

# Mental Health Treatment Act Citizen's Oversight Committee

Mendocino County Administration Center  
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## January 22, 2020, Minutes

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

**Committee Members Present:** Chair Donna Moschetti; Mr. Thomas Allman; Mr. Ross Liberty; Mr. Lloyd Weer; Dr. Jenine Miller; Ms. Shannon Riley, and Ms. Carmel J. Angelo.

**Committee Members Absent by Prearrangement:** Dr. Ace Barash; Mr. Jed Diamond; Mr. Mark Mertle

**The Committee has one open position:** Lacking member from the Behavioral Health Advisory Board. Member expected to be appointed by the Board of Supervisors in February.

### 2. PUBLIC EXPRESSION

**Presenter/s:** Ms. Sherie Ebyam and Mr. John Wetzler.

### 3. COMMITTEE MATTERS

#### 3a) Discussion and Possible Action Regarding Introduction of Chair and Election of Vice-Chair of the Mental Health Treatment Act Citizen's Oversight Committee for Calendar Years 2020 through Calendar Year 2022.

**Presenter/s:** Chair Donna Moschetti.

Chair Donna Moschetti introduced herself as the chair for calendar years 2020 through 2022. Using Chair prerogative, Chair Moschetti reached out and Member Jed Diamond was willing to accept the Vice chair position. Chair called for comment to see if any other Committee members were interested in the Vice-Chair position. No other members showed interest to become Vice-Chair for calendar years 2020-2022.

**Public Comment:** None.

**Committee Action:** Upon motion by Member Allman, seconded by Member Angelo, and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizen's Oversight Committee unanimously approves appointment and election of Member Jed Diamond as Vice-Chair of the Mental Health Treatment Act Citizen's Oversight Committee.

#### 3b) Approval of Minutes of the December 18, 2019, Meeting

**Presenter/s:** Isabel Gonzalez; Committee Clerk.



**Public Comment:** None.

**Committee Action:** Upon motion as amended by Member Riley, seconded by Member Angelo, IT IS ORDERED that the minutes of the December 18, 2019, meeting, are hereby approved with corrections to "section 3d" first paragraph and middle of third paragraph; "3h" second paragraph; and typo correction to reflect Sheriff instead of Sherriff in entire document.

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

**Presenter/s:** Mr. Lloyd Weer, County of Mendocino Auditor-Controller.

Auditor-Controller Weer advises this is a current report for the Mental Health Treatment Act Special Revenue Fund, outside the General Fund restricted to its use only for Mental Health Treatment Act approved expenses. Auditor-Controller Weer announced to date there are 19 months of sales tax proceeds beginning in April of 2018 and the last one received is through October 2019. Life to date revenue was \$13,145,458; to date expenses total \$523,043; and interest earned was \$113,869; for a total balance of \$12,736,284.

Member Thomas Allman thanked Auditor-Controller for separating the 25% to 75% of expenses into different columns. Member Liberty inquired how available the data is to the public. The Project Manager informed Mr. Liberty data is accessible, can be found on [www.mendocinocounty.org/measureb](http://www.mendocinocounty.org/measureb) agendas and minutes. Member Liberty mentioned members of the public are not finding the data and has considered running an ad out of his own pocket to advertise where data information can be found. Committee suggested putting a link from the County link to Measure B Budget.

**Public Comment:** None.

**Committee Action:** Upon motion by Member Allman, seconded by Member Weer, and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizens Oversight Committee unanimously approves the financial report as submitted.

### **3d) Discussion and Possible Action Including Adoption of the 2020 Master Meeting Calendar to Include Scheduling Details of Meetings on the Coast and Willits**

**Presenter/s:** Chair Donna Moschetti.

Chair informed the Committee that she was absent at the last meeting when motion happened to include meetings on the Coast and Willits. Chair acquiesced, supports, going off premise to conduct meetings on Coast and Willits as motioned by the Committee during the December 18, 2019 meeting. Chair picked two dates she has days off to attend those meeting. Dates are July 22, 2020 for Fort Bragg, and September 23, 2020 for Willits. Chair informed Committee there are costs that will be incurred for County administration and IT staff to travel to set up the sound system, livestream the meetings and provide logistical and clerical support, and rental fees of the meeting buildings should they not be available free of charge. The charge will be minimal but billed to Measure B.

