

Contra Costa Mental Health Commission  
Monthly Meeting  
10/14/10  
**Minutes – Approved 11/9/10**

**1. CALL TO ORDER/INTRODUCTIONS**

The meeting was called to order at 4:32 pm by Chair Mantas. Introductions were made around the room.

Commissioners Present:

Peter Bagarozzo, District V  
Evelyn Centeno, District II  
Peggy Kennedy, District III  
Dave Kahler, District IV  
Peter Mantas, District III, Chair  
Carole McKindley-Alvarez, District I  
Colette O’Keeffe, MD, District IV  
Floyd Overby, MD, District II  
Teresa Pasquini, District I, Vice Chair  
Annis Pereyra, District II

Commissioners Excused:

Commissioners Absent:

Supv. Gayle Uilkema, District II  
William Wong, District V  
Sam Yoshioka, District IV

Attendees:

Orin T. Allen, Juvenile Justice Commission  
Nancy Birchland  
Lisa Bruce, Crestwood  
Kathy C., Crestwood  
Quentisha Davis  
Mark Gagan, RPD  
Geet Gobind  
Helen Geddes  
John Gragnani, Local One/MH Coalition  
Ralph Hoffmann  
Janet Marshall Wilson, MHCC  
Cindy Mataroso, Crestwood  
Jamie Miller, Juvenile Justice Commission  
Jeanette Mobus, Crestwood  
Ted Rogers  
Roberto Roman  
Bessie S., Crestwood  
Connie Steers, MHCC  
Sue VanLandingham, MHCC

Staff:

Sherry Bradley, MHA  
Linda Cipolla, Staff to MHC  
Suzanne Davis, Conservatorship  
Cindy Downing, MHA  
Susan Medlin, MHA  
Imo Momoh, MHA  
Suzanne Tavano, MHA  
Jennifer Tuipulotu, OCE  
Dorothy Sansoe, CAO  
Donna Wigand, MHA

**2. PUBLIC COMMENT**

The public may comment on any item of public interest within the jurisdiction of the Mental Health Commission. In the interest of time and equal opportunity, speakers are requested to observe a 3-minute maximum time limit (subject to change at the discretion of the Chair). In accordance with the Brown Act, if a member of the public addresses an item not on the posted agenda, no response, discussion, or action on the item may occur. Time will be provided for

Public Comment on items on the posted Agenda as they occur during the meeting. Public Comment Cards are available on the table at the back of the room. Please turn them in to the Executive Assistant.

Helen Geddes:

She was employed at MHCC from 8/09 to 2/10 as Coordinator of the Concord site. She is consumer and employee. She was dissatisfied with services received there as a consumer and as an employee. She was forced to resign. Difficulty getting overtime pay and mileage pay. When she arrived two centers were merged, and she was responsible for running 27 classes with no supervisor or co-coordinator. She had difficulty getting over-time and mileage paid. She tried to file grievances within the organization, and got no results. Lack of job description and employee hand book made it hard to navigate. She feels employees are underpaid. She is concerned about lack of internal controls, especially in regards to the contract with Loaves and Fishes and Food Bank. She was harassed out of her job by Brenda Crawford, Stephen Marks and Cindy Staton, and intends to pursue grievance.

Chair Mantas thanked and welcomed Linda. She'll beginning at the next Commission meeting.

Quintasha Davis:

She spoke a few months ago at a MHC meeting, voiced employee concerns, contract agency concerns. She used to be at MHCC, Interim Director of Wellness & Recovery. She's angered and enraged by lack of accountability, responsibility and support available to consumer employees in this county. She did follow the compliant and grievance process to no avail, and followed up with the County, who responded, but isn't obligated to consumer employees/participants. She feels Issues and many problems that exist at MHCC, starting with Brenda Crawford to the Board of Directors, is beyond questionable; it's illegal, unethical and immoral. The issue of embezzlement has been documented and proven. There is an issue of not reporting consumer abuse. Brenda informed her and her staff, not to file complaints of abuse at unlicensed board and cares, one of which was a house where a consumer committed suicide last year. She is deeply grieved and puzzled that at a time when so much progress, we seem to be at a stance. There is an outcry, and shame that more people don't know about the Commission. MHCC Consumers aren't welcome to come to the Commission. She's upset when she listens to Brenda play games and lie and act like she's welcoming people to come out. It's not true; people are silenced, abused and bullied. If you stand up against Brenda, she will fire you, ignore you, and disrespect you. There are 10-15 consumers that want to come to the Commission, and strategize. She and others are in the process of talking with Supervisors Gioia, Bonilla, and Glover about the issues that are happening in their districts with this contracted agency. People are done being silence, want change and people will be named. This is only beginning of a very loud discussion.

Ralph Hoffmann:

He is a resident of District Three, and he is concerned about there not being an open representative of the LGBTQ community on the Mental Health Commission. Secondly, he expressed his concern with the lack of mental health services for the aging and older community. He also added that he has never been an employee of the county, only a volunteer.

