

Mental Health Treatment Act Citizen's Oversight Committee

Mendocino County Administration Center
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January 23, 2019 Minutes

AGENDA ITEM NO. 1 – CALL TO ORDER AND ROLL CALL (1:00 P.M.)

Committee Members Present: Mr. Thomas Allman; Ms. Carmel J. Angelo; Dr. Ace Barash; Mr. Jed Diamond; Mr. Ross Liberty; Ms. Jan McGourty; Dr. Jenine Miller; Ms. Donna Moschetti; Ms. Shannon Riley; and Mr. Lloyd Weer.

COMMITTEE MEMBER MERTLE PRESENT: 1:02 P.M.

2) PUBLIC EXPRESSION

Presenter/s: Dr. Marvin Trotter.

3) COMMITTEE MATTERS

3a) Approval of Minutes from December 31, 2018, Meeting

Presenter/s: Chair Barash.

Public Comment: None.

Committee Action: Upon motion by Member Moschetti, second by Member Diamond, and carried unanimously, IT IS ORDERED that the December 18, 2019, minutes are hereby approved.

3b) Election of Vice-Chair of the Mental Health Treatment Act Citizen's Oversight Committee

Presenter/s: Chair Barash.

Public Comment: None.

Committee Action: Upon motion by Member Diamond, second by Member Liberty, and carried unanimously, IT IS ORDERED that Member Moschetti is hereby appointed as Vice-Chair of the Mental Health Treatment Act Citizen's Oversight Committee.

3c) Discussion and Possible Action Regarding Expenditure Report on Measure B Tax Funds

Presenter/s: Auditor-Controller Weer.

Public Comment: Ms. Carole Hester.

Auditor-Controller Weer provided an update on the Expenditure Report. He stated that the only change from the December report was the addition of the October tax proceeds in the amount of \$652,942.00, which brought the total tax proceeds \$4,711,904.00, to date. He continued by stating that there are no new expenditures, and to-date interest was \$3,400.00, for a current total fund balance of \$4,516,255.00

Committee Action: No action taken.

3d) Discussion and Possible Action Regarding Update from County Counsel Regarding Legal Issues Raised by the Committee

Presenter/s: Ms. Katharine L. Elliott, County Counsel.

Public Comment: Ms. Carole Hester; and Mr. John McCowen.

Ms. Elliott reported that the Board of Supervisors unanimously approved County Counsel's participation in the Committee without any charge to the Measure B fund. She continued that she had received questions from the Committee regarding outstanding legal issues. The first question was, "*A legal opinion regarding the City of Willits claims as to jurisdiction over utilizing the old Howard Hospital as a Psychiatric Health Facility (PHF).*" She continued that as this question was posed by Member Liberty, she had met with Mr. Liberty prior to the meeting to discuss some of the complications. She continued that her simple answer was that the County oversees County-owned property, and the County is subject to County rules, and not City rules. Her secondary answer was, depending on what type of certification is sought from the State, the State could impose local restrictions from the local entity.

The second question addressed by Ms. Elliott was, "*The Board of Supervisors legal ability to spend Measure B funds on building and/or improving facilities not owned by the County.*" Ms. Elliott stated that the County can give money to enhance a building not owned by the County, and it would not be considered a gift of public funds if it the money was given for public good. She continued that although it is possible, she would recommend against it as the County would not have future legal oversight of the facility. Discussion ensued regarding current ownership of the Old Howard Hospital, a potential partnership with Adventist Health, the Orchard Avenue property, and the potential ability for the County to enter into long-term contracts for operations in non-county owned buildings.

The third question presented to Ms. Elliot was, "*Conditions in which Measure B funds could be used for construction of facilities without paying prevailing wage rates.*" Ms. Elliott responded that there were no conditions, if the facility being constructed was a County building, the County would be required to pay prevailing wages. Mr. Mertle then raised the question would the same situation apply if the money was donated to a business to improve their building. Ms. Elliott stated that she could not answer that question on behalf of the recipient of the funds, as they may have their own particular requirements.

Committee Action: No action taken.

3e) Discussion and Possible Action Including Review of Kemper Report, as Recommended by the Behavioral Health Advisory Board and Adoption of Recommendations Contained Therein

Presenter/s: Member McGourty.

Public Comment: Mr. John Haschak; Mr. John McCowen; and Ms. Camille Schraeder.

