

Mental Health Treatment Act Citizens Oversight Committee

Mendocino County Offsite and Online due to COVID-19
Phone: (707) 510-6637 and Email: measureb@mendocinocounty.org

MEETING AGENDA

Zoom Video Conferencing, Login - <https://us04web.zoom.us/j/9221607955>

(Copy and Paste Link into your Browser)

Wednesday, April 22, 2020, at 1:00 P.M.

Teleconferencing to be hosted from 1075 S. Main St. in Willits, CA

All other participants will be calling in from Fort Bragg, CA; Willits, CA; and Ukiah, CA

Due to COVID-19 Social Distancing requirements, the public is invited to participate ONLINE ONLY

1. OPEN SESSION/ROLL CALL

2. PUBLIC EXPRESSION

Members of the public are welcome to address the Committee on items not listed on the agenda but within the jurisdiction of the Committee. The Committee is prohibited by law from taking action on matters, not on the agenda but may ask questions to clarify the speaker's comment. The Committee limits testimony on matters not on the agenda to three minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Committee.

To best facilitate these items, please write your topic to measureb@mendocinocounty.org

All meetings are recorded.

Once your item is announced, please state your first and last name.

3. COMMITTEE MATTERS

3a) Approval of Minutes from the February 26, 2020 Meeting

3b) Discussion and Possible Action Regarding an Update on the Novel Coronavirus (COVID-19), Including Essential Services in Mendocino County, Operational Preparation and Response, an Update on County Continuity of Operations and Services, and the Need for Increased Mental Health Services due to the COVID-19 Event.

3c) Discussion and Possible Action Regarding a Recommendation From the Mental

Mental Health Treatment Act

Citizens Oversight Committee

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Health Treatment Act Citizens Oversight Committee to the Board of Supervisors to Allocate Measure B Funds From the Services and Operations Allotment to Local Community Based Agencies in Order to Support and Extend Current and Local Behavior Health Services.

- 3d) Discussion and Possible Action Regarding Request to the Behavioral Health Advisory Board to Provide Recommendations on Prevention and Early Intervention Service Gaps and Possible Programs that Could be Funded Through Measure B
- 3e) Discussion and Possible Action of Potential Additional Creation of Regional Behavioral Health Training Facility Ad Hoc Committee Group; Provide Direction for this Ad Hoc Committee to Formulate A Regional and/or County Enhanced Training Program and Training Schedule for the Regional Behavioral Health Training Facility
- 3f) Discussion and Possible Action from the Regional Behavioral Health Training Facility Ad Hoc Committee Regarding Update of Outline Plan Describing Relevant Details of Allocated Funds to Finalize Improvements to the Regional Behavioral Health Training Center Before Expenditure
- 3g) Discussion and Possible Action Regarding the Transition from Phase Two to Phase Three Concerning the Measure B Training Center and Timeline, Including Request for Suggestion of Measure B funds to the Board of Supervisors to Support Measure B Infrastructure, Transparency, and Common Understanding through Cloud Accessible Project Manager Software

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

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- 3i) Discussion and Possible Action Regarding Report from the Kemper Report Ad Hoc Committee
- 3j) Discussion and Update Regarding Approval of Request from Mental Health Treatment Act Citizens Advisory Committee for Board of Supervisors to Direct County Counsel to Conduct Legal Evaluation, Research Analysis, and Assessment of Adventist Health Partnership Legality; Including Restriction, Necessary Control, Implications, and Compliance Regarding the Possible Use of Public Tax Dollars to Fund Operations of a Private Entity
- 3k) Discussion and Update Regarding the CRT or Crisis Residential Facility
- 3l) Update Concerning December 10, 2019, Board of Supervisors Meeting Regarding Direction to Perform an Operational Feasibility Study of Proposed Measure B Funded Facilities
- 4. COMMITTEE MEMBER REPORTS
 - 4a) Committee Member Reports regarding Items of General Interest
- 5. COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the Clerk throughout the Committee proceedings. To review items described in this section, please contact the Committee Clerk at measureb@mendocinocounty.org

ADJOURNMENT

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) 510-6637 at least five days prior to the Meeting. Additional information regarding

Mental Health Treatment Act

Citizens Oversight Committee

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the Committee can be obtained by referencing:
www.mendocinocounty.org/community/mental-healthoversight-committee

For information regarding the Brown Act for offsite/online public meetings, visit:
<https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf>

**MENTAL HEALTH TREATMENT ACT
CITIZEN'S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3a

Meeting Date:	4/22/2020
Contact:	Alyson Bailey, Committee Clerk
Time Allocated for Item: 5 mins	

AGENDA TITLE:

Approval of Minutes of the February 26, 2020 Meeting.

**Mental Health Treatment Act
Citizens Oversight Committee**
Mendocino County Administration Center
501 Low Gap Road, Room 1010
Ukiah, CA 95482
707.463.4441
measureb@mendocinocounty.org

February 26, 2020 Minutes

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

Committee Members Present: Mr. Thomas Allman; Dr. Ace Barash; Mr. Mark Mertle; Mr. Lloyd Weer, Mr. Ross Liberty, Ms. Carmel J. Angelo, Dr. Jenine Miller; Ms. Donna Moschetti; Ms. Meeka Ferretta; and Ms. Shannon Riley.

Committee Members Absent: Mr. Jed Diamond.

2. PUBLIC EXPRESSION

Presenter/s: Ms. Joanne Monahan; Mr. Jonathan Davis, Ms. Emmie Good, and Mr. Freddy Long.

3. COMMITTEE MATTERS

3a) Approval of Minutes of the January 22, 2020, Meeting

Presenter/s: Ms. Sarah Dukett, Committee Clerk.

Public Comment: None.

Committee Action: Upon motion by Member Riley, seconded by Member Angelo, and carried with Member Mertle abstaining, IT IS ORDERED that the Minutes of the January 22, 2020, meeting, are hereby approved, with the deletion of Member Shannon Riley's name under item 2, "Public Expression."

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

Presenter/s: Member Lloyd Weer.

Public Comment: None.

Auditor-Controller Weer reported that the life to date revenue was \$13,921,948; to date expenses were \$523,573; and interest earned was \$165,476; for a total current balance of \$13,563,851 Member Weer provided clarity on expenses for Nash Gonzalez and Verizon Wireless. Sarah Dukett clarified the contract expense for Sarah Riley.