Nancy Birchland:

She was employed at MHCC as an administrative assistant to Brenda Crawford. She was asked to make emergency preparedness plan for MHCC, and visited each site. She found that the West County Wellness and Recovery Center only had exits on one side of the building, and was a fire trap. She brought up this safety issue to Brenda through email, in staff meeting, and in person. When bringing it up at the staff meeting, she was reprimanded. She mentioned that there are other issues at MHCC regarding late payments for employees and employees being scolded for their cleaning jobs. She

continued in saying that pay checks are not signed on time, and MHCC is not doing the programs they are supposed to be doing. There is little or no review, and not only is Brenda responsible, but so is Cindy Staton and Stephen Marks. I would like to make public notice on all three of them.

Dorothy Sansoe asked if any of these speakers has contacted the Fair Employment and Labor Standards Enforcement.

Quentisha answered that they have contacted them, but have not received a response yet.

Chair Mantas closed the public comment period.

### 3. ANNOUNCEMENTS

- A. IOC meeting discussing MHC Issues is scheduled for November 22, 9:30am to 11:00am, in Room 101

Address is 651 Pine Street. Room 101 is next to the Board of Supervisors' Chambers.

- B. MHC Planning Meeting for 2011 will be held November 6, 2010 at 8:00am to 5:00pm.

Planning will be at 2425 Bisso. The location just needs to be confirmed. The meeting will be noticed and posted.

- C. Stigma enters the Richmond Mayoral Race – Vice Chair Commissioner Pasquini Review information received and consider possible action.

The topic of stigma in the Richmond Mayoral race was added to the October 7th CPAW meeting agenda. CPAW spent the first 30-45 minutes engaged in very emotional conversation expressing anger and hurt. The consensus at CPAW was to make this incident a teaching moment and view it as an opportunity to educate. Commissioner Pasquini lives in West County, but not in Richmond, and was stunned and appalled by the literature she was sent regarding the current mayor of Richmond. Commissioner Pasquini addressed this matter at Board of Supervisors' meeting on Tuesday, October 12<sup>th</sup>. Commissioner Pasquini believes the views expressed by the Police Union are not those of the rank and file officers of Richmond. Chief Magnus, of the Richmond Police Department called Commissioner Pasquini on Monday, October 11 and expressed desire to join in a partnership to make it a teachable moment, and reiterated that the view were not representative of his department.

Captain Gagan of the Richmond Police Department was present at the Board of Supervisor's meeting on Tuesday, October 12<sup>th</sup> and agrees this is a wonderful opportunity for the Richmond Police Department to be a partner in addressing mental health stigma and discrimination.

Commissioner Pasquini wants the partnership to be an experience around stigma and discrimination, to discuss the myths and truths around mental illness. This is not a political statement, so she images that planning will not occur until after the elections are over.

- **ACTION: Commission to approve the planning a forum in West County in developing partnerships with our first responders. I ask for a planning meeting of Mental Health Commission leadership and Collette, to include the consumer voice, along with the CPAW**

**leadership and Richmond PD to discuss a mindful, meaningful format for this forum that doesn't create further division. (M-Pasquini /S-Kahler /Passed, 10-0, unanimous)**

Discussion:

Commissioner Pasquini added that the Human Services Alliance expressed interest in participating, and CPAW leadership would be asked to join.

Ralph Hoffman mentioned that revealing health information is a choice, health information is confidential. He has run for public office four times, choosing to disclose his mental illness each time, and he was never held office. There have been past elected officials that have revealed their mental health history such as Patrick Kennedy, Thomas Eagleton.

Captain Mark Gagan spoke as a representative of the Richmond Police Department and was present to listen to people's concerns. Not only were members of the mental health professionals, but average everyday citizens that the officers encounter are outraged by the dirty tactics the campaign used. It was very offensive, and came from a place of insensitivity and ignorance which was exacerbated by the fact that there was such a malicious intent to have a political changing of the guard. It is absolutely not to right area to have law enforcement involved. There is subtle ability for labor unions to claim that it effects our work environment, so they can speak for police officers. There are efforts at the high level of the department to distance and disassociate themselves from the Police Office Labor Associations action. Captain Gagan would like to be more on an interpersonal level. He believes this has been a terrible black eye for the department. He thanked Commissioner Pasquini for her resilience and passion and vowed that the Richmond Police Department to work together with the mental health community, as evidenced by their participation in the upcoming forum. (*Chief Magnus' letter to follow minutes*)

Commissioner McKindley-Alvarez asked what CPAW's mission is. She was concerned that the CPAW was overstepping its bounds.

Chair Mantas answered that CPAW advises over MHSA issues, and stigma may not be a part of their charter. However, either way individual members want to get involved.

Commissioner Pasquini clarified that an anti-stigma campaign is a part of their CPAW's charge, and that there is MHSA money dedicated to that.

Mental Health Director added that the commission deals with a range of county wide mental health issues.

