

**MENTAL HEALTH EXECUTIVE COMMITTEE
MONTHLY MEETING MINUTES
May 25, 2021 - FINAL**

Agenda Item / Discussion	Action /Follow-Up
<p>I. Call to Order / Introductions Chair, Cmsr. G. Wiseman, called the meeting to order @ 3:35 pm</p> <p><u>Members Present:</u> Chair, Graham Wiseman, District II Vice-Chair, Cmsr. B. Serwin, District II Cmsr. Laura Griffin, District V Cmsr. John Kincaid, District II Cmsr. Leslie May, District V</p> <p><u>Other Attendees:</u> Cmsr. Kathy Maibaum, District IV Colleen Awad Angela Beck Jennifer Bruggeman Pamela Perls Dom Pruett (Supv. Andersen’s Office)</p>	<p>Meeting was held via Zoom platform</p>
<p>II. PUBLIC COMMENTS: None</p>	
<p>III. COMMISSIONERS COMMENTS: None</p>	
<p>IV. COMMITTEE CHAIR ANNOUNCEMENTS/COMMENTS: The only announcement we have is we have a commissioner that will not be renewing his status, Commissioner John Kincaid. His term is up on June 30th. We have also had Commissioner Kate Lewis and Commissioner Kira Monterrey notify us they will be resigning. This brings up the fact that we have been discussing the process for new members on the commission and there has been some discussion and it has now been moved over to the Board of Supervisors for responsibility, but I think it may be important for us to voice concerns that, at least two of these cases, the resignations were due to not being properly informed by their supervisor of the requirements of this position. This may be something we wish to discuss.</p>	
<p>V. APPROVE minutes from April 27, 2021 meeting:</p> <ul style="list-style-type: none"> • L. May motioned to approve the minutes as written. • Seconded by J. Kincaid <p>Vote: 5-0-0 Ayes: G. Wiseman (Chair), B. Serwin (Vice-Chair), L. Griffin, J. Kincaid, L. May Abstain: none</p>	<p>http://cchealth.org/mentalhealth/mhc/agendas-minutes.php</p>

VI. DISCUSS proposed potential by-law on “excused absences from Mental Health Commission meetings due to unforeseen, extraordinary circumstances”, Commissioner Leslie May, Contra Costa County Mental Health Commission

Section 2.1b is proposed language for a new by-law regarding excused absences from Commission meetings. It is in red font. The other text is pre-existing by-law language for context.

2.1 Attendance requirements

- a) *Regular attendance at Commission meetings is mandatory for all Commission members.*
 - i) *A member who is absent from four(4) regularly scheduled Commission meetings in any calendar year shall be deemed to have resigned from the Commission. In such event the former Commission member 's status will be noted at the next scheduled Commission meeting and shall be recorded in the Commission 's minutes. The Chairperson shall, without further direction from the Commission , apprise the Board of Supervisors of the member 's resignation and request the appointment of a replacement*
 - ii) *Each Commissioner will ensure that when s/he attends Commission-sponsored meetings (excluding Commission and Commission Committee meetings) or activities representing her/himself as a Commissioner , s/he expresses only those views approved by the Commission.*
- b) **A Commissioner's absence from a regularly scheduled Commission meeting may be excused in the case of an unforeseen, extraordinary circumstance, including but not limited to major illness, natural disaster, or civil unrest. Commissioners shall obtain consent from the Chair at least one day prior to the meeting, for any planned absences. Excused absences will be recorded in the meeting minutes as an "excused absence".**

I brought up this subject as I felt there was a need to include this language into our bylaws. Effectively, if a commissioner misses a meeting (Commission or committee meeting) due to unforeseen circumstances, extraordinary circumstances. There are so many things going on in the world and our nation right now and with COVID and so much going on in everyone’s personal lives, losing family members to COVID or cancer; or taking care of loved one’s or themselves with COVID/cancer, or a number of other conditions. There are so many extraordinary circumstances right now. I feel it is important we put this in our bylaws. For me, it was the ‘insurrection’ on January 5, 2021 and missing the main MHC meeting. There has been much work on the language for this bylaw regarding unforeseen, extraordinary circumstances. There should be something inserted into our bylaws for this type of absence.