Member Liberty requested a further detailed expense report. Sarah Dukett confirmed it can be provided at the next meeting.

Committee Action: None

3c) Discussion and Possible Action Regarding Update on Measure B Project Manager and Potential Need for Additional Measure B Project Staff Support

Presenter/s: Member Angelo.

Public Comment: Mr. Freddy Long; and Ms. Sherrie Ebyam.

Member Angelo announced the hiring of the new Project Manager, Alyson Bailey, who began employment with the County on February 24, 2020. Alyson Bailey introduced herself and gave a brief background on her experience. Member Angelo presented the need for hiring of additional staff to assist the Project Manager, specifically an analyst and staff assistant. There were questions from Committee Members Mertle, Riley, Ferretta, and Allman. Member Angelo and Project Manager Bailey responded to the questions.

Committee Action: Upon motion by Member Angelo, seconded by Member Allman, and carried unanimously, IT IS ORDERED that the Measure B Committee recommend to the Board of Supervisors that the Measure B Project Manager hire one analyst and one part-time staff assistant at .25 FTE.

3d) Discussion and Possible Action Regarding Scheduling Details of Meetings on the Coast and Willits for the 2020 Calendar

Presenter/s: Chair Moschetti.

Public Comment: None.

Chair Moschetti presented the item to have a meeting in Fort Bragg and in Willits during 2020. Member Mertle confirmed that July 22, 2020, at the Fort Bragg Town Hall is available and paperwork is being finalized to secure the location. The September 23, 2020 Committee meeting will be held in Willits, with a location to be determined by staff. The updated calendar can be posted on the Measure B website and distributed to the Committee members.

Committee Action: Upon motion by Member Angelo, seconded by Member Weer, and carried unanimously, IT IS ORDERED that the 2020 meeting calendar is accepted with the July 22, 2020 meeting to be held at the Fort Bragg Town Hall and the September 23, 2020 meeting to be held in Willits, at a location to be determined.

3e) Discussion and Update Regarding Approval of Request from Mental Health Treatment Act Citizen's Advisory Committee for Board of Supervisors to Direct County Counsel to Conduct Legal Evaluation, Research Analysis and Assessment of Adventist Health Partnership Legality; Including Restriction, Necessary Control, Implications, and Compliance Regarding the Possible Use of Public Tax Dollars to Fund Operations of a Private Entity

Presenter/s: Ms. Sarah Dukett.

Public Comment: Ms. Josephine Silva.

Sarah Dukett advised this is a carryover item from the last meeting. Acting County Counsel Christian Curtis provided a verbal update, advising the Committee that the opinion is not yet complete, but should be soon. Member Allman requested the opinion be distributed to the Committee as soon as it is ready. Counsel Curtis advised that if the Board of Supervisors waives privilege, the opinion could be made available to the Committee before the next Measure B meeting.

3f) Update Regarding December 10, 2019, Board of Supervisors Meeting Regarding Direction to Perform an Operational Feasibility Study of Proposed Measure B Funded Facilities

Presenter/s: Member Angelo

Public Comment: Ms. Linda Posner.

Member Angelo presented this item, advising it is two-fold: 1) the proposal from Adventist Health; and 2) the request by the Board of Supervisors and this Committee that we look at what is the cost of operations for three different treatment models.

Member Angelo is working with Adventist Health and has spoken with the CEO for Adventist Health, Jason Wells, numerous times, and will be meeting with Member Dr. Barash after today's meeting. Member Angelo hopes to have something from Adventist Health within the next 30 days. This will be part of the operational feasible study, not the whole study.

Member Angelo further advises, again, that Lee Kemper is not available to assist. She is outreaching to a contractor consultant in hopes of getting a proposal for them to do this work.

Member Mertle asked about the Committee's past approval to have an RFP done to solicit operations of a CRT, CSU and PHF unit. Member Angelo will look into this past item and suggested that if the Committee does not have a consultant on board by the next meeting, then we can issue an RFP.

Committee Action: None.

3g) Discussion and Possible Action Regarding Update on Status of the Architect

Presenter/s: Sarah Dukett

Public Comment: Mr. Freddy Long; Ms. Emmie Good; Mr. Jonathan Davis; Ms. Jo Bradley; Ms. Linda Posner; and Ms. Josephine Silva.

An update was provided by Sarah Dukett. On February 11 and 12, 2020, staff had a kick off meeting with Nacht and Lewis for Phase 1 of the architect contract, which is focused on a Crisis Residential Treatment Center, which is hoped to be up and running by November 1, 2021, in order to meet the CHFFA deadline. Day one focused on project understanding and expectations, design team approach, the organizational structure, and visioning. Day two of the kickoff focused on the Crisis Residential Treatment room programming and starting on the various layouts for the Orchard Avenue site. Staff will be meeting again on March 4, 2020, to look at a number of the CRT designs. Staff is also in the process of setting up site tours for CRTs that are a similar size to us around the same time with the contractor.

Ms. Dukett also explained that it has been requested that Nacht and Lewis look at the size of the CRT and

what would need to be done, if we are looking at 8-10 beds, to be able to expand to 10 beds if the need in our community is there. Nacht and Lewis will continue to explore the CSU as part of the feasibility and look at a Psychiatric Health Facility and Crisis Stabilization and where would be the best location to build and what the cost would be. At this time, the group is talking about two separate facilities, but nothing has been ruled out.

Committee Action: None.

3h) Update regarding California Health Facilities Finance Authority (CHFFA) Grant for Crisis Residential Treatment Facility

Presenter/s: Member Miller

Public Comment: Mr. Freddy Long; Ms. Linda Posner, and Supervisor John Haschak.

Member Miller provided a brief update. They will go back to CHFAA in April, 2020. She is positive they will be able to keep the milestones set by CHFAA in order to keep the \$500,000. Part of the conversations with the architect is about stakeholder groups and making sure we get consumer feedback. Member Miller is including in the conversations the topic of how we incorporate some of the client artwork into the themes as the group creates these facilities.

Committee Action: None.

3i) Discussion and Possible Action From the Regional Behavioral Health Training Facility Ad Hoc Committee Regarding Update of Outline Plan Describing Relevant Details of Allocated Funds to Finalize Improvements to the Regional Behavioral Health Training Center Before Expenditure

Presenter/s: Member Miller and Member Allman

Public Comment: Ms. Sherrie Ebyam; Ms. Emmie Good; and Supervisor John Haschak.