Commissioner McKindley-Alvarez was thankful for the responses to her question. She wanted to make sure to she knew what this motion would look like, and how it will move forward.

Commissioner Pasquini added that there will be discussion to decide how the forum will be developed.

4. **CONSIDER APPROVAL OF MINUTES**  
September 9, 2010 MHC Monthly Meeting

- **ACTION: Motion made to approve the September 9, 2010 Monthly Meeting minutes: (M-Kahler /S-Commissioner McKindley-Alvarez /Passed, 10-0 unanimous)**

Commissioner Kennedy asked that she not be listed as “Absent” on the draft minutes of the September 28<sup>th</sup> Capital Facilities Workgroup meeting.

Commissioner Pasquini informed everyone that the Capital Facilities meeting was posted and open to all commissioners to attend, and only the Workgroup members voted during the meeting.

Chair Mantas clarified that this was not a Special Mental Health Commission meeting and therefore only Workgroup members were required to be in attendance and to vote.

5. **DIRECTOR’S REPORT – Donna Wigand, Mental Health Director**

- A. General update
- B. Introduction to the November 5, 2010 Mental Health Services Act (MHSA) Outcomes Event – One day conference

Mental Health Director clarified that the Mental Health Services Act (MHSA) Outcomes Event – One day conference is on **November 3<sup>rd</sup> not November 5<sup>th</sup>**

Mental Health Director began by apologizing to the new commissioners for not being able to attend their orientation.

She thanked everyone who came to the Board of Supervisor’s Mental Illness Week Proclamation on Tuesday, October 12<sup>th</sup>. She thanked them for their support and for their advocacy in educating the public about stigma and psychiatric conditions. Even if people didn’t speak, they were there and stood up and were recognized.

There was an article on Monday, October 11<sup>th</sup> on the front page of the Contra Costa Times. Now with a redesign, the County is able to have both Assessment and Recovery Center (ARC) and Crisis Residential Facility (CRF). With reprogramming and compromise, Health Services Finance was able to split the previous budget, and will be able to financially do both facilities. Commissioner O’Keeffe asked what was being cut.

Mental Health Director explained that a compromise had to be reached. The original proposal for the ARC for it to be open 24/7 and the CRF was originally to include both involuntary and voluntary services. Compromise was to close the ARC during graveyard and overnight shifts, but still remain open 7 days a week. After looking at numbers at Crisis Stabilization Unit (CSU), it was revealed that CSU has a lot of activity in the early afternoon and into the evening. It was strongly felt that both Saturday and Sunday had to be opened, since there is nowhere else for people to go. Unfortunately, involuntary services, and kids, would still need to go to CSU.

Commissioner O’Keeffe asked about accessibility issues, and if there was going to be a shuttle service.

Deputy Mental Health Director answered that a new housing coordinator is starting next week and she was hoping Commissioner O’Keeffe would work with the new housing coordinator around transportation.

As far as the next steps, Mental Health Director explained that it's not an issue of advocating to the County for asking money. The proposal for both facilities needs to go to the Board of Supervisors' Finance Committee on November 15<sup>th</sup> at 9am. The proposal also has to go to the Family and Human Services Committee on first Monday in December.

Chair Mantas responded that there was much discussion about the ARC being open 24/7 and transportation during the last mental health commission meeting. It is important that a meeting is held between mental health administration program staff and commission before the Mental Health Director goes to the Board of Supervisors. If the subject matter and direction is not consistent with what was previously approved by the Commission, then the proposal will have to come back to the Commission.

Commissioner Pasquini said that there was much conversation around transportation, but it wasn't included in the motion last meeting. She is concerned the Commission hasn't had an opportunity to be included in the conversation about programming, and the CPAW Capital Facilities Workgroup hasn't had that conversation either.

Dorothy explained that the Finance Committee does not approve specific on programming at their meeting.

Chair Mantas asked that no matter what happens, information is brought back to commission. He also noted that even though the motion didn't include the transportation and ARC services offered 24/7, all present at the previous MHC meeting unanimously agreed both need to be assessed.

Commissioner McKindley-Alvarez asked if it is a necessity for the commission to have dialogue with Administration prior to going to the Finance Committee.

Mental Health Director answered that the Finance Committee discusses little to no programming, it reviews the financing piece, mostly bricks and mortar. She underscored the need to remain open and flexible in order to have both facilities.

Mental Health Director continued, saying that on October 8<sup>th</sup>, the governor signed the state budget bill that included with a line item veto of the mandate for County Mental Health to provide mental health services to 3632 kids was deleted, and the ability to submit SB90 claim to get paid for any non-Medi-Cal billable services delivered 3632 child is gone as of October 8<sup>th</sup>. All reimbursements for those claims going back to 2004 is gone. Last 6 years of services provided to all 3632 kids will not be reimbursed, and going forward, County will not be reimbursed for any services to 250 children who are not under Medi-Cal. Health Services Finance did a very quick estimate of \$7.3 million debt for this current fiscal year, if we continue the services already currently providing. She will be meeting with the CAO, staff and County Counsel and staff to go over. Other counties such as LA, Orange, Yuba, and have already stopped sending county mental health staff to individual education plan (IEP)s. It is a legal and binding contract that involves a signature from education, mental health, and parent/guardian. These counties have stopped signing IEP contracts because of its commitment to services, without any funding.

