



County of Monterey

Item No.23

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 25-330

August 26, 2025

Introduced: 7/30/2025

Current Status: Health Department -
Consent

Version: 1

Matter Type: BoS Agreement

- a. Approve and authorize the Director of Health Services or designee to execute a retroactive three (3) year Standard Agreement with Frank Hespe, Attorney-At-Law, to provide hearing officer services for the Behavioral Health Bureau in the amount of \$26,700 for FY 2025-2026, \$26,700 for FY 2026-2027, and \$26,700 for FY 2027-2028, for a maximum County obligation of \$80,100 for the term of July 1, 2025 through June 30, 2028; and
- b. Approve and authorize the Director of Health Services or designee to execute up to three (3) future amendments that do not exceed 10% (\$8,010) of the original Agreement, do not significantly change the scope of services, and do not increase the total not to exceed maximum amount over \$88,110.

RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

- a. Approve and authorize the Director of Health Services or designee to execute a retroactive three (3) year Standard Agreement with Frank Hespe, Attorney-At-Law, to provide hearing officer services for the Behavioral Health Bureau in the amount of \$26,700 for FY 2025-2026, \$26,700 for FY 2026-2027, and \$26,700 for FY 2027-2028, for a maximum County obligation of \$80,100 for the term of July 1, 2025 through June 30, 2028; and
- b. Approve and authorize the Director of Health Services or designee to execute up to three (3) future amendments that do not exceed 10% (\$8,010) of the original Agreement, do not significantly change the scope of services, and do not increase the total not to exceed maximum amount over \$88,110.

SUMMARY/DISCUSSION

The Lanterman-Petris-Short Act mandates a certification review hearing for all persons to be certified for involuntary mental health treatment. Frank Hespe, Attorney-At-Law, provides services as the hearing officer for certification review hearings. The County contracted with Frank Hespe, Attorney-At-Law from FY 2020-2025 for hearing officer services. This Agreement renews and updates the agreement with Frank Hespe, Attorney-At-Law, ending June 30, 2025, for another three (3) year from July 1, 2025 to June 30, 2028.

During contract discussions, the updated cyberliability insurance requirement within the Business Associate Agreement made it difficult for Frank Hespe, an individual, to obtain. Due to the delay in obtaining the required insurance and contract rate negotiations, with direction for an effective date of July 1, 2025, the agreement took additional time to review and amend, which by necessity makes the agreement retroactive when presented to your board.

This Agreement contains the County's standard 30-day "no cause" provision (Section V, B) and

an additional defunding provision (Section V, D), which provides the County the ability to amend or terminate the Agreement in the event of a reduction and/or termination of funding.

This work supports the following County of Monterey Health Department 2025-2028 Strategic Plan Goal(s):” 3) Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services. It also supports one of the ten essential public health services, specifically: 7) Link people to needed personal health services and assure the provisions of health care when otherwise unavailable.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller have reviewed and approved this Agreement as to form and fiscal provisions, respectively.

FINANCING:

This Agreement is 100% funded by 1991 Realignment funding. The funds for this Agreement are included in the Health Department’s Behavioral Health (HEA012, Unit 8410) Fiscal Year 2025-26 Adopted Budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☐ Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒ Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐ Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐ Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared By: Tami Nguyen, Management Analyst II, 279-4740

Approved by: Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachment:

Board Report

Agreement

