

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 28, 2022

FROM

DIANA ALEXANDER, Assistant Executive Officer, Department Operations

SUBJECT

Grant Award Agreement from the California Department of Veterans Affairs to Support Veterans Mental Health Outreach and Services

RECOMMENDATION(S)

1. Accept and approve grant award **Agreement No. 22-643** (State Agreement No. 22XS0014) from the California Department of Veterans Affairs to support mental health outreach and services for veterans, including non-standard terms, in the amount of \$94,000, for the period of July 1, 2022 through June 30, 2024.
2. Designate the Chairman of the Board of Supervisors, Chief Executive Officer, or Assistant Executive Officer of Department Operations to execute any non-substantive amendments in relation to the California Department of Veterans Affairs grant award agreement (State Agreement No. 22XS0014) on behalf of the County, subject to review by County Counsel.
3. Direct the Chairman of the Board of Supervisors, Chief Executive Officer, or Assistant Executive Officer of Department Operations to transmit all documents in relation to the California Department of Veterans Affairs grant award agreement (State Agreement No. 22XS0014) to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Diana Alexander, Assistant Executive Officer, 387-4261)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). The grant award in the amount of \$94,000 from the California Department of Veterans Affairs (CalVet) provided under the Mental Health Services Act (MHSA), does not require a local match. Adequate appropriation and revenue have been included in the Veterans Affairs' (VA) 2022-23 budget and will be included in the 2023-24 recommended budget.

BACKGROUND INFORMATION

CalVet provides MHSA funding, also known as Proposition 63, to support County mental health programs. As the San Bernardino County's Veterans Service Officer (CVSO), the VA works closely with CalVet, the State's leading veterans advocate and resource. This grant funding allows for special projects that enhance mental health services, such as providing free legal clinics to veterans in order to remove legal barriers preventing access to or maintenance of mental health care. The VA will use the CalVet grant award to continue the partnership with

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Veterans Legal Institute (VLI), a nonprofit organization, in providing free legal clinics for transitioning service members, veterans, and their families.

Since 2019, the VA has utilized MHSA funding for the veterans' free legal clinics provided by VLI targeting homeless and/or low-income veterans in need of mental health treatment that requires direct legal aid, which they could otherwise not afford. The goal of the free legal clinics is to increase the number of homeless, low income, disabled, and/or at-risk clients who can access or maintain mental health care. The VA and VLI will host a monthly, three-hour free legal aid clinic for a total of 24 clinics over the two-year grant period. The free legal clinic will assist veterans with legal challenges that may have arisen as a result of a mental health diagnosis. During the two-year agreement period, the project is expected to serve 160 clients in the legal clinic. While receiving these services, the clients will also receive mental health resource brochures and be included in data collection via intake forms with data maintained within a computer reporting system.

On January 27, 2022, the County Administrative Office authorized the submission of the grant application to CalVet for MHSA funds to support veterans' mental health outreach and services, in the amount of \$97,750, for the period of July 1, 2022 through June 30, 2024.

On May 18, 2022, the VA received the grant award agreement (State Agreement No. 22XS0014) from CalVet for MHSA funds to support veterans' mental health outreach and services, in the amount of \$94,000, for the period of July 1, 2022 through June 30, 2024. CalVet has allocated \$270,000 in statewide funding for this grant opportunity, with San Bernardino County awarded approximately 35% of the total funding available. The lower amount awarded than requested is due to CalVet's prioritization of funding first for behavioral healthcare for veterans attending a California community college, and secondarily for legal assistance.

The grant award agreement contains the following non-standard terms:

1. The agreement requires the County to indemnify the State from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person furnishing work services, materials or supplies in connection with the performance of the agreement, and any and all claims and losses accruing or resulting to any person etc., who may be injured by the County in the performance of the agreement.
 - The County standard contract does not include any indemnification or defense by the County.
 - Potential Impact: The County will be required to indemnify the State as described if it wants to enter into the agreement, which could result in additional liability and cost to the County if third party claims arise.
2. The agreement requires the County to agree to alternative dispute resolution by the Contract Manager, with appeal to the Undersecretary, California Department of Veterans Affairs, which is binding unless the decision is arbitrary, capricious, grossly erroneous or if any determination of fact is unsupported by substantiating evidence. If any action is initiated in superior court, a judge will decide and jury trial is waived.
 - The County standard contract provides for nonbinding dispute resolution.
 - Potential Impact: The County may be subject to binding dispute resolution conducted by state personnel, and may only proceed to superior court if the

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decision contains certain errors or deficiencies. This provision narrows the County's available remedies in the event of a dispute.

VA recommends approval of the grant award agreement, including all non-standard terms, as the grant award will enable the VA to continue, with the assistance of VLI, a nonprofit organization, to provide free legal clinics for transitioning service members, veterans, and their families in order to remove legal barriers preventing access to or maintenance of mental and physical health care.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on May 31, 2022; Finance (Paul Garcia, Administrative Analyst, 386-8392) on June 7, 2022; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on June 14, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Janice Rutherford Seconded: Col. Paul Cook (Ret.)
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.
Absent: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: June 28, 2022



cc: VA- Amaya w/agree for sign
Contractor- C/O VA w/agree
File- w/agree w/attach
LA 07/22/2022