Commissioner Pereyra asked if there are billable services from 6 years ago that have never been claimed.

Mental Health Director answered that the claims we submitted go back to 2004 will not be paid. State has said it is allowed to take 15 years to pay SB90 claims.

Commissioner Centeno asked what legal action can be taken. In laymen's world, it is not ok to not pay the bill for services, but that is what Schwarzenegger is doing. Even if the services were retroactive, you still expect to be paid. We have to seek counsel and fight.

Mental Health Director replied that there is a state wide association of county councils, and there was statewide conference call yesterday morning and they are working on this issue. As of October 8<sup>th</sup>, until something changes, this is the situation we are dealing with. We haven't made the move that LA and Orange County has, because we need to first confer with our County Counsel and our Board of Supervisors, since it is the Board's decision how we deal with this problem.

John Gragnani added that the number that Chief of Child/Adolescent Services, Vern Wallace says that we are owed in the rears is around \$22 million.

Commissioner McKindley-Alvarez asked how the Commission will hear about planned steps moving forward on this issue.

Mental Health Director will communicate with the Commission, after the Board discusses the issue, which should not be until after November 26<sup>th</sup>.

## 6. MHC COMMITTEE / WORKGROUP REPORTS

- A. MHC Capital Facilities and Projects/IT Workgroup – Commissioner Pasquini
  - i. Accept Workgroup's report and consider recommendations.

The Capital Facilities Workgroup had a great tour of Crestwood Healing Center. The site visit was held on September 17<sup>th</sup>, hosted by Cindy Mataroso and lasted four hours. All workgroup members were in attendance. The site visit was a test run for the tool that was approved. There was a lengthy, detailed report in today's meeting packet, so for the sake of time, Commissioner Pasquini asked that Commission accept their report and recommendations.

In light of the Mental Health Director's report, the action regarding advocacy for 20 Allen now a non-issue, which is why it does not appear on today's meeting agenda and will not be entertained by the full commission.

- **Commissioner Pasquini made a motion to refer to the Mental Health Commission for review and further study, the matter of the exclusions regarding the Use Permit at Crestwood Pleasant Hill.**

**There was no vote on this motion.**

Discussion:

Commissioner Pasquini stated that the workgroup does not want to re-open the use permit, and revisit the ugliness and stigma and discrimination experienced in siting this facility. Workgroup was concerned that there is confusing boundaries around restrictions in admission policies, which they would like to discuss further in the Capital Facilities workgroup. She had voiced concerns about restrictions on substance abuse and violence, and how the rules are applied.

Cindy Mataroso added that Crestwood's use permit is binding and can't be opened at this time. They can look the impact it has on how people are screened and admitted.

Geet Gobind commented that at Crestwood Healing Center, people actively in recovery and because of that, drugs should not be there. If people are using drugs, they should go to another facility. She has noticed pot smoke in the past, and it affects her.

Chair Mantas explained that the Workgroup has the ability to study this and does not need a motion to do so. He believes the Workgroup can launch this discussion within the workgroup at will. If this is revealed to be a Quality of Care issue, the discussion can be held in the QOC workgroup, and if both workgroups come together to discuss the issue, a meeting will be noticed.

**Commissioner Pasquini withdrew the motion.**

ii. Consider approving recommendation to review and further study, the matter of the exclusions regarding the Use Permit at Crestwood, Pleasant Hill.

➤ **ACTION: Motion to forward the following recommendations, along with individual Commissioner evaluations to the Mental Health Commission:**

- **Future Site Visits should be lead by one Commissioner, either the Chair or one appointed by the Workgroup to lead the visit as a formal meeting. This is not a tour, but rather a formal review per WI Code requirements.**
- **Commissioners should come prepared and knowledgeable of the evaluation tool. This should be thoroughly discussed and reviewed before the visit. This tool was adequate, but further tools should be explored.**
- **Contracts should be reviewed prior to visit and Workgroup should be knowledgeable of areas in contract that are pertinent to the visit.**
- **All accreditation surveys, QIPs, number and types of Sentinel Events, number and type of complaints should be provided to the Commission in advance of visit. We should have some knowledge of problems and efforts to correct before coming on site. Additionally, number of people being excluded.**
- **Commission should review/analyze system impact of loss of MHRC beds and how that might affect recidivism. How did the loss of the MHRC at Crestwood PH impact the continuum of care for our consumers? Are they being placed in a level of care that is lower than their needs dictate? Are higher acuity levels being tolerated in the community placements which can negatively impact other consumers who are further along in their recovery and more stable?**

Chair Mantas verified that the Commissioners have had an opportunity to read the recommendations and asked if anyone had an issue with the recommendations.

