



DATE: September 18, 2023

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager

FROM: Tracy Avelar, Police Chief

DEPARTMENT: Police

SUBJECT: GENERAL FUND BUDGET APPROPRIATION IN THE AMOUNT OF \$41,000 TO FUND ONE CONTRACTED FULL-TIME MENTAL HEALTH CLINICIAN TO BE SHARED EQUALLY WITH SAN MATEO POLICE AS PART OF THE COMMUNITY WELLNESS AND CRISIS RESPONSE TEAM MENTAL HEALTH PARTNERSHIP

RECOMMENDATION

It is recommended that the City Council review the Agreement between the Cities of San Mateo and Foster City, the County of San Mateo (County), and Behavioral Health and Recovery Services (BHRS), and approve the attached resolution authorizing the Foster City Police Department (FCPD) to appropriate \$41,000 from the General Fund to enter into the Agreement resulting in one full-time mental health clinician working half the time with Foster City Police and half the time with San Mateo Police as part of the Community Wellness and Crisis Response Team Mental Health Partnership.

EXECUTIVE SUMMARY

The County, acting through BHRS of San Mateo County Health, the City of San Mateo, the City of Foster City, and each City's respective police department seeks to expand an existing pilot program of the Community Wellness and Crisis Response Team (CWCRT) to improve City and County response to community members experiencing mental health crisis.

The services performed by the mental health clinician are conducted by an

independent contractor under a separate Contract Agreement between BHRS and StarVista, known as the “StarVista clinician.” The StarVista clinician will remain an employee of StarVista while providing services under specific terms of a contract agreement with BHRS, and at no time shall the StarVista clinician be deemed an employee of Foster City, San Mateo or BHRS.

Pursuant to Assembly Bill 179, Chapter 249, Section 19.56, Item 4170-101-0001 of the California State Budget Act of 2022 (2022 Budget Act Funding), which made appropriations for the support of state government and local assistance for FY 22-23, the County received funding for the purpose of expanding the law enforcement co-responder model CWCRT Program. The County will use a portion of this funding, under the terms of this Agreement, to expand the CWCRT Program to Foster City, specifically to add one full-time mental health clinician to be shared 50-50 between the Foster City and San Mateo Police Departments.

The CWCRT Pilot Program is dependent on funding provided through the 2022 Budget Act Funding as the County will use a portion of this funding for program operating costs. Per the Agreement, the County shall give written notice of its determination that the 2022 Budget Act Funding will be exhausted, and all parties agree to meet in the projected last quarter of funding availability to address the possible termination or continuance of the CWCRT Program. Continuance of the program will require that all parties provide independent funding for clinician services.

The shared clinician start date is expected to be November 1, 2023. This date will be used for funding purposes and for the appropriation of FY 23-24 costs. The actual start date is contingent upon the completion of applicable contracts and agreements, and the clinician hiring process; however, the start date will not be prior to November 1, 2023.

BACKGROUND

On January 12, 2020, the San Mateo County Board of Supervisors adopted Resolution No. R077937 which approved the CWCRT Pilot Program, a partnership among four City Police Departments (Daly City, South San Francisco, San Mateo, and Redwood City) and the County, to embed in each of those cities’ police departments one mental health clinician to provide a crisis co-response to crisis calls involving mental health issues. The County entered into a contract with StarVista to provide the mental health clinicians for the CWCRTs.

The Pilot Program, launched on December 6, 2021, was designed as a law enforcement co-responder mobile crisis model, based on best practice models in other jurisdictions. The CWCRT enhances City and County response to incidents involving individuals experiencing mental health crises, by supplementing that response with the engagement of a mental health clinician assigned to work with each partner police department. Under the Pilot Program, the StarVista clinicians contracted by BHRS

assist in the first response by providing early intervention, crisis de-escalation, 5150 evaluation, involuntary holds, referrals to therapeutic hospitalizations, and guidance to support services for individuals in mental health crisis. BHRS provides ongoing clinical training, consultation, and clinical oversight on the crisis response work conducted by all the StarVista clinicians in addition to conducting contract monitoring responsibilities.

