

CONTRA COSTA COUNTY MENTAL HEALTH COMMISSION
MARCH 26, 2009
MINUTES

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| 1. | <p>CALL TO ORDER / INTRODUCTIONS The meeting was called to order by Commission Vice Chairperson Teresa Pasquini at 4:31 p.m. Chairperson Peter Mantas joined the meeting shortly afterwards.</p> <p><u>Commissioners Present:</u> Clare Beckner, District IV Art Honegger, District V Dave Kahler, District IV Peter Mantas, District III Bielle Moore, District III Colette O’Keeffe, MD, District IV Teresa Pasquini, District I Annis Pereyra, District II</p> <p><u>Attendees:</u> Frank Barham, MD, Contra Costa Mental Health Julia Bonacich, MHSA Family Steering Committee Sherry Bradley, MPH, MHSA Program Manager Karyn Cornell, Supv. Piepho’s Office Cesar Court, Older Adult Mental Health Brenda J. Crawford, Mental Health Consumer Concerns Al Farmer, NAMI-Contra Costa John Gragnani, Local 1/Mental Health Coalition Steven Grohic-McClurg, Rubicon Programs Lynn Gurko, Crestwood Healing Center Anne Heavey, MHSA Family Steering Committee Mashariki Kurudisha, Family Steering Committee Cindy Mataraso, Crestwood Healing Center Mariana Moore, Contractors’ Alliance Anne Reed, MHC Applicant Dorothy Sansoe, Senior Deputy CAO Karen Shuler, MHC Staff Connie Steers, Patients Rights Suzanne Tavano, Ph.D., Contra Costa Mental Health Stacey Tupper, MHA Donna Wigand, Mental Health Director Janet Marshall Wilson, Patients Rights, MHCC</p> | | |
| 2. | <p>PUBLIC COMMENT Brenda Crawford apologized to Colette and to the Commission for a comment she made at the last MHC meeting regarding there being no consumer representation on the MHC.</p> | | |
| 3. | <p>ANNOUNCEMENTS None.</p> | | |

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| 4. | <p>APPROVAL OF THE MINUTES FROM FEBRUARY 26, 2009. The Minutes were approved as presented. Carried unanimously.</p> | <p>M-Kahler S-Beckner</p> |
| 5. | <p>REPORTS: ANCILLARY BOARDS/COMMISSIONS.</p> <p>a. Mental Health Coalition - Teresa Pasquini 1) Update on discussions regarding adding new members to the Coalition Teresa reported there has been no further discussion on adding new members. Teresa mentioned she attended a lunch at the wellness center in Concord hosted by Brenda Crawford. They spoke about ongoing issues surrounding mental illness in our community and how to collaborate and become real community partners.</p> <p>b. Contractor's Alliance - Mariana Moore Contractor's Alliance is supporting having contracts resolved. How to get people to be part of the team is crucial. CBO's need to step up. Need to make sure their MHSA partnerships are the best they can be. She urged the Commission to be involved in this.</p> <p>c. Local One - John Gagnani No report.</p> <p>d. Mental Health Consumer Concerns - Brenda J. Crawford Brenda said she is honored to be here. Brenda distributed a written Report that included a listing of new programs being offered at the MHCC Wellness and Recovery Centers. She gave an update on the reopening of the East County Wellness and Recovery Center, stating MHCC is looking at three buildings on Monday for East County (to replace building that burned down). She reported they are working on the Bridges to Home collaboration, (a full service partnership). There is concern about the MHCC budget augmentation. Operating costs have more than doubled since they moved out of the county building.</p> <p>e. National Alliance on Mental Illness - Al Farmer Al Farmer distributed a written report describing NAMI's purpose and the programs they offer. He stated NAMI's goal is to educate, support and help establish a case manager in families that have loved ones suffering from mental illness. NAMI offers a Family to Family Program, In Our Own Voice, Peer to Peer and various support groups. They give financial support to the Crisis Intervention Training and Behavioral Health Courts, and help support the Putnam Clubhouse Project. They are also advocates for the mentally ill with the Mental Health Administration and the Board of Supervisors. He said they also advocate at the state level where they support and propose legislation. Al finished by announcing their principal fund raiser, the Bay Area NAMI Walk, held this year on Saturday, May 30th at Golden Gate Park.</p> | |
| 6. | <p>CHAIRPERSON'S COMMENTS – Peter Mantas a. Prop IE - Present a position letter to the Board of Supervisors</p> | <p>Follow-up on Letter written by Peter to</p> |

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| <p>Commission to take a position opposing Proposition 1E and ask the Board of Supervisors to take the same position. The motion carried unanimously.</p> <p>b. Approve wording for the "May is Mental Health Month" Proclamation, being presented at the Board of Supervisors on Tuesday, May 5th.</p> <p>A motion was made to approve the wording of the 2007 proclamation "as is". Motion carried 7-0-1.</p> <p><i>THE REST OF THE ITEMS IN THE CHAIRPERSON'S REPORT WERE MOVED TO THE END OF THE AGENDA.</i></p> | <p>Kahler Mantas Moore Pasquini Pereyra <u>Nays:</u> 0 <u>Abstain:</u> O'Keeffe</p> |
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| <p>7. REPORT: MENTAL HEALTH DIRECTOR – Donna Wigand, LCSW</p> <p>Donna started by stating that she was not going to follow the order of the items on the agenda. She continued by mentioning the BOS Budget Hearings, stating there were 80 requests to speak. Of the 80, she said, only 1 person requested to speak on our behalf. She thanked Mariana Moore. Donna said we didn't get a lot of air time and she has no reason to believe our reduction will not pass next Tuesday.</p> <p>Donna then said she wanted to talk about the spirit of partnerships and address the full Commission. She said she wanted to talk about two actions that have happened that concern her greatly that she wished this Commission would have addressed in other ways.</p> <p>Donna: The first is, this Commission requesting County Administration to do a full investigation of myself and my staff regarding how the MHSA Prevention & Early Intervention process has been conducted. That is certainly your right to do. And upon learning that County Counsel is not able to do this, the County Administrator's Office will be doing this. I'm confused about your request for this and wish that you would have at least informed me. Number two, the action that you took by contacting the Oversight & Accountability Commission and requesting for them not to pass our PEI Plan and not give us \$7 million dollars. Again, I think that could have been handled a very different way. I'm confused, I'm disappointed, I don't understand.</p> <p>Bielle: I have a question. I guess I wasn't aware there was a request made for an investigation. Was there a formal request made by this Board? [There was a response of surprise from the Commission and others present.]</p> <p>Peter: Let me stop a second here. The request was made by me, copy Donna, to Dorothy to ask legal counsel to review our processes and to make sure that we acted in good faith by the laws of the governing body, this body and also MHSA funding. It wasn't to investigate anyone.</p> <p>Donna: That's what it's turned into.</p> <p>Peter: It may be turning into that, but that was not the intent of it. The intent was, "What is the process?"</p> <p>Donna: I welcome it. It's just the first time I've ever experienced in 30 years</p> | |
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this process happening. I just say it's confusing and rather alarming in terms of partnerships.

Bielle: It's news to me. If I'm sitting on a Commission, I feel like whatever this body does is a reflection of the Commissioners and you as the Chair can't move forward with this. I think it would have been nice if you had communicated with the rest of us that that was a decision you were going to make.

Donna: I assumed that over half the Commissioners voted to get you to act to do these things.

Peter: To do what? To send a request for information?

Bielle: If I may just say something...And the reason being, that when a request is made, as a Chair, if you're making a request and you're doing that as an individual citizen it gets a little dicey when you're actually chairing, especially a Commission that is working with the body you're asking to investigate -- whether that word was used or not that certainly is the perception. And then on the State Oversight Commission, was that something this Commission voted to extend?