Member Riley supports holding meetings in Fort Bragg and Willits, holds no objections to Chair's proposed dates, but in light of fact that Committee representatives from Fort Bragg and Willits were absent during this



meeting, Member Riley recommends to continue the item until next meeting given that these proposed dates are still quite a ways off.

Member Allman agrees with Member Riley regarding proposed dates for Fort Bragg and Willits, determining availability of the town hall in Fort Bragg for July 22, 2020, and to see if Member Mark Mertle agrees with proposed date. Member Allman suggests approval of the Master Calendar for citizens to know which dates the Committee is meeting, and since off site dates are far out, several months in advance, to move forward to approve the calendar; and Agenda for next month to have Willits and Fort Bragg dates approved. Chair concurs with Members Allman and Riley.

**Public Comment:** None.

**Committee Action:** Upon motion by Member Allman, seconded by Member Riley; and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizen's Oversight Committee approves the Master Meeting Calendar for 2020 as submitted; and to include in the February 2020 an agenda item for information to be discussed and determine when the Committee will meet in Willits and Fort Bragg.

**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:** Isabel Gonzalez, Project Manager.

The Project Manager presented a list of questions the Sub Committee, created by this Committee, to present to the Board of Supervisors for County Counsel to review. The Board of Supervisors, during their January 7, 2020, meeting motioned to move a recommended action for County Counsel to review those questions. The Board of Supervisors also renumbered the questions putting question number 6 all the way at the top of the list. County Counsel was directed by the Board of Supervisors to respond and review the questions the Committee submitted, in addition to questions that were previously submitted by the City of Willits.

County Counsel, Charlotte Scott Deputy County Counsel on behalf of Christian Curtis, recently received the Board direction on this item. County Counsel is working on the research and answer to these questions. County Counsel anticipates to have a response by the next Measure B meeting.

Member Weer formally requested for County Counsel to provide the formal response/answers in writing for the Committee.

**Public Comment.** Mr. John McCowen; Ms. Meeka Ferretta; Mr. John Wetzler; and Ms. Jo Bradley.

**Committee Action:** None.

**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 Carmel J. Angelo, County Executive Officer.



Member Angelo provided an update as of last month's report out on this. Member Angelo reported she is waiting for a proposal from Adventist Hospital. She is aware that Adventist is closing their St. Helena facility. She plans to make a follow up call to inquire if there is any way to know how this will affect any proposal coming from Adventist for the Coast Hospital, which is one part of the Operational Feasibility Study. As she reported last month, the County made contact with Lee Kemper, who is not available to work with the County. Member Angelo informed the Committee that she has calls out to other subject matter experts in the field to assist with the Operational Feasibility Study. Member Angelo informed the Committee that getting a proposal from Adventist will provide a large piece of information as far as the operational cost and she hopes to have more news to report next month.

Member Angelo reiterated this was a Board of Supervisors direction and informed Committee this is good direction to find out operationally what it will cost to have a 24-hour inpatient psychiatric facility. Agrees with member of the public, that Committee should inquire about the process of when the Committee considers working with a for profit entity on their site with their staff when considering how to sort that out, versus constructing something owned by the County. This should be included in the legal opinion provided by County Counsel.

**Public Comment:** Ms. Sherie Ebyam; and Ms. Susan Wynd Novotny.

**Committee Action:** None.

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

**Presenter/s:** Isabel Gonzalez, Project Manager.

Project Manager informed the Committee that she has begun moving forward with the architectural services team with Phase 1 of the Agreement for the Crisis Residential Treatment Facility. The architectural services team has adjusted their timeline to accommodate for the California Health Facilities Finance Authority (CHFFA) grant for County to meet CHFFA State Board requirements for Mendocino County to receive the \$500,000 grant. Project Manager is scheduled to meet with the architectural services team in mid-February to begin mapping the predesigned construction of the Crisis Residential Treatment facility and begin with phase 1 of the Agreement.

Member Weer: requested clarification if Committee is going to look at providing that facility in order to receive the \$500,000 grant.

Member Allman added the costs of staffing Crisis Residential Treatment facilities has been a part of the Committee's conversation from the very beginning but impacts the Board of Supervisors much more than it affects the Committee. Member Allman wanted to understand if the Board would support moving forward on the Orchard Street property for the Crisis Residential or Crisis Stabilization. Supervisor John Haschak agrees with being in support of the Crisis Residential Treatment Facility on Orchard Street.

Member Weer expressed he has not looked deep into seeing whether County CRT would qualify for tax credits as the County did for Willow Terrace. Program Manager to explore about tax credits with architect team. Member Liberty inquired clarification of what is meant by a tax credit.