Commissioner Comment:

- (Cmsr. B. Serwin) I would like to just clarify; no language has been sent to the Board of Supervisors (BoS).
- (Cmsr. G. Wiseman) I believe that may have been the other two items we were working on with the bylaws regarding participation in a committee and changing from 12-month to running calendar for absences. Is this something we have language to submit to the full commission for review?
- (Cmsr. J. Kincaid) Reading this language, it sounds like you really worked on this extensively. I remember, Commissioner Serwin, when you were chair, you expressed concern that it would put the chair in an uncomfortable position to say yay or nay to this kind of thing. You are comfortable with this it sounds like. I might suggest you add ‘shall obtain consent from the chair, or if the chair is unavailable, the vice-chair, at least one day prior’ as this is all hinging on one person being able to say yay or nay on a particular day? That may or may not

<p>be viable and thought we could spread it out a little to at least two people. (Response: Cmsr. G. Wiseman) That is a very good point, and my understanding of the bylaws is, if an absence like that happens; and we use the example from Commissioner May, she was unable to contact the chair that day, but subsequently did and said this was an unforeseen or extraordinary circumstance, then that would be reported back to the clerk. However, if someone has reached the point where they have missed four or more meetings, then as I read the bylaws, in terms of the responsibility of the chair/vice-chair to act.</p> <ul style="list-style-type: none"> • (Cmsr. L. May) Yes, now in some cases, I think maybe, to clarify, you don't have a day ahead of time, that is what unforeseen, extraordinary circumstances means. It is using common sense and making decisions on extraordinary circumstances. • (Cmsr. J. Kincaid) Well, we could just take out that whole sentence "Commissioner shall obtain consent from the chair at least one day prior to the meeting that will be missed" and it leave out all the language regarding an absence may be excused and would suggest adding language to say an excused absence shall not be considered an absence for the purposes of Section A, above. • (Cmsr. L. Griffin) I have a comment on the second sentence in the revised wording. We could add in: "Commissioner shall obtain consent from the chair at least one day prior to the meeting for any planned absences." It is a bit clearer. If you know, you let them know ahead of time. It flows better and is more understandable. • (Cmsr. K. Maibaum) Needed clarification on the purpose of this discussion. (Response: Cmsr. G. Wiseman) Reviewed the past two bylaw changes regarding absences of four (4) in a 12-month period (vs calendar year) and mandatory committee participation. When this came up, Cmsr. May brought up the fact that sometimes there are circumstances beyond our control and there should be a clear definition for excused absence. • (Cmsr. J. Kincaid) Request clarification on new language to vote on the proposed potential bylaw on 'excused absences...' • (Cmsr. L. Griffin) Reads proposed bylaw as revised: <i>"A Commissioner's absence from a regularly scheduled Commission meeting may be excused in the case of an unforeseen, extraordinary circumstance, including but not limited to major illness, natural disaster, or civil unrest. Commissioners shall obtain consent from the Chair at least one day prior to the meeting, for any planned absences. Excused absences will be recorded in the meeting minutes as an 'excused absence'."</i> <p>VOTE on proposed bylaw:</p> <ul style="list-style-type: none"> • B. Serwin motioned to approve the language as revised. • Seconded by J. Kincaid <p>Vote: 5-0-0 Ayes: G. Wiseman (Chair), B. Serwin (Vice-Chair), L. Griffin, J. Kincaid, L. May Abstain: none</p>	
<p>VII. DISCUSS Mental Health Commission by-law status (Cmsr. Barbara Serwin):</p> <ol style="list-style-type: none"> Send newly approved by-law changes to BHS staff to work with County Counsel to move through the review/approval process Note ability of Board of Supervisors (BOS) to independently draft and approve County Commission and Board by-laws Note BOS to review new appointment of Commissioners by-law at July meeting 	

There is a process by which proposed new bylaws and proposed bylaw changes make their way into the actual bylaws. The commission develops the proposed new bylaw (or change), once the commission has approved, it moves to County Counsel and the language is reviewed to determine legality and consistency. If there are any changes made by County Counsel or recommended, it goes back to the commission for modification; back to the county if changes are made, until everyone is happy with the language. It then moves to the Board of Supervisors (BoS) where it is voted on at a regularly scheduled meeting. We now have changes that we need to forward to County Counsel.

