

**MENTAL HEALTH COMMISSION
MONTHLY MEETING MINUTES
Tuesday July 11, 2017 – FINAL
At: 550 Ellinwood, Pleasant Hill, CA**

Agenda Item / Discussion	Action / Follow-Up
<p>I. Call to Order / Introductions Commission Chair Duane Chapman called the meeting to order at 4:44pm.</p> <p><u>Members Present:</u> Chair- Duane Chapman, District I Vice Chair- Barbara Serwin, District II (arrived at 4:47pm) Sam Yoshioka, District IV Gina Swirsding, District I Meghan Cullen, District V Michael Ward, District V (departed @6:01pm) Douglas Dunn, District III Connie Steers, District IV (arrived at 4:46pm) * Patrick Field, District III (new member)</p> <p><u>Commissioners Absent:</u> Supervisor Candace Andersen, District II Diana MaKieve, District II Lauren Rettagliata, District II</p> <p><u>Other Attendees:</u> Ralph Hoffman, former Chair of MHC/consumer Enid Mendoza, County Administrator’s Office/Health and Human Services dept. Jill Ray, Field Rep Supv. Andersen’s office, District II (departed @6:11pm) Liza A. Molina-Huntley, Executive Assistant for MHC</p>	<p>EA-Transfer recording to computer</p>
<p>II. Chair announcements and comments:</p> <ul style="list-style-type: none"> • Chair announced the Director of Behavioral Health Services was unable to attend and her presentation will be moved to the Mental Health Commission meeting in August • Currently, the West County Detention Center’s plans have not been finalized, therefore there are no updates or anything to report since the project has not started. • Duane- How many Commissions are there in the County that is mandated by law? (Question directed at Enid). The reason being is that Commissioners volunteer a lot more than ten hours per month and does not understand why the County cannot pay for the Commissioners luncheon, once a year, for the training on September 16, 2017. Wants to discuss the issue with other Commissions and try to get more support for the luncheon. • Enid- there is a total of 89 throughout the County. Will obtain the names of the Commissions for the Chair • Duane- SAM/GINA chose to investigate and write a report regarding the integration of the advisory boards: Health, Homelessness and 	<p>*Items VI and VII have been forwarded to future MHC meetings</p> <p>*Enid will provide a list for the MHC Chair of all the Commission names that are mandated by law</p> <p>**SAM and Gina will complete their investigation and the report regarding the integration of the advisory boards and include their findings and recommendations and submit and present it to</p>

<p>Housing (H3), Alcohol and Other Drugs (AOD) and the Commission and ask the task of completing the report is presented at the retreat/training, by SAM and GINA, on September 16, 2017.</p>	<p>the Commission on September 16, at the Commission training.</p>
<p>III. Public comments (3 minutes per speaker)</p> <ul style="list-style-type: none"> • Jill- offered a copy of the SB844- If anyone should desire a copy of the Grant Application and 2015 Jail Needs Assessment; they can contact the Executive assistant, via email, to request a copy. • Ralph- Commented on various addictions, including alcohol addiction and how everyone is subject to succumb to addictions, particularly mental health consumers and addictions contribute to mental illness. • Jill- the District Attorney has resigned and as a result the Board of Supervisors is the appointing authority for a District Attorney, until the term is completed and a new election is held. It is a public process and currently collecting applications, hoping to have someone in place by September. 	<p>*For a copy of the SB844 handout, please email: Liza.Molina-Huntley@hdsd.cccounty.us</p>
<p>IV. Commissioner's comments (3 minutes per speaker)</p> <ul style="list-style-type: none"> • Patrick- I would like to see things change for people who are mentally ill and the stigma throughout society. Before there were more community type aides to assist people. The board and care systems sharing rooms is not good and can decline a person's state; each person should have their own room. Each person should be able to feel safe. There is a lot of stigma that stops people from getting help. These are a few things that I want to help change and think that they are important. There should be emotional education in schools, not just sex education. There is a whole area of knowledge that young people need to learn to help prevent addictions and suicides. Get people treatment when they're young, not wait until their 20's, until their in collage, than can be too late. These are just some of my interests and points of view. • Gina- Would like SPIRIT to present at the next Mental Health Commission meeting, their efforts in assisting consumers and family members to become educated, empowered and independent. The Commissioners Connie and Doug agreed and would like SPIRIT to do a presentation regarding their services for consumers and family members and feel it is important to the Community. It is important to keep programs like SPIRIT funded and an important part of advocacy. 	<p>*Duane invited the new Commissioner to attend the retreat, September 16, from 10 am to 3pm in Martinez.</p> <p>*Jill will send the selection notification for a District Attorney and forward it to the Executive Assistant to forward to the Commissioners</p> <p>*The Chair and Vice Chair will discuss and decide what month there will be a SPIRIT presentation</p>
<p>V. MOTION to APPROVE minutes from June 7, 2017 meeting Doug moved to motion, Connie seconded the motion</p> <ul style="list-style-type: none"> • No corrections were needed • VOTE: 9-0-0 • YAYS: Duane, Barbara, Gina, Doug, Sam, Meghan, Mike, Patrick and Connie • NAYS: none ABSTAIN: none • ABSENT: Lauren, Diana and Supervisor Andersen 	
<p>VI. RECEIVE and DISCUSS Strategic Plan for Behavioral Health Services with the Director of Behavioral Health, Cynthia Belon.</p>	<p>*Moved to August 2 MHC meeting.</p>