Member Riley clarified she has not heard of low income tax credits being used for a medical facility. Historically tax credits are typically used for affordable housing. She is not sure if this project would be particularly eligible.

Member Allman mentioned that is with a private investor putting money in and that private investor gets tax credits. He appreciated the conversation the Committee is having on this subject but because these are tax dollars and the County does not pay taxes, he believes the tax credit question is an academic question and not a realistic question with this project, but clarified he is not a tax expert. Chair Moschetti mentioned this is something worth looking into to see what Committee can get. Chair Moschetti encouraged Committee to educate themselves on the subject of tax credits.

**Public Comment:** Mr. John Haschak; Ms. Josephine Silva; and Mr. John Wetzler.

**Committee Action:** None.

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

**Presenter/s:** Member Jenine Miller.

Committee received an update on the California Health Facilities Finance Authority (CHFFA) Grant. There is a CHFFA Board on January 30, 2020, where the County will be submitted the following two items: 1) to have the Nacht & Lewis contract signed executed, which we have done, and 2) a resolution from the Mendocino County Board of Supervisors stating that the Crisis Residential Treatment Facility would be built on Orchard Street property. The County has a deadline by CHFFA. One of the things the County is asking CHFFA for is to extend one of our milestones of our completion date. The CHFFA Grant itself ends December 31, 2021. We have to have a facility up, running, and open by November 2021. That is the timeframe the County is putting forward with CHFFA to have it operational by November 2021. CHFFA had originally hoped Mendocino County would have something opened by May 2021, so it is the hope that the CHFFA State Board will be happy with the November 2021 date being that County has met the other milestones.

Member Riley indicates the Resolution passed by the Board of Supervisors on January 21, 2020, indicates the project would be operational by May 31, 2021. Some members of the Committee have experience with public projects and the likelihood of getting a facility built and operational in a year or even a year and a half seems very ambitious.

Member Riley also expressed she has been aware of this proposed project for years when Redwood Community Services first brought it to the City of Ukiah. Based on what Member Riley has learned from this Committee, one of the most immediate charges was to provide relief for our public safety and emergency rooms who are dealing with these clients when they should be better suited in a Crisis Stabilization Unit or something else. Member Riley indicated she is frustrated that in some ways the Committee is addressing some part of the system the County already has beds for, all being not in town. The Committee is still not addressing stabilization, that immediate need for those people who are truly in crisis. Directed question to Member Miller to see if there is still an opportunity to combine this facility with a Crisis Stabilization Unit or something else.

Member Miller clarified the May date was the original date, which is in the CHFFA resolution. The County is looking to have it amended to November 2021. Member Miller thinks it is likely that CHFFA will support the County, as CHFFA has wanted to see this project happen in Mendocino County. In regards to whether or not the County is looking at alternative facilities, the County is still looking at that and it has not been ruled out.



Nacht & Lewis will be looking at what else could go in that facility. Member Miller added the County is going to be asking CHFFA to reduce the bed size from 10 beds to a 6 – 8 bed facility because there has been conversations about having more than one facility within the County and opening up a 10-bed facility could limit that.

Member Allman indicates there have been things in the media regarding the real estate, the ground and piece of property on Orchard. First question would be to make sure that 100% of what we are talking about would be owned and controlled by the County, not a private entity, such as Redwood Quality Management. The second is the cost of building the building that is not the \$500,000. Member Allman requested clarification as to where that cost is coming from and whether this was a genuine stick bill to Measure B.

Member Miller indicated it is her understanding everything will be owned by the County. The County currently owns Building and land and the County will own the building. Member Angelo indicates Member Miller is correct. In regards to the additional funds, Member Miller indicated the County would be coming back to the Committee to request for Measure B funds once County knows the costs. Member Allman inquired if that estimate would come from Nacht & Lewis. Member Miller indicated that was correct,

**Public Comment:** Ms. Jane Kemp; Ms. Josephine Silva; Ms. Susan Wynd Novotny; and Ms. Sherie Ebyam.

**Committee Action:** None.

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

**Presenter/s:** Chair Moschetti.

Chair Moschetti indicates the Committee should have a grand opening with Committee Members present and invite everyone to see it.

