

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.15
(ID # 2068)

MEETING DATE:

Tuesday, December 6, 2016

FROM: COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of Resolution No. 2016-186 Designating the County Counsel to Represent the County in Mental Health Proceedings under the Lanterman-Petris-Short Act. [All Districts]; [\$15,000]; 100% General Fund Ongoing Cost

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2016-186 designating the County Counsel to represent the County in mental health proceedings pursuant to Welfare and Institutions Code Section 5000 et. seq., known and cited as the Lanterman-Petris-Short Act.

ACTION: Policy


Gregory V. Priaprios, Director County Counsel 11/14/2016

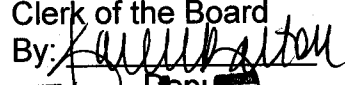
| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|-----------------------------------------|----------------------|-------------------|------------------------|--------------|
| COST | 15,000 | 15,000 | | 15,000 |
| NET COUNTY COST | | | | |
| SOURCE OF FUNDS: Behavioral Health 100% | | | Budget Adjustment: No | |
| 525020 1000 4100206634 Project #83500 | | | For Fiscal Year: 16/17 | |

C.E.O. RECOMMENDATION: Approve

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: Benoit
Date: December 6, 2016
xc: Co.Co.

Kecia Harper-Ihem
Clerk of the Board
By: 
3.15

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary

California Government Code Section 26530 states, unless otherwise designated by the Board of Supervisors pursuant to Section 5114 of the Welfare and Institutions Code, the District Attorney shall represent the County in proceeding under Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code (cited and known as the Lanterman-Petris-Short Act). Section 5114 provides that the Board of Supervisors may delegate such duty to the County Counsel by ordinance or resolution.

The County Counsel's office has historically provided representation to the Behavioral Health Department in judicial proceedings when allegations have been made that a person is a danger to others, or to himself, or gravely disabled as a result of a mental disorder or impairment by chronic alcoholism.

The Behavioral Health Department has requested that the County Counsel's office continue to provide legal representation to their department. The Riverside County District Attorney's Office has confirmed that it has no objection with the County Counsel's Office continuing to provide representation to Riverside University Health System - Behavioral Health Department.

Impact on Residents and Businesses

No impact on Citizens and Businesses.

SUPPLEMENTAL:

Additional Fiscal Information:

The Department of Mental Health will continue to provide funding to County Counsel when representation is requested. Based on previous fiscal years for costs for services, it is anticipated that County Counsel will bill approximately \$15,000.

ATTACHMENT:

Resolution No 2016-186



Tina Grande, Principal Management Analyst

11/28/2016

RESOLUTION NO. 2016-186

A RESOLUTION OF THE BOARD OF SUPERVISORS DESIGNATING THE
COUNTY COUNSEL TO REPRESENT THE COUNTY IN MENTAL HEALTH
PROCEEDINGS BROUGHT UNDER THE LANTERMAN-PETRIS-SHORT ACT

WHEREAS, California Government Code Section 26530, requires the District Attorney to represent the County in proceedings brought under Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code (Lanterman-Petris-Short Act) unless the Board of Supervisors otherwise designates said representation to County Counsel pursuant to California Welfare and Institutions Code Section 5114; and

WHEREAS, upon designation by the Board of Supervisors, California Government Code Section 27646 requires the County Counsel to represent the County of Riverside in mental health proceedings; and

WHEREAS, the District Attorney has confirmed that he has no objection to the County Counsel representing the County of Riverside in said mental health proceedings; and

WHEREAS, pursuant to California Welfare and Institutions Code Section 5114 the designation of the County Counsel is required to be made by ordinance or resolution; and

WHEREAS, the Director of Riverside University Health System – Behavioral Health requests that County Counsel represent the County in said mental health proceeding and the Board of Supervisors acknowledges the need for such a designation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Riverside, in regular session assembled on December 6, 2016, hereby designates the County Counsel to represent the County of Riverside in mental health proceedings brought under Welfare and Institution Code Section 5000 et seq., known and cited as the Lanterman-Petris-Short Act.

DEC 06 2016 3.15

FORM APPROVED COUNTY COUNSEL
BY: Maria Bryant 11/9/16
DATE: MARIA BRYANT

2 **RESOLUTION 2016-186**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS DESIGNATING THE**
4 **COUNTY COUNSEL TO REPRESENT THE COUNTY IN MENTAL HEALTH**
5 **PROCEEDINGS BROUGHT UNDER THE LANTERMAN-PETRIS-SHORT ACT**

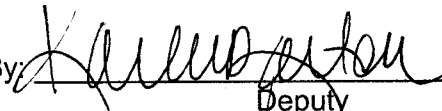
6 ADOPTED by Riverside County Board of Supervisors on December 6, 2016.

7 **ROLL CALL:**

8 Ayes: Jeffries, Tavaglione, Washington and Ashley
9 Nays: None
10 Absent: Benoit

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12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
13 Supervisors on the date therein set forth.

14 **KECIA HARPER-IHEM, Clerk of said Board**

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16 By: 
17 Deputy

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