Peter: No, and I don't believe, unless somebody has put that request in, I don't believe that request was made by anyone.

Donna: We were told by the OAC today.

Peter: And who made that request to block funding?

Donna: They said "the Mental Health Commission."

Has anybody...

Teresa: Who's "they"?

Donna: The OAC.

Colette: [To Donna.] I want to support what you're saying that you're shocked and astonished and I feel the same. At least 2 Commission members knew nothing of this and I'm sure there're many more. I just want to apologize for what happened.

Donna: I absolutely assumed that you all knew this because both communications to me were "the Mental Health Commission."

Peter: Before we continue with this, we need to clarify the letter. And I'm going to read it to you. [Peter read the e-mail he had sent to Dorothy Sansoe.]

"I need to get help in seeking County Counsel assessment and advice on deficiencies in the previous MHSA Public Hearing process. The MHSA Public Hearing process should be as follows, as I understand it: Plans should be posted at least 30 days prior to Public Hearing. After the 30 day Public Hearing notice, Hearing shall be held by the Mental Health Commission. The Public Hearing of the Special Mental Health Commission meeting requires a quorum present. At the end of the Public Hearing if no significant concerns have been raised by the public then Commissioners would deliberate the passage of the proposed Plan. If the Commissioners had any reservations about the Plan and needed further changes or review the Commission would schedule another Public Hearing after proposed changes were discussed. Once the public and Mental Health Commission are satisfied with the Commission move to approve the Plan County MHA submits it to MHSA Oversight & Accountability Commission for

consideration. During the January 22nd, 2009 Public Hearing, the Public Comment on the following matters, Draft Prevention and Early Intervention Plan, Draft Workforce and Education Training, and Draft Capital Facilities and Technology's component was proposed." And I state what I see the potential problem. "MHSA Steering Committee submitted a letter with significant concerns on the Plans. These concerns were yet to be fully debated and addressed. Two: The Mental Health Commission didn't have quorum at the Public Hearing. Mental Health Commission didn't deliberate on Plans. Mental Health Commission didn't approve the Plans. Mental Health Commission didn't review what if anything was addressed from public comment in the plans. Although I was not Chair of the Mental Health Commission at the time, I would still like to understand the exposure the County and Mental Health Commission from this flawed process and submittal of the aforementioned plans as to OAC. Please be advised that these plans are on the Agenda for Thursday's meeting. I would like to understand our position so that I can advise my fellow Commissioners during this Thursday's Mental Health Commission meeting." Peter further clarified by stating, "the reason that I requested this was to understand the County's exposure, and our exposure as a body to possibly the previous Commission not following the guidelines that had been set to not only convene and discuss but approve the plan that was submitted to the OAC." It wasn't to start an investigation but to request if there's any exposure to us. We need to frame all of this stuff properly. If you believe that I acted improperly to look at the exposure that this County and this Commission have, I apologize. I believe that I was within the Chair's rights to request that and provide that information to you rather than alerting you and causing concern about something that may not be of an issue. I didn't ask to investigate. So, framed this way, let's discuss."

Bielle: You identified yourself in that letter as the Chair of this Commission, and I would like it to be the policy that if you're going to make a request for any information, we're a Commission, and so I really do think we should all be part of decisions, especially when there's going to be a request made by you to County Mental Health staff, County Counsel, whomever. Otherwise it feels like this cleaning up afterwards is going to be tiresome and it also breaks down relationships and I'm not in favor of this kind of approach.

Peter: Thank you.

Anne Heavey: I don't see anything wrong with the Chair writing this letter. He made it very evident that he was doing it to gain information and he made it very evident that it was something he was seeking to do a better job. I think it's a matter of interpretation and how [to Donna] you take it and I think you're putting the worst face on it possible. And if I may, I've finished as a member of the Family Steering Committee and your reply to our memorandum...

Peter: Order, please.

Anne: But that's what I'm judging by. If you're going to sit and make that worse interpretation, I object just as a person.

Peter: Thank you. Any other discussion?

Colette: Even if it was within your legal right to write the letter, I think it's still

incredibly important to perceive what the consequences might be and worked-for relationships are far easier to fracture than to mend. I wish you had thought ahead of what the results might be.

Lynn Gurko: As a former co-chair of the Commission, it is my opinion and my recollection of the Bylaws that it is out of line and is not in keeping with being a bridge-builder in partnerships, and I would really encourage you to not take that kind of power because you did imply you were from the Commission, and you also did not include your fellow Commissioners and it's out of line.

Peter: Thank you.

Teresa: Wasn't this an e-mail to Donna?

Peter: To Dorothy, copy Donna.

Donna: And all the Board of Supervisors.

Peter: No.

Teresa: Who was copied on it?

Donna: You were.

Teresa: I was. And I don't recall it being copied to the whole Board – but nonetheless, this was a definite inquiry as to exposure for us based on conversations we had with Sherry, based on information we tried to have clarified. It was a concern. It was my recollection the Chair has done this in the past because I remember Kathi McLaughlin sitting up here saying that she had contacted County Counsel for clarification and I believe that I was told the Chair was the only person that could directly speak to County Counsel because I did try to get...I'm telling you what I recall. I'm wrong on what I recall?

Donna: My understanding is that when there's a request made of County Counsel that it comes through myself, usually Dorothy's involved and Commissioners don't go directly to County Counsel.

Staff: In the past, when Kathi or Scott or Jacque were Chair, if there was an issue, usually a Brown Act issue, I could call County Counsel and she would answer it real quickly for me. It has now been clarified that it has to go through the proper procedure and that prevents any problems because she just gets too many calls from everyone, so I don't even call County Counsel now. It goes through the proper chain just like any other commission.

Teresa: And did I hear anything about an investigation of Donna and her staff?

Donna: I think you used the word "flawed process," so if there's a flawed process, then we need to do an investigation. I welcome that because I respectfully disagree that our process was that flawed. So I welcome that exposure; that's fine and I have all faith in Sherry that we can manage that. I just think again it's an unfortunate way to be doing business.

Peter: Okay. Any other comments?

Dave: I support you in everything you did.

Peter: I appreciate everyone's comments and going forward I will go ahead and change the way that I address these issues and bring it through the Commission for everybody to vote. Please understand that there will be a month's delay in dealing with possible issues. If the issue is significant enough I will call a special meeting so we can get together and discuss it further. However, there's no mal-intent at all. If it is taken as such, I'm sorry. It was not meant that way.

I am doing what is within the purview of the Chair, and I stand behind what I did and I was looking out for the welfare of the people of the County and this Commission. But going forward I will not take any steps like that without bringing them to the full Commission. If we want to discuss that further, we can do it at another meeting with an action item to reverse what I just said.

Sherry: I just need to respond to one thing...Teresa, you mentioned a meeting with me, but I want everyone to know that at no time during that meeting was it presented to me that it was a flawed process. And now these issues came up. I was totally unaware that there was not a quorum at the hearing. I got a copy of the Minutes. There were seven Mental Health Commissioners present at the January 22nd meeting. Our discussion together didn't involve any e-mail. We strictly talked about what we were going to do for the next Public Hearing.

Peter: To clarify that point, Sherry, I did mention that the process was flawed and we did discuss it. We did not discuss this letter. I was concerned about it and I asked for an opinion by legal counsel and I did that in open light through copying Karen, through copying Donna, copying Teresa, and copying the two Board of Supervisors members who are part of this Commission, Supervisor Piepho and Supervisor Gioia. That's it. I think we've spoken about this enough. I really appreciate the feedback and I will adjust my approaches to this kind of dialogue in the future and let's move on to Donna's next point.