Member Miller provided a quick update. At the January 7, 2020 Board of Supervisors meeting, there was direction that the Board of Supervisors want a specific comprehensive plan from the Ad Hoc Committee and approval of the plan by the Measure B Committee before the Committee brings forward any request for any additional dollars to do anything at the training center. Board of Supervisors requested a plan to really detail the proposed changes to the building, analysis of overall goals of why Committee wants those changes, purpose to those changes, not just the proposed changes but why Committee is making the changes, and the number of people that would benefit from those changes. In addition to the staffing requirements and the costs that would go along with the additional staffing requirements to maintain the building as we make these additional changes. Previous Chair, Member Barash, did agree at the Board of Supervisors meeting that the Committee would bring a Committee approved plan to the Board of Supervisors with this detailed information. The Ad Hoc Committee would be working to make sure the Committee gets detailed plans that not only have a cost estimate but also answer all these questions so that the Committee has it ready when the item is taken to the Board of Supervisors.

Member Allman, requested the Board of Supervisors to explain what the Board is actually looking for. 3<sup>rd</sup> District Supervisor, John Haschak, clarified there are two issues. One was that \$50,000 which was approved for those



renovations that needed to be done to make the building into a training facility. The other issue was the \$200,000 proposal that the measure B Committee approved at the December Committee meeting for a commercial kitchen. There were questions about that. The Board of Supervisors wanted that work plan to go along with those kind of improvements. The first part was getting it ready as a training facility, hence the \$50,000 approval. The Board of Supervisors would like to see a work plan. Supervisor Haschak indicates the Board of Supervisors approved the \$50,000 to get the place up and running and it was the additional \$200,000, which the Board of Supervisors is requesting a work plan for.

Member Allman hopes the Ad Hoc Committee has plan by end of February.

Member Angelo indicates Project Manager has been working on the initial \$50,000. Between the training mats, the chairs, the tables, there was very little money spent on paint. She agrees with Supervisor Haschak that the Board had no issue on the \$50,000, and that the Board wants, when the Committee gets to that point, is an actual plan on what the training center would look like.

Project Manager indicated that with the expenses of the training facility are close to mid \$48,000. Project Manager is not sure if there is anything else that is going to be brought forward for the Project Manager to look at for those particular costs of getting the facility ready. Project Manager indicated she has been keeping track of what is needed to get the facility up and running as soon as possible and has been working with the appropriate County staff members and Departments to make sure the process moves along.

Member Riley required clarification as to if the Committee was actually creating a training program that is going to be implemented at this location or just treating it as another conference room or facility that is elsewhere in the County. Chair Moschetti clarified training facility is a County building and the County building has to live by certain County rules. Chair Moschetti also clarified the statue specifically says Mental Health Training Facility for Public Safety, Behavioral Health, and other First Responders. Member Riley understands but still wanted to know if the Committee is creating a training program. Chair indicated each department using the facility would provide their own mental health trainings. For instance, she is looking at NAMI putting their Family to Family and Peer to Peer programs in the facility.

Member Riley hears Chair say County will use this facility to continue the same trainings that County currently has but maybe do not have an adequate facility for. There is not necessarily a new mental health training program that goes along with this new facility.

Member Allman indicated this is a great question because developing a training program for behavioral health is something that could put County in the forefront of all the counties in the state. However, the two County agencies that provide more training for mental health than any other agencies would be the Department of Mental Health and the Sheriff's Office. The Sheriff's Office certainly has a need for working with the other first responders, fire and police and so forth throughout the County on Mental Health training. Member Allman indicates the Sheriff Office taking the lead on coordinating training for public safety and the Behavioral Mental Health Department would be able to take the lead on their necessary training.



Member Angelo appreciates Member Riley's question. Member Angelo agrees with Member Allman's statement. Member Angelo indicates from a County perspective the County is taking a back seat on this building and that this really in a Measure B funded training center for public safety and mental health and would like to see the training center Ad Hoc put something together. Member Angelo thinks the Committee should look at how this building will be utilized, access to the building, or perhaps a fully developed training schedule. In addition, consider if training is going to be regional or County wide.

Member Riley states her concern that she does not want to see another \$500,000 (plus) of Measure B funds used for another conference room. She would like see an enhanced training program to reflect what Measure B is about, what the former Sheriff envisioned, and what the County mental health professionals envisioned. This item to be added to the agenda for next meeting.

Member Allman added in regards to enhanced training, reminded the Committee he has twice been informed the California Commission on Peace Officer Standards and Training has offered Mendocino County a \$100,000 technically advanced piece of equipment. Mendocino County is already possibly going to lose it because County has not been able to get training center up and running. Member Allman informed the Committee other counties are now getting this piece of equipment. Fears Mendocino County will lose the equipment.

