n).

(B) The department shall temporarily withhold amounts it deems necessary to ensure the mental health plan or the entity that contracts with the department to provide Drug Medi-Cal services promptly corrects the violation.

(C) The department shall release the temporarily withheld funds when it determines the mental health plan or the entity that contracts with the department to provide Drug Medi-Cal services has come into compliance.

(2) (A) A mental health plan or an entity that contracts with the department to provide Drug Medi-Cal services may appeal the imposition of a temporary withhold pursuant to this subdivision in accordance with the procedures described in subdivisions (k) and (m).

(B) Imposition of a temporary withhold shall be stayed until the effective date of the final decision of the department.

(p) This section shall be read in conjunction with, and apply in addition to, any other applicable law that authorizes the department to impose sanctions or otherwise take remedial action upon contractors.

(q) (1) Notwithstanding any other law, nonfederal moneys collected by the department pursuant to this section, except for moneys collected from a contractor funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n), shall be deposited into the General Fund for use and, upon appropriation by the Legislature, to address workforce issues in the Medi-Cal program and improve access to care in the Medi-Cal program.

(2) (A) Monetary sanctions imposed via offset on a contractor that is funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n) shall be redeposited into the account from which the monetary sanctions were offset

pursuant to paragraphs (2) to (4), inclusive, of subdivision (n).

(B) The department shall notify the Department of Finance of the percentage reduction for the affected county.

(C) The Department of Finance shall subsequently notify the Controller, and the Controller shall redistribute the monetary sanction amount to nonsanctioned counties based on each county's prorated share of the monthly base allocations from the realigned account.

(D) With respect to an individual contractor, the department shall not collect via offset more than 25 percent of the total amount of the funds distributed from the applicable account or accounts that are attributable to the contractor in a given month.

(E) If the department is not able to collect the full amount of monetary sanctions imposed on a contractor funded from one or more of the realigned accounts described in paragraphs (2) to (4), inclusive, of subdivision (n) in a given month, the department shall continue to offset the amounts attributable to the contractor in subsequent months until the full amount of monetary sanctions has been collected.

(3) Monetary sanctions imposed via offset on a contractor pursuant to subdivision (e) of Section 5963.04 shall be redeposited into the account from which the monetary sanctions were offset pursuant to paragraph (5) of subdivision (n).

(r) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement, interpret, or make specific this section, in whole or in part, by means of plan or county letters, information notices, plan or provider bulletins, or other similar instructions without taking any further regulatory action.

(s) This section shall be implemented only to the extent that necessary federal approvals have been obtained and that federal financial participation is available.

(t) For purposes of this section, "contractor" means an individual, organization, or entity that enters into a contract with the department to provide services to enrolled Medi-Cal beneficiaries or other individuals receiving behavioral health services, as applicable, pursuant to any of the following:

(1) Article 2.7 (commencing with Section 14087.3), including dental managed care programs developed pursuant to Section 14087.46.

(2) Article 2.8 (commencing with Section 14087.5).

(3) Article 2.81 (commencing with Section 14087.96).

(4) Article 2.82 (commencing with Section 14087.98).

(5) Article 2.9 (commencing with Section 14088).

(6) Article 2.91 (commencing with Section 14089).

(7) Chapter 8 (commencing with Section 14200), including dental managed care plans.

(8) Chapter 8.9 (commencing with Section 14700).

(9) A county Drug Medi-Cal organized delivery system authorized under the California Medi-Cal 2020 Demonstration pursuant to Article 5.5 (commencing with Section 14184) or a successor demonstration or waiver, as applicable.

(10) Chapter 2 (commencing with Section 5650) of Part 2 of Division 5, solely for purposes of imposition of corrective action plans, monetary sanctions, or temporary withholds pursuant to subdivision (e) of Section 5963.04.

(11) Section 12534 of the Government Code.

(u) This section shall become operative on January 1, 2025, if amendments to the Mental Health Services Act are approved by the voters at the March 5, 2024, statewide primary election.

SEC. 112. Section 14197.71 is added to the Welfare and Institutions Code, to read:

14197.71. (a) The department may, at its discretion, align relevant terms of its contract with a Medi-Cal behavioral health delivery system with the terms of its contract with a Medi-Cal managed care plan, as defined in subdivision (j) of Section 14184.101, for those requirements that apply to both entities. Requirements that apply to both entities include, but are not limited to, all of the following:

- (1) Organization and administration of the plan, including key administrative staffing requirements.
- (2) Financial information.
- (3) Information systems.
- (4) Quality improvement systems.
- (5) Utilization management.
- (6) Provider network.
- (7) Provider compensation arrangements.
- (8) Provider oversight and monitoring.
- (9) Access and availability of services, including, but not limited to, reporting of waitlists for behavioral health services or attesting to no waitlists.
- (10) Care coordination and data sharing.
- (11) Member services.
- (12) Member grievances and appeals data.
- (13) Reporting requirements.
- (14) Other contractual requirements determined by the department.

(b) The department shall establish minimum quality metrics to measure and evaluate the quality and efficacy of services and programs covered under Medi-Cal behavioral health delivery systems.

(c) (1) Each Medi-Cal behavioral health delivery system shall report annually to the county board of supervisors on utilization, quality, patient care expenditures, and other data as determined by the department.

(2) The board of supervisors shall annually submit an attestation to the department that the county is meeting its obligations to provide realigned programs and services pursuant to clauses (i), (iv), and (v) of subparagraph (B) of paragraph (16) of subdivision (f) of Section 30025 of the Government Code.

(d) (1) Notwithstanding any other state or local law, including, but not limited to, Section 5328 of this code and Sections 11812 and 11845.5 of the Health and Safety Code, the sharing of health, social services, housing, and criminal justice information, records, and other data with and among the department, other state departments, including the State Department of Public Health and the State Department of Social Services, Medi-Cal managed care plans, as defined in subdivision (j) of Section 14184.101, Medi-Cal behavioral health delivery systems, as defined in subdivision (i) of Section 14184.101, counties, health care providers, social services organizations, care coordination and case management teams, and other authorized provider or plan entities, and contractors of all of those entities, shall be permitted to the extent necessary and consistent with federal law.

(2) The department shall issue guidance identifying permissible data-sharing arrangements.

(e) For purposes of this section, the term "Medi-Cal behavioral health delivery system" means an entity or local agency that contracts with the department to provide covered behavioral health Medi-Cal benefits pursuant to Section 14184.400 and Chapter 8.9 (commencing with Section 14700) or a county Drug Medi-Cal Organized Delivery System pilot authorized under the CalAIM Terms and Conditions and described in Section 14184.401 or authorized under the Medi-Cal 2020 Demonstration Project Act pursuant to Article 5.5 (commencing with Section 14184).

(f) This section shall be implemented only to the extent that necessary federal approvals have been obtained and federal financial participation is available and not otherwise jeopardized.

(g) The department shall implement this section no later than January 1, 2027.

SEC. 116. The provisions of this act are severable. If any provision of this act or its application is held invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this act. The Legislature declares that it would have enacted this act and each portion thereof not declared invalid or unconstitutional without regard to whether any other portion of this act or its application thereof would be subsequently declared invalid or unconstitutional.

SEC. 117. This act shall take effect on January 1, 2025, upon approval by the voters of the amendments to the Mental Health Services Act at the March 5, 2024, statewide primary election.

BOND ACT PROVISIONS PROPOSED BY
CHAPTER 789 OF THE STATUTES OF 2023

SEC. 4. Chapter 4 (commencing with Section 5965) is added to Part 7 of Division 5 of the Welfare and Institutions Code, to read:

CHAPTER 4. BEHAVIORAL HEALTH INFRASTRUCTURE
BOND ACT OF 2024

5965. This chapter shall be known, and may be cited, as the Behavioral Health Infrastructure Bond Act of 2024.

5965.01. The purposes and intent in enacting this act are as follows:

(a) Bonds issued under this act are to develop an array of treatment, residential care settings, and supportive housing to help provide appropriate care facilities for Californians experiencing mental health conditions and substance use disorders.

(b) The bond will dedicate funding for veterans with a behavioral health challenge or substance use disorder and at risk of experiencing homelessness.

(c) Efforts to streamline the process for approving projects and renovating or building new facilities to accelerate the delivery of care in residential settings made available through additional Behavioral Health Services Act and bond financing is a priority.

5965.02. As used in this chapter, the following terms have the following meanings:

(a) "Act" means the Behavioral Health Infrastructure Bond Act of 2024 (Chapter 4 (commencing with Section 5965)).

(b) "Behavioral health challenge" includes, but is not limited to, serious mental illness, as described in subdivision (c) or (d) of Section 14184.402, or a substance use disorder, as described in Section 5891.5.

(c) "Board" means, with respect to the bond proceeds referenced in paragraphs (3) and (4) of subdivision (b) of Section 5965.04, and with respect to and for requests up to the amount specified for bond proceeds referenced in paragraphs (3) and (4) of subdivision (b) of Section 5965.04, for purposes of Section 5965.12 of this code and Section 16726 of the Government Code, the State Department of Health Care Services, and with respect to bond proceeds referenced in paragraphs (1) and (2) of subdivision (b) of Section 5965.04, and, with respect to and for requests up to the amount specified for bond proceeds referenced in paragraphs (1) and (2) of subdivision (b) of Section 5965.04, for purposes of Section 5965.12 of this code and Section 16726 of the Government Code, the Department of Housing and Community Development.

(d) "Committee" means the Behavioral Health Infrastructure Bond Act Finance Committee created pursuant to Section 5965.07.

(e) "Fund" means the Behavioral Health Infrastructure Fund created pursuant to Section 5965.03.

(f) "State General Obligation Bond Law" means the State General Obligation Bond Law (Chapter 4

(commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as it may be amended.

(g) "Target population" means a person described in subdivision (c) or (d) of Section 14184.402, or a person with a substance use disorder, as described in Section 5891.5, except that enrollment in Medi-Cal or in any other health plan shall not be a condition for accessing housing or continuing to be housed.

(h) "Veteran" means a person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

5965.03. (a) The proceeds of interim debt and bonds, excluding proceeds used directly to repay interim debt and excluding bonds issued in accordance with Section 5965.14, issued and sold pursuant to this chapter shall be deposited in the Behavioral Health Infrastructure Fund, which is hereby created in the State Treasury.

(b) All moneys in the fund, notwithstanding Section 13340 of the Government Code, are hereby continuously appropriated without respect to fiscal years for the purposes of this chapter.

(c) Bonds shall be issued and delivered in the amount determined by the committee to be necessary or desirable pursuant to Section 5965.08.

5965.04. (a) Moneys in the fund shall be used for any of the following purposes:

(1) Making loans or grants administered by the Department of Housing and Community Development to eligible entities specified under Section 50675.1.3 of the Health and Safety Code or loans to development sponsors as defined under Section 50675.2 of the Health and Safety Code to acquire capital assets for the conversion, rehabilitation, or new construction of permanent supportive housing, including scattered site projects, for veterans or their households, who are homeless, chronically homeless, or are at risk of homelessness, as defined by Part 578.3 of Title 24 of the Code of Federal Regulations, and meet the criteria of the target population.

(2) Making loans or grants administered by the Department of Housing and Community Development to eligible entities specified under Section 50675.1.3 of the Health and Safety Code or loans to development sponsors as defined under Section 50675.2 of the Health and Safety Code to acquire capital assets for the conversion, rehabilitation, or new construction of permanent supportive housing, including scattered site projects for persons who are homeless, chronically homeless, or are at risk of homelessness, as defined by Part 578.3 of Title 24 of the Code of Federal Regulations, and are living with a behavioral health challenge.

(3) Making grants administered by the State Department of Health Care Services, as specified under the Behavioral Health Continuum Infrastructure Program to eligible entities specified pursuant to Chapter 1 (commencing with Section 5960) to construct, acquire, and rehabilitate real estate assets or

to invest in needed infrastructure to expand the continuum of behavioral health treatment resources to build new capacity or expand existing capacity for short-term crisis stabilization, acute and subacute care, crisis residential, community-based mental health residential, substance use disorder residential, peer respite, community and outpatient behavioral health services, and other clinically enriched longer term treatment and rehabilitation options for persons with behavioral health disorders in the least restrictive and least costly setting.

(4) (A) Paying the costs of issuing bonds, paying the annual administration costs of the bonds, and paying interest on bonds.