In furtherance of the implementation of the CWCRT Pilot Program, the County entered into an agreement with the John W. Gardner Center for Youth and Their Communities of the Stanford University Graduate School of Education (Gardner Center), to support the planning and implementation efforts (Gardner Center Agreement). Under the Gardner Center Agreement, the Gardner Center conducts an implementation and evaluation study which will examine the interventions and assessment methods utilized by the CWCRT participant cities, to assist the cities to better understand and most effectively support the population served through the CWCRT Program.

Scope of Work

In the event of a suspected mental health crisis incident within Foster City, the mental health clinician, while scheduled to work with Foster City Police, will respond to the scene together with law enforcement personnel, exercising their independent judgment and expertise. The goal of the immediate co-response will be to de-escalate the crisis and to support the safety of the individual in crisis, those around the individual, and all responding to the incident. The mental health clinician will assess the person suspected to be in mental health crisis and determine the best course of action (e.g., temporary mandatory placement in a medical facility for psychiatric evaluation and treatment under Section 5150 of the Welfare and Institutions Code, referral for treatment, etc.) and provide needed follow-up support and linkages to further stabilize the crisis and prevent future similar crises from happening again. While a co-response with law enforcement will be standard practice, the clinician may operate independently during some contacts, such as follow-up contacts and when a call for service is deemed safe for law enforcement to leave the scene while the clinician continues to provide services.

Required Accommodations

Foster City Police will be required to provide the clinician with a workspace, desktop computer, access to the radio dispatch system, access to law enforcement database systems to the extent necessary to carry out job responsibilities, and all necessary office supplies. Foster City Police will orient and inform the clinician of community needs, work with the clinician and police personnel to build necessary relationships and understanding, and will participate in meetings with BHRS and StarVista to evaluate program operations.

BHRS, in combination with StarVista, will provide the clinician with all additional tools and equipment necessary to complete the expected work, such as a laptop computer and vehicle (fuel included). Also included are all required certification updates and training necessary for the clinician to remain in the program. BHRS

will meet with StarVista for contract monitoring, quality assurance, and clinical adherence.

Program Goals

As stated in the Agreement, the goals of the CWCRT program are:

- Goal 1: Law enforcement staff and the mental health clinician will respond together to active crisis situations where mental health crisis is a factor.
- Goal 2: Improve outcomes for individuals experiencing a crisis due to mental illness or suspected mental illness.
- Goal 3: Increase access to appropriate behavioral health resources, services, and treatment.
- Goal 4: Provide clinical consultation, training, and support to law enforcement personnel in the field.
- Goal 5: Increase knowledge of mental health conditions and effective intervention strategies among law enforcement personnel.
- Goal 6: Law enforcement will strengthen relationships with service providers and community.

Work Schedule

The clinician assigned to work with the Foster City and San Mateo Police Departments will split work hours equally between each agency. Both agencies will work together to determine a preferred clinician work schedule based on the needs of each agency and community. The work schedule will be presented to the clinician and may be modified based on clinician needs, while still prioritizing the needs of the Foster City and San Mateo communities.

During shifts assigned to Foster City, the clinician will work out of the Foster City Police Department. The clinician will work out of the San Mateo Police Department when assigned to San Mateo. If agreed upon between the two agencies, the clinician may be authorized to respond to calls for service in the city not assigned to during a particular shift, such as responding to a call for service in Foster City while assigned to work in San Mateo.

ANALYSIS

From July 1, 2022 - July 1, 2023, the FCPD completed 56 mental health evaluations pursuant to Welfare and Institutions Code 5150 (W&I 5150), many resulting in the evaluated person being taken into custody for further assessment and evaluation by staff at the San Mateo Medical Center. FCPD officers are qualified and trained to perform initial mental health evaluations to determine if criteria are met to take a person into custody for W&I 5150 evaluation and treatment. A mental health clinician possesses significantly more training and knowledge specific to mental health crisis and would be a helpful resource for officers, the person being evaluated, and others who may be at the scene, such as family of the person being evaluated. A clinician may

also re-contact people following the initial contact; a significant benefit of the CWCRT Program is the opportunity for persons in need to receive mental health support beyond what may be offered during the initial contact. Considering there may be significant portions of time in which a clinician does not have calls for service to respond to, providing follow-up support services to community members in need will be a critical and achievable clinician service. This follow-up service may improve the quality of life for some community members and may reduce the frequency of calls for service having to do with mental health crisis.