Ms. McGourty opened by stating that, at the Committee's request, Mr. Kemper did an analysis of the County behavioral health needs and provided specific recommendations based on their report. She continued that the Behavioral Health Advisory Board (BHAB) reviewed the report in depth, and the Committee should as well. She stated that the BHAB found that some of the contained recommendations were general and others vague, so Ms. McGourty prepared a study guide to better approach the report. She began the review by directing the Committee to the Program Services area, and the need for a Psychiatric Health Facility (PHF) or other inpatient psychiatric care facility created. She continued that the Committee had previously discussed the need for a Request for Proposal (RFP), or a Request for Information (RFI). The Committee discussed the difference between each request, and the need to determine the most practical and useful next step. Discussion ensued regarding the recommendations contained in the Kemper Report and the need for a guide and/or a strategic plan to help prioritize the committee's future actions.

The question was raised as to which was the top priority of each committee member. Each member then in turn stated their top priority/priorities. Those receiving the highest mentions in the following order were Psychiatric Health Facility; Crisis Residential; and Crisis Stabilization.

Committee Action: Upon motion by Member Diamond, Second by Sheriff Allman, and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizen's Advisory Committee hereby accepts the Kemper Report as a guideline for the Committee to make recommendations to the Board of Supervisors regarding program, priority and funding.

3f) Discussion and Possible Action Including Approval of Recommendation to the Board of Supervisors Regarding a Request for Proposal (RFP) for a Biddable Design of a Combined Residential, Crisis Stabilization and Crisis Access Facility in the Ukiah Valley

Presenter/s: Chair Barash.

Public Comment: Mr. John McCowen; Ms. Tammy Moss Chandler; and Mr. Dan Anderson.

Chair Barash began the discussion regarding the need for the Committee to move forward with a crisis residential stabilization unit. He continued that the Board of Supervisors had already approved it, and that the Committee ultimately needed to determine whether they approved utilization of Measure B funds for the project; and how to proceed with an RFP for a biddable design or design/build, and the possible locations for such facility. It was suggested that one possible approach could be that the Committee make a recommendation to the Board of Supervisors to move forward with research of crisis stabilization in a crisis residential unit.

At the Committee's request, Mr. McCowen provided some clarity regarding previous Board of Supervisors action in respect to the Orchard Avenue building. Mr. McCowen stated that the Board had supported a grant application that had not been funded. Ms. Moss Chandler directed the Committee members to the agenda packet, which contained all previous Board of Supervisors actions. She continued by clarifying the previous actions related to the Orchard Street property. Clarification regarding the funds used to purchase the property, the current status of the property, as well as the fact that there were not any restrictions was provided by Mr. Anderson of Redwood Community Services.

CHAIR BARASH PASSED THE GAVEL TO VICE-CHAIR MOSCHETTI. CHAIR MOSCHETTI PRESIDING.

Committee Action: Upon motion by Member Angelo, second by Member Barash, and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizen's Oversight Committee makes recommendation to the Mendocino County Board of Supervisors to explore utilizing Measure B funds for the development of a Crisis Stabilization and Crisis Residential Facility and a 24-hour Psychiatric Facility. Further, that the Board of Supervisors direct staff to research options associated with such facility including design/bid/build and potential property or facility locations.

CHAIR BARASH PRESIDING

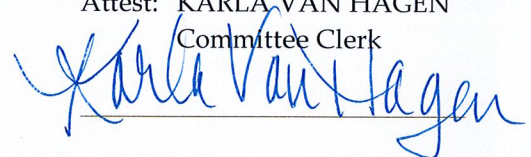
4 COMMITTEE MEMBER REPORTS

4a Committee Member Reports Regarding Items of General Interest

5 ADJOURNMENT

THERE BEING NOTHING FURTHER, THE MENTAL HEALTH TREATMENT ACT CITIZENS OVERSIGHT COMMITTEE ADJOURNED AT 3:20 P.M.

Attest: KARLA VAN HAGEN
Committee Clerk



The Committee complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting materials available in appropriate formats (pursuant to Government Code section 54953.2) Anyone requiring reasonable accommodation to participate in the meeting should contact the Committee clerk by calling (707) 463-4441 at least five days prior to the meeting.

Additional information regarding the Committee may be obtained by referencing: www.mendocinocounty.org/community/mental-health-oversight-committee