(B) In addition, moneys in the fund or other proceeds of the sale of bonds authorized by this chapter may be used to pay principal of, or redemption premium on, interim debt issued prior to the issuance of bonds authorized by this chapter.

(b) Moneys in the fund shall be allocated as follows:

(1) One billion sixty-five million dollars (\$1,065,000,000) of the proceeds of the bonds, after allocation of bond proceeds to the purposes described in paragraph (4) of subdivision (a), shall be used for the loans or grants, loan or grant implementation, and loan or grant oversight described in paragraph (1) of subdivision (a) and administrative costs.

(2) Nine hundred twenty-two million dollars (\$922,000,000) of the proceeds of the bonds, after allocation of bond proceeds to the purposes described in paragraph (4) of subdivision (a), shall be used for the loans or grants, loan or grant implementation, and loan or grant oversight, as described in paragraph (2) of subdivision (a), and administrative costs.

(3) One billion five hundred million dollars (\$1,500,000,000) of the proceeds of the bonds shall be awarded to cities, counties, city and counties, and tribal entities, after allocation of bond proceeds to the purposes described in paragraph (4) of subdivision (a) for grants, grant implementation, and grant oversight, as described in paragraph (3) of subdivision (a), and administrative costs. Of this amount, thirty million dollars (\$30,000,000) shall be designated to tribal entities.

(4) Up to two billion eight hundred ninety-three million dollars (\$2,893,000,000) of the proceeds of the bonds, after allocation of bond proceeds to the purposes of paragraph (4) of subdivision (a), shall be used for grants, grant implementation, and grant oversight, as described in paragraph (3) of subdivision (a), and administrative costs.

5965.05. (a) (1) Bonds in the total amount of six billion three hundred eighty million dollars (\$6,380,000,000) not including the amount of refunding bonds issued in accordance with Section 5965.14, may be issued and sold for the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

(2) The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) (1) The Treasurer shall issue and sell the bonds authorized in subdivision (a) in the amount determined by the committee to be necessary or desirable pursuant to Section 5965.08. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

(2) The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 5965.08.

5965.06. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended, from time to time, and all of the provisions of that law, as amended, apply to the bonds and to this chapter and are hereby incorporated in this chapter as though set forth in full in this chapter, except that subdivisions (a) and (b) of Section 16727 of the Government Code shall not apply.

5965.07. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the Behavioral Health Infrastructure Bond Act Finance Committee is hereby created.

(b) (1) The committee consists of the Controller, the Treasurer, and the Director of Finance.

(2) Notwithstanding any other law, a member may designate a representative to act as that member in the member's place, for all purposes, as though the member were personally present.

(c) (1) The Treasurer shall serve as chairperson of the committee.

(2) A majority of the committee may act for the committee.

5965.08. (a) The committee shall determine, by resolution, whether it is necessary or desirable to issue and sell bonds authorized pursuant to this chapter to carry out the actions specified in this chapter and, if so, the amount of bonds to be issued and sold.

(b) Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

5965.09. (a) There shall be collected each year, and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due each year.

(b) *It is the duty of all officers charged by law with a duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.*

5965.10. *Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this chapter and without regard to fiscal years, an amount that equals the total of the following:*

(a) *The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.*

(b) *The sum necessary to carry out Section 5965.11.*

5965.11. (a) *For the purpose of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this chapter, excluding refunding bonds authorized pursuant to Section 5965.14 less any amount loaned pursuant to Section 5965.12 and not yet repaid, and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund.*

(b) *Any amounts withdrawn shall be deposited in the fund.*

(c) *Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this chapter.*

5965.12. (a) *The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purpose of carrying out this chapter.*

(b) *The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter, excluding refunding bonds authorized pursuant to Section 5965.14, less any amount loaned pursuant to this section and not yet repaid and withdrawn from the General Fund pursuant to Section 5965.11 and not yet returned to the General Fund.*

(c) *The board shall execute documents required by the Pooled Money Investment Board to obtain and repay the loan.*

(d) *Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this chapter.*

5965.13. *All moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General*

Fund as a credit to expenditures for bond interest, except that amounts derived from premium may be reserved and used to pay costs of bond issuance before any transfer to the General Fund.

5965.14. (a) *The bonds issued and sold pursuant to this chapter may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law.*

(b) *Approval by the voters of the state for the issuance of the bonds described in this chapter includes the approval of the issuance of bonds issued to refund bonds originally issued under this chapter or any previously issued refunding bonds.*

(c) *A bond refunded with the proceeds of refunding bonds, as authorized by this section, may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended, authorizing that refunded bond.*

5965.15. (a) *Notwithstanding any provision of this chapter or the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes, under designated conditions, or is otherwise entitled to a federal tax advantage, the Treasurer may maintain separate accounts for the investment of bond proceeds and the investment earnings on those proceeds.*

(b) *The Treasurer may use or direct the use of those proceeds or earnings to pay a rebate, penalty, or other payment required under federal law or to take any other action with respect to the investment and use of those bond proceeds, required or desirable under federal law, to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.*

5965.16. *The proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.*

5966. (a) (1) *The Department of Housing and Community Development, in coordination with the Department of Veterans Affairs, shall determine the methodology and distribution of the funds provided pursuant to paragraph (1) of subdivision (b) of Section 5965.04, used for the purposes provided in paragraph (1) of subdivision (a) of Section 5965.04.*

(2) *The Department of Housing and Community Development and the Department of Veterans Affairs shall work in coordination pursuant to a memorandum of understanding.*

(b) *The Department of Housing and Community Development shall determine the methodology and distribution of the funds provided pursuant to paragraph (2) of subdivision (b) of Section 5965.04,*

used for the purposes provided in paragraph (2) of subdivision (a) of Section 5965.04.

5966.02. (a) (1) Notwithstanding any other law, funds allocated for the purposes specified in paragraphs (1) and (2) of subdivision (a) of Section 5965.04 shall be disbursed in accordance with subdivisions (a) to (h), inclusive, of Section 50675.1.3 of the Health and Safety Code and any associated guidelines changes to that program, as provided in the Multifamily Housing Program in Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code, and this chapter, consistent with applicable law and guidance.

(2) The Department of Housing and Community Development shall issue guidance regarding implementation by July 1, 2025.

(b) In developing the methodology and distribution of funds referenced in subdivision (a) of Section 5966, the Department of Housing and Community Development shall consult with the Department of Veterans Affairs

regarding supportive services plan standards and other program areas where the Department of Veterans Affairs holds expertise for the purposes specified in paragraph (1) of subdivision (a) of Section 5965.04.

5967. The Department of Health Care Services shall determine the methodology and distribution of the funds provided pursuant to paragraphs (3) and (4) of subdivision (b) of Section 5965.04, used for the purposes provided in paragraphs (3) and (4) of subdivision (a) of Section 5965.04.

5967.01. (a) Notwithstanding any other law, funds allocated for the purposes specified in paragraph (3) of subdivision (a) of Section 5965.04 shall be disbursed in accordance with the Behavioral Health Continuum Infrastructure Program (commencing with Section 5960), and this chapter, consistent with applicable law and guidance.

(b) The Department of Health Care Services shall issue guidance regarding the implementation of this article by July 1, 2025.

Proposition 1 Talking Points

Key Messages:

Counties are getting to work: Proposition 1 has now been approved by the voters. CBHDA and our member counties stand ready to work in partnership with the state to faithfully implement it. While the law dictates that major changes will be phased in over several years, counties are **already working** to ensure that the changes successfully serve our clients.

SUD integration: Counties have long maintained that funds from the Mental Health Services Act, now known as the Behavioral Health Services Act, should be more adaptable to incorporate substance use disorder (SUD) programs. Prior to Prop 1, MHSA dollars were restricted and could only be used to serve clients with SUD who also live with a mental health condition. We look forward to the opportunity Prop 1 provides to better integrate SUD treatment with our current behavioral health programs.

Housing: Bond funding will lead to the building of new bricks and mortar infrastructure to house and treat clients of county behavioral health. In addition, changes to the MHSA will require counties to spend a third of the existing millionaire's tax on rental subsidies and other housing options for our clients. More housing and treatment beds will benefit our clients. Thousands of county behavioral health clients are currently actively receiving treatment despite not having permanent housing or shelter. Being able to provide more of our clients a safe space to live while they receive treatment is a welcome opportunity to build on the many successful recovery stories county behavioral health programs help to bring about every day.

Important note: The data is clear that lack of affordable housing, rather than behavioral health issues, is the primary driver of homelessness.¹ In fact, homelessness tends to exacerbate mental health and substance disorders.

Key Facts about Prop 1:

- Proposition 1 has two major components:
 1. Changes the Mental Health Services Act (MHSA) that was passed by voters in 2004, with a focus on how the money from the Act can be

¹ July 2023 UCSF study (the largest representative study of homelessness since the mid-1990s) which pointed to lack of affordability as the primary driver of homelessness in California:

https://homelessness.ucsf.edu/sites/default/files/2023-06/CASPEH_Report_62023.pdf

used. The Act is now known as the Behavioral Health Services Act (BHSA).

2. Approves a \$6.4 billion bond to build (1) more places for mental health care and drug or alcohol treatment and (2) more housing for people with mental health, drug, or alcohol challenges.
- **MHSA Funding Changes:**
 - Prop 1 makes no changes to the **amount** of money collected through the MHSA (now BHSA) tax, but the money would be used differently.
 - Prop 1 will change how counties can use BHSA dollars to allow counties to use the funds to treat substance use disorders, even if the client does not also have a co-occurring mental health diagnosis, thereby expanding the number of people eligible to be served with the same dollars.
 - Prop 1 significantly changes the categories under which counties must allocate BHSA dollars. Most significantly, BHSA creates a new requirement that one third (30%) of funds allocated in each county (with some possible exceptions for rural counties) must be spent on housing interventions for people with mental illness, and at least half of these dollars for people who are chronically homeless, with a focus on encampments.
 - Counties will not receive additional funding under Prop 1 for services previously funded by MHSA; therefore, less money will be available for non-housing services under BHSA, particularly legacy mental health services currently funded through the Mental Health Services Act. Examples of mental health needs that must be met with fewer resources include prevention programs, outpatient mental health treatment, responding to people in a mental health crisis, children’s mental health, and important outreach efforts to engage people in need of mental health care services and treatment.
 - Prop 1 increases the allocation of MHSA (now BHSA) dollars to the state from 5% to 10%. This shifts roughly \$140 million of money annually from the counties to the state. This amount would be higher or lower depending on the total amount of BHSA money collected annually.
 - Of the state share, the proposition requires the state spend a dedicated amount of BHSA funding from counties toward statewide efforts to increase the number of behavioral health workers and preventing mental illness and drug or alcohol addiction across communities.
 - In 2023, CBHDA, in partnership with the Healthforce Center at UCSF and Kaiser Permanente of Southern California, released

findings and statewide assessment ²of the state’s behavioral health workforce needs.

- Specifically, the report identified a severe workforce shortage within the state’s behavioral health professions. The report recommended additional state investments for strengthening, recruiting, and increasing the capacity and diversity of county behavioral health workforce professionals. The state and counties remain committed to implementing and expanding services to meet the needs of all Californians.
- Under the BH-CONNECT 1115 Demonstration, which is expected to go live in 2025 pending CMS approval, the state will use a portion of the workforce funds redirected from counties to support expansion of a diverse behavioral health workforce through \$2.7 billion in long and short-term investments. Given that this investment will be made possible with funding currently allocated to counties, and the importance of the county behavioral health safety net, counties should be prioritized to support the next generation of diverse, culturally competent county behavioral health workforce.
- With money from the \$6.4 billion bond included in Prop 1, local governments and tribes would receive grants and loans funded by the bond to build more places for mental health care and drug or alcohol treatment and more housing for people with mental health, drug, or alcohol challenges. The process by which these grants and loans will be distributed is not outlined in the Proposition. Bond funds can be used for physical structures, not operational, costs which would be carried by local governments.

Key Implementation dates & next steps

July 1, 2025 - Depts of Housing and Community Development & Health Care Services
Issue guidance regarding how the housing bond proceeds will be distributed

(Note: development, and citing of housing is a years-long process.)