California Welfare and Institutions 5150

(a) When a person, as a result of a mental health disorder, is a danger to others, or to themselves, or gravely disabled, a peace officer, professional person in charge of a facility designated by the county for evaluation and treatment, member of the attending staff, as defined by regulation, of a facility designated by the county for evaluation and treatment, designated members of a mobile crisis team, or professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment and approved by the State Department of Health Care Services.

In addition to calls for service involving W&I 5150 evaluations, the FCPD responds to various other types of calls in which a mental health clinician may be beneficial to the community and responding officers, such as domestic and family disturbances, and welfare checks. Not all evaluations meet the threshold of W&I 5150, but a mental health component may still exist. A clinician can provide assistance and services not often available from FCPD officers. A mental health clinician co-responding with officers or following-up with people after a mental health crisis, may provide more in-depth understanding of a situation and be of more assistance to the person(s) in need of support and to the FCPD.

San Mateo Police is one of the initial four San Mateo County law enforcement agencies to incorporate one full-time mental health clinician into their operations as part of the CWCRT Pilot Program. In a one-year period, August 2022 – July 2023, San Mateo Police reported they received over 1,400 calls for service that may have qualified for possible clinician response, including W&I 5150 evaluations, welfare checks and some domestic/family disturbances. Many of these calls for service occurred during the clinician's time off; however, the clinician did respond to over 250 such calls in the one-year period. San Mateo Police management reported the clinician provided a level of expertise during calls for service that was not possible from officers, greatly assisting not only the person(s) in need of assistance, but also the officers responding with the clinician. In addition to co-responding to calls for service, the clinician reviewed officer's mental health related reports and offered suggestions to better clarify and describe mental health topics, and provided San Mateo Police staff with mental health related training to assist officers in the field and to improve the reporting and processing of

mental health related incidents. San Mateo Police management reports the clinician program has been a success and has benefitted the community and agency.

According to research completed by the Gardner Center pertaining to the first full year of a mental health clinician working with the San Mateo Police Department, the research showed significant community benefit, such as increased connection between clients and mental health services, decreased rates of mental health detentions, and closer collaboration between police and mental health professionals for client benefit.

California Environmental Quality Act

This action is not a project subject to CEQA, because it can be seen with certainty that it will not cause a direct or indirect physical change in the environment.

FISCAL IMPACT

The City of Foster City will be responsible for 25% of all applicable costs associated with the CWCRT Pilot Program; San Mateo Police will fund 25% and the County will fund the remaining 50%.

The total budgeted and fully weighted salary and benefits for one full-time StarVista mental health clinician for FY 23-24 is \$176,737. Foster City would be responsible for \$44,184.25 of the total amount; however, for FY 23-24, the cost will be prorated based on the clinician's start date. The expected start date of November 1, 2023, will result in a prorated cost of approximately \$29,456.16.

The cost of the Gardner Center Agreement services is expected to be approximately \$29,446 per fiscal year. Foster City would be responsible for approximately \$7,361.50 of the total amount; however, for FY 23-24, the cost will be prorated based on the clinician's start date. The expected start date of November 1, 2023, will result in a prorated cost of approximately \$4,907.68.

The StarVista operating costs are expected to be approximately \$36,943 per fiscal year. Foster City would be responsible for \$9,235.75 of the total amount; however, for FY 23-24, the cost will be prorated based on the clinician's start date. The expected start date of November 1, 2023, will result in a prorated cost of approximately \$6,157.20.

The total cost to the City of Foster City in FY 23-24 before proration is expected to be approximately \$60,781.50. The expected start date of November 1, 2023, will result in a prorated cost of approximately \$40,521.04. The provided non-prorated costs can be expected for FY 24-25 and possibly FY 25-26 if money remains from the 2022 Budget Act Funding. Cost-of-living increases will be applied for FY 24-25 and FY 25-26.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Public Safety and Social Equity

ATTACHMENTS:

- Attachment 1 – Resolution
- Attachment 2 –Agreement between the Cities of Foster City and San Mateo, the County of San Mateo, and BHRS