Unidentified speaker: As a taxpayer, I welcome your facts, your clear facts, your clear communication. I also welcome an investigation, if it wants to be called that. But what I'm uncomfortable about is how personal it seems to be. I'm uncomfortable with that. It just seems like it's taken personally with an edge that this isn't how people work together so that offends me.

Donna: And I'm sorry about that. It is upsetting, certainly not exposure, but I'm just used to doing things in a different way of partnerships so this has surprised me. And I am uncomfortable about hearing directly from the OAC today that quote unquote "Your Mental Health Commission and your local NAMI Chapter have both contacted us and want your \$7 million allocation at a minimum held up." I'm just letting you know that's why I'm so upset. It's like it goes beyond personal. It goes to denying the residents of this county millions of dollars in mental health services. And that's very upsetting to me.

Bielle: Was there a letter that was sent to the OAC or something?

Donna: It is my understanding that there were telephone calls made. Sherry, maybe you could fill in the blanks.

Sherry: At the OAC meeting I was told by the spokesperson for the OAC Commission that there might be some problems because they had received some letters and phone calls. And then Suzanne and I were both approached by [OAC] Commission members just to let us know that those things had been received and so we filled out our Public Comment card and I went forward and basically said I understood that there may be some questions regarding our process and we did run a Public Hearing and I explained that. I had all the documentation and it was on our website that the hearing had occurred, the comments were submitted, in fact all the stakeholder comments, all the stakeholder opinions, everything was submitted to the OAC. So we thought we

did follow the process, in fact I brought with me the State DMH Guidelines just to make sure we followed the letter of the Guidelines. However, they did say our Plan was excellent and they approved it.

Peter: Before we continue with comments, Donna, do you have any specifics as to who said what?

Donna: They did not share names with us. They did not reveal the letters to us. I wish they had, but they didn't.

Peter: Okay. So I would like to go ahead and drop this matter because there is no substantive information to share. We're talking about hearsay and I believe this is really a waste of our time.

Mashariki Kurudisha: I'd just like to make a comment about democracy. It's my understanding that in a democracy, all these Commissions, whether they're local or state, that citizens can contact you and even if the draft resolution process is before the OAC that people can be anonymous. So whether you are contacting a City Hall, a City Council or a congressman, or whoever, so I think it is inappropriate to take offense by citizens whoever they are in Contra Costa County contacting a state body which clearly says that they are open to contact by citizens of California. So I would like to say that while it's interesting that Commissioners and staff play a game that reminds me of when I was in elementary school about the person that whispered in the ear and by the time it gets to the end what's been said is not the same. That's part of what I'm hearing here, and I find that that's unfortunate. In the current times that we find ourselves in and the stress that all of us are under given the economic reality that we are all facing and the economic monstrosity that has evolved in California.

Unidentified speaker: If someone is stating this Commission made this request, it isn't a waste of time to follow-up to clarify that Peter or NAMI did or did not make the request.

Peter: We're spending a significant amount of time of the agenda talking about hearsay.

Brenda: I think what this demonstrates to me, that regardless whether the process is flawed or not, and I've used those words at public meetings because I've heard them. I was not involved in the process, but I've been told it was a flawed process. I think what really comes home to me is that it is a process where everyone did not feel heard. Where everybody didn't feel as though their voices really mattered, that their input into the whole process was taken seriously. Moving forward, we just need to develop systems where everybody, and I think the CPAW really will do that. I think the process happened but we need to learn from that and move forward.

Suzanne: I'd like to add we have a grievance process. We receive anonymous complaints all the time. We have no problem with anonymous complaints, etc; we still pursue looking into them. So really, we have no problem with anonymity if people want to complain that way. But I want to make it clear here, we are not into retribution or punishing people if they make a complaint, and I also want to go on the record as saying that in terms of what occurred today, it's public record that it was Dede Ranahan from NAMI-CA who said that NAMI members contacted her and it's Public Comment so I'm not speaking

out of turn. Dede is a very respected, respectable person and I don't doubt that she received phone calls from her members. Because she said she was speaking on their behalf so I just want to put that in context here. And also it was clear that whoever the NAMI members were who called, they were also aware that the Commission was questioning the process because it was raised very specifically. So it wasn't this totally vague persons who don't care who called, but the really upsetting part is we were there, we were on a consent calendar, it was worth millions of dollars. We received so many positive comments. We were commended on our process. We were told that we had one of the most exhaustive, extensive stakeholder processes that they had seen and documented, and it was baffling to them also. So anyhow, that's the perspective. You feel like you're coming from your County, representing your County and then you're broadsided. And it's like why are we being broadsided here in a very public forum while at the same time receiving commendation for our work. It was a very confusing process.

Peter: Thank you. Okay. Just to finish this off. The issue that I have with this is that instead of discussing these issues, we are making assertions that people did things without even asking them. That Commissioners called and asked that the process be stopped and funds withheld. If NAMI members did that, then we have no control of that. If a Commissioner did that we need to know because they were acting on their own. Did any of the Commissioners around this table call the OAC and request that funds are held? [No response.] Okay. We do need to build a level of trust and a level of communications with each other so we don't go through this again. So Donna, back to you.

a. Present corrective action plan on quality of service and responsiveness to calls for help.

Donna distributed a paper that described their responses to unusual events. The initial procedure involves receiving and logging in a written form and notification. An initial evaluation of the incident is provided by David Cassell, the Mental Health Quality Improvement Coordinator. The activities which then follow may include, but are not limited to:

- Official notification of the Mental Health Director;
- Interviews with involved parties;
- Review of medical/treatment records;
- Consultations with third parties, if need be;
- Requests for information from outside agencies; and
- A formal review meeting where involved parties are brought together.

Donna went on to explain that if the investigation shows there is a need for corrective action, it is initiated. Actions could include changes in policies, changes in procedures, formal plans of correction, and personnel/disciplinary action (which are protected in code from disclosure).

Donna suggested that David Cassel be invited to the April meeting.

b. Update on the Budget Crisis

Suggestion made to invite David Cassell to April MHC

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| <p>A copy of the Fiscal Year 2009-2010 Recommended Budget for Contra Costa County was distributed.</p> <p>The highest profile item for Health Services is the discontinuation of primary health care to illegal immigrants.</p> <p>Dorothy: On Monday we are meeting and are continuing to meet with the clinics to try to work things out.</p> <p>Colette: How many will this affect?</p> <p>Donna: An estimated 5500. Dr, Walker is against this proposal. People will get sicker.</p> <p>John Gragnani: Our Board of Supervisors look at dollars now and not future.</p> <p>c. Response to question from Rubicon regarding how Community Based Organizations are being integrated, especially in West County.</p> <p>Donna said she has been working with Health Services Director Bill Waller about how to access health care in a more timely fashion for our consumers. What I'd like to do is perhaps use 38th street in Richmond and have a health clinic for people who also have a mental illness. If they granted us time every week, that would be the best thing.</p> <p>Steve: When you're planning and meeting with 38th Street, please invite community-based organizations.</p> | <p><i>meeting to give a report on the County's corrective action process.</i></p> |
| <p>8. REPORT: MENTAL HEALTH SERVICES ACT</p> <p>a. Report from Sherry Bradey, MHSA Program Manager</p> <p>1) Address the issues of the <i>Memorandum of Concerns</i> received from the Family Steering Committee</p> <p>Sherry distributed the original letter, along with a bulleted report she prepared for this meeting. She said she didn't want to respond last month because it was appropriate for it to go to the MHSA Steering Committee first so they could respond. She also distributed Donna's response to the letter and went over items one-by-one.</p> <p>Sherry said she is tracking actions and can bring a chart showing where we are each month</p> <p>Steve : I commend the MHA on how they are doing on MHSA – but the issue with housing is a concern because of hiring county housing rather than people experienced with housing. When county folks are hired, CBO's don't have access to them and we don't get concentrated value and lower cost. My second point is, for very good reasons a variety of persons have been funded under FSP's. It will be important to clarify that they are serving under MHSA. We shouldn't lump everyone together.</p> <p>Mahariki: Representing the Family Steering Committee, I want to thank you and Donna and others for the report that you've done, but we've also done a response to the report that you've just read. I would like to share with the MHC the Family Steering Committee's response. I have been attending Gloria Hill's Family</p> | |

Steering Committee. When we compared notes, There were substantial areas where there was no response.