Cindy Mataroso explained that sentinel events cannot be reported until they are investigated.

Chair Mantas feels that is an issue that needs to be discussed with the MH Commission and the MH Director and the Quality Management Committee. He wants to see how the Commission can be integrated into the sentinel event discussion and corrective action. Currently the Commission is not part of that process and Commission seeks to be involved.



**Chair Mantas stated that the recommendation was supported by the Commission and to move forward on the agenda.**

Commissioner Pasquini concluded that having the Crestwood Healing center is a huge blessing for the community, and she hopes people take the opportunity to read her report.

Chair Mantas recommended that those who participated in the site visit express how they felt about the tour and what they got out of the experience during 2011 Mental Health Commission Planning meeting on November 6<sup>th</sup>.

Lisa Bruce spoke as consumer, and employee of Crestwood. She feels while there are things Crestwood needs to work on, as a consumer, working at Crestwood has been in the best interest for her. She's learned more about others and about herself. Her interaction with staff and consumers has been fantastic.

B. Quality of Care Workgroup – Commissioner McKindley-Alvarez  
Accept Workgroup's report (*Report follows minutes*)

Quality of Care (QOC) workgroup meetings have focused on completing the state outcomes report that they are designing. They had several questions that came out of them completing the report, and was appreciative of Suzanne Tavano, Steve Hahn-Smith and Imo Momoh. She sent them an email with their questions and received responses from every one. The QOC meeting is tomorrow, and Suzanna Tavano, Erin McCarty of Steve's staff, and Imo Momoh will be present in order to address cultural relevance, penetration and retention questions. The QOC workgroup will have a draft report for the November meeting.

C. Diversity and Recruitment Workgroup – Commissioner Kennedy  
Accept Workgroup's report (*Report follows minutes*)

Diversity Workgroup had their last meeting on September 13<sup>th</sup>. Commissioner Yoshioka has stepped down from the workgroup. Chair Mantas put together a helpful chart, in addition to a comparative breakdown which highlights that Latino and African American populations are most under represented on the Commission. Workgroup unanimously agreed that their 'Areas of Interest' was sufficient in articulating the workgroup's goals; therefore a mission statement was not needed. Next Diversity workgroup meetings will be October 18<sup>th</sup>, November 8<sup>th</sup>, and December 6<sup>th</sup>.

Chair Mantas stated that he did not vote at the Diversity Workgroup meeting, since was not member of the workgroup.

Commissioner O'Keefe pointed out that the Commission has no representation from the LGBTQ community, and there is a candidate.

Chair Mantas responded that the Welfare and Institutions (W&I) Code does not have that as a requirement. Mr. Hoffmann's candidacy has been through the process and been acted upon by Supervisor Piepho.

Dorothy Sansoe mentioned that one of the reports she has to bring to the IOC is a report whether or not the creation of the Commission seats meets W&I Code. She requests permission to include the

Diversity Workgroup's report in information that she brings to the IOC report, to include it as an attachment.

Chair Mantas asked if any of the Commissioners had an issue with the request. The Commission agreed to Dorothy's request.

7. **MHSA UPDATE – Commissioner Pereyra and Commissioner Pasquini**

- A. CPAW – Consider the 10/7/10 Monthly Meeting report and any Committee reports  
Consider recommendation and actions taken by CPAW as outlined in  
CPAW Committee Reports included in packet and further recommendations by  
MHC Liaisons to CPAW. *(Report and draft CPAW minutes follow minutes)*

Commissioner Pereyra was unable to attend the October 7<sup>th</sup> CPAW meeting, so she will not be giving the report.

Commissioner Pasquini urged everyone to read a report that corresponds with handouts included in the packet. Sherry was gracious and provided Commissioner Pasquini with all the information she needed to provide her bulleted report.

- **ACTION: MH Commission accepts the CPAW report and approve the recommendations put forward by CPAW, which are included bulleted in the report. M-Pasquini/S-McKindley-Alvarez, Passed, 7-0-2, Y-Bagarozzo, Centeno, Kahler, Kennedy, Mantas, McKindley-Alvarez, Overby, Pasquini/A-O'Keeffe, Pereyra**

Chair Mantas asked that 'Item 7.A: MHSA Update' and Item '10.B: County Staff and Contractors Participation on Advisory Committees Referral' be combined.

Commissioner Pasquini asked everyone take a moment to read her report. There was very thoughtful and intelligent discussion at CPAW, and no rubber stamping. There were strong messages to provide more detailed funding information, data, and gap analysis before there is any 'tinkering' with MHSA funding. There is a clear indication of collaboration and unity with all stakeholders, including Mental Health Commissioners on decisions. At the planning meeting, she will encourage Commissioners to become involved in CPAW committee, as non-CPAW members in order to learn and understand the MHSA process and influence decisions sooner in the process. She encourages other Commissioners to shadow the process, because there is a learning curve that takes place in CPAW, and that would allow other Commissioners to become the liaisons to CPAW.