<ul style="list-style-type: none"> • Due to illness, Director Belon was unable to attend the meeting 	
<p>VII. RECEIVE and DISCUSS expansion of the mental health treatment plans for the West County Detention facility.</p> <ul style="list-style-type: none"> • At this time, there is nothing to report, due to the fact that plans have not been completed. 	<p>*Moved to a future meeting, after plans have been finalized.</p>
<p>VIII. REVIEW and DISCUSS overview regarding the Grand Jury process with Enid Mendoza from the County Administrator's Office</p> <ul style="list-style-type: none"> • Enid- discussed the general process and timelines regarding processing reports through the Grand Jury. Part of the civil, Grand Jury, process is to investigate matters brought before them and decide whether or not matters require further analysis, investigation or discussion. After which, it is submitted to a presiding judge at Superior Court and then file the report to the appropriate government agency. Once the Grand Jury has submitted the report to the Superior Court and it is filed, the entity that is required to respond, before it is made public. Once it is made public, everyone can have access to the report. The County has 90 days to respond to the Grand Jury, if there are any responses required from an elected official, they have 60 days to respond. Elected officials can submit their responses directly. But, any response to the Board of Supervisors, first-action must be taken at a Board meeting, to accept the report and then to designate the authority to respond- in this particular case it was to the County's Administrator's Office, working with Health Services and Behavioral Health Services. The entirety of the document is confidential, along with who is contacted or what investigation is conducted. There is a legal obligation to respond to both the findings in the report and to the recommendations that are assigned by the Board of Supervisors. The Penal Code specifically identifies how entities are supposed to respond. The entity chooses to agree to the findings, wholly disagree or partially disagree and provide an explanation to that response. Responses to the recommendations, are specific, either the recommendation has been implemented and a summary is provided of what that implementation is, or the response can be that the recommendation has not yet been implemented but will be implemented in the future, providing a time frame, or respond that the recommendation requires further analysis with an explanation and a scope of the analysis, or the study to be conducted. Or another option is to respond to the recommendation will not be implemented, because it is not warranted, or unreasonable, provided with an explanation. • There is a required timeline to respond to each of the recommendations. In rare instances where the same issue is reviewed and asked for follow up or an update is requested. The responses to the findings are true, untrue or partially true. 	<p>*</p>

