



Agenda Date: 10/23/2007
Agenda Placement: 6D

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Alice Hughey for Randolph F. Snowden - Director
Health & Human Services
REPORT BY: Shelli Brobst, Contracts Analyst, 253-4720
SUBJECT: Proposition 36 Fiscal Year 2007-2008 Plan

RECOMMENDATION

Director of Health and Human Services requests the following regarding the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36):

1. Adoption of a resolution approving the Substance Abuse and Crime Prevention Act of 2000 County Plan and Funding Request for Fiscal Year 2007-2008; and
2. Authorization to apply to the State Department of Alcohol and Drug Programs for supplemental funding in the amount of \$73,579 for Offender Treatment Programs (OTP).

EXECUTIVE SUMMARY

The Substance Abuse and Crime Prevention Act of 2000 (SACPA), also known as Proposition 36, provides certain non-violent drug offenders with the opportunity to obtain drug treatment as an alternative to incarceration for their offenses. The Act is effectuated by the allocation of State General Funds to counties, which are responsible for developing and operating systems to make treatment services available to qualifying participants. Adoption of the Resolution will approve the County's Program Plan and Funding Request for Fiscal Year 2007-2008.

The Offender Treatment Program (OTP) was created by the State Legislature in Fiscal Year 2006-2007 and provides additional funds to the Proposition 36 program. The Fiscal Year 2007-2008 State budget shifted a portion of the Fiscal Year 2006-2007 Proposition 36 allocation to OTP funding. The County must apply for the available supplemental OTP funding.

FISCAL IMPACT

Is there a Fiscal Impact? Yes
Is it currently budgeted? Yes

Where is it budgeted?	Substance Abuse Services
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	Yes
Future fiscal impact:	None. The subject of the Resolution, the Substance Abuse and Crime Prevention Act (SACPA) of 2000 County Plan and Funding Request, covers Fiscal Year 2007-2008 only. The application for supplemental OTP funding covers only Fiscal Year 2007-2008 as well.
Consequences if not approved:	The Substance Abuse and Crime Prevention Act program is a mandated service under Title 9 of the California Code of Regulations; however, the level of services provided is discretionary. If the Plan and Funding Request are not approved, the County will not receive the Fiscal Year 2007-2008 Substance Abuse and Crime Prevention Act allocation. Additionally, if authorization to apply for Offender Treatment Program funds is not granted, the County will not receive the OTP allocation, nor will it have sufficient funding to maintain the level of services currently being provided.
Additional Information:	<p>The Fiscal Year 2007-2008 Substance Abuse and Crime Prevention Act (SACPA) of 2000 County Funding Request relates only to the State Proposition 36/SACPA allocation of \$447,700. The County's Fiscal Year 2007-2008 Substance Abuse and Crime Prevention Act (SACPA) of 2000 Plan relates to the total program budget for Fiscal Year 2007-2008 of \$741,473, which includes \$447,700 State Proposition 36 funding, \$2,000 in client fees, and \$291,773 in County General Funds (part of the Agency's Net County Cost).</p> <p>The Fiscal Year 2006-2007 SACPA budget included a one-time \$162,000 rollover from the Fiscal Year 2005-2006 SACPA allocation and \$153,783 in County General Funds. In order to maintain the same level of service in Fiscal Year 2007-2008, the Agency redirected an additional \$137,990 of its Net County Cost to the SACPA/Proposition 36 program.</p> <p>The Offender Treatment Program (OTP) allocation of \$73,579 is separate. The Fiscal Year 2007-2008 total OTP budget is \$81,754, which includes \$73,579 in OTP funds and \$8,175 in County General Funds. The total budget for both the Proposition 36 and OTP programs is \$823,227.</p>

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Fiscal Year 2007-2008 State Budget reconfigured the funding for Proposition 36 programs by reducing Napa County's Proposition 36 allocation from \$510,382 in Fiscal Year 2006-2007 to \$447,700 (a reduction of \$62,682) and allocating \$73,579 to OTP, for a net gain of \$10,897. The actions under consideration today include a request for authorization to apply for \$73,579 in Fiscal Year 2007-2008 OTP funds, which will allow for a

continuation of the current levels of service.

Substance Abuse and Crime Prevention Act of 2000 (SACPA), also known as Proposition 36:

In Napa County, the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36) currently operates as Success Through Accountability, Responsibility And Treatment (START), a multi-agency collaborative team that assesses candidates identified in the criminal justice system, develops service plans, refers participants to treatment providers, tracks their progress, and keeps the courts informed. (The County's Proposition 36 program was formerly known as the Substance Abuse Treatment Options Program or STOP.) Each year, the County is required to prepare a Proposition 36 Plan and Funding Request (Budget) and submit it to the State Department of Alcohol and Drug Programs (ADP) for approval. Once the Plan is approved, ADP authorizes the release of the County's allocation for the upcoming fiscal year.

The Proposition 36 plan and budget for Fiscal Year 2007-2008 were developed by the Napa County Health and Human Services Agency, which serves as the "County lead agency" under the Act, in consultation with a program oversight committee comprised of representatives from the offices of the Auditor-Controller, County Executive Officer, District Attorney, Probation, Public Defender, and the Napa Superior Court. The program oversight committee approved the Plan and budget at its October 17, 2007 meeting. The Napa County Advisory Board on Alcohol and Drug Programs, at its October 16, 2007 meeting, recommended that the Board of Supervisors approve the Plan and budget. The Plan continues Fiscal Year 2006-2007 service levels. Because the Fiscal Year 2007-2008 State budget was delayed, counties were required only to address changes to their prior year Plans in their Fiscal Year 2007-2008 Plans.

Offender Treatment Program (OTP):

Assembly Bill 1808, passed as a trailer bill to the Fiscal Year 2006-2007 State Budget, established the Offender Treatment Program (OTP) to provide supplemental funding to the Proposition 36 program. On November 7, 2006, the BOS approved an application for OTP funding and Napa County was subsequently awarded \$120,845 to be used for enhanced Proposition 36 services between November 14, 2006 and November 30, 2007. These funds are currently funding a 0.5 FTE Alcohol and Drug Counselor and a contract with Alternatives for Better Living to enable Napa County to provide additional services to Proposition 36 clients. Approval of the second action under consideration today will allow the County to apply for \$73,579 in available OTP funds to be used in Fiscal Year 2007-2008.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Lorenzo Zialcita