Peter: we are running out of time and need to stop and this needs to be taken up later in a separate meeting. I promise to call a meeting within two weeks. Your concerns will be heard and discussed.

Anne Heavey: I object to the consolidation of the 3 steering committees. I am angry and upset. We've been coming for 3 years. It's in the evening so family members can go. I commend you on what you are doing to help, but anytime a question is asked, the answer is "It's on the website." That's a problem.

Suzanne: Reminder: we have over \$9 million for housing sitting at the state and are trying to get it desperately. She explained the 3 committees.

Sherry: Sometimes we paid \$300 for a consultant. That may seem high, but I can't do everything.

Teresa: I am so offended by the tenor of all of you. I've given a lot of time and energy and had a lot of sleepless nights, too. I've been your biggest supporter, Sherry. I don't appreciate the characterization of NAMI at all. I think our concerns were valid and brought forward in good faith and do not understand...I had a problem with the OAC placing the plan as a consent item. The steering committee is not an independent group -- they are all staff. That is an issue. They have been making all the decisions.

Peter: The process is being challenged. We need to come together and work collaboratively. Sherry has made significant improvement in the MHSA process. Our questions or comments should not be taken out of context as attacks on you or staff.

Peter speaking to all stakeholders present stated, "I ask that you send comments to the staff [Karen], who will then copy them to the Chair and Vice Chair and Donna. Be aware that on April 9th there is a Public Hearing. Don't wait until after the public comment period is over to make comments. You need to be there to make your comments. We will continue discussion of this process."

- 2) Discuss the process and funding of the Mental Health Services Act

No discussion.

- 3) MHSA-Community Services & Supports FY 08/09 Draft Plan Update Presentation

This will be covered at the Public Hearing April 9th.

- b. Report from Connie Tolleson/Teresa Pasquini, MHSA Steering Committee

Connie was not present.

Teresa: It was a stunning meeting being in the room with the people

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| <p>who were making the decisions. I felt I was in enemy territory for awhile, but was surprised about comments. It was the most productive steering committee meeting. There was reaching out from a few people, but genuine resentment from others. She told staff there was no attempt for the families to be adversarial. We aren't feeling very supported in this county.</p> <p>Brenda: Are there any consumers? Teresa: All staff. That's a problem.</p> | |
| <p>9. COMMITTEE / WORKGROUP REPORTS</p> <p>a. Bylaws Workgroup - Peter Mantas 1) A Special Meeting of the Mental Health Commission to act on the proposed Bylaws amendments will be held Monday, March 30th at 5:00 p.m.</p> <p>b. Executive Committee – Teresa Pasquini, Chair 1) Recommendations for appointments to the Commission Teresa reported they interviewed Anne Reed from District II She said the Committee was unanimous in recommending her to Supv. Uilkema for the vacant Member-at-Large seat. A motion was made to accept the Executive Committee’s recommendation. Motion carried 7-0-1.</p> <p>c. Psychiatric Health Facilities (PHF) Workgroup – Art Honegger, Chair 1) Receive response to request for information on PHF assessment Donna sent the letter from the Commission to Pat Godley. Peter asked Art to address it from the PHF Workgroup. Donna said MHSA funds cannot be used for PHF.</p> | <p>M-Pasquini; S-Kahler. <u>Ayes:</u> Beckner Honegger Kahler Mantas O’Keeffe Pasquini Pereyra <u>Nays:</u> 0 <u>Abstain:</u> Moore</p> |
| <p>CHAIRPERSON’S REPORT, cont’d.</p> <p>c. Report on Human Resources meeting and hiring (Review list of open positions and status) There was no discussion due to the fact that a report was not submitted by MHA.</p> <p>d. I’m reaching out to the Oversight & Accountability Commission (OAC) and other County Boards/Commissions for best practice.</p> <p>e. Call to Action As I participate in community meetings I keep hearing that people aren't satisfied with the way the system is being run. If we're going to make changes, we need people to be honest. I care, and when I hear about things going on and then there's no discussion, that's a problem. Get involved, communicate. Reports must be timely. Several items were not done for this meeting. This is unacceptable and it has to change.</p> <p>f. Understand everything about Mental Health Services Act - Educate yourselves.</p> | |
| <p>10. FUTURE AGENDA ITEMS</p> <p>a. Suggestions for April Agenda [CONSENT] 1. Conservatorship</p> | |

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| <p>2. Public transportation issue for Consumers Colette mentioned that meetings scheduled to discuss the issue of transportation are held 1-1/2 miles from public transportation. The next meeting is April 3rd. Peter noted that a Special MHC meeting will be called to discuss the Family Steering Committee response letter within two weeks.</p> <p>b. List of Future Agenda Items:</p> <ol style="list-style-type: none"> 1. Case Study 2. Presentation from The Clubhouse 3. Medicare issue – added revenue stream 4. Presentation from the Behavioral Health Court 5. Follow-up report on the Behavioral Health Court’s grant application. <p>c. List of Issues for April 30th MHC Planning Meeting (Retreat):</p> <ol style="list-style-type: none"> 1. Children’s Workgroup 2. TAY & Adults’ Workgroup 3. Older Adults’ Workgroup 4. Consider moving the monthly MHC meeting to the 1st or 2nd Thursday 5. Creative ways of utilizing Mental Health Services Act Funds 6. Discuss MHC Fact Book Review Meetings with Appointing Supervisor | |
| <p>11. PUBLIC COMMENT None.</p> | |
| <p>12. ADJOURN MEETING The meeting was adjourned at 6:55. The next regularly-scheduled meeting of the Mental Health Commission will be Thursday, April 23, 2009.</p> | |

Respectfully submitted,
Karen Shuler, Executive Assistant
Contra Costa County Mental Health Commission

**Special Meeting of the Mental Health Commission
Bylaws Revision
March 30, 2009**

1. Call to Order/Introductions

The meeting was called to order by Chairperson Peter Mantas at 5:08 p.m.

Commissioners Present:

Clare Beckner, District IV

Art Honegger, District V

Dave Kahler, District IV

Peter Mantas, District III

Colette O’Keeffe, MD, District IV

Teresa Pasquini, District I

Annis Pereyra, District II

Commissioners Absent:

Bielle Moore, District III

Supv. Mary Piepho

Connie Tolleson, District V

Non-Commissioners:

Dorothy Sansoe, Senior Deputy CAO

Karen Shuler, Executive Assistant to the MHC

2. Public Comment

None.

3. Announcements

None.

4. Approval of the Bylaws Revision Workgroup Minutes from February 10, 2009.

Approved as presented.

M-Pereyra; S-Kahler.