July 1, 2026 - New county funding allocations become operative

July 1, 2026 - New county integrated planning requirements become operative

² *Building the Future Behavioral Health Workforce: Needs* (February 2023), Janet Coffman & Margaret Fix, Healthforce Center, UCSF: <https://healthforce.ucsf.edu/publications/building-future-behavioral-health-workforce-needs-assessment>



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Department of Public Works – Dominic Tyburski

SUBJECT: UPDATE OF COUNTY ROADS FLOODED IN THE TULARE LAKE
BASIN

SUMMARY:

Overview:

This informational update will be centered on the effects of the 2023 Winter Storm Events (Disaster CA23-3) on County-maintained roads and the efforts of Kings County Public Works since the March 12, 2024, study session to repair and reopen the roads for public use.

Recommendation:

Receive an overview and update on County efforts for relief aid, closures, and repairs to roads damaged by the 2023 Winter Storm Events.

Fiscal Impact:

The total cost to repair the County roads that is being requested for Federal Emergency Management Agency (FEMA) funding is \$25,776,931 for a total of 20 roads. The total amount of funding being requested through the Federal Highway Administration (FHWA) is \$35,944,453, which includes \$30,565,940 in FHWA roads and \$5,378,523 for the Houston Ave. Bridge. The County is working to secure FEMA funding for all road repairs. However, the current FEMA stance has been to follow their submerged road policy (FEMA Policy FP 104-009-13) which states “Restoration work for roads that have experienced inundation by flood waters as a direct result of a major disaster event where surface damage is not visible and quantifiable during an inspection of the claimed section(s) of road after the flood waters have receded is not eligible for Public Assistance (PA) Program funding. Claims of subsurface damage based on the findings of an inspection for sections of road without visible and quantifiable surface damage will not be considered eligible for assistance from the PA Program. Accordingly, costs associated with methods of inspection on sections of road without visible and quantifiable surface damage are not eligible for PA reimbursement.” As such, FEMA will only reimburse

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BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

Agenda Item

UPDATE OF COUNTY ROADS FLOODED IN THE TULARE LAKE BASIN

April 9, 2024

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for visible surface damage caused by the natural disaster.

BACKGROUND:

Winter storms of early 2023 brought with them historic precipitation and snowpack levels for California. The unprecedented precipitation and snowpack levels have led to severe flooding affecting several cities and counties throughout the San Joaquin Valley. The County of Kings is one of such counties that has been impacted by flooding.

The Tulare Lake basin is located at the eastern mid-section of the county just west, south, and southeast of the City of Corcoran. The Tulare Lake basin covers a vast area that extends roughly from just south of the City of Stratford east to the County of Tulare. The Tulare Lake was drained and turned into farming with several public roads, bridges, private homes, and warehouses located within the basin.

The winter storms of early 2023 generated historic runoff levels that could not be handled by current reservoirs which led to water discharge into the Old Tulare Lake basin. Inflow of flood waters inundated farming fields, farming warehouses and homes within the Tulare Lake basin as well as several roadways within the county. The U.S. Department of Transportation (USDOT) assigns the Functional Classification (FC) for roadways throughout the state. The roadway classification can be found in California Road System (CRS) maps administered by Caltrans. Some of the inundated roadways are considered collectors on federal aid routes and others considered local/minor roads. Major collectors are defined by USDOT as “major and minor roads that connect local roads and streets with arterials. Collectors provide less mobility than arterials at lower speeds and for shorter distances”. Arterials include freeways and multilane highways. Any roadway specified as a Major Collector and above is considered a federal aid route and thus, any emergency relief funding efforts have to go through Caltrans who subsequently sends the requests to FHWA for approval. FEMA is only able to provide emergency relief funding for roads classified as minor collectors and local.

FEMA Road Segments: Staff from the County, staff from FEMA, and staff from the California Governor’s Office of Emergency Services (CalOES) conducted various site visits from August 24, 2023 through February 13, 2024 of the roadway sections that were inundated and/or damaged as a direct result of the flood. Damage as noted by FEMA staff generally consisted of shoulder washouts, damage to pavement edges consisting of popups, undermining and in some locations consisted of complete damage to the roadway structural sections.

In addition to the damage noted by FEMA staff, other forms of damage were observed but were not considered visible damage by FEMA staff. These forms of damage consisted of pumping of the asphalt pavement, slight pavement warping/heaving, amplified asphalt cracking, etc.; all of which can be attributed to the high moisture content of the underlying subgrade.

County staff have retained a geotechnical engineering consulting firm to evaluate the condition of some of the roadways that have been inundated for a long period of time. Re-sampling is in process to determine the moisture content and condition of the roadway structural sections, as well as their ability to handle traffic.

During the sampling process at roadways previously flooded, oversaturated soils were observed with flood water overflowing at some of the core locations which show a possible temporary high-water table due to the flood. Some of these roadway sections had water recede in the earlier portion of July 2023 and oversaturated

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UPDATE OF COUNTY ROADS FLOODED IN THE TULARE LAKE BASIN

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conditions were observed during the sampling operations performed in the early portion of September 2023, roughly two months after water receded.

The County is proposing to reconstruct the roads using Full Depth Reclamation with Cement (FDR-C). FDR-C is a process that utilizes the existing damaged asphalt sections and underlying aggregate base that is mixed with cement at a pre-determined percentage of cement per dry weight of soil that provides a more stable and durable base on which a new asphalt section can be constructed. Due to the properties of cement, hydration will continue for the new base section even after the reconstruction is performed. In addition, FDR-C utilizes the existing failed asphalt material which eliminates the need to import aggregate base material to be used in the roadway. By utilizing FDR-C, import fill material will only be needed to reconstruct shoulders where material was washed out by flood waters. Another advantage of FDR-C is that historically, the cost for roadway reconstruction is lower than the cost necessary to reconstruct the roadway with new asphalt over aggregate base over prepared subgrade. The following is the list of segments that the county has as projects through FEMA:

- Redding Ave. - 1 mi. west of 10th Ave. to the end
- Redding Ave. – 0.25 mi. east of 10th Ave. to 200 ft. east of 4th Ave.
- 16th Ave. – 290 ft. south of 16th Ave. Bridge at Tulare Lake Canal to Nevada Ave.
- 4th Ave. – Quebec Ave. to Seattle Ave.
- Newton Ave. – 12th Ave. to 15th Ave.
- Nevada Ave. – 15th Ave. to 16th Ave.
- 15th Ave. – Nevada Ave. to Newton Ave.
- Racine Ave. – 4th Ave. to 6th Ave.
- Niles Ave. – 12th Ave. to 1.5 mi. west of 10th Ave.
- 12th Ave. – 0.7 mi. south of Nevada Ave. to Niles Ave.
- Salem Ave. – 4th Ave. to 6th Ave.

FHWA/CALTRANS BRIDGE: Due to the heavy rain/flood events experienced in early 2023, the bridge at Houston Ave. and Cross Creek experienced settlement of the center piers which led to the failure of the bridge structure. Distress in the form of perpendicular cracks in the asphalt were observed at bridge ends, spalling of the concrete barrier, and profile elevation changes at the bridge midspan were also observed in March of 2023, which led the County to do a full closure of the bridge. A subsequent report from the Caltrans Structure Maintenance & Investigation team concurred with the failed condition of the bridge. During a site visit by FEMA and CalOES on April 2023 to the Houston Ave. bridge site, FEMA and CalOES indicated that Houston is classified as a major collector, and thus, considered a Federal Aid route. As such, emergency funding to reconstruct the bridge was not available through FEMA and funding would need to come from the FHWA Emergency Relief Program by first submitting an application to Caltrans to get the project approved. The deadline to submit the emergency Damage Assessment Form (DAF) to Caltrans was August 30, 2023. The County submitted a total of 10 DAF forms before the deadline for the following locations:

- 6th Ave. – Salem Ave. to the Tule River
- 6th Ave. – Culvert at Homeland Canal
- 10 ½ Ave. – Lansing Ave. to Nevada Ave.
- 10th Ave. – North of Whitley Ave. to Redding Ave.

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- 19th Ave. – Nevada Ave. to Pueblo Ave.
- 25th Ave. – Devils Den Rd. to the California Coastal Aqueduct
- Grangeville Blvd. – Near 4th Ave. Alignment
- Houston Ave. Bridge – Bridge structure at Cross Creek
- Pueblo Ave. – 19th Ave. to 10th Ave.
- Whitley Ave. – 10th Ave. to ¼ mile east

The DAFs for the projects listed above were reviewed by Caltrans Local Assistance and Caltrans Head Quarters and were forwarded to FHWA for approval. Recently, FHWA provided general comments to the DAFs submitted and County staff are working on addressing the comments received by FHWA and to resubmit the revised DAF forms. In past conversations with Caltrans, they have indicated that FHWA will not be allocating funding for emergency reconstruction any time soon and that agencies should expect to upfront the reconstruction costs by following the Advance Construction method until funding for projects can be allocated. The County has worked through the Request for Proposals (RFP) process and is working on finalizing a consulting agreement with a consultant selected through the RFP process to perform the engineering design and environmental clearance, secure permits, and to conduct the right-of-way acquisition/construction easements needed for the project.

It should be noted that many of the roadway sections listed above were inaccessible before the August 30, 2023 deadline to submit DAF forms to Caltrans, which is one of the primary reasons for the comments received by FHWA. As part of the DAF forms, photos are submitted as backup proof for the damages occurred to sections in question. However, at the time of the DAF submittal and in order to meet the aforementioned deadline, County staff submitted photos showing flood water covering the inaccessible road sections to their entirety which triggered the comment from FHWA indicating that the damages could not be observed. It is worth noting that the Emergency Relief Manual updated on May 31, 2013, by FHWA under Chapter 11-C.4, states that surface repairs caused by traffic, whether or not damage is aggravated by saturated subgrade or inundation, unless traffic damage consist of emergency vehicles responding to the disaster, is not eligible for emergency relief funds. Subsequently in September of 2023, the County retained Moore Twining Associates to conduct a geotechnical study to assess the roads accessible after the flooding, which indicated that that high moisture contents and low perched water table created by flood waters would result in rapid deterioration of the roadways should these be open to traffic before ample time is given to dry. However, given the low permeability of clay soils that exist within the Tulare Lake basin, it is not possible to estimate when the roads can be sufficiently dry so that high moisture contents do not affect the stability of the roadway structure. The geotechnical engineering report evaluating the flooded roadway sections is available with the Department of Public Works.



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM April 9, 2024

SUBMITTED BY: Public Works Department – Dominic Tyburski

SUBJECT: STUDY SESSION – GOVERNMENT CENTER FACILITY INFRASTRUCTURE UPGRADE PROJECT

SUMMARY:

Overview:

On February 28, 2023, the Board directed ENGIE Services U.S. (ENGIE) to develop a solar, energy efficiency, and facility upgrade project and bring it back to the Board for consideration. ENGIE worked with County staff to address many of the County’s facility upgrade needs, which can be funded with energy and operational savings. ENGIE will be providing an overview of their findings. If the Board is interested in this project, staff hope to bring it for the Board’s consideration on April 30, 2024.

Recommendation:

Receive an overview and update of the Kings County Government Center Facility Infrastructure Upgrade Project.

Fiscal Impact:

None at this stage.

BACKGROUND:

ENGIE is one of the largest companies in the world. It is the largest independent producer of electricity in the world, has 100,000 employees and has been in business for close to 200 years. Annual revenue is around \$100 billion. ENGIE has six offices in California and works for the public sector only. It is the largest energy services company in California as far as the number of professionals are concerned, and has done more projects for California counties than any other company. The County has completed four successful projects with ENGIE – a \$3 million microturbine co-generation project in 2005, an \$8.4 million central heating and cooling plant upgrade in 2009, a \$4.1 million solar project in 2011, and an \$11.9 million solar project in 2020.

In February of 2023, due to the change in the Net Energy Metering (NEM) tariff, which significantly diminishes

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BOARD ACTION:

APPROVED AS RECOMMENDED: _____ OTHER: _____

I hereby certify that the above order was passed and adopted
on _____, 2024.

CATHERINE VENTURELLA, Clerk of the Board

By _____, Deputy.

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STUDY SESSION – GOVERNMENT CENTER FACILITY INFRASTRUCTURE UPGRADE PROJECT

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solar feasibility, Public Works asked ENGIE to investigate the possible installation of solar panels mounted on shade structures at various locations in proximity to the newly constructed Sheriff's Operations Building. Additionally, Public Works asked ENGIE to explore other energy conservation measures which could result in significant future financial savings for the County. In April 2023, ENGIE filed a solar interconnection application with Southern California Edison (SCE) for the Government Center and with Pacific Gas & Electric (PG&E) for Burris Park to grandfather these facilities into the higher NEM 2.0 savings for 20 years.