<p>Recommendations are made by the department of the subject matter, for the experts to respond. With this case, the CAO (County Administrator’s Office) will be working closely with BHS (Behavioral Health Services department) to create a final draft that will go to the FHS (Family and Human Services) Committee and that committee will meet on Monday, July 31 at 10:30am, at 651 Pine Street, in room 101. The agenda for that meeting will be published no later than Thursday, July 27 by 10:30am. The report going forward to FHS is a public meeting; there will be an opportunity for public comments or questions. After the FHS meeting, it will move forward to the Board of Supervisor’s meeting, on August 8. That agenda will be made available to the public by Friday, August 4. FHS will have an opportunity to review what the responding department is proposing and they may provide feedback or make recommendations to the department. Normally, a subcommittee is not involved in the Grand Jury response, the ultimate decision will be made by the Board of Supervisors and they will have an opportunity to see what recommendations, if any, and will consider if anything needs further consideration. Issues that may exist, the department will try to find ways to improve, if needed. Sometimes it can be an isolated issue that might not be part of the program’s plan or priority, it really depends. There is value in the reports and in the information and responses that are provided to the Grand Jury. All the findings and recommendations are applicable and appropriate for the County, it really depends.</p> <ul style="list-style-type: none"> • Jill- The public can make comments or raise concerns at the Board of Supervisor’s meeting and the Board members will discuss and decide whether or not to add any amendments or changes or submit the report as is. Every year, there is a new Grand Jury; therefore, sometimes the Grand Jury will decide to take a deeper dive into an issue and sometimes they will not. • Commissioners had some questions regarding the process which were answered, by reiterating what was previously stated. 	
<p>IX. REVIEW and DISCUSS REPORT #1703 Mental Health Services for At-Risk Children in Contra Costa County by 2016-2017 Contra Costa County Grand , Jury, approved on May 11, 2017.</p> <p>a) DISCUSS the report and findings</p> <p>b)DISCUSS and MOTION that the Mental Health Commission will allow the Chair and the Vice Chair, to and/or work with, the Behavioral Health Services Director, in responding to the report of the Grand Jury to present a response to the Family and Human Services for the Board of Supervisors approval, on July 31, 2017</p> <ul style="list-style-type: none"> • a)Doug- regarding recommendation one of the report, the System of Care committee has set aside \$300,000 per year, in terms of loan forgiveness, as a means of attracting Behavioral Health personnel. 	<p>EA- will contact and inform Director of Behavioral Health Services and request for a date for a meeting, before July 19, with the Chair and Vice Chair of the Commission to discuss the recommendations and response to the Grand Jury report</p>

The first order of priority is to hire more Psychiatrists, both for the adult system of care and for the children's system of care. The County is trying to offset the costs and recognizes that there is still a pay rate disparity and they are actively working with the unions to increase it.

- Barbara – shared her agreement regarding the Grand Jury's decision to investigate the issue and feels that it concerns a lot of the community. Also, the White Paper was a resource that was used in developing the report's findings and recommendations. The Grand Jury's report is consistent with the White Paper.
- Sam- stated his disagreement to some of the findings and recommendations and the lack of data to support the findings; specifically, the report stating that there is a need for six Psychiatrists; the need is far greater than what is stated in the report, there isn't any data to back up the recommendations
- b) Motion to allow Chair and Vice Chair to work with BHS, representing the full commission, or create a separate report to present, on behalf of the Commission.
- Duane assures, the Commissioners, that all Commissioners will receive updates and any report that is prepared by him and the Vice Chair, Barbara Serwin. Due to the short time frame, it will be difficult to hold a special meeting. If anyone desires additional information they can email the Executive Assistant and she will forward all requests to the Chair and Vice Chair.
- **MOTION -the Commission supports the Chair, Duane and Vice Chair, Barbara, to work with the Behavioral Health Services Director, or to submit recommendations on behalf of the Mental Health Commission, with the provision to hold a special meeting, if necessary, in the event that an agreement, regarding the recommendations, is not reached with the Behavioral Health Director. (as per Doug)**
Doug moves to motion, Michael seconds the motion
VOTE: 8-0-1
YAYS: DUANE, BARBARA, GINA, DOUG, CONNIE, MICHAEL, PATRICK, MEGHAN
NAYS: NONE
ABSTAIN: SAM
 - **Enid-** clarified that there is a short, turnaround time to provide responses to the County Administrator's Office and wants to make sure that the Commission is aware of the deadlines. Next Wednesday, July 19 is the deadline to receive the response from Behavioral Health Services and the meeting for Family and Human Services must be published by July 27. A lot of work must be done before the meeting; all the materials and information must be gathered.
 - **Jill-** added that any letter or comments that is put together,