Secondly, the process of discussing the issue of how new commissioners are appointed to the commission, through dialogue with Supervisor Andersen and Supervisor Mitchoff, we learned that the BoS actually has the ability to independently draft and approve county Commission and Board bylaws. A complete shock to me, I had no idea. It is in the Advisory Board Handbook and it is just the way it is. Frankly, I have difficulty with it because the MHC is appointed to advise the BoS, yet here we have the BoS drafting the bylaws for the group that advises it. It's circular and the only way to take that up is to go (not to the BoS) to the next level. We have a situation where we have a proposed bylaw by Supervisor Andersen and Supervisor Mitchoff that is going to the BoS to be voted on in July that dictates how Commissioners will be appointed and it would be solely according to the individual supervisors for their specific district and not involve the MHC, unless an individual supervisor requests support for recruitment.

(Cmsr. G. Wiseman) The proposed bylaw change, I believe, goes to a legislative review committee (County Counsel) before. There is an opportunity for input from either the public or members of the MHC at that meeting (first is June 12, second is July 14). The expectation is it will be on the July 14th calendar.

(Cmsr. L. May) The BoS have already decided. The material we were reviewing stating we have the authority as commissioners to interview all applicants, decide which would be the best candidates from their respective districts to recommend to the BoS, now stating the MHC do not have that right? They will fill the positions the way they want to fill the positions. Are they implying those rules do not apply in this county? What exactly are they implying?

(Cmsr. G. Wiseman) The original intent was, while looking at the bylaws, there was an ad hoc committee clause for the MHC to review applicants, when we receive the application, we would put forth a recommendation to the Supervisor (for that district) and the Supervisor makes that decision. We do not appoint; we recommend best suited candidates. There was some verbiage added in where the Supervisor can decide whether or not they want to even engage the MHC in that process. What I would like to do is write a letter back to the Supervisors (Supervisor Andersen and Supervisor Burgis that are on that subcommittee) to request there be a suggestion/recommendation that the candidates speak with the Chair and/or Vice-Chair prior to accepting the position. We really want to make sure they understand the commitment they are making and their requirements. As I have said, we have had two commissioners resign because they did not know the expectations.

Commissioner Comment:

- (Cmsr. L. May) My feeling would be the same if this was a Board of Directors. There is too much room for nepotism, favoritism (and so on) with them just selecting randomly. There have been very qualified candidates that were passed over. This commission is not inclusive of those we service in this community. It is not a representation of the diversity of this county at all. There are two black commissioners (myself and Cmsr. Russaw), there are no Latin, Asian or Native representation on this commission. There is no diversity. When people come to these meetings and have complaints, the members of

the community feel more comfortable seeing commissioners that represent them.