5. Chairperson's Comments – Peter Mantas

Referring to the March 26th monthly Mental Health Commission meeting, Peter said he was disappointed with how everything got kicked off with (Mental Health Director) Donna Wigand’s presentation. He said insinuation was treated as absolute truth. Peter stated that it’s important going forward that any of us -- Commissioner, guest -- try to find out information before jumping on comments. He explained that no one made the statement that we wanted the agenda item pulled at the OAC (Oversight & Accountability Commission). In the future, we need to ask more questions before we allow it to get carried away. Mistakes will be made, but we shouldn’t allow rumors, insinuations, etc. to get in the way of our business. Peter said he made a statement that he will not ask for information without going through the Commission. He said he retracts that, and added the he will not take a position for the Commission, but will follow through with getting information to support our responsibilities as Commissioners. He said he has to have that latitude to ask questions, to put inquiries to Dorothy (Sansoe) or anyone appropriate and bring it to the Commission for a correct decision. He then asked those present what they thought.

Dave: I think it’s preposterous that it ever came up. There was the inevitable Commissioner voice for bias and more rules.

Peter: If you don’t agree with me, remove me. The Bylaws allow for that to happen. I’m making this commitment to you: I will not do anything to undermine your trust.

Clare: Are you referring to the fact that you visited other Commissions?

Peter: No, it was my letter to Dorothy, asking for clarification on what happens if the (MHSA) process wasn’t followed to the law -- if we didn’t do it, what are we exposed to and let’s deal with it before we do it wrong. My intent was to make sure we had information. Donna said I launched an investigation on her. I said I wasn’t going to ask for information without the Commission’s approval. I’m retracting that. We have that right.

Teresa: I’d like to know what the process is going to be moving forward. How will we move past Thursday?

Peter: I will be writing a letter outlining my intent to Dorothy.

Dorothy: I don’t plan on doing an investigation until we meet with Donna. Most questions can be answered without a formal investigation.

Teresa: What is the criteria?

Dorothy: Something done intentionally or maliciously. Unless I see that, we can get the answers and develop a plan from there.

Teresa: I’m concerned about the healing process.

Dorothy: The meeting with Donna should take care of it.

Teresa: I have a strong commitment to making sure things get resolved and want mutual communication.

Dorothy: Unfortunately, with e-mail you can't interpret feelings.

Peter: Regarding interfacing with other counties -- I'm going to continue to meet with them.

6. Discuss/Make Recommendations Regarding Proposed Bylaws Revisions

A motion to adopt the Bylaws as amended.

M-O'Keeffe; S-Beckner.

Discussion proceeded on each revision proposed by the Bylaws Revision Workgroup.

I:1 No changes.

II:1 Approved as revised.

II:2 Approved as revised.

W&I Code information will be checked for accuracy by staff, Peter and Teresa.

III:1 Associate Members: Proposed revisions not approved.

There was discussion regarding proposed Associate Memberships

Colette: I'm against adding Associate Members. The seating at the table would be a problem, plus it would be too cumbersome. The Concord Police Department meeting room is publicly accessible transportation-wise.

Teresa: Your points are valid. I agree that we have to be mindful of transportation. Ideally, we had hoped for a full Commission with people in waiting. There are people out there who would like to serve, but if the Board wouldn't accept it...

Colette: They would be mostly family members, so would further the imbalance on the Commission.

Dave: I am firmly against it.

Peter: Just because the seats weren't filled doesn't mean they can't be. We need to reach out more, then we would have plenty of people to fill the seats. Associate Members would be waiting on the sidelines. They can do everything but vote. They are approved to be a like seat.

Dorothy: No, they aren't. They have to go through the same appointment process.

Colette: Wouldn't people then feel the seat is closed, so it would decrease the choices?

Peter: We're receiving applications as they come in.

Colette: Other people would feel it was an inside job and they would be excluded.

Dorothy: Vacancies have to be posted, so Associates may not be able to step right in.

Annis: Associate family members could not fill consumer spots so they would just be sitting there.

Peter: Associates would only take over for a like position.

Colette: During discussions there will be five more family member's voices at meetings.

Teresa: Where does this come from...are there more family members?

Staff: Yes.

Dave: This doesn't address filling up the Commission. Let's just move on.

Peter: Who wants Associates Members?

None of the Commissioners present wanted Associate Members. The proposed revision was removed.

III:1A Revisions approved.

III:1B Approved as revised.

There was discussion surrounding the positions on the Commission (Consumer, Family Member, Member-at-Large)

Colette: The (consumer) definition is open to being interpreted too loosely and is open to abuse.

Dave: Who is going to impersonate a consumer to get a seat on the Mental Health Commission?

Colette: The consumer seats are usually harder to fill. Brenda (Crawford) and I going to try to get them filled. Since it's harder to fill, someone who is "consumerish" may be appointed.

Peter: What language would you like to use?

Colette: Having serious mental health issues.

Dorothy: You could have a stricter policy without placing it in the Bylaws.

Peter: There's nothing that says we have to adhere rigidly to the Welfare & Institutions Code definition.

Colette: This is an angst issue for me.

Peter: With HIPPA, etc., how do we verify if they are a consumer?

Colette: They have to be self-verifying.

Teresa (to Colette): Would you be comfortable for it to be in a Policy and Procedural Manual?

Colette: Yes. My preference would be to change the Bylaws. We want to strengthen our relationship with the consumer movement and show we are serious about having genuine family representation.

Dave: All the years I've been on the Mental Health Commission, I haven't seen any consumers who aren't genuine consumers.

Teresa: I think it's important as a Commission that we don't perpetuate stigma.

Peter: Should we make the Bylaws provision more rigid? There's no way to prove it and we need to increase applicants.

Colette: It would encourage people to apply.

After further discussion, it was decided to place this in a Policy and Procedural Manual.

III:1C No changes.

III:1D No changes.

III:1E Approved as revised.

III:1F No changes.

III:1G No changes.

III:2A Revisions approved.

There was discussion regarding absences.

Colette: It seems a little harsh.

Teresa: We took a lot of time on this.

Peter: The biggest point was that the Commission needs people who are attentive to Commission duties or there is not consistency.

Colette: Is there wiggle room?

Peter: We can talk about it.

Dave: I think we should accept it as it is.

Teresa: We were trying to be mindful of the consumers who may have a medical problem.

After further discussion, the recommended revision was approved.

III:2B: Revisions approved.

III:2C: Revisions approved.

III:3 Revisions approved.

There was discussion regarding term limits.

Dorothy: Putting in term limits) may result in a vacant seat that can't be filled.

Peter: (to group) Should we reinstate it?

Commissioners: No.

Colette: There should be a grandfather clause.

Dorothy: The wording would have to be changed.

Peter: That would be hypocritical. We either want it or we don't want it.

Dave: I always oppose term limits. If a Commissioner wants to be appointed and the Commission wants him to serve, he should. We are projecting our opinions to the future.

Clare: Let's say a Commissioner has reached their term, can they become a family member if they are a member-at-large?

Peter: They could be off for a year and come back on.

After further discussion, the revisions were accepted.

III:4 Revisions approved.

III:5 Revisions approved.

III:6 Revisions approved.

Dorothy mentioned it is the responsibility of the Supervisors to do the advertising for vacancies as the Commission has no money.

IV:1 Proposed revisions not approved.

Place deleted words "A minimum of" back in.

IV:2A Approved as revised.

Peter: Because the Executive Committee meets on a regular basis, it must be a Committee.

Changing it to a workgroup was done too hastily.

IV:2B Revisions approved.

IV:3 Revisions approved.

IV:4 No changes.

IV:5 No changes.

IV:6 Approved as revised.

IV:7 Revisions approved.

Dorothy noted that the Board of Supervisors has a policy that you need to have a quorum vote. If there are 10 people on the Mental Health Commission, four could make a decision and that would be a problem.

Peter: The bottom line is that we would have to have an absolute majority every time the Commission meets.

IV:8 Revisions approved.

V:1 Approved as revised.

Dorothy: As worded, it doesn't leave options if meetings have to be cancelled. Suggested "during the September meeting or the next regularly scheduled meeting" in case the September meeting has to be cancelled.