Chair Mantas pointed out the Member Nomination Process in the CPAW report is related to Item 10.B. The MH Commission's request to the Board of Supervisors was to expressing concern about employees and contractors being a part of CPAW. The report that was given to the IOC included the calculation of family members and consumers compared to contractors and employees. Contractors and employees made up 61% of CPAW. He believes the Nominating process described in the CPAW materials is a good one, but feels the Commission still needs to make its own recommendation.

Chair Mantas asked to amend Commissioner Pasquini's motion to include:

- **Due to the potential of undue influence; the Mental Health Commission requests that the CPAW member make-up is at least 51% consumer and family members that are not service providers.**

Discussion:

Commissioner Pasquini is not in support of that change. She explained that over the last two months, there has been so much work done at CPAW, through facilitation, to even the playing field. CPAW struggles just as the commission does to have consumer members. Consumers who have knowledge of MHSA often also opportunities to get jobs and become employees/service providers, and it's a positive outcome. She'd prefer a balance.

**Chair Mantas withdrew his request to amend the motion. He will propose a separate motion later in the meeting.** He added that this type of motion was already been passed by the Commission a while back, but we need to further clarify that motion.

Commissioner Kennedy asked how the difference between 61% of consumer versus 51% of consumer translates in terms of seats on CPAW.

Chair Mantas answered two seats, according to what was submitted to the IOC.

Geet Gobind asked if CPAW members were paid, and Commissioner Pasquini responded that they are not.

Commissioner O'Keeffe mentioned that given that consumer employees are experiencing difficulties in being silenced and bullied, to discourage them from being on CPAW might take away one of the few places where they can have a voice.

Chair Mantas replied that consumer employees could be on CPAW. However if these member are feeling intimidated they will not give their true opinion. Thru intimidation or undue influence they are likely to support whatever is being presented. This is a perspective we should keep in mind.

MHSA Program Manager clarified that the nominating decision is with CPAW, but since Donna is the Mental Health Director, she has to formally appoint the members.

MH Director added that there would have to be a very good reason for her to override someone that CPAW recommended.

Commissioner Pasquini then shared that this is a complete change from old format. This is giving empowerment to the advisory body, as much as the Commissioners have over the Commission.

Moving into discussion on Item 10.B, Chair Mantas stated that he would entertain a motion that at least 51% of CPAW be independent of contractor or employee affiliations.

- **ACTION: Mental Health Commission recommends to the Board of Supervisors and Mental Health Director the following: Due to the potential of undue influence; the Mental Health Commission requests that the CPAW member make up is at least 51% consumer and family members that are not service providers. In other words, these members are not county employees and/or contracted mental health service providers. (M-Bagarozzo /S-Centeno/Passed, 7-1-2, Y-Bagarozzo, Centeno, O'Keeffe, Kahler, Kennedy, Mantas, Overby/N-Pasquini/A-Pereyra, McKindley-Alvarez)**

Discussion:

Chair Mantas clarified that consumer employees would be considered as employees. Ultimately, he feels that this will help the process, because there will be no potential for undue influence, and people will still be involved.

Commissioner O'Keefe would normally support this motion, but given that consumer employees have been so brutalized in other areas, removing them from CPAW also would take away their one choice at expressing themselves freely and publicly.

Commissioner Pereyra was concerned to hear that consumers have felt they did not have a voice in the Commission. She wasn't sure if this individual meant that consumers don't know that they can come to the Commission, or that consumers aren't welcome. Commissioner Pasquini believes that the Commission is exactly the place for consumer to come and have a voice.

Commissioner O'Keefe has heard from more than one person that employees have been told not to attend Commission meetings by the Executive Director.

Commissioner Pasquini is troubled by the public comments that were made today. She has received report from MHCC. This matter needs to come back to the Commission as an agenda item. She doesn't want to confuse the items on the agenda. As far as the motion, she will not support it. There are consumers on CPAW, and she sees it as an empowerment and not intimidation. She does not want to speak for the consumers. She is a member of CPAW, as a Commissioner liaison, but she has been allowed to speak as a family member as well. There are concerns about the freedom to speak on mental health issues, but this body has worked very hard to make everybody feel safe. She would like to see process continue with the excellent facilitation that CPAW has.

Chair Mantas acknowledged that there are tremendous changes that have been made at CPAW and everyone should be commended. He still has issues of undue influences. To him conflict of interest has been addressed, there is openness on conflict of interest; people leave the room when there is discussion of a contract issue. There is still the potential for undue influence.

Regarding the public comments that came up today, Chair Mantas has had those comments made to him directly, and he made numerous attempts to contact the Board of Directors of MHCC to discuss this issue with them, but they have not followed through with his request. Chair Mantas intends to reach out to them again, in light of the comments made today.

Ralph Hoffmann believes that this is an employee/employer personnel issue and should not be discussed outside at a Commission meeting until it is discussed in privately by someone outside of MHCC. He is not an employee of MHCC, and would be willing speak to Brenda Crawford, who is a fellow CPAW member.