beyond what was just mentioned, has to be approved by the full commission

- **Sam**- stated that he is not comfortable with giving full authority to speak on behalf of the board when it is unknown what will be presented. Whatever is presented should be pre-approved by the board, after viewing
- **Barbara** responded that there is a precedence of this protocol and used the example of when the White Paper was presented. The White Paper was discussed with the full commission and voted to approve it. It is the Commission's opportunity and more importantly a responsibility to the community and its stakeholders to support what was stated by the Commission. BHS has been working on specific issues and developing programs, making efforts to improve and the comments that will be made will take it all into account. A special meeting can be called to present whatever document is created, the Commission holds the choice.
- **Duane** reiterated the reason for the request is due to the short time frame, since there is only a week to submit a response to the CAO, from BHS, responding that they will not disappoint the Commission or its members. Either way, it will get done. It is known that one of the Commissioners submitted the White Paper to the Grand Jury and as a Commission; the Commission needs to respond, explain and assure that the proper document, with the Chair's signature and approved by the Commission, was submitted to the Grand Jury. Cynthia has the choice to accept us or not, if she doesn't then the Commission will move forward.
- **Gina**- responded that she does not agree with the example utilized by Barbara and does not feel that the process of the White Paper was not transparent with the rest of the Commissioners and did not like the way that was handled; although does understand the current issue, regarding the timing constraints. Is there a way for all the Commissioners to see what will be presented, before it's presented, to consider feedback from the Commission?
- **Duane**- responded that he and Barbara will make sure to get whatever is created, sent to all the Commissioners.
- **Doug** mentioned NAMI's ability to respond quickly to gain leverage.
- **Jill**- clarified that NAMI is a nonprofit organization that does not have to adhere to the Brown Act. Sam discussed the Commission, which is an advisory body that must comply with the Brown Act. Therefore the two cannot be compared. Government agencies, programs and departments are not as nimble, as nonprofits and the private sector, the government and advisory bodies must

ensure transparency. There is a concern for two people to create a document and submit or incorporate it with the Behavioral Health Services response.

- **Sam/Jill-** It creates havoc when a document is created, then the rest of the Commission is not in agreement and it's presented on behalf of the Commission. It has happened before and it was not favorable. The ideal is to find a solution that creates a public response. When the matter is on the agenda, you can submit a disagreement in public comments, any commissioner can do that. If you agree with everything that is written, then you can state that as well. FHS will receive BHS's report and will hear what you have to say and make changes if they believe it's necessary and then it moves forward to the Board of Supervisors.
- **Barbara-** the commission has precedence for doing the same action, in the past year. The Director suggested that we present directly to the Board, separately. We have been told that how we want to proceed is acceptable and communicate with the Director of BHS regarding the department's response. There will not be any surprises to what we present on behalf of the Commission because we will present the White Paper as it pertains to the report. The Commission will hold a special meeting in the event that there is a disagreement between us and the department and what the Chair and Vice Chair determine what we would like to present.
- **Enid-** if there would be more time there would be an ad hoc group or a sub-committee that would take care of this issue, without violating the Brown Act, the members of the commission would attend the Family and Human Services meeting and bring their questions and concerns to the public, at the meeting. Whatever is created, can be presented at the time and they can decide to view what the Mental Health Commission provided and attach. Anything else could violate the Brown Act. Discussing matters that are a concern of the Commission, without a proper forum, where the public can comment on the issue, is a violation of the Brown Act. The public must be able to openly comment on any issue. As an individual, you can act as such and submit any document; but on behalf of the Commission, as an advisory body it must be presented and open for public comment, as stated in the Brown Act. The County has the signed and approved White Paper is on file.
- **Duane** requested that Doug restate the motion and add that a special meeting will be held, in the event that it is deemed necessary. Liza, the Executive Assistant will inform the Behavioral Health Director of the motion and ask the Director to set a date to discuss, before the department's