V:2 Approved as revised.

Dorothy: If the intent was to have secret ballots, it won't go.

Teresa: No, it was to prevent embarrassment.

Dorothy: They would have to be read and who voted.

Peter mentioned a statement from former Attorney General that indicated written ballots were allowed. He was unable to find the actual statement in his papers.

Dorothy: County Counsel will not approve if the name of the person voting is not read out.

Teresa: The purpose is not to feel intimidated in front of the person.

Clare: I agree. It was so uncomfortable in November. I would have no problem if my name was read. I feel I could vote privately even if it was public record.

Teresa: It's then more of a personal vote.

Peter: The intention of the Attorney General was that a public written vote was okay for him.

So long as that public document was in place, a private ballot can be used without knowing who

voted for whom.

Teresa: They've already said they'll say "No," so we should consider that.

Dorothy: If you want to keep this, do so and provide documentation to County Counsel.

Colette: How about a signed ballot, without seeing hands. That would take off the pressure.

Peter: My thought was to take all the pressure off who's voting for whom. As long as the State's Attorney decides it's appropriate, why not take the pressure off?

Teresa: I initially thought it was not secret.

Peter: I think the individuals running may take it personally. Any other thoughts?

Clare: I like paper ballots, but I don't care if it's secret.

Peter: Okay. It will be paper ballots with the names on them.

V:3 Revisions approved.

VI:1 Revisions approved.

VI:2 No changes.

VI:3 No changes.

VII:1 Approved as revised.

VII:2 Proposed revision not approved.

Replace the deleted "shall."

VII:3A Approved as revised.

VII:3B Revisions approved.

VII:3C Revisions approved.

VII:3D Approved as revised.

VII:3E No changes.

VII:3F Revisions approved.

VII:4 More discussion appeared to be needed.

Peter: Should we allow the Chair to appoint, or nominate and the Commission appoint?

Dorothy: I can see it both ways. The advantage of having the Commission appoint, is that the Commission has input. The advantage of having the Chair appoint is if someone a seat becomes vacant, the Chair could appoint and get things done.

Peter: If I was to appoint two people who were going to always side with me, how would you feel?

Art: You could minimize that by having both the Chair and Vice Chair appoint.

Dorothy: You have to rely on the Chair wanting to get other opinions. Whoever it is, you have to rely on them. Otherwise, why add two more people?

Clare: Could you ask for people who are interested and then it would ultimately be the Chair's decision.

Teresa: It's already discretion. There has to be an ability to show leadership.

Dorothy: You could word it so the Chair and Vice Chair both have a decision.

It was noticed there was no description given for the Membership/Nominating Committee.

Due to lack of time to continue, the original motion was amended to adopt changes made to the proposed revisions on Article I through Article VII: Section 3.

M-O'Keeffe; S-Beckner. Carried unanimously.

Changes made are reflected in the following document.

7. Next Steps

It was decided to set a date for another meeting in 2-3 weeks to complete the Bylaws revisions. Staff was asked to send an e-mail requesting date and time availability of the Commissioners.

8. Adjourn Meeting.

The meeting adjourned at 8:03 p.m.

2nd Draft -- Approved at Special Mental Health Commission Meeting 3/30/2009

Plain, black text = No changes in original text.

~~Red strikethroughs~~ = Proposed deletions of original text.

Bold, yellow highlighted = Proposed changes and/or additions to original text.

**ARTICLE I
NAME OF ORGANIZATION**

SECTION 1. NAME OF ORGANIZATION

The name of the organization shall be the "Contra Costa County Mental Health Commission."

**ARTICLE II
GENERAL PROVISIONS**

SECTION 1. AUTHORITY

The Contra Costa County Mental Health Commission ("Commission" hereinafter) was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (AB. 14), **also known as the Welfare and Institutions Code Section 5604. Additional authorities were bestowed upon the Mental Health Commission by the Mental Health Services Act Section 5800.**

SECTION 2. ROLES AND RESPONSIBILITY

As specified in the Welfare and Institutions Code Sections 5600 and 5800.

~~The Commission shall:~~

- ~~A. Review and evaluate the community's mental health needs, services, facilities, and special problems.~~
- ~~B. Review and County agreements entered into pursuant to Welfare & Institutions Code 5650.~~
- ~~C. Advise the Board of Supervisors and the Contra Costa County Mental Health Director as to any aspect of the local mental health program.~~
- ~~D. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.~~
- ~~E. Submit an Annual Report to the Board of Supervisors on the needs and performance of the County's mental health system.~~
- ~~F. Review and make recommendations on applicants for the appointment of Contra Costa County Director of Mental Health Services. The Commission shall be included in the selection process prior to the vote of the Board of Supervisors.~~
- ~~G. Review and comment on the County's performance outcome data and communicate its findings to the California Mental Health Planning Council.~~
- ~~H. Perform other duties as authorized by the Board of Supervisors.~~

~~As part of its duties set forth above, the Commission shall assess the impact of the realignment of services from the State to the County, on services delivered to clients and in the local community.~~

ARTICLE III MEMBERSHIP

SECTION 1. MEMBERSHIP

The Commission shall consist of fifteen (15) members appointed by the Board of Supervisors, plus one member of the Board of Supervisors and an alternate assigned to be a representative to the Commission. Each member of the Board of Supervisors shall have three (3) members representing his or her district. The specific seat to be assigned to each nominee will be determined by the member of the Board of Supervisors making the nomination.

The following rules shall apply to membership of the Commission:

- A. One (1) member of the Board of Supervisors shall be a member of the Commission, **as required by Welfare and Institutions Code Section 5604**. The Board of Supervisors shall also appoint one (1) Supervisor to serve as an alternate member.
- B. Pursuant to the Welfare & Institutions Code Section 5604, fifty percent (50%) of the Commission membership “shall be consumers or parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services.” **Membership is divided equally among the five (5) districts. However, should Consumer or Family Member commissioners fall below the twenty (20%) minimum per category or fifty percent (50%) total, as required by the Welfare & Institutions Code, applicants shall be considered from other districts, if available.** On this Mental Health Commission, membership shall consist of:
 - Five (5) members shall be Consumer Representatives – individuals who are receiving or have received mental health services **in California, preferably in Contra Costa County.**
 - Five (5) members shall be Family Members – parents, spouses, **partners**, siblings or adult children of consumers who are receiving or have received mental health services **in California, preferably in Contra Costa County.**
 - Five (5) members shall be Members-at-Large – individuals who have experience and knowledge of the mental health system **in California, preferably in Contra Costa County.**
- C. The Commission membership should reflect the ethnic diversity of the client population in the County.
- D. The composition of the Commission shall represent the demographics of the County as a whole, to the extent feasible.
- E. No member of the Commission or his or her spouse shall be:
 - **A full-time or part-time employee of ~~the mental health service~~ any Contra Costa County department that is directly involved in the provision of mental health services, or who has a potential conflict of interest.**
 - An employee of the State Department of Mental Health; or
 - An employee of, or a paid member of the governing body of a mental health contract agency.
- F. Except as otherwise provided in Welfare & Institutions Code Section 5604(f), Commission members must be eighteen (18) years of age or older and reside in Contra Costa County.