Geet Gobind asked who is responsible for overseeing MHCC.

Mental Health Director replied they are accountable to their Board of Directors.

Chair Mantas added that MHCC gets county funds, and the County is responsible for some oversight. Chair Mantas has been trying to bring these concerns to MHCC's attention, because they are brought up by many people, but we do not know if these assertions are true or not.

Commissioner Centeno wanted to point out that Mental Health Commissions meetings are public meetings that are posted and no one can tell someone not to attend. The only exception would be if someone was billing their meeting attendance as work hours, Otherwise the Commission is a public platform and in a public space.

8. 5:40 **NOMINATIONS FOR MHC OFFICERS**

A. Chair

- Commissioner Pasquini: Nominated by Commissioners Kahler & Pereyra  
Commissioner Pasquini accepts the nomination.
- Commissioner McKindley-Alvarez: Nominated by Chair Mantas.  
Commissioner McKindley-Alvarez accepts the nomination.
- **ACTION: Commissioners Pasquini and McKindley-Alvarez are the nominees for 2011 Mental Health Commission Chair. Motion to close nominations for Chair.**  
**(M-Kahler/S-Centeno, Passed, 10-0-0, unanimous)**

B. Vice Chair

- Commissioner Bagarozzo: Nominated by Commissioner Kahler.  
Commissioner Bagarozzo has declined the nomination.
- Commissioner Kennedy: Nominated by Chair Mantas  
Commissioner Kennedy accepts the nomination.
- **ACTION: Commissioner Kennedy is the nominee for 2011 Mental Health Commission Vice Chair. Motion to close nominations for Vice Chair.**  
**(M-Pereyra/S-McKindley-Alvarez, 10-0-1, Y-Bagarozzo, Centeno, Kahler, Mantas, McKindley-Alvarez, O'Keeffe, Overby, Pasquini, Pereyra/A-Kennedy)**

Chair Mantas clarified that even though Commissioner Kennedy is the only nominee for Vice Chair, the elections for her position still need to be confirmed by the Commission. He thanked everyone for their willingness to commit to the Commission.

9. **ELECTIONS**

A. Health Reform Committee Member

Chair Mantas passed out ballots to the Commissioners.

Commissioner Pasquini asked to remove herself as from the ballot for the Health Care Reform Committee.

- i. Evelyn Centeno
- ii. Teresa Pasquini – **withdrew from election**

Commissioner Pasquini will be working on health care reform in other venues, and asked to be removed as alternate as well.

**There was no vote.**

**Chair Mantas appointed and congratulated Commissioner Centeno on her new role as Health Care Reform Committee member.**

Evelyn thanked Commissioner Pasquini for opportunity to serve on the Committee.

**B. Health Reform Committee Alternate**

Chair Mantas asked that Commissioners volunteer to serve as the alternate for the Health Care reform Committee. **The election of the Health Reform Committee alternate was tabled for the November meeting.**

On behalf of the Commission and Dr. Walker, Commissioner Pasquini presented Chair Mantas with a Service excellence award for his passion, commitment and leadership related to mental health issues and for working to address and raise awareness about a broad range of issues of concerns to consumers and family. Commissioner Pasquini added that Chair Mantas' appointing supervisor would like to ask him to come to the Board of Supervisors to be honored as well.

There was a round of applause for Chair Mantas.

Chair Mantas stated that the award was unnecessary but appreciated.

Chair Mantas said that there is much work that needs to be done regarding Item 10.A "Local 1 Management Assessment Referral" and Item 10.C "Private Task Force Referral" before the next IOC meeting. He did not want to curb the discussion on the other important issues during the meeting.

Observing the time, Chair Mantas posed two options to the Commission; continue with the meeting and discuss the remaining items on the agenda now, or call for a Special Commission meeting.

Commissioner McKindley-Alvarez and Commissioner Centeno were not able to stay longer.

Chair Mantas will convene a special meeting,

Linda Cipolla collected the ballots and Cindy Downing and Linda Cipolla tallied the ballots. (*Ballots to follow minutes*)

**C. Quality Improvement Committee Alternate**

**i. Dr. Colette O'Keeffe**

Dr. Colette O'Keeffe received seven votes.

**ii. Dr. William Wong**

Dr. William Wong received two votes.

- **ACTION: Commissioner O'Keeffe was elected 2011 Quality Improvement Committee Alternate. Motion to close elections for Quality Improvement Committee Alternate. (M-Centeno /S- Kennedy/Passed, 11-0-0, unanimous)**

Chair Mantas addressed that Commissioners may have heard that the Commission cannot have ballots, He read that the State Attorney has written, "it is the view of this office that members of a body may cast

their ballots either orally or in writing so long as the written ballots are marked and tallied in open session and the ballots are disclosable.” (*State Attorney Report to follow minutes*)

Chair Mantas thanked Commissioners for participating in the elections.