Member Miller and Miller Allman provided the Committee with an update. The ad hoc committee has met to begin talking about how to get the training center where they want it to go and what does the remodel look like. This needs to be done in two phases. The ad hoc needs to go back before the Board of Supervisors with a plan on how they are spending the \$200,000, which is outlined in the plan provided to the Committee with this agenda item. Phase 1 on the outline explains how the first \$50,000 has been spent. Phase 2 outlines how the additional \$200,000 will be spent, if approved by the Board of Supervisors. The Committee was provided with an outline of monthly operating expenses for the facility. Behavioral Health is funding some items for the facility. It is hoped that the Project Manager can develop a plan to be able to charge a fee for people to use the facility to help recoup some of the monthly operation expenses. The facility also needs to be made ADA compliant.

Sarah Dukett provided additional details of work that has been done and work that still needs to be performed. The ad hoc is being strategic with the Phase 1 dollars and trying to get everything that is needed for basic operation so there is some flexibility between the totality of the \$250,000. It is hoped that the facility may be up and running at the Phase 1 level by the end of March 2020.

Member Liberty voiced concerns regarding the budget to get this facility finished under \$500,000. Member Allman advised that these are the most expensive estimates and the County is trying to find the least expensive options. He believes the expenses will be less than as presented.

Committee Action: Upon motion by Member Allman, seconded by Member Mertle, and carried unanimously, IT IS ORDERED that the building plan and operational cost for the training facility be approved by the Measure B Committee and shall be presented to the Board of Supervisors for authorization.

3j) Discussion and Possible Action of Potential Additional Creation of Regional Behavioral Health Training Facility Ad Hoc Committee Group; Provide Direction for this Ad Hoc Committee to Formulate A Regional and/or County Enhanced Training Program and Training Schedule for the Regional Behavioral Health Training Facility; And the Addition of this Ad Hoc Group to existing Regional Behavioral Health Training Facility Ad Hoc Committee

Presenter/s: Member Riley

Public Comment: Ms. Carol Hester; and Ms. Jo Bradley.

Member Riley spoke to this item, advising she had concern about adding a \$500,000 conference room to the County's facilities and not expanding the behavioral health/mental health training programs that accompany it. Member Riley had requested an ad hoc be formed to develop an enhanced training program that could be used in conjunction with the new facility. Member Miller expressed concern regarding how the cost of this will be covered. Member Allman would like to discuss with the project manager who the stakeholders are and carry this item forward on the next month's agenda to be able to form the ad hoc committee and move forward. Sarah Dukett agrees this item should be continued to the next Committee meeting.

The committee also confirmed the official name of the training facility is "Regional Behavioral Health Training Facility."

Committee Action: None.

3k) Discussion and Possible Action Regarding Report from the Kemper Report Ad Hoc Committee

Presenter/s: Member Miller.

Public Comment: None.

Member Miller advises the ad hoc is next meeting on March 6, 2020. The focus will be on the strategic plan and a prudent reserve. The ad hoc would like to add Meeka Ferretta.

Committee Action: Upon motion by Member Miller, seconded by Member Angelo, and carried unanimously, IT IS ORDERED that Member Meeka Ferretta be added to the Kemper Report Ad Hoc Committee.

3l) Discussion and Possible Action Regarding Requesting the Behavioral Health Advisory Board Provide Recommendations on Prevention and Early Intervention Service Gaps and Possible Programs that Could be Funded Through Measure B

Presenter: Member Liberty

Public Comment: Supervisor John Haschak; Mr. Mills Matheson; Ms. Maureen Mulheren; and Ms. Emmie Good

Member Liberty presented this item and addressed his concerns that the Committee has not been able to get any brick-and-mortar going or fund services such as MOPS. The other concern is how to address mental health issues before they get into a crisis point. Member Liberty would like to request that the Behavioral Health Advisory Board give some recommendations on these issues. Member Riley will send research on the Cahoots Program prepared by the Ukiah Police Department to Member Miller.

Member Angelo supports this item and having the Behavioral Health Advisory Board bringing information to the Measure B Committee. She suggests that at some time in the near future a joint meeting between the Behavioral Health Advisory Board and the Measure B Committee be scheduled, with the Board of Supervisors approval. Member Angelo also envisions the project manager creating org charts that show what the Behavioral Health Advisory Board is accountable and responsible for and what the Measure B Committee is response for, and then ultimately everything would be under the authority of the Board of Supervisors.

Committee Action: Upon motion by Member Liberty, seconded by Member Angelo, and carried unanimously, IT IS ORDERED that the Measure B Committee request the Behavioral Health Advisory Board provide recommendations on prevention and early intervention service gaps and possible programs that could be funded through Measure B, and that Member Ferretta will report back to the Measure B Committee at the March, 2020 meeting based on the discussion with the Behavioral Health Advisory Board.

4. COMMITTEE MEMBER REPORTS

4a) Committee Member Reports Regarding Items of General Interest

Public Comment: None.

Chair Moschetti announced that the County Information Services staff has created a new website URL for Measure B: www.mendocinocounty.org/measureb

5. ADJOURNMENT

THERE BEING NOTHING FURTHER, THE MENTAL HEALTH TREATMENT ACT CITIZENS OVERSIGHT COMMITTEE ADJOURNED AT 3:22 P.M.

Attest: Sarah Dukett
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*

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3b

Meeting Date:	4/22/2020
Contact:	Carmel J. Angelo, Chief Executive Officer
Time Allocated for Item: 10 minutes	

AGENDA TITLE: Discussion and Possible Action Regarding an Update on the Novel Coronavirus (COVID-19), Including Essential Services in Mendocino County, Operational Preparation and Response, an Update on County Continuity of Operations and Services, and the Need for Increased Mental Health Services due to the COVID-19 Event

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

Mendocino County Public Health has been actively responding to the threat of COVID-19 since early January 2020. On March 4, 2020, Mendocino County declared a local health emergency due to the COVID-19 pandemic.