- (Cmsr. G. Wiseman) We do not vote who is on our commission. It is the responsibility of the BoS. If there was someone that was qualified and passed over, that is the responsibility of the supervisor to make sure that we are reflective of the community that we represent. I wholeheartedly agree that we should be really a great representation of our community because, as we all know, mental health doesn't care if you're 'short or tall, round or small, it touches us all'. If we are to, as an Executive Committee, decide. Do we want to write a letter that states as the Executive Committee or encourage the entire MHC to notify our supervisors that we want to add in that there is some sort of screening through the MHC or part of the interview process or be some inclusion? If that is the case, we need someone to author a proposal and we can vote on it. As it stands now, it will be going to the legislative committee, and then to the full Board for vote as it stands.
- (Cmsr. L. May) I will make a motion that we add in additional language that involves the entire commission (not just the Executive Committee, but all commissioners) that any proposed language would include the MHC as part of the interview and selection process for future commissioners.
- (Cmsr. G. Wiseman) Currently we can only interview, we have no role in the selection. (Cmsr. L. May) Interview and make recommendations that we feel would be a good fit with the MHC and create a robust and healthy commission.
- (Cmsr. B. Serwin) I'd like to suggest we go back (not reinvent the wheel) but go back to the existing language that are in the bylaws regarding the role of the Commission and just remove the sentence that reads 'at the discretion of' because it states at the will of the BoS, commissioners shall participate. When Supv. Mitchoff and Andersen argued that there will is that we do not participate and so we can't. If we just remove that line, it will give us the power to what we've said we would like to do, and that is recruit, interview and make recommendations.
- (Cmsr. J. Kincaid) That language has to be approved by the BoS, following the vetting by the County Counsel. They are not likely to approve that.
- (Cmsr. B. Serwin) If we are going to write a letter and make a stance, I am suggesting what we would say is: we would like to stick with the original verbiage sans 'at the discretion of' and this was how it worked until the bylaws were last changed. Supervisor Mitchoff decided she didn't want commissioners involved with her appointees and was on the commission at that time, made a very large statement and so, the BoS added the verbiage. So, it has had it working both ways.
- (Pamela Perls) I certainly don't have a vote in this, but I thought I would mention just listening to all of you, that I would urge you to go for the stronger stance, which is what Barbara was stating and would also urge you to add in what Commissioner May was speaking to, the concern with the lack of diversity in the commission. I belong to a goodly number of advocacy groups and one of the BoS appointed a respected member of the community to represent the Asian vote (so to speak) and he was a businessman who had absolutely no knowledge of the work of our advocacy group. He has been useless. He takes up space for another person that would be more representative and enthusiastic in participating and doing the work required. He's an admired businessman and is meaningless. We had no choice. I would urge you to go for more. Andersen is my Supervisor, so I would love to advocate for you.
- (Cmsr. G. Wiseman) Thank you, we have used up our allotted time on this issue. Might I suggest continuing this next month? (Cmsr. L. May) You stated the BoS is meeting June 12? (Cmsr. G. Wiseman) It was not expected to be on the calendar until July 14th We can seek clarification from Supv. Andersen's office, Mr. Pruettt are you able to answer to this? (Dom Pruettt) Yes, those dates are correct. It is on the June 12 agenda for the Internal Operations (IO) committee.

<ul style="list-style-type: none"> (Cmsr. L. May / Cmsr. G. Wiseman) Vote to consolidate our concerns in a letter to be sent by the Full Mental Health Commission. Cmsr. L. May to write the letter to Supervisor Andersen. The EA will need the letter by no later than 1:00pm on Friday, May 28th for submittal to the MHC meeting packet. 	
<p>VIII. DISCUSS Retreat – theme, content, format, date/time options</p> <p>In past years, this has been held at the Pipefitters Union in Martinez, or one of the other offices. Last year, due to COVID, it was not an in-person event. Hopefully, we can have an in-person event this year. We should discuss the theme, content, and approximate date this would be convenient for the most amount of people.</p> <p>Recommendations for Date: October in the past has worked well. November gets busy, as well as December with the holidays. We have had good attendance in October.</p> <p>Recommendation for Theme: Recovery. (Cmsr. Wiseman) Recovery from the social trauma we have all been in for the past 18 months. As we have gone through this pandemic/shelter-in-place, I just had a conversation with a city council member. The question was, “why are we not seeing numbers like they are seeing in Canada for suicide attempt going up 100% in youth, opioid and drug overdoses going up over 200%?”</p> <p>I mentioned to her that the last person in this county that spoke up about youth suicide lost his job. That may have a bearing on who says what about this topic in the county. I only have information from other counties, because apparently we don’t really collect that here. I am a firm believer, that for us to improve, we need to know where we are. So, I think the more information we gather on what is going on with mental health in our county, the more we can measure it and improve upon it. I am not a big fan of anecdotal, but rather have hard facts. We need to know where we are and then launch forward.</p> <p>(Cmsr. L. May) We need to really know, how many people were served and why were not more served during the pandemic with all the agencies in this county, the numbers should have been tripled (in some cases quadrupled), the number of those served due to the pandemic. This was the most serious crisis I have seen in my lifetime. We should have served way more people. “How many did we serve?” “Were we effective?” Did we even come close to meeting previous benchmarks? What did we do?</p> <p>(Cmsr. J. Kincaid) I just wanted to clarify in 2018, the retreat was on September 26th and 2019 it was on October 2nd.</p> <p>(Cmsr. B. Serwin) Over the last few years, there has been a focus on coming together. Working in a very collaborative effort with BHS. We invited very broadly across BHS from many different roles. Last year, we took it a step further with the notion of working together, a collaboration a step further and involving bringing CBOs into the fold. We had a lot of positive feedback from the CBOs in terms of what it felt like to be involved and that they really valued it. When I think of Recovery and interested in data, what we did as a county to support our community, involving CBOs again would be a good idea. They are a big part of who our providers are.</p> <p>(Cmsr. L. Griffin) Accountability. There is no accountability. We don’t have the numbers on the suicide rate. We have no idea where we are, what we did, did we do it right? So, accountability. Who’s accountable for all this? Right? Maybe that isn’t ‘politically’ the right theme word. But that is what I’m looking for when you mentioned recovery.</p> <p>(Cmsr. B. Serwin) Time? Half-day retreat replacing the standard Commission meeting? (Cmsr. G. Wiseman) Substitute a regular Commission meeting with a half day meeting in person. Suggest 3:00 pm to 6:00 pm.</p>	

