



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Behavioral Wellness  
**Department No.:** 043  
**For Agenda Of:** November 7, 2023  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Antonette Navarro, LMFT, Director  
Director(s) Behavioral Wellness, (805) 681-5220  
Contact Info: John Winckler, Director of Clinical Operations  
Behavioral Wellness, (805) 681-5220  
**SUBJECT:** **Zona Seca FY 22-25 Second Amendment to the Revenue Agreement for Driving Under the Influence & Penal Code 1000 Drug Diversion Program Administrative Services**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve, ratify, and authorize the Chair to execute a Second Amendment to the multiyear Driving Under the Influence (DUI) and Penal Code 1000 (PC 1000) Revenue Agreement with **Zona Seca**, a California nonprofit corporation (a local vendor), to update DUI program rates, effective August 25, 2023, as approved by the California Department of Health Care Services (DHCS), with no change to the projected revenue amount of **\$57,000**, inclusive of **\$19,000** per fiscal year, for the period of July 1, 2022, through June 30, 2025; and
- b) Determine that the above action is a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

**Summary Text:**

The above-referenced item is on the agenda to request Board of Supervisors approval for the Chair to execute a second amendment to the multiyear revenue Agreement with Zona Seca to update the participant program rates for the Driving Under the Influence (DUI) program with no change to the projected revenue amount of \$57,000, inclusive of \$19,000 per fiscal year, for the period of July 1, 2022, through June 30, 2025. The Department of Behavioral Wellness (BWell) Alcohol and Drug Program is the administrative agency for the Department of Health Care Services (DHCS) Drug Diversion Programs, which includes DUI and Penal Code 1000 (PC 1000) in Santa Barbara County. The participant program rates are set by DHCS and not by BWell or the contractor. Approval of the above contract will allow for the continued provision of these mandated program services by the Courts while providing revenue for the Department.

**Background:**

BWell is responsible for certifying the programs, reviewing any new applications for licensure, providing liaison activities with the courts, county probation department, and DUI programs, and developing and ensuring the implementation of the programs in compliance with regulations. BWell certifies the DUI program providers and receives revenue for DUI and PC 1000 program administration as the lead agency. DUI and PC 1000 program services are provided by local community-based organizations established in Santa Barbara County since 1995. Zona Seca has provided both PC 1000 and DUI program services since 2006.

DUI Programs: Under Vehicle Code section 23103.5, subdivision (e) or (f), the court shall order defendants on probation for a conviction of driving under the influence to enroll in an alcohol and drug education program (DUI programs), licensed under Health & Safety Code section 11836. DUI programs serve to assist any California resident in restoring the resident’s driving privileges following a conviction for driving under the influence. Clients required to enroll and complete a state-licensed DUI program are referred by the courts. Programs offered vary in level and are commensurate to the level of offense. BWell receives a fee of \$30 per client enrolled in the DUI program. The annual anticipated revenue from the Zona Seca DUI program is estimated to be \$18,000.

PC 1000 Drug Diversion Programs: PC 1000 Drug Diversion Programs allow for a deferred entry of judgment at the discretion of the local courts so that clients who are formally charged with first-time alcohol/drug misdemeanor offenses may instead receive education and counseling services. Providers of PC 1000 programs collect program fees from clients, as approved by the County and State Alcohol and Drug Program. BWell certifies PC 1000 providers and pursuant to Penal Code Section 1211, receives \$1,000 in revenue for the administration of the PC 1000 program as the lead agency from the provider.

On May 3, 2022, the County Board of Supervisors authorized the County to enter into a Revenue Agreement with Contractor for BWell to provide DUI and PC 1000 program administrative services for the period of July 1, 2022 through June 30, 2025. The County Board of Supervisors authorized the First Amended Agreement on August 16, 2022, to update the rates for the provision of the DUI Program. This Second Amendment updates the DUI Program rates, effective August 25, 2023. Amended rates are included as Exhibit B-1 to the attached agreement. BWell provides administrative oversight of the program and receives a projected revenue amount of \$57,000, inclusive of \$19,000 per fiscal year, for the period of July 1, 2022, through June 30, 2025.

**Performance Measures & Outcomes:**

BWell provides administrative monitoring of Zona Seca’s DUI & PC 1000 program every 6 months in compliance with State regulations. Zona Seca has demonstrated success in fulfilling the programs’ intent to provide alcohol and drug education and counseling programs to persons following a conviction for driving under the influence, in accordance with Health and Safety Code (HSC) Division 10.5, Part 2,

Chapter 9, and Title 9, California Code (CCR) Division 4, Chapter 3 requirements. For FY 22-23, Zona Seca provided a total revenue of \$18,238 (\$17,888 DUI and \$350 PC1000) to BWell, in accordance and compliance with the state regulations.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>FY 22-23 Revenue Projected</u></b>	<b><u>FY 23-24 Revenue Projected</u></b>	<b><u>FY24-25 Revenue Projected</u></b>	<b><u>FY 22-25 Total Projected Revenue</u></b>
Fees DUI	\$ 18,000	\$ 18,000	\$ 18,000	\$ 54,000
Fees PC 1000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 3,000
<b>Total</b>	<b>\$ 19,000</b>	<b>\$ 19,000</b>	<b>\$ 19,000</b>	<b>\$ 57,000</b>

Narrative: No funds are expended by BWell as part of these agreements. The anticipated revenue has been included in the FY 23-24 adopted budget and will be included in subsequent year requested budgets, subject to Board approval. The fees payable to BWell depend on the number of clients required to enroll in the PC 1000 and DUI programs. Therefore, the actual revenue could be higher or lower than anticipated in any given year.

**Key Contract Risks:**

There is a risk that a provider may have fewer clients than anticipated, resulting in lower fees payable to BWell.

**Special Instructions:**

Please email one (1) Minute Order and one (1) executed contract to Marlene Zavala at [mazavala@sbcbswell.org](mailto:mazavala@sbcbswell.org) and [bwellcontractsstaff@sbcbswell.org](mailto:bwellcontractsstaff@sbcbswell.org).

**Attachments:**

- Attachment A: Zona Seca FY 22-25 Revenue Agreement Second Amendment DUI/PC100
- Attachment B: Zona Seca FY 22-25 Revenue Agreement First Amendment DUI/PC100 Executed
- Attachment C: Zona Seca FY 22-25 Revenue Agreement DUI/PC100 Executed

**Authored by:**

M. Zavala