Mendocino County Public Health confirmed the first case of the coronavirus (COVID-19) in Mendocino County on March 18, 2020; currently, Mendocino County has had four positive cases, all of which have recovered. On this date, the Mendocino County Health Officer issued a Health Order directing all county residents to Shelter-In-Place, effective starting from March 18, 2020 at 10 p.m. until April 7, 2020 at 11:59 p.m. Since that time, revised orders were issued with the most recent issued on April 10, 2020.

On March 24, 2020, Governor Gavin Newsom released California’s Sheltering in Place Order which had an open-ended date and more restrictions than Mendocino County’s original SIP. County SIP orders can be more restrictive, not less restrictive, than the Governor’s order. On March 24, 2020, Dr. Doohan issued a new SIP order reflecting the increased restrictions mandated by the State and the open-ended date in the Governors order.

The April 10, 2020, third revised SIP order will be in place until May 10, 2020. The major changes to the Order include new directives on essential activities including outdoor recreation, funerals, essential businesses, social distancing protocols for businesses and organizations, and live-streaming events. The order is enforceable by imprisonment and/or fine thus we urge all residents to closely read the order and follow it. Behavioral Health Director/Committee Member Jenine Miller will provide the Committee with an update regarding what mental health services are currently being offered and the need for increased services due to the COVID-19 event.

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3c

Meeting Date:	4/22/2020
Contact:	Carmel J. Angelo, Chief Executive Officer
Time Allocated for Item: 10 minutes	

AGENDA TITLE:

Discussion and Possible Action Regarding a Recommendation From the Mental Health Treatment Act Citizens Oversight Committee to the Board of Supervisors to Allocate Measure B Funds From the Services and Operations Allotment to Local Community Based Agencies in Order to Support and Extend Current and Local Behavior Health Services

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

Member Angelo proposes the Committee make a recommendation to the Board of Supervisors to allocate Measure B Funds, in an amount not to exceed \$1,000,000.00 (one million dollars), to local community-based agencies. These funds would be allocated from the services and operations allotment and would be used to support and extend current and local Behavioral Health Services which are being impacted due to the COVID-19 event. The funds may be reimbursed to Measure B in the event there is Federal COVID-19 funding available.

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3d

Meeting Date:	4/22/2020
Contact:	Ross Liberty, Committee Member; Meeka Ferretta, Committee Member
Time Allocated for Item:10 minutes	

AGENDA TITLE:

Discussion and Possible Action Regarding Request to the Behavioral Health Advisory Board to Provide Recommendations on Prevention and Early Intervention Service Gaps and Possible Programs that Could be Funded Through Measure B

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

Improved prevention and early intervention could provide near term benefits to the community, clients and other stakeholders as continued work is done regarding the possibility of facilities. The Behavioral Health Advisory Board provides recommendations on matters concerning mental health services in the County. Utilizing that Board's expertise can assist the Measure B committee in identifying prevention and early intervention service gaps and possible programs that could be funded through Measure B.

**MENTAL HEALTH TREATMENT ACT
CITIZEN'S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3e

Meeting Date:	4/22/2020
Contact:	Donna Moschetti, Chair; Shannon Riley, Committee Member; Meeka Ferretta, Committee Member, and Jenine Miller, Committee Member
Time Allocated for Item: 10 mins	

AGENDA TITLE:

Discussion and Possible Action of Potential Additional Creation of Regional Behavioral Health Training Facility Ad Hoc Committee Group; Provide Direction for this Ad Hoc Committee to Formulate A Regional and/or County Enhanced Training Program and Training Schedule for the Regional Behavioral Health Training Facility

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

Member Riley requests discussion of creating an additional Ad Hoc Committee for the Regional Behavioral Health Training Facility. The purpose will be for this Ad Hoc Committee to create a Regional and/or County enhanced training program and schedule for the Training Facility. If the Ad Hoc is created, it may also be appropriate to add this Committee to the existing Training Facility Ad Hoc Committee.

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3f

Meeting Date:	4/22/2020
Contact:	Members Jenine Miller, Thomas Allman, Mark Mertle, and Meeka Ferreta
Time Allocated for Item: 10 mins	

AGENDA TITLE:

Discussion and Possible Action from the Regional Behavioral Health Training Facility Ad Hoc Committee Regarding Update of Outline Plan Describing Relevant Details of Allocated Funds to Finalize Improvements to the Regional Behavioral Health Training Center Before Expenditure

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

On September 25, 2019, this Committee created an Ad Hoc Committee to report back to the primary Committee regarding the improvement plans for the Regional Behavioral Health Training Facility.

The Ad Hoc Committee will provide an update on the status of the improvement plans as requested before expenditures. During the January 7, 2020, Board of Supervisors meeting, the Board of Supervisors requested a written comprehensive plan to detail overall purposes, benefits, and services of the Measure B Regional Behavioral Health Training Facility to be provided by the Ad Hoc. This may include information from the Project Manager and additional Ad Hoc Committee/s.

The Ad Hoc Committee plans to give an update on current repairs, headway concerning operations, and the allocated budget.

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

AGENDA SUMMARY

ITEM 3g

Meeting Date:	4/22/2020
Contact:	Alyson Bailey, Measure B Project Manager
Time Allocated for Item: 5 minutes	

AGENDA TITLE:

Discussion and Possible Action Regarding the Transition from Phase Two to Phase Three Concerning the Measure B Training Center and Timeline, Including Request for Suggestion of Measure B funds to the Board of Supervisors to Support Measure B Infrastructure, Transparency, and Common Understanding through Cloud Accessible Project Manager Software

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

The Project Manager for Measure B will supplement the Ad Hoc Committee’s report with information regarding the Training Center and its operations in relation to the critical path.

The Project Manager for Measure B also requests Measure B operations funds in the amount of \$948+tax (nine hundred and forty-eight dollars, plus tax) for twelve months of access to Monday. com, a cloud-based Project Management software that will allow the public and other parties interested in Measure B to review graphs, charts, and timelines regarding each individual project and expenditures. With this tool, Measure B will become effortlessly transparent and easy to understand for all stakeholders. If granted, the platform costs will need to be renewed annually.

**MENTAL HEALTH TREATMENT ACT
CITIZEN'S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3h

Meeting Date:	4/22/2020
Contact:	Lloyd Weer, Auditor-Controller
Time Allocated for Item: 5 mins	

AGENDA TITLE:

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

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

The Committee will receive a report from the Mendocino County Auditor/Controller regarding the Measure B tax fund balance.