Some of the goals of the County for this project are as follows:

1. The County has been seeing huge increases in its electricity cost recently, as high as 15% per year. The County would like its energy consumption to be reduced as much as possible to reduce the effect of utility price hikes.
2. The heating, ventilation, and air conditioning (HVAC) units at many of the facilities are well past their useful lives and the County would like to use this project to replace its old HVAC infrastructure without dipping into the General Fund.
3. The energy management systems for controlling the HVAC systems throughout the County are outdated and have different manufacturers and Public Works staff would like to replace them with the same make throughout, which will lead to more energy efficient buildings, reduced response time to problems and increased staff efficiency.
4. The County also desires to improve the parking lot adjacent to Lacey Boulevard at the entrance to the Government Center.
5. The County also asked ENGIE to look into the feasibility of installing Electric Vehicle (EV) chargers throughout the Government Center and Sheriff's Operations Building as an incentive to retain existing and hire new employees.

Over the next several months, ENGIE worked diligently with staff to make sure that the final project meets all of the County's goals for this project. The final scope of work, cost, and savings, after several rounds of discussions and changes, are as follows and were presented to staff on March 15, 2024:

Scope of Work

1. Interior and exterior Light Emitting Diode (LED) lighting upgrades at 40 County facilities.
2. HVAC packaged unit replacements at 25 County facilities.
3. Installation of a Schneider Electric energy management system for 39 County facilities, including the Main Jail.
4. Installation of high efficiency transformers for 20 County facilities.
5. Installation of 56 EV chargers throughout the Government Center and Sheriff's Operations Building.
6. Upgrade of a parking lot.
7. Installation of a solar energy project for Burris Park consisting of solar shade structures.

As mentioned above, ENGIE filed a solar interconnection application for adding a solar project for these facilities. Unfortunately, in the fall of 2023, SCE informed the County that the solar project cannot be

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implemented without upgrading its transmission infrastructure, which would be prohibitively expensive and will have to be paid for by the County. Hence, the project to add more solar to these facilities was abandoned.

Burriss Park Solar Project

The interconnection application for this solar project was approved by PG&E. The solar layout is given below:



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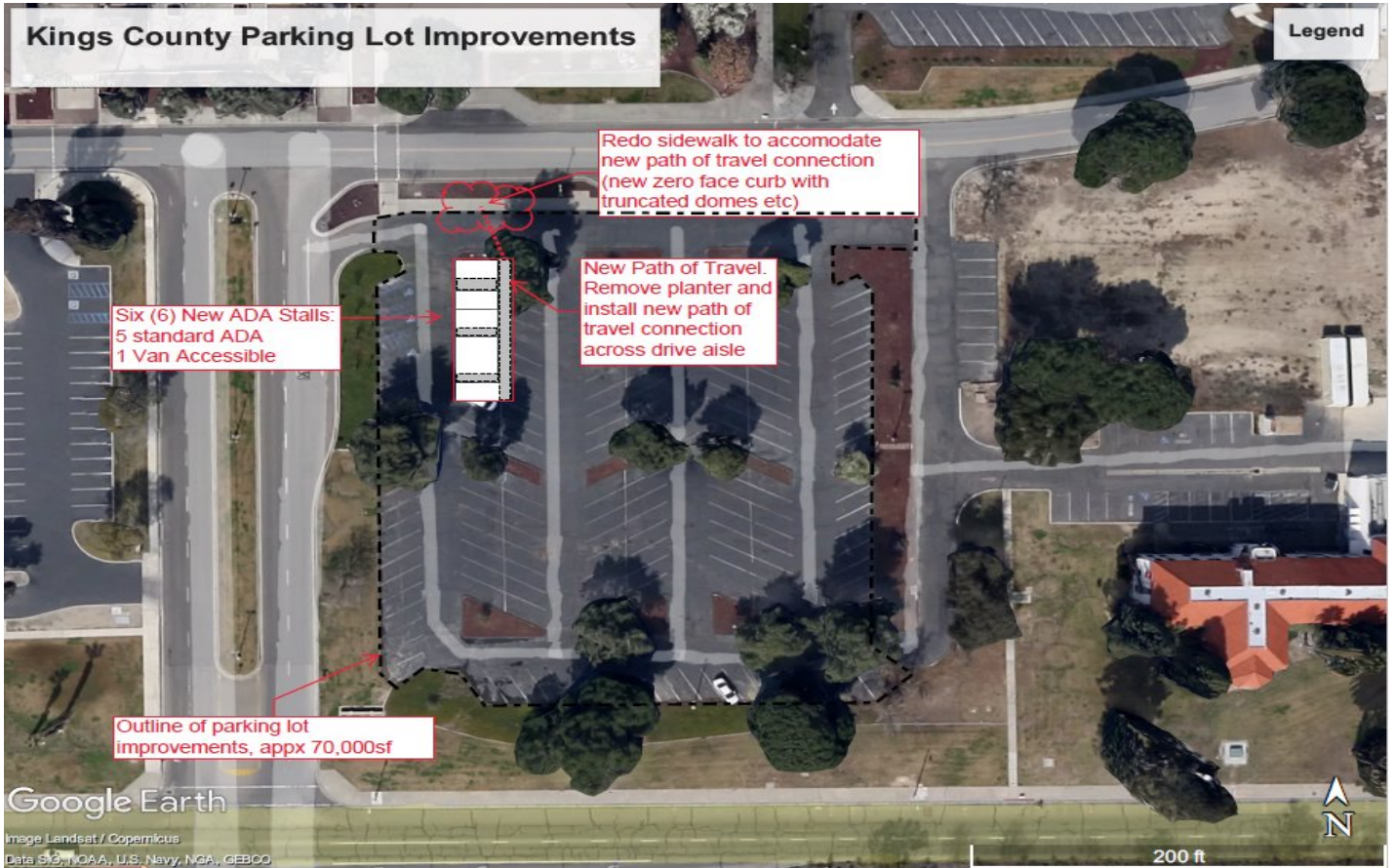
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Parking Lot Upgrade

Please see below the parking lot that will be upgraded as part of this project.



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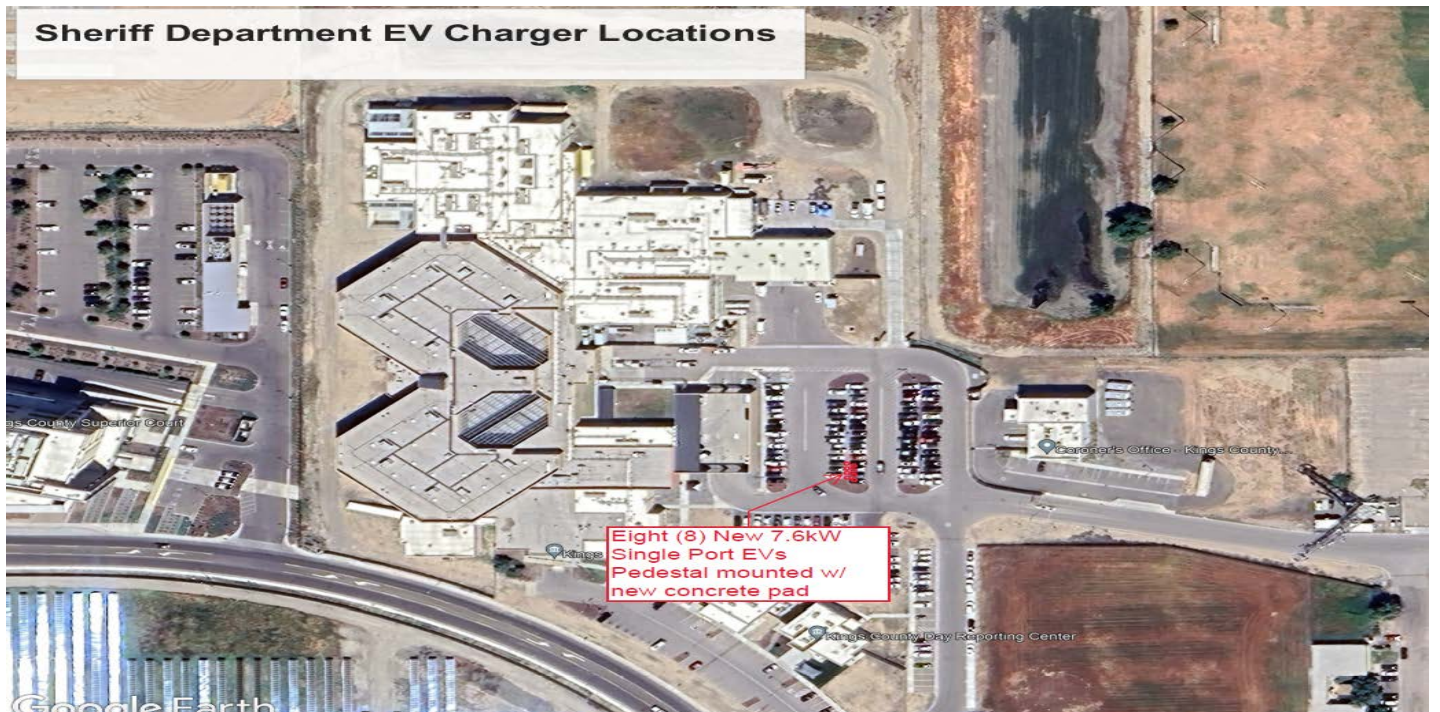
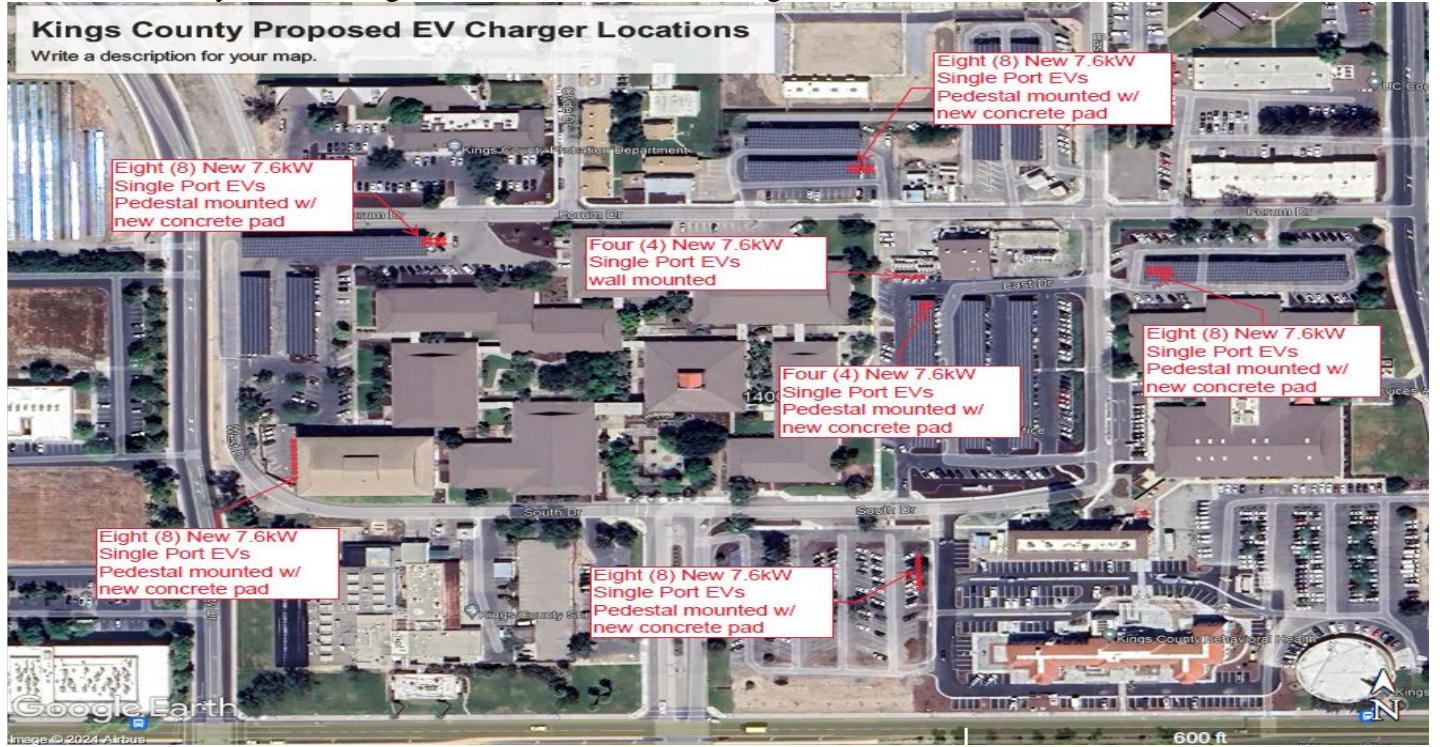
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Electric Vehicle Charging Stations

Below are the layouts showing the locations of the EV chargers.