- G. Members of the Commission shall abstain from discussing or voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

SECTION 2. RESPONSIBILITY OF COMMISSION MEMBERS

Attendance requirements:

- A. Regular attendance at Commission meetings is mandatory for all Commission members. ~~After three (3) absences, the Chairperson may contact the appointing Supervisor for appropriate action.~~ **A member who is absent, whether excused or unexcused, from three (3) Commission meetings in any twelve-month period shall be deemed to have automatically resigned from the Commission. In such event the member's status will be noted at the next scheduled Commission meeting and shall be recorded in the Commission's minutes. The Commission Chairperson shall, without further direction from the Commission, apprise the Board of Supervisors of the member's resignation and request the appointment of a replacement.**
- ~~B. Each member of the Commission shall serve on at least one standing committee of the Commission that meets on a monthly basis. If she/he does not choose a committee, the Chairperson shall appoint the Commissioner to a committee. Attendance requirements are the same as those pertaining to Commission meetings.~~
- B. Each Commissioner will ensure that when s/he attends Commission-sponsored meetings (excluding Commission and Commission Committee meetings) or activities representing her/himself as a Commissioner, s/he expresses only those views approved by the full Commission.
- C. **The Chairperson may grant a Commission member a leave of absence, not to exceed three (3) consecutive regular monthly Commission meetings. A leave of absence may only be granted when the affected Commissioner requests it. To grant such a leave, the Chairperson shall announce it at a Commission meeting. The leave may become effective at the meeting at which it is announced. The leave waives the limitation of absences stated in Section 2, item A of this article. No more than two leaves of absence shall be afforded to said Commissioner during the Commissioner's term. Partial term appointments will be pro-rated.**

SECTION 3. TERMS

The term of each member of the Commission shall be three (3) years in duration. Appointments shall be staggered so that approximately one-third (1/3) of the appointments end each year. All terms end on June 30 in the appropriate year. ~~There are no term limits.~~

No member shall serve more than four (4) consecutive three-year appointments. As of the date of adoption of these Bylaws, any member serving a fourth three-year appointment shall not be eligible for reappointment as a Commissioner. When one year has elapsed following a former member's service on the Commission, of whatever duration that service was, he/she again becomes eligible for appointment.

The member of the Board of Supervisors who is appointed to the Commission shall serve ~~a three-year term~~ **an unlimited** term ~~or~~ until replaced by the ~~Board of Supervisors, on the recommendation of the~~ County Board of Supervisors.

SECTION 4. VACANCIES

The Chairperson ~~is obligated to declare a vacancy and direct the Executive Assistant to~~ **shall** notify the member of the Board of Supervisors who made the appointment and the Clerk of the Board if a Commission member:

- A. Resigns;
- B. Moves outside the County limits; or
- C. Develops a conflict of interest as defined in Article III, Section 1, Subsection H.

~~Additionally, the Chairperson may request that the Executive Assistant notify the appropriate member of the Board of Supervisors if a Commissioner is absent from three (3) meetings during any calendar year (January through November).~~

SECTION 5. FILLING COMMISSION VACANCIES

Each member of the Board of Supervisors is encouraged to involve the Commission in all recruitment and screenings for applicants. Following an interview by the ~~Executive~~ **Membership/Nominating** Committee, the Committee will forward its recommendation to the Commission. After Commission approval, the recommendation for nomination of the applicant shall be forwarded to the appropriate member of the Board of Supervisors for their action.

SECTION 6. COMMISSION RECRUITING PROCESS

In order to comply with Welfare and Institution Code membership mandates, the Commission shall receive applications on an ongoing basis.

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| ARTICLE IV MEETINGS |
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SECTION 1. REGULAR MEETINGS

Meetings of the Mental Health Commission shall be held monthly. A minimum of eleven (11) meetings shall be held per year. If the regular meeting date falls on a holiday, a new meeting date shall be selected.

SECTION 2. ORDER OF BUSINESS

- ~~A.~~ Agendas shall be prepared for regular Commission and Executive Committee meetings at the direction of the Commission Chairperson(s). When feasible, ~~the Executive Assistant shall mail~~ agendas **shall be distributed** seven (7) days prior to the meeting. Agendas shall be posted, mailed and made available to the public in accordance with the Brown Act and Contra Costa **County** Better Government Ordinance.
- ~~B.~~ ~~Public Comment will be taken on each item on the agenda, in accordance with the Brown Act and the Contra Costa County Better Government Ordinance.~~

SECTION 3. QUORUM

A quorum shall be ~~a majority of the number of the currently filled seats on the Commission~~ **one person more than one-half of the appointed members.** The Commission must have a quorum present in order to hold a meeting.

SECTION 4. CLOSED SESSION

The Commission may not conduct closed sessions.

SECTION 5. SPECIAL MEETINGS

Special meetings of the Commission may be called at any time by the Chair or by a majority of the members of the Commission in accordance with the Brown Act.

SECTION 6. OPEN MEETINGS

All meetings of the Commission and all meetings of the standing **committees**, ~~subcommittees~~, **ad hoc committees**, task forces **and workgroups** appointed by the Commission shall be open to the public, **in accordance with the Brown Act.**

SECTION 7. DECISIONS AND ACTIONS OF THE COMMISSION

Unless otherwise stated, all matters coming before the Commission for action shall be determined by a ~~vote of the majority of the appointed members present at the meeting~~ **simple majority vote.**

A simple majority vote is defined as the vote of the majority of the appointed members present at the meeting.

An absolute majority vote is defined as a vote of the majority of appointed members and is noted where required.

SECTION 8. ADDRESSING THE COMMISSION

~~Any person wishing to address the Commission shall give their name for the record. The Chairperson may set the total to be allowed for all speakers on any one subject and may limit the amount of time a person may use in addressing the Commission.~~

Public Comment shall be allowed on any items of interest to the public that is within the subject matter jurisdiction of the Commission, both agendized and non-agendized items, in accordance with the Brown Act and the Contra Costa County Better Government Ordinance. **The Chairperson may limit the amount of time a person may use in addressing the Commission on any subject, provided the same amount of time is allotted to every person wishing to address the Commission.**

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| ARTICLE V ELECTION OF OFFICERS |
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SECTION 1. NOMINATION OF OFFICERS

~~The Executive Committee constitutes the Nominating Committee. The Nominating Committee shall select nominees for Chairperson and Vice Chairperson of the Commission, obtain the nominees' consent to serve, and provide the slate of nominees to the Commission at their October meeting.~~

For annual appointment of Commission Chairperson and Vice Chairperson, the

Membership/Nominating Committee shall announce the solicitation of nominations from Commission members during the September meeting or the next regularly-scheduled meeting, obtain the nominees' consent to serve, and announce the slate of nominees at the October Commission meeting, or at the next regularly scheduled meeting. Should the position become vacant during the term, nominations will be taken at the next meeting.

SECTION 2. ELECTION

The Commission shall elect a Chairperson and Vice-Chairperson at the **next** regular meeting of the Commission ~~in November~~ **following the announcement of nominations as set forth in Section I.** The newly-elected Chairperson and Vice-Chairperson shall assume office January 1 and serve through December 31 of that year. **In the case of a mid-term appointment, the elected Chair or Vice Chair will complete the remainder of the normal term.**

The election will be conducted publicly through the use of signed ballots. Ballots will be announced and counted publicly by the Membership/Nominating Committee. The election of each officer will carry with a simple majority vote. In the case of a tie vote, the Membership/Nominating Committee shall hold elections during the next scheduled Commission meeting and the current seated officer will retain office until a new officer is elected.

At the request of the ~~Executive Committee~~ **Membership/Nominating Committee** and upon the approval of the Commission, Co-Chairpersons may be elected.

SECTION 3. REMOVAL

The Commission, by **an absolute** majority vote, may remove the Chairperson and/or Vice-Chairperson from office and relieve them of their duties. In the event of removal of the Chairperson and/or Vice-Chairperson, the ~~Executive Committee shall meet as the Nominating Committee~~ **Membership/Nominating Committee shall meet** and present nominations for the vacant position(s) at the next regularly scheduled Commission meeting.