<p>Rough Outline: Wednesday, October 6th from 3:00pm to 6:00 pm. Theme: Accountability and Recovery. We will need to seek funding and EA to research? Discuss next meetings in June.</p>	
<p>IX. RECEIVE update on the Crisis Intervention Rapid Improvement Event (RIE), where we are in the process, key elements, Barbara Serwin, Vice-Chair, Contra Costa County Mental Health Commission.</p> <p>Running short of time, all I would say that is important is that we are moving into the third (and final) Rapid Improvement Event (RIE). What is happening currently is a design team is trying to put together a proof of concept that is an end-to-end solution from first picking up the call by some virtual Hub/bank of callers to triage to see if it should go to MCRT or over to the access line to set up an appointment. MCRT going out to collect information about the patient or client, as they go out, looking at their medical/mental health information to the field visit with a few different types of teams (possibly law enforcement if necessary), peer support or medical transport. Whatever is most appropriate for a variety of situations.</p> <p>If it was a 5150, were they able to take the client to someplace other than PES, or Detention? The project is looking at alternate destinations. At the same time, the City Managers, BoS and those on the leadership team and responsible for ultimately deciding about what happens with the recommendation that comes out of the design phase. They have been pushing on numbers. They hired a consultant to try to pull together numbers on what this would cost internally within the design team and the design team has been tasked with coming up with numbers to model what the expense would be for a new system that had nine (9) teams rather than three (3) teams for 24/7 coverage across the county. It is a considerably larger expense.</p> <p>There is a lot of pressure on that, and I am unsure why the intense pressure, but the feeling is that it is simply needing to be done sooner than later and let's just run with it. That could be a good thing (or a bad thing) as this is not a simple system to put together.</p>	
<p>X. DISCUSS Commission membership: New, departed/departing, applications</p> <p>This was covered a bit earlier during the commissioner comments at the beginning of the meeting and during bylaw discussions.</p> <ul style="list-style-type: none"> • Commissioner Kincaid is not seeking reappointment of his seat and his term ends June 30, 2021. • Commissioner Coyle resigned due to conflict of interest. • Commissioner Lewis and Commissioner Monterrey stepped down due to time commitment. <p>We have five open seats:</p> <ul style="list-style-type: none"> • District I – Member-At-Large (VACANT) • District II – Family Member (Vacant as of 7/1/21) • District III – Consumer (VACANT) • District III – Member-At-Large (VACANT) • District IV – Consumer (VACANT) 	

<p>XI. DETERMINE June 2021 Mental Health Commission Meeting Agenda</p> <ul style="list-style-type: none"> • “Get to know your Commissioner” (Commissioners Wiseman and May) • RECEIVE Presentation of External Quality Review Organization (EQRO) Report, Priscilla Aguirre, MPP, Quality Management Program Coordinator, Quality Improvement & Assurance Unit, Contra Costa County • RECEIVE Presentation on Site Visit Program, Commissioner Laura Griffin, Commissioner Leslie May, and Commissioner Barbara Serwin, Quality of Care Committee • DISCUSS and VOTE on by-laws changes: <ul style="list-style-type: none"> ✓ Potential by-law on excused absence from MHC meeting due to unforeseen, extraordinary circumstances, Commissioner Leslie May, Contra Costa County Mental Health Commission • DISCUSS MHC 2021 Retreat – Get feedback on theme, content, format, date/time options • Behavioral Health Services Director’s Report (Move up on the agenda item to allow for more time) <p>Agenda items agreed/approved.</p>	
<p>XII. Adjourned meeting at 5:01 pm</p>	