



Board Agenda Item 25

DATE: November 8, 2022

TO: Board of Supervisors

SUBMITTED BY: Susan L. Holt, LMFT, Director, Department of Behavioral Health

SUBJECT: Retroactive Agreements with the City of Fresno Police Department

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a retroactive Agreement with the City of Fresno for Crisis Intervention Team services in the Fresno metropolitan area, effective July 1, 2022, not to exceed two consecutive years, which includes a one-year base contract with one optional one-year extension, total not to exceed \$437,830; and,**
- 2. Approve and authorize the Chairman to execute a retroactive license Agreement for County-owned space located at Building 658, 1925 East Dakota Avenue, Fresno, California 93726, approximately 1,200 square feet of office space, effective July 1, 2022, not to exceed two consecutive years, which includes a one-year base contract with one optional one-year extension (\$0).**

There is no Net County Cost associated with the recommended actions. Approval of the recommended actions will allow the Department of Behavioral Health to continue its collaboration with the City of Fresno Police Department (FPD) to co-locate and co-respond with clinicians to behavioral health crisis calls for service under the Fresno Metro Crisis Intervention Team (CIT) program. The services will be funded with Mental Health Services Act - Prevention and Early Intervention (MHSA-PEI) funds. This item pertains to Districts that overlap with the Fresno metropolitan area.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. Should your Board not approve the recommended actions, it will likely discontinue co-location and co-response with the City of Fresno Police Department's Crisis Intervention Team (FPD CIT) and behavioral health clinicians.

RETROACTIVE AGREEMENT:

The County, through its Department of Behavioral Health, has contracted with FPD to provide CIT services in metropolitan Fresno since 2018. The existing agreements expired on June 30, 2022. Despite the Department's efforts to execute amendments extending the agreements prior to their expiration, FPD presented concerns with the indemnification and insurance language. Upon learning of the concerns, the Department didn't have sufficient time to draft new agreements to meet Fresno City Council and Fresno County Board deadlines.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum

compensation under the recommended service agreement will not exceed \$437,830 and will be funded with MHSA-PEI. The recommended agreement for the County-owned property does not include an exchange of funds. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2022-23 Adopted Budget and in future budget requests for the term's duration.

DISCUSSION:

The metropolitan Fresno CIT program consists of specially trained law enforcement officers and behavioral health clinicians, who co-locate and co-respond to behavioral health crisis calls for service dispatched by 9-1-1 operators. This collaboration allows FPD CIT officers and behavioral health clinicians to respond to calls in which there is a behavioral health need and provide compassionate, person-centered crisis intervention services within a secure scene. CIT staff will respond to the initial crisis, which allows FPD patrol officers to respond to incoming 9-1-1 calls, and provide post-crisis follow-up, referrals, and linkages.

In 2021, FPD CIT received 1,671 behavioral health crisis calls for service with 80% of those calls resulting in de-escalation of the crisis, rather than involuntary hospitalization, and without the use of force. Fresno PD CIT's response to behavioral health crisis calls saved 1,543 hours of patrol officer time, allowing them to respond to other 9-1-1 calls.

On March 6, 2018, the Board approved Agreement No. 18-074 with the City of Fresno to provide CIT services in the Fresno metropolitan area. The CIT program consists of specially trained law enforcement officers and behavioral health clinicians, who co-locate and co-respond to behavioral health crisis calls for service dispatched by 9-1-1 operators. CIT staff are able to rapidly respond to the scene and provide crisis intervention, behavioral health assessments, community referrals and linkages, and short-term case management services, while keeping those on scene and the community safe. Time permitting, services also include community outreach, engagement, education, and prevention for those who are at-risk or potentially in need of behavioral health services.

On March 6, 2018, the Board approved Agreement No. 18-075 with the City of Fresno for use of county-owned space at 1925 E. Dakota Avenue to be used by FPD CIT to co-locate with behavioral health staff providing CIT services.

On June 11, 2020, the City of Fresno announced the formation of the Fresno Commission for Police Reform (Commission) to develop recommendations to institute reform to FPD and provide recommendations for reform. On October 29, 2020, the Commission recommendations included that FPD officers should not be dispatched for behavioral health-related calls for service that are non-violent in nature and that the City increase its reliance on behavioral health and trained medical professionals to respond to such calls. As a result, County and City leadership teams have been in communication to develop a CIT model that recognizes the Commission's recommendation, appropriately serves those in need of behavioral health crisis services, and keeps the responding clinicians and community safe.

The Indemnity and Insurance articles of the recommended agreements have modifications to the standard County language, which include mutual indemnity and concurrent negligence language. Since the City is another government agency, the Department is allowing these modifications as they pose minimal risk to the County.

Approval of the recommended actions will allow the CIT model to remain in place while discussions continue between County and City leadership and an updated strategy is determined.

OTHER REVIEWING AGENCIES:

The Behavioral Health Board will be notified of the recommended agreements at its November 16, 2022 meeting.

REFERENCE MATERIAL:

BAI #10, March 6, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with City of Fresno (CIT)

On file with Clerk - Agreement with City of Fresno (Facility)

CAO ANALYST:

Ronald W. Alexander, Jr.