Mendocino County - Measure B Funds
Mental Health Treatment Act

Revenue and Expenses - Life to Date			Fund 1224, Budget Unit 4052		
Date	Invoice, CRP Journal No.	Description	Amount	Min 25% Operations	Max 75% Facilities
Revenues:					
6/26/2018	CRP 186100	Measure B Sales Tax Proceeds - April 2018	(517,255)	(129,314)	(387,942)
7/25/2018	CRP 187369	Measure B Sales Tax Proceeds - May 2018	(591,270)	(147,818)	(443,453)
8/27/2018	CRP 188827	Measure B Sales Tax Proceeds - June 2018	(498,046)	(124,511)	(373,534)
9/25/2018	CRP 190117	Measure B Sales Tax Proceeds - July 2018	(638,771)	(159,693)	(479,078)
10/25/2018	CRP 191396	Measure B Sales Tax Proceeds - August 2018	(872,413)	(218,103)	(654,310)
11/29/2018	CRP 192854	Measure B Sales Tax Proceeds - September 2018	(941,205)	(235,301)	(705,904)
12/26/2018	CRP 194251	Measure B Sales Tax Proceeds - October 2018	(652,942)	(163,236)	(489,707)
1/25/2019	CRP 195438	Measure B Sales Tax Proceeds - November 2018	(654,379)	(163,595)	(490,785)
2/26/2019	CRP 196949	Measure B Sales Tax Proceeds - December 2018	(814,006)	(203,502)	(610,505)
3/26/2019	CRP 198350	Measure B Sales Tax Proceeds - January 2019	(644,639)	(161,160)	(483,480)
4/25/2019	CRP 199691	Measure B Sales Tax Proceeds - February 2019	(659,211)	(164,803)	(494,409)
5/28/2019	CRP 201159	Measure B Sales Tax Proceeds - March 2019	(560,190)	(140,047)	(420,142)
6/25/2019	CRP 202389	Measure B Sales Tax Proceeds - April 2019	(686,467)	(171,617)	(514,850)
7/25/2019	CRP 203597	Measure B Sales Tax Proceeds - May 2019	(821,567)	(205,392)	(616,175)
8/27/2019	CRP 204788	Measure B Sales Tax Proceeds - June 2019	(609,581)	(152,395)	(457,185)
9/25/2019	CRP 205798	Measure B Sales Tax Proceeds - July 2019	(739,098)	(184,775)	(554,324)
10/25/2019	CRP 207136	Measure B Sales Tax Proceeds - August 2019	(910,284)	(227,571)	(682,713)
11/26/2019	CRP 208392	Measure B Sales Tax Proceeds - September 2019	(652,027)	(163,007)	(489,020)
12/26/2019	CRP 209528	Measure B Sales Tax Proceeds - October 2019	(682,105)	(170,526)	(511,579)
1/27/2020	CRP 210703	Measure B Sales Tax Proceeds - November 2019	(776,491)	(194,123)	(582,368)
2/26/2020	CRP 212294	Measure B Sales Tax Proceeds - December 2019	(909,310)	(227,328)	(681,983)
3/26/2020	CRP 213469	Measure B Sales Tax Proceeds - January 2020	(586,257)	(146,564)	(439,693)
Life to Date Revenue:			(15,417,516)	(3,854,379)	(11,563,137)
Expenses:					
5/4/2018	INV 2018-1	Lee D. Kemper - Behavioral Health Needs Assessment	13,011	13,011	0
6/18/2018	INV 2018-2	Lee D. Kemper - Behavioral Health Needs Assessment	10,282	10,282	0
6/30/2018	GEN JE 2703	Assessor Clerk Recorder - Election Costs	161,578	161,578	0
7/17/2018	INV 2018-3	Lee D. Kemper - Behavioral Health Needs Assessment	14,177	14,177	0
6/6/2019	INV 050119	Sarah A. Riley - April 2019 Consultant Services	1,440	1,440	0
6/7/2019	GEN JE 256	Lee D. Kemper - Reimburse Executive Office	27,042	27,042	0
6/12/2019	GEN JE 465	Office Expenses - Reimburse Executive Office	257	257	0
6/20/2019	INV 040819	Sarah A. Riley - Consulting Services Measure B	400	400	0
6/30/2019	INV 060119	Sarah A. Riley - Consulting Services Measure B	1,560	1,560	0
6/30/2019	INV 070119	Sarah A. Riley - Consulting Services Measure B	690	690	0
8/22/2019	INV 080119	Sarah A. Riley - Consulting Services Measure B	1,740	1,740	0
9/19/2019	INV 090119	Sarah A. Riley - Consulting Services Measure B	540	540	0
9/23/2019	GEN JE 811	First American Title - Purchase Training Facility (70%)	274,457	0	274,457
10/18/2019	INV 100119	Sarah A. Riley - Consulting Services Measure B	2,700	2,700	0
10/25/2019	GEN JE 987	CEO Labor and Benefits - X. UNG hours worked	2,986	2,986	0
10/25/2019	GEN JE 987	Nash Gonzalez - Consulting time Measure B	7,063	7,063	0
11/15/2019	INV 110119	Sarah A. Riley - Consulting Services Measure B	1,800	1,800	0
12/19/2019	INV 120119	Sarah A. Riley - Consulting Services Measure B	1,320	1,320	0
1/16/2020	INV 010220	Sarah A. Riley - Consulting Services Measure B	480	480	0
1/30/2020	INV 984576	Verizon Wireless - cell phone	50	50	0
2/13/2020	INV 020320	Sarah A. Riley - Consulting Services Measure B	1,320	1,320	0
2/27/2020	INV 984783	Verizon Wireless - cell phone	25	25	0
2/27/2020	INV 00001-1	Redwood Empire Title Preliminary Title	500	0	500
3/5/2020	INV 1235299	Fishman Supply co. - office supplies	622	622	0
3/11/2020	GEN JE 445	CEO Labor and Benefits - X. UNG hours worked	2,221	2,221	0
3/11/2020	GEN JE 038	Nash Gonzalez - Consulting time Measure B	1,875	1,875	0
3/26/2020	INV 1242290	Fishman Supply co. - office supplies	8	8	0
4/2/2020	INV 910009510	AT&T Teleconference	126	126	0
4/2/2020	INV 030220	Sarah A. Riley - Consulting Services Measure B	864	864	0
Life to Date Expense:			531,135	256,177	274,957
Life to Date Interest Earnings:			(165,476)	(41,369)	(124,107)
Current Measure B Fund Balance:			(15,051,857)	(3,639,570)	(11,412,286)

**MENTAL HEALTH TREATMENT ACT
CITIZEN'S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3i

Meeting Date:	4/22/2020
Contact:	Member Jenine Miller and Chair Moschetti
Time Allocated for Item: 10 Mins	

AGENDA TITLE:

Discussion and Possible Action Regarding Report from the Kemper Report Ad Hoc Committee

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

The Ad hoc committee will provide an update on the status of the Ad Hoc Committee since the February 26, 2020, update. The Ad Hoc met regarding the Kemper Report on March 6, 2020.