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Contract Price and Net Savings

The project price is \$14,220,644 and the net savings over the life of the project, after paying for the cost of the project, interest payments, and maintenance costs, is approximately \$5.3 million. The County has hired an independent consultant, ARC Alternatives, to review ENGIE’s pricing and savings. The review should be completed shortly.

Financing

The County’s financial advisor, KNN Public Finance, is arranging the financing for this project. Engie intends to bring the financing for the Board’s consideration on April 30, 2024 along with the ENGIE contract, or May 2024 at the latest.

Project Cash Flow

A preliminary cash flow for this project is given below:

Year	Projected Solar Savings	Projected HVAC Electricity Savings	Projected HVAC Gas Savings	Projected LED Lighting Savings	Projected Transformer Savings	Projected Maintenance & Repair Savings	Estimated IRA Direct Payment	Total Program Savings	Lease Payments	Solar O&M Cost	Total Program Costs	Net Savings
1	\$56,500	\$80,735	\$11,705	\$283,313	\$43,393	\$213,174	\$206,474	\$895,294	\$865,177	\$2,164	\$867,341	\$27,952
2	\$59,028	\$84,772	\$12,056	\$297,479	\$45,562	\$219,569	\$0	\$718,466	\$891,132	\$2,273	\$893,405	-\$174,938
3	\$61,670	\$122,527	\$12,418	\$439,239	\$68,000	\$226,156	\$0	\$930,010	\$917,866	\$2,386	\$920,252	\$9,758
4	\$64,430	\$128,653	\$12,790	\$461,201	\$71,400	\$232,941	\$0	\$971,415	\$945,402	\$2,506	\$947,908	\$23,508
5	\$67,313	\$135,086	\$13,174	\$484,261	\$74,970	\$239,929	\$0	\$1,014,733	\$973,764	\$2,631	\$976,395	\$38,338
6	\$70,325	\$141,840	\$13,569	\$508,474	\$78,719	\$247,127	\$0	\$1,060,054	\$1,002,977	\$2,762	\$1,005,740	\$54,315
7	\$73,472	\$148,932	\$13,976	\$533,898	\$82,654	\$254,541	\$0	\$1,107,474	\$1,033,066	\$2,901	\$1,035,967	\$71,507
8	\$76,760	\$156,379	\$14,396	\$560,593	\$86,787	\$262,177	\$0	\$1,157,092	\$1,064,058	\$3,046	\$1,067,104	\$89,988
9	\$80,195	\$164,198	\$14,828	\$588,622	\$91,127	\$270,042	\$0	\$1,209,012	\$1,095,980	\$3,198	\$1,099,178	\$109,834
10	\$83,784	\$172,408	\$15,272	\$618,053	\$95,683	\$278,144	\$0	\$1,263,344	\$1,128,860	\$3,358	\$1,132,217	\$131,127
11	\$87,533	\$181,028	\$15,731	\$648,956	\$100,467	\$286,488	\$0	\$1,320,203	\$1,162,725	\$3,526	\$1,166,251	\$153,952
12	\$91,450	\$190,080	\$16,202	\$681,404	\$105,490	\$295,083	\$0	\$1,379,709	\$1,197,607	\$3,702	\$1,201,309	\$178,400
13	\$95,543	\$199,584	\$16,689	\$715,474	\$110,765	\$303,935	\$0	\$1,441,989	\$1,233,535	\$3,887	\$1,237,422	\$204,566
14	\$99,818	\$209,563	\$17,189	\$751,248	\$116,303	\$313,053	\$0	\$1,507,174	\$1,270,541	\$4,081	\$1,274,623	\$232,551
15	\$104,285	\$220,041	\$17,705	\$788,810	\$122,118	\$322,445	\$0	\$1,575,404	\$1,308,658	\$4,285	\$1,312,943	\$262,461
16	\$108,952	\$231,043	\$18,236	\$828,251	\$128,224	\$332,118	\$0	\$1,646,824	\$1,347,917	\$4,500	\$1,352,417	\$294,407
17	\$113,827	\$242,595	\$18,783	\$869,663	\$134,635	\$342,082	\$0	\$1,721,586	\$1,388,355	\$4,725	\$1,393,080	\$328,506
18	\$118,921	\$254,725	\$19,347	\$913,146	\$141,367	\$352,344	\$0	\$1,799,850	\$1,430,006	\$4,961	\$1,434,966	\$364,884
19	\$124,243	\$267,461	\$19,927	\$958,804	\$148,435	\$362,914	\$0	\$1,881,784	\$1,472,906	\$5,209	\$1,478,115	\$403,670
20	\$129,803	\$280,834	\$20,525	\$1,006,744	\$155,857	\$373,802	\$0	\$1,967,565	\$1,517,093	\$5,469	\$1,522,562	\$445,002
21	\$101,709	\$0	\$0	\$0	\$163,650	\$0	\$0	\$265,359	\$0	\$5,743	\$5,743	\$259,616
22	\$106,260	\$0	\$0	\$0	\$171,833	\$0	\$0	\$278,093	\$0	\$6,030	\$6,030	\$272,063
23	\$111,015	\$0	\$0	\$0	\$180,424	\$0	\$0	\$291,439	\$0	\$6,331	\$6,331	\$285,108
24	\$115,983	\$0	\$0	\$0	\$189,445	\$0	\$0	\$305,428	\$0	\$6,648	\$6,648	\$298,780
25	\$121,173	\$0	\$0	\$0	\$198,918	\$0	\$0	\$320,091	\$0	\$6,980	\$6,980	\$313,111
26	\$126,596	\$0	\$0	\$0	\$0	\$0	\$0	\$126,596	\$0	\$7,329	\$7,329	\$119,266
27	\$132,261	\$0	\$0	\$0	\$0	\$0	\$0	\$132,261	\$0	\$7,696	\$7,696	\$124,565
28	\$138,180	\$0	\$0	\$0	\$0	\$0	\$0	\$138,180	\$0	\$8,081	\$8,081	\$130,099
29	\$144,363	\$0	\$0	\$0	\$0	\$0	\$0	\$144,363	\$0	\$8,485	\$8,485	\$135,878
30	\$150,823	\$0	\$0	\$0	\$0	\$0	\$0	\$150,823	\$0	\$8,909	\$8,909	\$141,914
Totals	\$3,016,214	\$3,612,483	\$314,518	\$12,937,632	\$2,906,227	\$5,728,065	\$206,474	\$28,721,614	\$23,247,627	\$143,800	\$23,391,427	\$5,330,187

Benefits of the Project

- Create \$5.3 million in net savings over the life of the program by reducing electricity costs by 40%.
- Provide EV chargers for employees.
- Address critical equipment needs by upgrading HVAC units and energy management systems.
- Provide a new parking lot and receive over \$200,000 in Inflation Reduction Act cash subsidy.
- Improve lighting quality for employees and community members.
- Carbon emissions reduction is equivalent of removing 350 cars off the road annually.



ENGIE Services U.S. Energizing Kings County

April 9, 2024



Agenda

- **About ENGIE**
- **Energy Conservation Measure (ECM) Matrix**
- **Scope of Work**
- **Program Financial Analysis**
- **Program Benefits**
- **Next Steps**

Why ENGIE? Experience & Track Record

Delivering Value

- **49 years of experience**
- **More experience of successful projects for California counties than any other company**
- **Eight (8) offices in CA**
- **Comprehensive Energy Partner**
- **Experienced PR Team:**
 - Press releases
 - Town hall meetings
 - Ribbon cutting events

Project Expertise

- **Experienced & most qualified project team**
- **Local project team and local subcontractors**
- **Local, in-house Operations and Maintenance capabilities**
- **More technical resources than any other company in California**
- **Installed over 400 MW of solar PV for public entities in CA**
- **Largest independent installer of battery storage systems in CA**

Fiscal Strength & Risk Mitigation

- **#1 independent producer of electricity in the world**
- **100,000 employees**
- **189-year company history**
- **Annual revenue of \$100 billion**
- **Credit rating of A-/A2**
- **Achieved 109% of guaranteed savings**
- **Volume procurement through vendor competition**

Trusted Partner to California Counties

Multi-phase Projects = Proven Customer Satisfaction

● County of Alameda – Santa Rita Jail Phase 1	\$1.3 million
● County of Alameda – Santa Rita Jail Phase 2	\$6.1 million
● County of Alameda – Santa Rita Jail Phase 3	\$0.8 million
● County of Alameda – Santa Rita Jail Phase 4	\$11.7 million
● County of Contra Costa	\$1.9 million
● County of Kings Phase 1	\$3.0 million
● County of Kings Phase 2	\$8.4 million
● County of Kings Phase 3	\$4.1 million
● County of Kings Phase 4	\$11.9 million
● County of Madera Phase 1	\$10.0 million
● County of Madera Phase 2	\$6.5 million
● County of Madera Phase 3	\$5.3 million
● County of Merced	\$11.8 million
● County of Placer	\$13.4 million
● County of Sacramento	\$5.2 million
● County of San Benito	\$8.0 million
● County of Shasta	\$14.2 million
● County of Solano	\$44.6 million
● County of Sutter	\$10.5 million
● County of Tulare Phase 1	\$7.2 million
● County of Tulare Phase 2	\$27.6 million
● County of Tulare Phase 3	\$10.0 million
● County of Yuba Phase 1	\$9.9 million
● County of Yuba Phase 2	\$5.2 million

Scope of Work – Government Complex

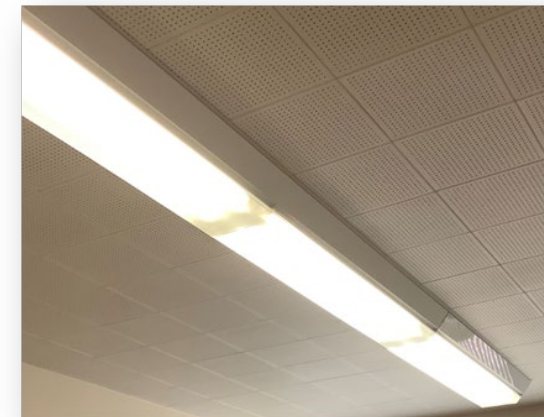
ECM Summary Table - Kings County				SOLAR PV	NEW PARKING LOT	LED Lighting	HVAC REPLACEMENTS	DDC SYSTEM	TRANSFORMERS	EV CHARGERS	
Site Name	Address	Annual Electricity Usage (kWh)	Annual Electricity Cost (\$)								
Government Complex	1400 W LACEY BLVD , HANFORD	3,757,191	\$707,035	X						X	
Govt Center Exterior	1400 W LACEY BLVD , HANFORD						X				
Admin Bldg	1400 W LACEY BLVD , HANFORD						X			X	
Ag Department	680 CAMPUS DRIVE, HANFORD						X	X	X		
Boot Camp	1424 FORUM DRIVE , HANFORD						X	X	X		
Building Maintenance	1400 W LACEY BLVD , HANFORD										X
Branch Jail	1444 W LACEY BLVD , HANFORD										X
Central Plant	1245 W LACEY BLVD , HANFORD						X	X	X	X	
Central Warehouse Bldg	1400 W LACEY BLVD , HANFORD						X	X	X		
Data Processing	1400 W LACEY BLVD , HANFORD										X
Engineering Bldg	1400 W LACEY BLVD , HANFORD						X				X
Finance Bldg	1400 W LACEY BLVD , HANFORD						X				X
HSA Bldg	1400 W LACEY BLVD , HANFORD						X				X
KART Bldg	710 NORTH DRIVE , HANFORD										X
Law Bldg	1400 W LACEY BLVD , HANFORD						X		X	X	
Microfilm Bldg	1400 W LACEY BLVD , HANFORD						X				
Morgue	1470 NORTH DRIVE , HANFORD						X				
North Annex	1400 W LACEY BLVD , HANFORD										X
Old Ag Commissioner Bait Warehouse	260 CAMPUS DRIVE, HANFORD						X				
Old Superior Court	1426 SOUTH DRIVE , HANFORD										X
Parks & Grounds	710 NORTH DRIVE , HANFORD						X	X	X		
Probation Bldg	1424 FORUM DRIVE , HANFORD						X	X	X		
Services Bldg	1400 W LACEY BLVD , HANFORD						X				X
Superior Court A	1426 SOUTH DRIVE , HANFORD										X
Superior Court Annex	1426 SOUTH DRIVE , HANFORD										X
Superior Court C	1426 SOUTH DRIVE , HANFORD										X
Junvenile Center	1424 FORUM DRIVE , HANFORD						X	X	X	X	
Main Jail	1570 KINGS COUNTY DR, HANFORD						X	X	X	X	
Victim Witness	FORUM DRIVE , HANFORD						X	X	X		
WIC Trailer	FORUM DRIVE , HANFORD							X	X		
Totals		3,757,191	\$707,035	0	1	19	10	11	18	1	