10. **IOC Referrals Update and Action - Consider information received from MHA, IOC and DMH in developing a recommendation to Mental Health Director and Board of Supervisors on the following subjects:**

Jamie Miller: Jamie sits on the Juvenile Justice Commission along with Orrin. They have concerns about mental health services provided to youth that are detained in Juvenile Hall and at Orrin Allen Ranch. The Commission has asked for reports and financial records and is interested in how MHSA will effect these children.

The Juvenile Justice Commission wrote a letter to Dr. Walker on October 7<sup>th</sup>, which is in the packet and received a response on October 13<sup>th</sup> from Vern Wallace. Vern will he will be attending Mondays meeting. The Juvenile Justice Commission shares the same concerns that the Mental Health Commission does around services for these kids, and would like to work closely with Mental Health Commission.

Orrin Allen: He really appreciates the work the commission does and has done. He is concerned because it seems like the bottom is falling out from under these children. He likes the enthusiasm the Commission has for all things mental health.

Deputy MH Director spoke that Orrin Allen is an absolutely amazing person, and thanked him for being at the meeting.

Chair Mantas explained that one of the issued involved in Item 10.A “Local 1 Management Assessment Referral” has to do with getting information in a timely manner, which is why it was included as a part of Item 10.A. The Juvenile Justice Commission requested information nearly a year ago, and they are finally getting a response from Vern Wallace. This will be discussed further at the Special Commission meeting.

A. Local 1 Management Assessment Referral (*Background materials follow minutes*)

Due to time, full discussion of this item was tabled until the October 25th Special MH Commission Meeting.

B. County Staff and Contractors Participation on Advisory Committees Referral

This item was combined with Item 7.A, and discussed earlier in the meeting.

C. Private Task Force Referral

Due to time, discussion of this item was tabled until the October 25th Special MH Commission Meeting.

11. **CHAIRPERSON’S COMMENTS – Chair Mantas**

- A. November meeting on Tuesday, November 9<sup>th</sup> at 4:00 pm will include:
  - i. Elections of the MHC Chair and Vice-Chair

- ii. Review MHC Proposed Legislative Platform
- iii. Comment on 2010 Annual Report DRAFT
- iv. Vote on MHC 2011 Plan

Chair Mantas will help Commissioner Pasquini as need be, in developing the agenda before he leaves the Commission. He listed the issues that need to be discussed in the November meeting. He mentioned that Dorothy Sansoe would need to come back to the Commission and communicate how she recommends the Legislative Platform to be. He mentioned that the Commission's former executive assistant, Nancy Schott, created an excellent framework for our Annual Report and that the Commission will continue to add too it as we finish conclude the year. A finalized version will be ready for the January 2011 meeting.

Chair Mantas wanted to thank everyone for their commitment to being the voice of consumers who may not have a voice for themselves. Commissioners need to take that job seriously and they have. He apologized if he 'ruffled feathers' in doing his job as a Commissioner. He did the best that he could and in the best way possible. Had he had the chance to do it again he would do it the same way again. He wants to continue to develop relationships and discussions where information is exchanged easily and everyone works together to solve the problems that come from the poor economy and horrible budget. There are hard working staff and contractors, but everyone can still do better, including the Commission and he himself.

#### B. MHC Task List Tracking Form Update

Due to time, discussion of this item was tabled until the October 25th Special MH Commission Meeting.

#### C. Departing comments

Due to time, discussion of this item was tabled until the October 25th Special MH Commission Meeting.

### 12. **FUTURE AGENDA ITEMS**

*Any Commissioner or member of the public may suggest items to be placed on future agendas.*

#### A. Suggestions for November Agenda

#### B. List of Future Agenda Items:

1. Rose King Presentation on MHSA
2. Behavioral Court Presentation
3. Case Study
4. Presentation from Putnam Clubhouse
5. Creative ways of utilizing MHSA funds
6. TAY and Adult's Workgroup
7. Conservatorship Issue
8. Presentation from Victor Montoya, Adult/Older Adult Program Chief
9. Presentation from Crestwood, Pleasant Hill
10. Presentation on Healthcare Partnership and CCRMC Psych Leadership
11. Presentation on non-traditional mental health services under the current PEI MHSA programs

#### C. List of Future Action Items:



1. Develop MHC Fact Book to be used in review meetings with appointing Supervisors
2. Review Meetings with appointing Supervisors

### 13. ADJOURN MEETING

- **ACTION: Motion made to adjourn the meeting at 6: 37pm (M- Kahler /S-Centeno/Passed, 10-0-0, unanimous)**

The next scheduled meeting will be **Monday, October 25, 2010 5pm** at the John Muir Behavioral Health Center, 2730 Grant Ave., Classroom A, Concord. *\*\*Please Note this New Date\*\**

*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the staff to a majority of the members of the Mental Health Commission less than 96 hours prior to that meeting are available for public inspection at 1340 Arnold Drive, Ste. 200, Martinez during normal business hours*