**MENTAL HEALTH TREATMENT ACT
CITIZEN’S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3j

Meeting Date:	4/22/2020
Contact:	Alyson Bailey, Committee Clerk
Time Allocated for Item: 10 mins	

AGENDA TITLE:

Discussion and Update Regarding Approval of Request from Mental Health Treatment Act Citizen’s Advisory Committee for Board of Supervisors to Direct County Counsel to Conduct Legal Evaluation, Research Analysis and Assessment of Adventist Health Partnership Legality; Including Restriction, Necessary Control, Implications, and Compliance Regarding the Possible Use of Public Tax Dollars to Fund Operations of a Private Entity

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

In response to the letter submitted by President/CEO of Adventist Health, Jason Wells, to the December 10, 2019 Board of Supervisors meeting. The outcome of Adventist Health Proposal discussed by the Board of Supervisors during the December 10, 2019 Board of Supervisors meeting provided direction for County Executive Office to perform an operational feasibility study of Adventist Health proposed facilities; to determine Adventist Health operational costs of mental health facilities.

On December 18, 2019, the Measure B Mental Health Treatment Act Citizen’s Oversight Committee expressed concerns to use public tax dollars to fund operations of a private entity. The Measure B Mental Health Treatment Act Citizen’s Oversight Committee created and directed a subcommittee to draft questions for the Board of Supervisors to and/or review, direct, request County Counsel conduct legal research and analysis evaluation of Adventist Health Partnership legality.

The item was submitted to the January 7, 2020 Board of Supervisors Agenda under Agenda item number 5H. The Committee will receive an update from the Project Manager on January 22, 2020.



OFFICE OF THE COUNTY COUNSEL

Date: March 09, 2020

To: The Honorable Board of Supervisors for the County of Mendocino

From: Christian M. Curtis, Acting County Counsel

Re: Measure B Adventist Health Partnership Legality

On January 7, 2020, the Board of Supervisors requested that I research and prepare answers to six questions posed by the Mental Health Treatment Act Citizen's Oversight Committee (the "Measure B Committee") in a December 24, 2019 memo from the Measure B Project Manager to the Board of Supervisors. Those questions all pertained to the possible use of tax revenues collected under Ordinance No. 4387 ("Measure B") to fund the construction of a privately owned facility for mental health treatment purposes. Per your request, those answers are provided below.

Questions:

1. Can the County use or give Measure B Mental Health Treatment Act funds to the Adventist system to run or operate an Adventist mental health facility?

We understand this question to be inquiring about two distinct issues. The first issue is whether expenditure of Measure B funds in this manner is consistent with the specific purpose of Measure B and the substantive restrictions imposed on the use of special tax revenues under Proposition 62. (Gov. Code § 53724(e).) That issue is addressed more fully in Response #6.

The second issue is whether the prohibition on the gift of public funds or similar legal restrictions prohibit the expenditure of public funds in this manner. Article XVI, section 6 of the California Constitution forbids counties from making a gift of public funds. "To be a gift, this voluntary transfer must be gratuitous, -- a handing over to the donee something for nothing." (*Yosemite Stage & Tpk. Co. v. Dunn* (1890) 83 Cal. 264, 267.) Therefore, when adequate consideration is provided for something, it is not an unlawful gift. (*Pac. Tel. & Tel. Co. v. San Francisco* (1961) 197 Cal. App. 2d 133, 155)

Additionally, the County may properly spend resources on any legitimate public purpose. "Determination of public purpose is primarily a matter for the Legislature and will not be disturbed as long as it has a reasonable basis." (*County of Alameda v. Janssen* (1940) 16 Cal 2d 276, 281.) The fact that some private persons derives incidental benefit from the expenditure does not render it invalid. (*Redevelopment Agency v. Shepard* (1977) 75 Cal. App. 3d 453, 457.) This may include grants-in-aid, when the uses of the grants is restricted to specified public purposes. (*Redevelopment Agency of S.F. v. Hayes* (1954) 122 Cal. App. 2d 777, 808.) The provision of medical care to indigent patients has been held to be a valid public

purpose, while the provision of free care to patients who are able to pay has not. (*Goodall v. Brite* (1936), 11 Cal. App. 2d 540, 542.) Indigent medical services have been held to further a public purpose, “because the care of such sick or injured promotes the public health and general welfare of the community in which he lives.” (*Id.*)

Under these principles, it does not appear that the use of Measure B funds to construct a privately owned mental health facility would constitute a gift of public funds *per se*, but any agreement with the private provider would need to contain a benefit to the County in consideration for the monetary compensation it received. A mere grant for the construction of a private medical facility is likely impermissible, as it could then be used exclusively for the treatment of those patients capable of payment. If, however, the County structured a transaction such that it received compensation, through either the provision of services within the scope of the County’s legitimate public purpose or through some other means of compensation, the mere fact that the facility would ultimately be owned by a private provider does not appear to make the transaction impermissible.

2. If so, what kind of covenant restrictions can be imposed to ensure that it remains a mental health facility for X amount of years into the Future?

We’re aware of three primary types of mechanisms by which the use of the facility can be restricted. First, the County can contract directly with Adventist to limit the appropriate use of the funds, require that any facility constructed with the funds be used for specified purposes, and place limitations on Adventist’s ability to transfer the facility or other assets. The County and Adventist would have broad discretion to craft appropriate language so long as both parties agree.