Scope of Work – Outside Government Complex

ECM Summary Table - Kings County				SOLAR PV	NEW PARKING LOT	LED Lighting	HVAC REPLACEMENTS	DDC SYSTEM	TRANSFORMERS	EV CHARGERS
Site Name	Address	Annual Electricity Usage (kWh)	Annual Electricity Cost (\$)							
Animal Services	10909 BONNEYVIEW LN , HANFORD	50,528	\$12,775			X	X	X		
Armona Fire Station	11235 14TH AVE, ARMONA	23,646	\$9,208					X		
Avenal Civic Center	501 E. KINGS STREET, AVENAL					X	X	X		
Avenal Fire Station	516 E FRESNO ST, AVENAL	31,175	\$12,298			X		X		
Avenal Health Dept	590 SKYLINE BLVD, AVENAL	6,159	\$2,650			X	X	X		
Avenal Welfare	520 E FRESNO ST, AVENAL	14,908	\$5,936			X	X	X		
Burriss Park	CLINTON W/6TH AVE, KINGSBURG	176,059	\$63,290	X			X	X	X	
Burriss Park Fire Station	6575 CLINTON AVE, KINGSBURG	19,379	\$7,527	X		X	X	X		
Corcoran Branch Library	1015 CHITTENDEN AVE, CORCORAN	42,765	\$16,456			X	X	X		
Corcoran Fire Station	1033 CHITTENDEN AVE., CORCORAN						X	X		
Corcoran Health Center	1002 DAIRY AVE, CORCORAN	9,635	\$3,775			X		X		
Corcoran HSA	951 CHITTENDEN AVE, CORCORAN	80,801	\$30,864			X		X		
Flat Top Mountain	SE 17 23 17, AVENAL	21,154	\$8,344				X	X		
Hanford Branch Library	401 N DOUTY ST , HANFORD	200,727	\$61,793			X				
Hardwick Fire Station	14680 EXCELSIOR AVE, HANFORD	23,141	\$9,456			X		X		
Houston Fire Station	7622 HOUSTON AVE, HANFORD	53,057	\$14,702							
Island Fire Station	7735 21ST AVE, LEMOORE	22,150	\$8,616			X		X		
Kettleman Branch Library	104 BECKY PEASE ST, KETTLEMAN	22,829	\$8,808			X		X		
Kettleman Fire & Sub Station	909 BROWN ST, KETTLEMAN	51,550	\$20,110			X	X	X		
Lemoore Branch Library	449 C ST, LEMOORE	56,426	\$23,270			X	X	X		
Lemoore Fire Station	1285 18TH AVE, LEMOORE	15,114	\$5,970			X		X		
Lemoore Health	229 C ST, LEMOORE	13,142	\$5,305			X	X	X		
Road Department	11815 11TH AVE , HANFORD	4,036	\$10,070			X		X		
South Hanford Fire	10775 S 10TH AVE , HANFORD	13,877	\$4,006				X	X		
Stratford Branch Library	20300 MAIN ST, STRATFORD	33,484	\$13,050			X		X		
Stratford Fire Station	20200 MAIN ST, STRATFORD	28,350	\$11,151			X		X		
Vehicle Maintenance Shop	11827 11TH AVE , HANFORD	5,522	\$22,345			X	X	X	X	
Totals		1,019,614	\$391,776	2	0	21	14	25	2	0

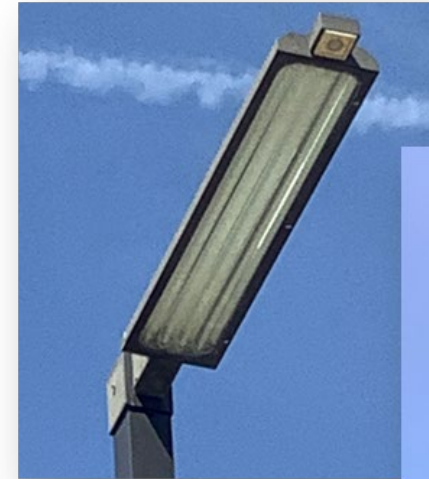
Interior & Exterior LED Lighting Upgrades

- **Interior:** Replace older generation fluorescent lamps and ballasts with new, more efficient, longer lasting LED lamps and kits. Install lighting sensors where appropriate
- **Exterior:** Replace old HID fixtures with new LED fixtures and kits
- LED lamps have a life of 75,000 to 100,000 hours leading to substantial savings in maintenance cost
- **Benefits include:**
 - Better quality lighting
 - Replaces old fluorescent lamps and ballasts
 - Reduces energy cost
 - Longer life of system
 - Reduces maintenance cost



LED Lighting Upgrades Locations

Site Name	
Govt Center Exterior	Road Department
Admin Bldg	Vehicle Maintenance Shop
Ag Department	Animal Services
Boot Camp	Hanford Branch Library
Central Plant	Kettleman Branch Library
Central Warehouse Bldg	Kettleman Fire & Sub Station
Engineering Bldg	Lemoore Fire Station
Finance Bldg	Stratford Fire Station
Avenal Civic Center	Corcoran Health Center
HSA Bldg	Island Fire Station
Law Bldg	Hardwick Fire Station
Microfilm Bldg	Burriss Park Fire Station
Morgue	Stratford Branch Library
Old Ag Commissioner Bait Warehouse	Avenal Fire Station
Parks & Grounds/KART	Avenal Welfare
Probation Bldg	Avenal Health Dept
Services Bldg	Lemoore Health
Junvenile Center	Lemoore Branch Library
Main Jail	Corcoran HSA
Victim Witness	Corcoran Branch Library



HVAC Replacements

- Replace 82 old, inefficient HVAC units with new, more efficient Carrier make units of the same size. Units to be replaced are over 15 years old



Site Name	Units	Tonnage
Agriculture Departent	1	1.5
Animal Services	2	8.0
Avenal Civic Center	1	4.0
Avenal Health	1	4.0
Avenal Welfare	1	3.5
Boot Camp	1	5.0
Burriss Fire Station	1	3.0
Burriss Park	1	7.5
Central Plant	2	7.0
Central Warehouse	1	5.0
Corcoran Fire Station	1	3.0
Corcoran Library	2	7.0
FlatTop Mountain	2	5.0
Juvenile Academy	3	11.0
Juvenile Center	13	56.0
Kettlemen Fire & Sub Station	3	14.0
Lemoore Health	2	8.0
Lemoore Library	1	5.0
Main Jail	26	250.0
Parks & Grounds	1	4.0
Probation	5	18.0
South Hanford Fire Station	2	7.0
Vehicle Maintenance Shop	4	17.0
Victim Witness	2	6.0
WIC Trailer	3	9.0
Grand Total	82	468.5

HVAC Replacement Benefits

- **Benefits include:**
 - Replaces old and inefficient equipment
 - Improves Indoor Air Quality (IAQ) and ventilation
 - Planned replacement vs. emergency breakdown
 - Reduces energy cost
 - Reduces maintenance cost



Schneider Electric Energy Management System

- Replace 137 existing standalone thermostats with Schneider Electric Direct Digital Control (DDC) system
- Will be done with the ethernet gateway at the proposed site/building that do not have existing energy management system
- Demand control ventilation for high density areas on units with economizer



Site Name	Qty	Site Name	Qty
Ag Department	1	Island Fire Station	1
Animal Services	3	Juvenile Academy	4
Armona Fire Station	1	Juvenile Center	26
Avenal Fire	1	Kettlemen Fire & Sub Station	3
Avenal Health	2	Kettlemen Library	2
Avenal Civic Center	2	Law Bldg	4
Avenal Welfare	1	Lemoore Fire Station	1
Boot Camp	4	Lemoore Health	4
Building Maintenance	2	Lemoore Library	5
Burriss Fire Station	1	Parks & Grounds	3
Burriss Park	7	Probation	11
Central Plant	3	South Hanford Fire Station	3
Central Warehouse	2	Storage Facility	7
Corcoran Fire Station	3	Stratford Fire Station	2
Corcoran Health	1	Stratford Library	2
Corcoran Library	3	Vehicle Maintenance Shop	7
Corcoran HSA	7	Victim Witness	2
Flattop Mountain	2	WIC Trailer	3
Hardwick Fire Station	1		
Total			137

Schneider Electric Energy Management System for Main Jail

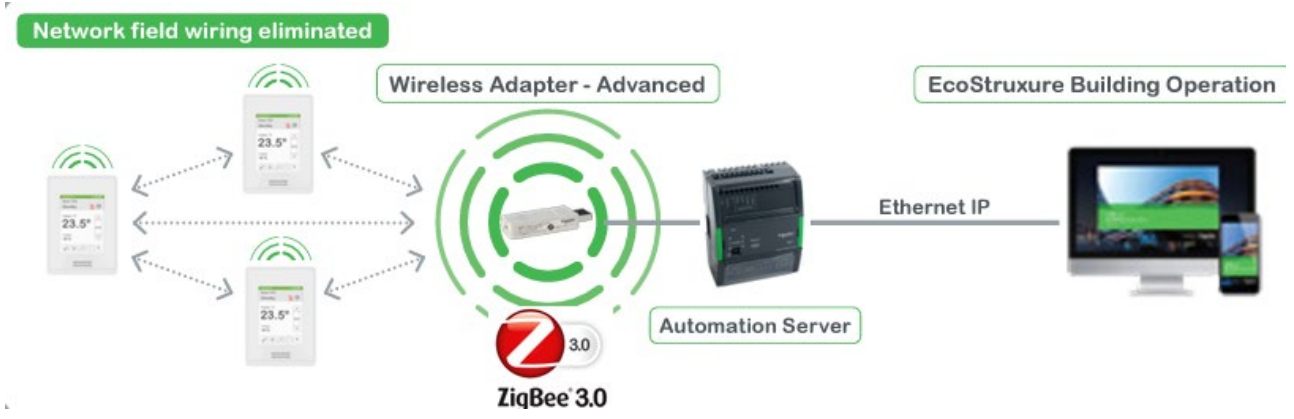
- Replace existing Tracer Summit control system with new Schneider DDC controls and tie into existing County EcoStruxure system
- New DDC controls for 26 rooftop units utilizing BACnet IP controllers
- Install new sensors and associated conduit/cabling for functioning system
- Convert existing 31 variable air volume boxes to DDC controls with new sensors and tie into new system
- Installation of new Niagara 4 JACE controllers for supervisory controls of new system



Schneider Electric Energy Management System

- **Benefits include:**

- Bring all County mechanical units under one energy management system for ease of access and use
- Remote access and monitoring with past trend data
- Improves Indoor Air Quality (IAQ) and ventilation
- Reduces energy cost
- Reduces maintenance cost



High Efficiency Transformers

- Replace thirty-six (36) older generation transformers with new, more efficient, transformers that have less losses
- Benefits include:
 - Savings in energy cost
 - Longer life of electrical infrastructure
 - Planned replacement vs. emergency breakdown resulting in loss of power
 - Reduces heat and noise loads from aging or failing transformers