**Public Comment:** Ms. Josephine Sylva; Ms. Susan Wynd Novotny, and Ms. Meeka Ferretta.

**Committee Action:** Carry this item forward to next meeting for Committee to look at how this building will be utilized, access to the building, and create a fully developed training schedule to be regional and/or county.

### **3j) Discussion and Possible Action of Potential Additional Appointment of Ad Hoc Members to Existing Ad Hoc Committee**

**Presenter/s:** Member Jenine Miller.

Member Miller reported receiving a couple of requests from members who are interested in joining the Measure B Regional Behavioral Health Training Facility Ad Hoc Committee. The Behavioral Health Advisory Board asked Member Miller to make sure their representative is on that Ad Hoc Committee because they are very interested in not only what's happening training wise but also in the training center itself. Meeka Ferretta, if she is appointed in February, would sit on the Committee as the Behavioral Health Advisory Board representative. Member Mertle is also interested in being part of the Measure B Regional Behavioral Health Training Center Ad Hoc Committee. Member Allman sought County Council clarification to see if having four members of the Committee in the Regional Training Facility Ad Hoc Committee would be acceptable. County Counsel indicates yes, as the Ad Hoc Committee would be under quorum.

**Public Comment:** Mr. John Wetzler.

**Committee Action:** Upon motion by Member Miller, seconded by Member Allman, and carried unanimously, IT IS ORDERED that the Mental Health Treatment Act Citizen's Oversight Committee Regional Behavioral Health Training Facility Ad Hoc Committee add Member Mertle and the Behavioral Health Advisory Board representative (when he/she is appointed) to the Measure B Regional Behavioral Health Training Facility Ad Hoc Committee.



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

**Presenter/s:** Member Jenine Miller.

Member Miller reports there are no updates at this time as the Kemper Report Ad Hoc Committee lost one of its members, Jan McGourty, who retired from the Behavioral Health Advisory Board and December 18, 2019 was her last Measure B Committee meeting. Member Miller and Chair Moschetti are going to continue scheduling meetings to continue work on this Ad Hoc.

**Public Comment:** None.

**Committee Action:** None.

**3l) Discussion and Possible Action Regarding Development of Measure B Budget**

**Presenter/s:** Member Shannon Riley.

Member Riley indicated this was already addressed last month thinks the Project Manager has an update on the schedule. Project Manager agreed, this is just an update that the Board of Supervisors approved their Master Calendar that includes dates the budget planning process starts. Project Manager will meet with Member Weer to go over that process and make sure the Committee receives the information for the Measure B budget of whatever funds need to be approved for this coming Fiscal Year.

**Public Comment:** Ms. Jane McCain.

**Committee Action:** No Action.

**3m) Discussion and Possible Action Including Approval of Expenditure of up to \$346.65 of Measure B Funds (Fund 1224/Budget Unit 4052, Mental Health Treatment Act) to Acquire Ado Gov Acrobat PRO 2017 L2 for use by Project Manager; and Approval of Appropriation Transfer from Fund 1224/Budget Unit 4052**

**Presenter/s:** Isabel Gonzalez, Project Manager

Project Manager informs the Committee that the Executive Office has identified the need of this software that will allow Project Manager to be able to post items on the agenda, prepare the agendas, and post agendas on the website. It is requested that Measure B approve the expenditure to purchase the software as requested.

**Public Comment:** Ms. Emmy Good; and Sherie Ebyam.

**Committee Action:** Upon motion by Member Allman, seconded by Member Angelo, and carried unanimously, IT IS ORDERED the committee approves recommended action of expenditure up to \$346.65 of Measure B Funds (Fund Unit 4052, Mental Health Treatment Act) to acquire Ado Gov Acrobat PRO 2017 L2 for use by Project Manager; and approval of appropriation transfer from Fund 1224/Budget Unit 4052.



#### 4. COMMITTEE MEMBER REPORTS

##### 4a) Committee Member Reports Regarding Items of General Interest

Public Comment: None.

#### 5. ADJOURNMENT

THERE BEING NOTHING FURTHER, THE MENTAL HEALTH TREATMENT ACT CITIZENS OVERSIGHT COMMITTEE ADJOURNED AT 2:57 P.M.

Attest: Isabel Gonzalez  
Committee Clerk



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*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](http://www.mendocinocounty.org/community/mental-health-oversight-committee)*