The disadvantage to this mechanism, however, is that the contractual terms would not be binding on a subsequent owner of the facility unless they voluntarily assumed Adventist’s obligations under the agreement. While the contract might require such an assignment prior to a sale of the facility, there are a variety of possible nonconsensual transfers (tax sale, foreclosure, bankruptcy, receivership, eminent domain, etc.) that could result in a new owner taking possession without any such restrictions. Under those circumstances, the County might still have a recourse against Adventist for breaching the agreement but be unable to fully recover if Adventist is insolvent.

The second type of mechanism for limiting the use of the facility would be to impose some sort of restriction on the deed to the property. Historically, such restrictions have commonly been created by deeding the underlying property in fee simple subject to condition subsequent.¹ Under this mechanism, the County could transfer the property to Adventist but reserve for itself a deeded right to retake the property if it ceases to be used for specified purposes. This right is sometimes referred to as a “power of termination,” “right of reentry,” or “right of repossession.” This right would have to be exercised in the form of a civil action. (Civ. Code § 885.050.) The right can be waived if the County failed to file within five (5) years of when the property ceased to be used in the required manner. (*Ibid.*) Moreover, the right of

¹ The other obvious option would be to transfer a fee simple determinable, but California has abolished this form of ownership. (Civ. Code § 885.020.)

reentry exists only for a limited duration, which is generally not more than thirty (30) years after certain specified events, such as recordation. (Civ. Code § 885.030.)

Alternatively, it may be possible to restrict use of the property through easement, real covenant, equitable servitude, or other legal restriction that runs with the land. These tools, however, are somewhat less suitable to this particular task. Easements, for example, can generally be used to allow a third party to enter onto the land for some purpose, but are ill suited to requiring the owner to continue an existing use. Real covenants, by contrast, can create an affirmative obligation to take some action on land, but this usually requires that the action convey some benefit on other (usually adjacent) real property. (*B.C.E. Dev. v. Smith* (1989) 215 Cal. App. 3d 1142, 1146.) While it may be possible to find creative ways to structure these mechanisms to obtain a similar effect, the right of reentry is, overall, the more appropriate tool to require that the facility continue to be used for mental health purposes.

The third type of mechanism would be to have the facility be owned by a trust, corporation, joint powers authority, or other entity separate from Adventist. The entity owning the facility could then lease it to Adventist on favorable terms provided that Adventist actively used the property for the specified purposes. Termination clauses and other mechanisms could allow the entity to regain control of the property in the event that Adventist ceased or became unable to provide the contemplated services. The possible permutations of this structure are too numerous to fully explore here, but any possible structure will need to consider the limitations and rules specific to the type of entity to be created. Of course, a similar effect could be achieved if the County were to own the facility and provide a long-term lease to Adventist, but that appears to be outside the scope of this question.

3. What are the necessary controls to oversee the development and ongoing maintenance and management of the facility(ies)?

We understand this question only to be inquiring about the legal controls necessary to ensure that the funds are not converted to an improper purpose. As such, we do not analyze the various licensing requirements for mental health facilities or the sorts of controls, maintenance or management necessary to ensure the requisite level of care necessary for this type of facility. Those requirements may vary based on the specific type of facility and licensure at issue.

Neither the Measure B ordinance nor Article XVI, section 6 of the California Constitution provide specific enforcement or monitoring mechanisms to ensure that public monies are not misappropriated. Each disbursement by the County will need to be consistent with both the specific purposes of Measure B and the requirement that it not be an unlawful gift of public funds. The specific audit or oversight mechanisms used are largely a policy choice for the Board of Supervisors.

Any agreement between the County and a private provider will have to comply with Government Code section 8546.7, which requires that the contractor retain records for a period of up to three years after final payment is made and make them available for inspection by the State Auditor. Additionally, to the extent that any grant revenues are also utilized in conjunction with this project, specific additional controls might also be imposed through those grant

programs.

4. The hospital facility in Fort Bragg is leased. What are the additional implications, if any, to using public funds to develop a private facility that is leased?

Many of the types of restrictions noted in response to Question #2 depend on the consent of the owner of the real property to be effective. Discussion of the use of a right of reentry, easement, real covenant, or equitable servitude are all based on the assumption that either the County or Adventist has title to the property. If the lessor is willing to sell or otherwise transfer the property, it may still be possible to use these mechanisms, but if not they will be unavailable. The same is true for any mechanism that depends on creating an entity to own the property.

Purely contractual obligations could still be put in place regardless of whether Adventist leased or owned the property.

5. What if Adventist Health goes out of business or sells to another hospital? Is there a way to protect the County's Investment?

As noted in response to Question #2, purely contractual obligations would not transfer to a second owner unless the new owner voluntarily agreed to assume Adventist's contractual obligations. Consequently, bankruptcy or certain other events could effectively extinguish the County's contractual rights regarding the property. In that context, the County would likely recover some fraction of the money to which it is entitled, based on the determination of the bankruptcy court.

The other options outline in that response all provide some measure of protection of the County's investment in the event that Adventist were to go out of business. The scope of that protection would depend largely on the particular mechanism chosen and the drafting of the specific language in the relevant instruments. Generally speaking, the strongest protections will be those that allow the County to take ownership and/or possession of the land in the event of a breach or default (e.g., lease agreement or a power of termination). Other forms of deed restrictions would, at most, limit the potential future use of the property. Consequently, while they might prevent the property from being used for other purposes, any continued use for mental health purposes would depend on the new owner.

6. Is this legally consistent with the Measure B ordinance?

Based on our review of the Measure B ordinance, the ballot materials circulated at the time, and materials and discussion during the adoption of the ordinance by the Board of Supervisors, it appears that use of Measure B funds to provide a privately owned facility for mental health services is consistent with the Measure B ordinance. While we have found no general prohibition on using the funds in this manner, any transaction will likely need to be structured in such a way as to prevent Measure B funds from being improperly repurposed, as discussed in response to Question #3.

When a special tax is adopted by the voters, revenues from that tax may only be used for

the specific purpose for which the tax was approved. (Gov. Code § 53724(e).) That purpose is specified within the tax ordinance itself. (Gov. Code § 53724(a).) Consequently, the determination of whether or not the use is consistent with the purposes of the tax is a matter of interpretation of the ordinance. “[Courts] interpret ordinances by the same rules applicable to statutes.” (*Zipperer v. Cty. of Santa Clara* (2005) 133 Cal. App. 4th 1013, 1023.)