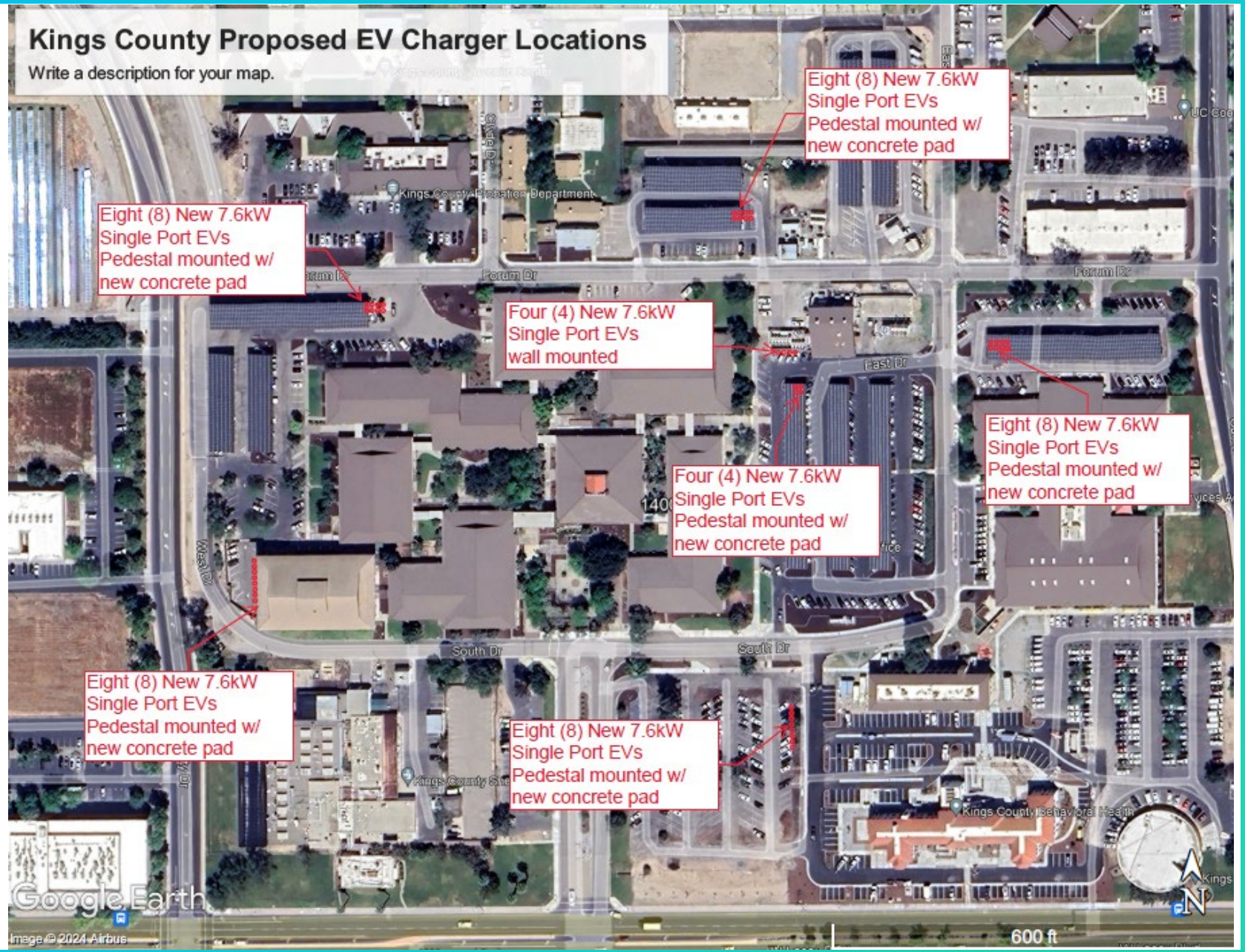
Site Name	Size (kVA)	Quantity	Total kVA
Admin	45	1	45
Building Maintenance	45	1	45
	75	1	75
Branch Jail	113	1	113
	45	3	135
Burriss Park	113	1	113
	25	2	50
	50	1	50
Central Plant	30	1	30
Data Processing	75	1	75
Engineering	45	1	45
Finance	75	1	75
HSA Building	113	1	113
	225	1	225
Jail	113	3	338
	75	2	150
Juvenile Center	113	1	113
	75	2	150
KART Building	113	1	113
Law Building	75	1	75
	15	1	15
North Annex	150	1	150
Parks Building	150	1	150
Services	75	1	75
	30	1	30
Superior Court A	75	1	75
Superior Court Annex	75	1	75
Superior Court C	75	1	75
Vehicle Maintenance	150	1	150
Total		36	2,920

Electric Vehicle Charging Stations

- **Government Center EV Charger Scope:**
 - Install 56 single-port Level 2 EV Charging Stations across 7 parking lots
 - Level 2 chargers to be Star Charge 7.6kW single port chargers and will be connected to ENGIE Driivz Software for management:
 - Come equipped with 16' cables with cable management kit
 - Contactless credit card and RFID reader
 - 5 years prepaid parts and labor warranty which includes remote technical support, onsite repairs, unlimited configuration changes and reporting
 - 5 years prepaid ENGIE+Driivz Management Software Support. Will provide County with login access to view charger operations and customized reports

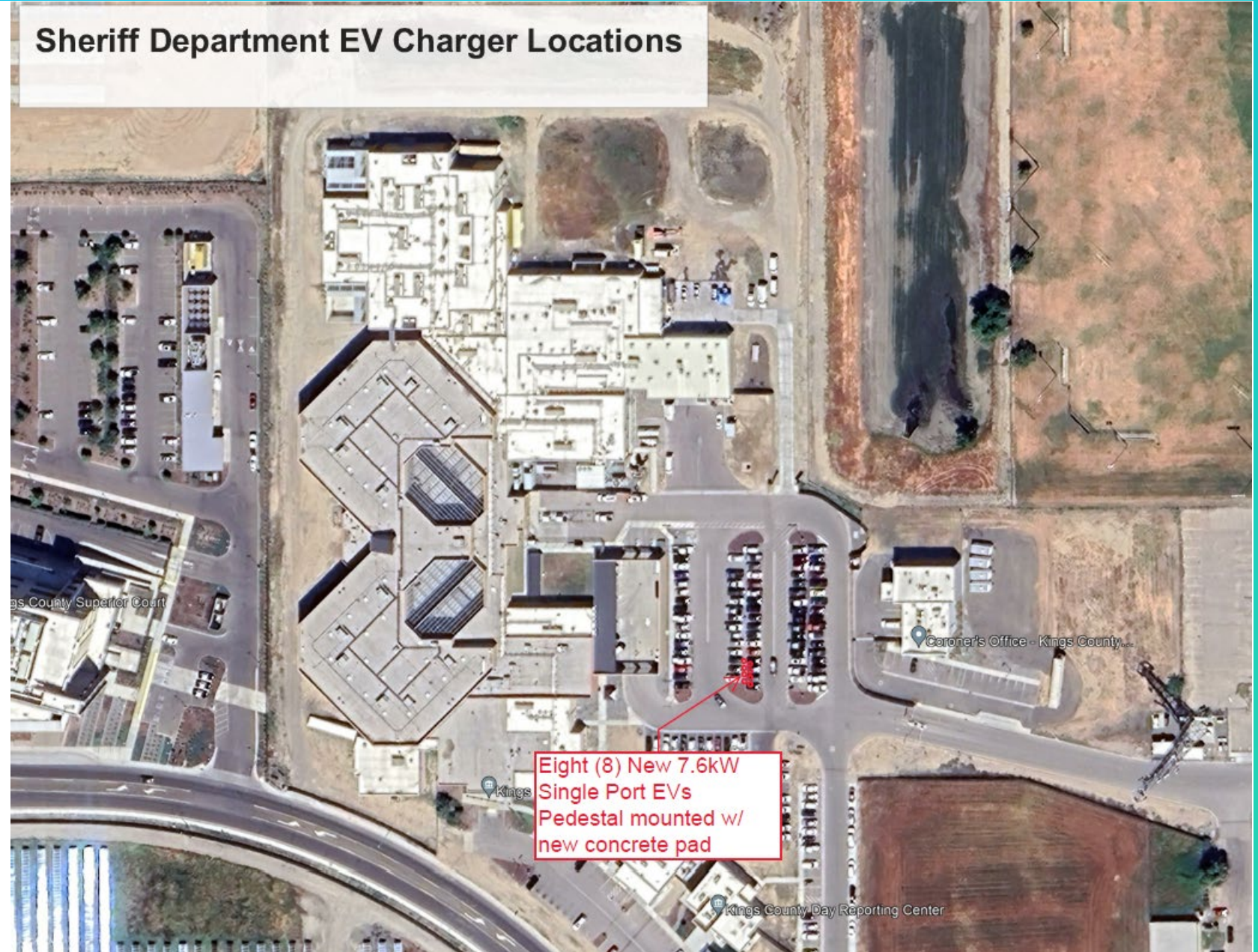


Electric Vehicle Charging Station Locations



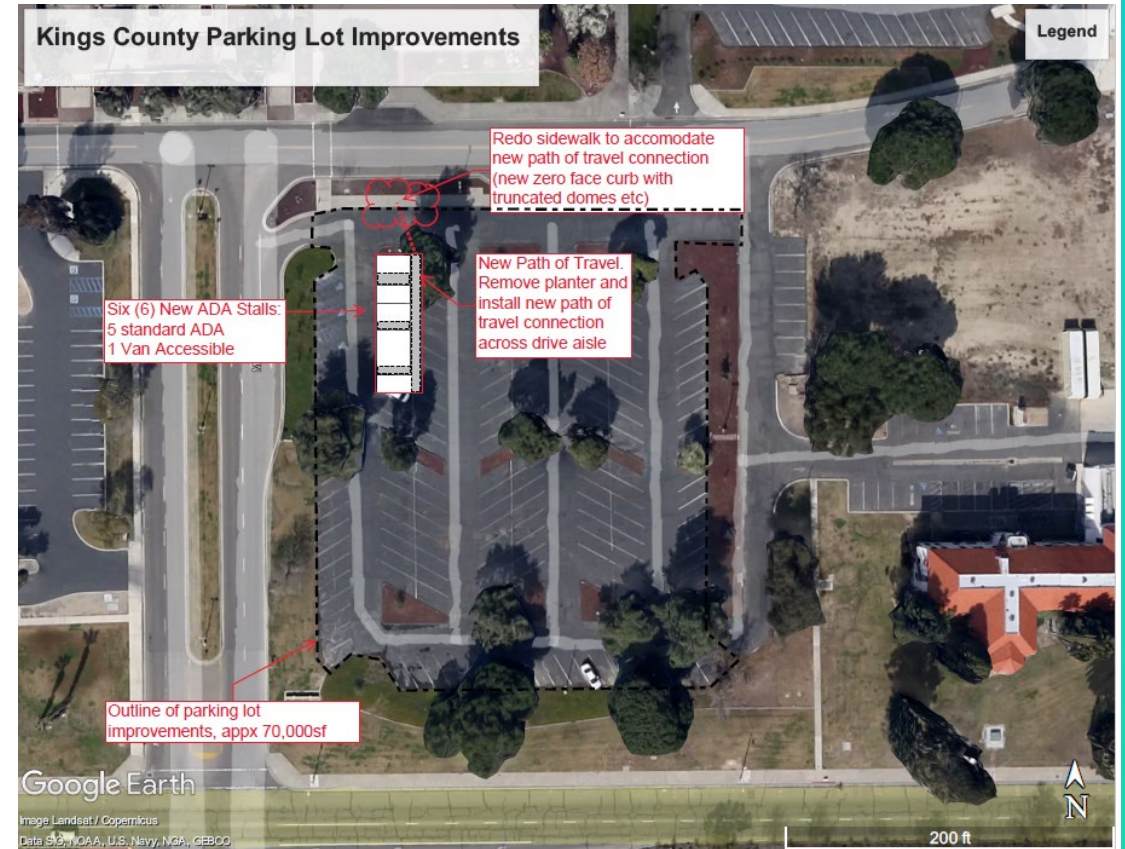
Electric Vehicle Charging Station Locations