	<p>response is submitted. If all are in agreement, then a special meeting will not be necessary.</p>
<p>X. DISCUSSION and MOTION to create an ad hoc committee to review and update the Mental health Commission’s current Bylaws</p> <p>Duane- expressed the need to update the Bylaws and compare current Bylaws to other neighboring county’s Bylaws, investigate the changes needed to be made. He has done some research and put together a draft, incorporating other county’s Bylaws to be considered. Asks for three additional volunteers to form an ad hoc Bylaws Committee to efficiently work together to update the current the Bylaws, quickly, to present to the Board of Supervisors for approval. Would like the updated Bylaws to be approved and adapted by January 1, 2018.</p> <p>SAM, GINA and MEGHAN all volunteered to be in the ad hoc committee and to get the job done, along with Duane.</p> <p>Duane- the request made to County Counsel regarding revising the Bylaws to allow the Chair or Vice Chair to sit in on any Committee to make a quorum wording will be revised and approved and needs to be included in the new version of the Bylaws. A meeting will be scheduled at the end of July to start the task and nominate a Chair and Vice Chair of the Committee.</p> <p>MOTION to approve an ad hoc Bylaws Committee to update current Bylaws for approval by the Board of Supervisors. Doug moved and Connie seconded the motion.</p> <p>VOTE: 9-0-0</p> <p>YAYS: DUANE, GINA, MEGHAN, MIKE, SAM, DOUG, PATRICK, BARBARA and CONNIE</p> <p>NAYS: none</p> <p>ABSTAIN: none</p>	<p>*Ad hoc Bylaws Committee consists of the following people: Sam, Duane, Gina and Meghan will meet the last week in July</p>
<p>XI. DISCUSS and MOTION to consent to video and record the 2017 Commission retreat/training on September 16, 2017 in Martinez</p> <p>Duane- explained to those present that it would be important to have a recording of the training for incoming commissioners and to file to future reference. He stated that he did speak with the California Local Board Association and the agency has committed to paying for one half of the lunches for the people that they invite. Duane also solicited the Board of Supervisors for monetary assistance to help pay for the Mental Health Commissioner’s luncheon during the training. The Executive Assistance made a flyer for the training, at the Chair’s request, to distribute and he will advertise the flyer on his social media accounts. Everyone attending the training must sign a consent form authorizing to be videoed and return the form to the Executive Assistant, Liza, prior to attending the training.</p> <p>MOTION to video and record the September 16, 2017 training- Doug motioned and Barbara seconded.</p> <p>VOTE: 9-0-0</p>	

<p>YAYS: DUANE, GINA, MEGHAN, MIKE, SAM, DOUG, PATRICK, BARBARA and CONNIE NAYS: none ABSTAIN: none</p>	
<p>XII. DISCUSS and MOTION to agree to have the 2017 Retreat/training (Saturday, September 16, 2017) in lieu of the full commission meeting in September Duane- Instead of having an additional, Mental Health Commission meeting in September, Commission business will be conducted at the beginning, before starting the training, at the same location of the training. MOTION: there will be one meeting, September 16, 2017, and commission business will be conducted, prior to starting the training. Sam moved and Mike seconded. VOTE: 9-0-0 YAYS: DUANE, GINA, MEGHAN, MIKE, SAM, DOUG, PATRICK, BARBARA and CONNIE NAYS: none ABSTAIN: none</p>	<p>*No additional September MHC meeting</p>
<p>XIII. DISCUSS a proposed change in the scope of the Finance Committee of the Mental health Commission to encompass the entire Mental Health budget Barbara- this topic has been discussed with the Behavioral Health Director and Deputy Director for quite some time, previously the Finance Committee covered the entire budget, then somehow the Committee was changed its focus to the MHSA funding. There are questions about the budget in its entirety that are relevant and important on the rest of the budget. Having the budget after the fact does not allow us to have input but if we have discussions at the subcommittee level, then the Finance Committee will be bringing updates to the full commission and providing input to the budget, which would be a more efficient way to operate. The Commission should be looking at the entire budget throughout the year and asking the Committee to take deeper dives into it. Doug and Lauren were asked to review and come back with their recommendations, as the Chair and Co-Chair of the Finance Committee and present what they believe what a more proper and useful definition of that scope would be? SAM- the Chair has supported the idea of looking at the entire budget as a current focus, is that correct? Who on the Commission has any knowledge about the total mental health budget and be able to explain the budget process and what makes up the \$190 million? Barbara/Gina- have both viewed the budget and Barbara believes she understands it at the level she believes she needs to, believes that it is presented in a logical standard format. Doug- has read the entire budget and has taken deeper dives to obtain the sources of funding- Lauren has been gone for several</p>	<p>*Doug and Lauren will make the recommendations to define the changes in the scope of the MHSA/Finance Committee and present it in writing to the Commission, as soon as completed.</p> <p>*The EA will contact a staff member from the County's Finance Division; educate the Mental Health Commission regarding the entire budget process and milestones. "Budget 101" training for the Commission members.</p>