In interpreting a law, courts first look to whether the ordinance’s language is clear or ambiguous. “[W]here the language is clear, its plain meaning should be followed.” (*Great Lakes Props., Inc. v. El Segundo* (1977) 19 Cal. 3d 152, 155.) “Only when the statute’s language is ambiguous or susceptible of more than one reasonable interpretation, may the court turn to extrinsic aids to assist in interpretation.” (*Amaral v. Cintas Corp. No. 2* (2008) 163 Cal. App. 4th 1157, 1187.) Such extrinsic aids include both court-established principles of interpretation as well as legislative history. Where the matter has been acted upon by the voters, such history includes the materials on the ballot. (*Cal. Chamber of Commerce v. Brown* (2011) 196 Cal. App. 4th 233.)

Applying these rules in this case, we’ve found nothing that would limit the use of Measure B funds to preclude the funding of a private facility. The relevant portion of Ordinance No. 4387 articulated as its specific purpose:

Section 5.180.040. Specific Purpose.

Mendocino County is committed to improving residents' lives and the public's safety by strategically evaluating and enhancing resources for mental health treatment. Therefore, this ordinance is adopted to achieve the following, among other purposes, and directs that the provisions herein be interpreted in order to accomplish these purposes:

A. Provide for assistance in the diagnosis, treatment and recovery from mental illness and addiction by developing:

1) A psychiatric facility and other behavioral health facilities; and

2) A regional behavioral health training facility to be used by behavioral health professionals, public safety and other first responders.

...

E. Create a Mental Health Treatment Fund entirely dedicated to fund improved services, treatment and facilities for persons with mental health conditions into which one hundred (100) percent of the revenue from this measure shall be deposited.

F. For a period of five (5) years a maximum of seventy-five (75) percent of the revenue deposited into the Mental Health Treatment Fund may be used for facilities, with not less than twenty-five (25) percent dedicated to services and treatment; thereafter one hundred (100) percent of all revenue deposited into the Mental Health

Treatment Fund shall be used for ongoing operations, services and treatment.

(MCC § 5.180.040.)

Notably, we have found nothing in either this section or the rest of the ordinance which indicates that the facility to be constructed must be owned by the County. In some contexts, silence on a particular topic can create ambiguity in the remainder of the document. (see, e.g., *Smith v. Westland Life Ins. Co.* (1975) 15 Cal. 3d 111 at 120.) Such ambiguity, however, must be based on the language actually contained within the ordinance. Courts “may not, under the guise of interpretation, insert qualifying provisions not included in the statute.” (*Greiner v. Keller* (2019) 36 Cal. App. 5th 332, 338 (quoting *Estate of Griswold* (2001) 25 Cal. 4th 904, at 917).) In this particular instance, given the lack of any language in the ordinance that could reasonably be read as requiring a government-owned facility, it appears that the use of these funds to construct a privately-owned facility would be permissible, so long as the remainder of the ordinances’ requirements are met.

While we believe that the language of the ordinance is clear and not reasonably susceptible to an implied requirement that any facility constructed with Measure B funds be government owned, we have also looked at the ballot materials and other legislative history regarding Measure B. In doing so, we have not located any statement which indicated that the intent of Measure B was to require that the funds be used only to construct a facility owned by the County. The closest such statement that we have found is a comment in the argument in favor of Measure B, which read:

Vote YES on Measure B so Mendocino County can construct and operate local mental health treatment facilities and a behavioral health training center so Mendocino County residents suffering from mental illness or addiction can be appropriately diagnoses, housed, and treated.

While this language does appear to contemplate that the County could choose to construct and to operate the mental health facility directly, it does not express any intent that the funds could not be used to fund a privately owned or operated facility servicing Mendocino County residents. Accordingly, because we’ve found no language in Measure B which would require that a facility be publicly owned and because we’ve found nothing in the legislative history indicating such an intent, we believe that Measure B funds can be used to fund a privately owned mental health facility, so long as the use of those funds otherwise complies with the ordinance’s requirements.

Sincerely,



CHRISTIAN M. CURTIS
ACTING COUNTY COUNSEL

CMC/jc

**MENTAL HEALTH TREATMENT ACT
CITIZENS OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 3k

Meeting Date:	4/22/2020
Contact:	Alyson Bailey, Committee Clerk
Time Allocated for Item: 10 mins	

AGENDA TITLE:

Discussion and Update Regarding the CRT or Crisis Residential Facility

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

On December 10, 2019, the Board of Supervisors approved the Nacht & Lewis Architectural Services Agreement with the contingency that Measure B Mental Health Citizens Oversight Committee reviews and approves Nacht & Lewis Architectural Services Agreement for the pre-design, and design of a Crisis Residential Unit, Crisis Stabilization Unit, and 24 Hour Psychiatric Inpatient Health Facility.

On December/18/2019, the Measure B Mental Health Citizen’s Oversight Committee discussed and approved the Nacht & Lewis Architectural Services Agreement as requested by the Board of Supervisors. The Measure B Mental Health Citizen’s Oversight Committee unanimously approved the Nacht & Lewis Architectural Services Agreement for the Crisis Residential Unit, Crisis Stabilization Unit, and 24 Hour Psychiatric Inpatient Health Facility. With concurrent approval granted by the Board of Supervisors and the Measure B Citizen’s Oversight Committee, the Architectural Services Agreement between Mendocino County and Nacht & Lewis was established.

The design team is moving from Phase I into Phase II.

The Measure B Project Manager will give the committee a brief update on 4/22/2020.

**MENTAL HEALTH TREATMENT ACT
CITIZEN'S OVERSIGHT COMMITTEE**

Agenda Summary

ITEM 31

Meeting Date:	4/22/2020
Contact:	Alyson Bailey, Administrative Project Manager: Measure B
Time Allocated for Item: 5 Mins	

AGENDA TITLE:

Update Concerning December 10, 2019, Board of Supervisors Meeting Regarding Direction to Perform an Operational Feasibility Study of Proposed Measure B Funded Facilities

SUMMARY OF REQUEST / BACKGROUND INFORMATION:

Administrative Project Manager for Measure B will give a brief report on the facility costs and operations expenses of 10 to 16 bed PHF (Psychiatric Health Facility) built within the past 24 months in California, and operations expenses of 6 to 10 bed CRT (Crisis Residential Treatment Facility) built within the last four years within the State of California. Square footage will be included.