Sheriff Department EV Charger Locations

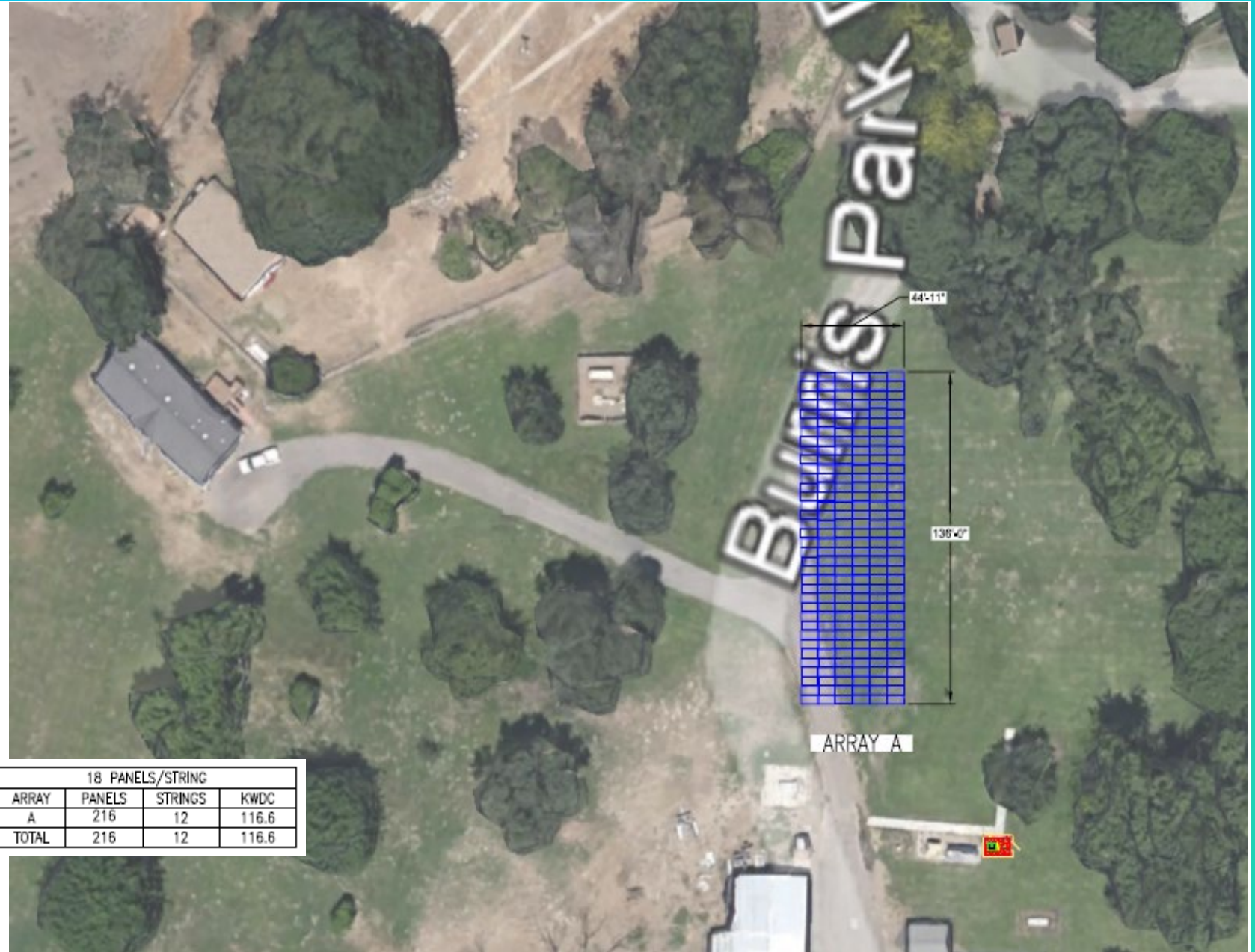


Parking Lot Improvements

- Demo and remove existing asphalt and base to a depth of 12"
- Furnish and install new parking lot with pavement sections below:
 - 12" compacted native soil at 95%
 - 4" aggregate base
 - 3" of asphalt
- Provide final seal coat of finished pavement.
- Provide all new striping to match existing parking lot layout
- Provide new ADA striping and improvements as shown in overhead image to the right.
- Existing planters to be reused and all trees to be removed.



Burris Park – 116.6 kW Solar Shade Structure



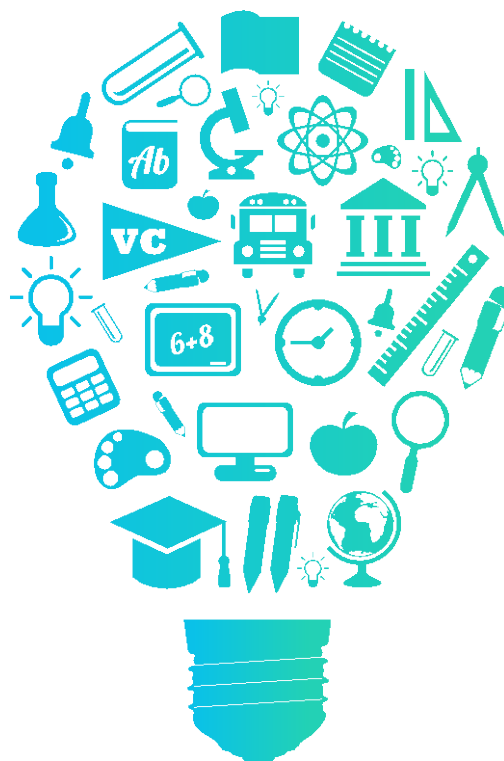
18 PANELS/STRING			
ARRAY	PANELS	STRINGS	KWDC
A	216	12	116.6
TOTAL	216	12	116.6

Preliminary Financial Analysis

Project Cost												\$14,220,644
Financing & Technical Review Cost												\$125,000
Amount to be Financed												\$14,345,644
Finance Term												20
Estimated Annual Interest Rate												4.60%
Annual Escalation of Electricity Cost												5.00%
Annual Degradation of Solar Panels												0.50%
Annual Escalation of Natural Gas Cost												3.00%
Annual Escalation of Maintenance & Repair Cost												3.00%
Annual Escalation of Solar O&M Cost												5.00%
Year	Projected Solar Savings	Projected HVAC Electricity Savings	Projected HVAC Gas Savings	Projected LED Lighting Savings	Projected Transformer Savings	Projected Maintenance & Repair Savings	Estimated IRA Direct Payment	Total Program Savings	Lease Payments	Solar O&M Cost	Total Program Costs	Net Savings
1	\$56,500	\$80,735	\$11,705	\$283,313	\$43,393	\$213,174	\$206,474	\$895,294	\$865,177	\$2,164	\$867,341	\$27,952
2	\$59,028	\$84,772	\$12,056	\$297,479	\$45,562	\$219,569	\$0	\$718,466	\$891,132	\$2,273	\$893,405	-\$174,938
3	\$61,670	\$122,527	\$12,418	\$439,239	\$68,000	\$226,156	\$0	\$930,010	\$917,866	\$2,386	\$920,252	\$9,758
4	\$64,430	\$128,653	\$12,790	\$461,201	\$71,400	\$232,941	\$0	\$971,415	\$945,402	\$2,506	\$947,908	\$23,508
5	\$67,313	\$135,086	\$13,174	\$484,261	\$74,970	\$239,929	\$0	\$1,014,733	\$973,764	\$2,631	\$976,395	\$38,338
6	\$70,325	\$141,840	\$13,569	\$508,474	\$78,719	\$247,127	\$0	\$1,060,054	\$1,002,977	\$2,762	\$1,005,740	\$54,315
7	\$73,472	\$148,932	\$13,976	\$533,898	\$82,654	\$254,541	\$0	\$1,107,474	\$1,033,066	\$2,901	\$1,035,967	\$71,507
8	\$76,760	\$156,379	\$14,396	\$560,593	\$86,787	\$262,177	\$0	\$1,157,092	\$1,064,058	\$3,046	\$1,067,104	\$89,988
9	\$80,195	\$164,198	\$14,828	\$588,622	\$91,127	\$270,042	\$0	\$1,209,012	\$1,095,980	\$3,198	\$1,099,178	\$109,834
10	\$83,784	\$172,408	\$15,272	\$618,053	\$95,683	\$278,144	\$0	\$1,263,344	\$1,128,860	\$3,358	\$1,132,217	\$131,127
11	\$87,533	\$181,028	\$15,731	\$648,956	\$100,467	\$286,488	\$0	\$1,320,203	\$1,162,725	\$3,526	\$1,166,251	\$153,952
12	\$91,450	\$190,080	\$16,202	\$681,404	\$105,490	\$295,083	\$0	\$1,379,709	\$1,197,607	\$3,702	\$1,201,309	\$178,400
13	\$95,543	\$199,584	\$16,689	\$715,474	\$110,765	\$303,935	\$0	\$1,441,989	\$1,233,535	\$3,887	\$1,237,422	\$204,566
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15	\$104,285	\$220,041	\$17,705	\$788,810	\$122,118	\$322,445	\$0	\$1,575,404	\$1,308,658	\$4,285	\$1,312,943	\$262,461
16	\$108,952	\$231,043	\$18,236	\$828,251	\$128,224	\$332,118	\$0	\$1,646,824	\$1,347,917	\$4,500	\$1,352,417	\$294,407
17	\$113,827	\$242,595	\$18,783	\$869,663	\$134,635	\$342,082	\$0	\$1,721,586	\$1,388,355	\$4,725	\$1,393,080	\$328,506
18	\$118,921	\$254,725	\$19,347	\$913,146	\$141,367	\$352,344	\$0	\$1,799,850	\$1,430,006	\$4,961	\$1,434,966	\$364,884
19	\$124,243	\$267,461	\$19,927	\$958,804	\$148,435	\$362,914	\$0	\$1,881,784	\$1,472,906	\$5,209	\$1,478,115	\$403,670
20	\$129,803	\$280,834	\$20,525	\$1,006,744	\$155,857	\$373,802	\$0	\$1,967,565	\$1,517,093	\$5,469	\$1,522,562	\$445,002
21	\$101,709	\$0	\$0	\$0	\$163,650	\$0	\$0	\$265,359	\$0	\$5,743	\$5,743	\$259,616
22	\$106,260	\$0	\$0	\$0	\$171,833	\$0	\$0	\$278,093	\$0	\$6,030	\$6,030	\$272,063
23	\$111,015	\$0	\$0	\$0	\$180,424	\$0	\$0	\$291,439	\$0	\$6,331	\$6,331	\$285,108
24	\$115,983	\$0	\$0	\$0	\$189,445	\$0	\$0	\$305,428	\$0	\$6,648	\$6,648	\$298,780
25	\$121,173	\$0	\$0	\$0	\$198,918	\$0	\$0	\$320,091	\$0	\$6,980	\$6,980	\$313,111
26	\$126,596	\$0	\$0	\$0	\$0	\$0	\$0	\$126,596	\$0	\$7,329	\$7,329	\$119,266
27	\$132,261	\$0	\$0	\$0	\$0	\$0	\$0	\$132,261	\$0	\$7,696	\$7,696	\$124,565
28	\$138,180	\$0	\$0	\$0	\$0	\$0	\$0	\$138,180	\$0	\$8,081	\$8,081	\$130,099
29	\$144,363	\$0	\$0	\$0	\$0	\$0	\$0	\$144,363	\$0	\$8,485	\$8,485	\$135,878
30	\$150,823	\$0	\$0	\$0	\$0	\$0	\$0	\$150,823	\$0	\$8,909	\$8,909	\$141,914
Totals	\$3,016,214	\$3,612,483	\$314,518	\$12,937,632	\$2,906,227	\$5,728,065	\$206,474	\$28,721,614	\$23,247,627	\$143,800	\$23,391,427	\$5,330,187

Energy Program Benefits

- ✓ Create **\$5.3 million in net savings** after paying for all costs over the life of the program
- ✓ **Reduce electricity bills by 43%. Hedge against rising utility energy costs**
- ✓ **Provide EV chargers for employees paid out of project savings**
- ✓ **Address critical equipment needs by upgrading HVAC units using project savings**
- ✓ **Provide new parking lot paid out of project savings**



Carbon emissions reduction equivalent of removing 350 cars off the road annually

- ✓ **Provide parking shade for staff and community**
- ✓ **Receive over \$200,000 in Inflation Reduction Act cash subsidy**
- ✓ **Improve lighting quality for employees and community members**
- ✓ **Save maintenance staff's time with long-life LED lighting and new HVAC equipment**
- ✓ **Save administrative time by accomplishing multiple projects simultaneously**
- ✓ **Stimulate local economy and provide local jobs**

Energy Program Roadmap

- **Feasibility Study Presentation to Board**
February 28, 2023
- **Interconnection Applications Submitted**
March 2023
- **Energy Project Development**
March 2023 – October 2023
- **Present Proposal to Staff**
November 3, 2023
- **Approval of Energy Project**
April 2024
- **Implementation**
May 2024 – November 2025
- **Celebratory Ribbon Cutting**
December 2025



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