weeks and they have not had the time to discuss the issue to make and present the recommendations to the Commission and agrees that they both need to discuss and put it in writing present it to the Commission.

Enid- What is the scope of the Finance Committee currently? Is there any decision making outside of the MHSA?

Doug- I believe it's more informational that it didn't get to the Commission.

Barbara- the current of the Committee does not need any changes, just to the scope. To learn more about what is being spent and how it is being spent? A presentation format and a question and answer aspect of it as well.

Jill- MHSA is a small part of the budget and that is where the Committee's primary focus is on. There are a lot of questions that come up, on different items on the Board agenda that are funded differently that the Commission may have not been aware of... to understand the full picture and full spectrum of mental health funding and services in Contra Costa County, so that they can better understand when different contracts come up, then maybe a training can be provided? Suggested a "budget 101" training to educate the Mental Health Commissioners regarding the budget.

Barbara- Would like to know what the milestones are in the development of the budget throughout the year? Then the Commission can make the decision what to focus on and what they need to have input on. The Finance Committee can bring those opportunities to the Commission, and then the Commission can request the Committee to do a deeper dive in issues that the Commission feels are important.

SAM- at one time, the Finance Committee had a close working relationship with the staff in the Finance Division and it is imperative to have that relationship, an expert, to help lead the Commission or Committee and explain the different budget areas.

GINA- Consolidated Planning Advisory Workgroup (CPAW) does the planning and was disappointed that more members were not present during the presentation of the plan and would like more members to be invited to the Commission meetings to give more community input, or a Commissioner attend CPAW meetings. (Commissioner Doug attends CPAW meetings and other Commissioners have attended CPAW meetings which encourage stakeholder's participation and input for the Mental Health Services Act Program and Expenditure Plan/budget).

BARBARA- both the Director and Deputy Director of Behavioral Health Services to meet and discuss with a staff member from the Finance Division to guide the Vice Chair and discuss what the milestones of the budget are. Asked Doug what the percentage of the budget pertains to MHSA funding

DOUG- approximately 22.5% = the MHSA budget

DUANE- I agree with Sam's suggestion and invite someone from the

<p>Finance Division, with the MHSA/Finance Committee, to educate the Commission regarding the budget, because Commission members are not experts in government finances.</p> <p>No motion at this time. The Chair and Vice Chair will prepare a report, as previously stated and the Executive Assistant will contact a staff member from the County's Finance Division to set up training for the Commission members regarding the Mental Health/Behavioral Health's entire budget and the milestones.</p>	
<p>XIV. RECEIVE Commission Representative reports</p> <ol style="list-style-type: none"> 1) AOD Advisory Board- Sam Yoshioka- a great presentation was done regarding the new "Drug-Medi Cal" system and would like the same presenter to do a presentation for the Mental Health Commission to train and inform regarding the subject. 2) CPAW General meeting- Lauren Rettagliata (absent) Doug reported that the primary focus at the meeting was the presentation of the Health, Housing and Homelessness (H3) Division and the Access Line regarding what new ways the division is addressing housing for the homeless and mentally ill, and different areas they are trying to obtain funding for all the projects, including the new "No Place Like Home" program which will be utilizing MHSA funds. 3) Children's Committee- Barbara Serwin: was not able to attend the meeting 4) Council on Homelessness-Lauren Rettagliata (absent-no report) 	
<p>XV. Adjourn Meeting The meeting was adjourned at 6:34pm.</p>	

Respectfully submitted,
Liza Molina-Huntley
Executive Assistant to the Mental Health Commission
CCHS Behavioral Health Administration
Final minutes approved on August 2, 2017