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| <h2>ARTICLE VI</h2> <h3>DUTIES OF OFFICERS</h3> |
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SECTION 1. DUTIES OF THE CHAIRPERSON

The Chairperson shall preside at all meetings of the Commission and perform duties consistent with these Bylaws, **the Welfare and Institutions Code and the Commission Policy and Procedure Manual.** The Chairperson will be in consultation with the local Mental Health Director.

The Chairperson shall conduct meetings, maintain order and decorum, and decide questions of procedure as required by the Brown Act and the Contra Costa County Better Government Ordinance.

In the event Co-Chairpersons are elected for the Commission, all the duties of the Chairperson will be divided between the Co-Chairpersons and all references to Chairperson herein will apply to the Co-Chairpersons.

The Chairperson shall appoint a representative, who may be either an officer or other member of the Commission, to the California Association of Local Mental Health Boards/Commissions. The duties of the representative to the statewide organization shall be to represent the Mental Health Commission at statewide meetings and to make regular reports to the Commission.

The Chairperson may not serve as a member of the Membership/Nominating Committee.

SECTION 2. DUTIES OF THE VICE CHAIRPERSON

In the event of the Chairperson's absence from a meeting of the Commission or inability to act, the Vice Chairperson shall preside and perform all duties of the Chairperson. In case of removal of the Chairperson, the Vice Chairperson shall perform all duties of the Chairperson until new elections can be held.

SECTION 3. TEMPORARY CHAIRPERSON

In the event both the Chairperson and Vice Chairperson are absent from a meeting of the Commission or unable to act, the members shall, by order fully entered into their records, elect one of their members to act as Chairperson Pro Tem. The Chairperson Pro Tem shall perform the duties of the Chairperson until such time as the Chairperson or Vice Chairperson resumes his or her duties.

ARTICLE VII COMMITTEES

SECTION 1. CREATION OF COMMITTEES

Pursuant to the rules set forth herein, the Commission may create committees ~~as needed, including but not limited to standing committees, subcommittees and task forces.~~ **which can be standing committees, ad hoc committees, task forces or workgroups as needed. No more than four (4) Commission members should be appointed to any committee.**

~~Standing committees may be created by the Commission on its own motion. Subcommittees may be created by the Commission on the recommendation of a sponsoring standing committee. Task forces may be created by the Commission on its own motion or upon the recommendation of a sponsoring standing committee.~~

SECTION 2. STAFF ASSISTANCE ~~TO COMMITTEES~~

The staff of the Contra Costa County Mental Health Division shall serve in an advisory capacity to committees of the Commission. The Executive Assistant to the Commission will provide staff support to all committees.

SECTION 3. STANDING COMMITTEES

A. Mission Statement

Each standing committee shall develop a Mission Statement. The Mission Statement is subject to approval by the Commission, and shall be submitted to the Commission for approval no later than 60 days after establishment of the committee. The standing

committees may include, but are not limited to, the following:

- ~~1. Adult & Transitional Age Young Committee~~
- ~~2. Children's Committee~~
- ~~3. Executive/Finance Committee~~
- ~~4. Justice System Committee~~
- ~~5. Older Adult Committee~~

1. Executive Committee
2. Membership/Nominating Committee
3. Other Standing Committees as established by the Commission

B. Membership

~~With the exception of the Executive Committee,~~ The membership of each standing committee shall include a minimum of two (2) **and a maximum of four (4)** members of the Commission.

C. Appointment and Terms

1. The Commission Chairperson may appoint Commission members to standing committees **in accordance with the Commission's Policy and Procedures Manual.**
2. The terms of the Committee Chairpersons and Vice Chairpersons shall be one (1) year. There are no limits on the number of terms an individual may serve as Chairperson.

D. Meetings/Actions

1. All matters coming before a standing committee shall be determined by a majority of the Commission members voting, subject to approval by the Commission.
2. All standing committee meetings shall be conducted in accordance with the Brown Act and the Contra Costa County Better Government Ordinance. ~~With the exception of the Executive Committee, two (2) members of the Commission shall constitute a quorum for the transaction of business.~~

E. Chairpersons/Co-Chairpersons/Vice Chairpersons

1. Selection

1. Each standing committee shall have a Chairperson and may have a Co- or Vice Chairperson. Chairpersons and Co- or Vice Chairpersons of standing committees must be Commission members. They are selected by the Commission Chairperson, subject to approval by the Commission.
2. In the event of a vacancy in the position of Chairperson of a standing committee, the Commission Chairperson may serve as temporary Chairperson of the standing committee for up to ninety (90) days. If the position remains vacant for more than 90 days, the standing committee shall go into abeyance until a Chairperson is appointed.

2. Duties

1. The Chairperson shall preside at all meetings of the standing committee and perform his or her duties consistent with the procedures outlined herein. The Chairperson shall be in consultation with the Commission Chairperson.
2. The Chairperson shall direct the preparation and distribution of agendas for the standing committee.
3. The Chairperson shall provide monthly reports to the Commission regarding the activities of the standing committee, and is encouraged to provide an outline of the monthly report to the Executive Assistant to the Commission for use in

- preparation of the Minutes.
- 4 The Chairperson shall conform to the Mental Health Division client confidentiality statement and ensure that members and attendees of the standing committee do likewise.

~~F. Executive Committee~~

- ~~1. Members of the Executive Committee shall include, but are not limited to the Commission Chairperson, Co-Chairperson (if any), and Vice Chairperson and the Chairpersons, or their designees (who must be Commissioners), of each standing committee.~~
- ~~2. At the request of the Commission Chairperson, the Commission may authorize the Executive Committee to act in place of the Commission.~~
- ~~3. One (1) person more than half the specified members of the Executive Committee, above, shall constitute a quorum. Any and all actions of the Executive Committee are subject to ratification at the next regular meeting of the Commission.~~

SECTION 4. EXECUTIVE COMMITTEE

A. Mission Statement

The Executive Committee is charged with acting on the decisions of the full Mental Health Commission. Its primary focus is to identify and avail any reasonable resources needed to deliberate over agenda items of the general membership, workgroup, committee or task force meeting.

B. Membership

Members of the Executive Committee shall include the Commission Chairperson, Co-Chairperson (if any), and Vice Chairperson. Two additional members may be appointed, at the discretion of the Chairperson for a term of one calendar year in accordance with the Commission's Policy and Procedures Manual. The Executive Committee shall consist of a maximum of four (4) members.

C. Meetings/Actions

Any and all actions of the Executive Committee are subject to ratification at the next regular meeting of the Commission.

*******DISCUSSION ENDED AT THIS POINT*******

SECTION 5 MEMBERSHIP/NOMINATING COMMITTEE

SECTION 6. AD HOC COMMITTEES AND TASK FORCES

A. Purpose

Ad Hoc Committees and Task Forces shall be time-limited and have a stated purpose approved by the Commission and shall be required to report back to the Commission regarding their stated purpose.

B. Membership of Ad Hoc Committees

The membership of an Ad Hoc Committee will consist of a minimum of two (2) but no more than four (4) members of the Commission.

C. Membership of Task Forces

The membership of each task force shall include a minimum of two (2) **but no more than four (4)** members of the Commission who shall serve on the task force as liaisons to the Commission. **Other members may be appointed from the community when special expertise, advice or opinion is desired.** All members and attendees shall conform to the Mental Health Division client confidentiality statement.

C. Appointment and Terms

The Commission shall appoint Commission members to **ad hoc committees and** task forces upon the recommendation of the ~~sponsoring standing committee, if any, or~~ Executive Committee. The terms of all **ad hoc committee** and task force members, ~~including the Chairperson,~~ shall be six (6) months, or until the **ad hoc committee or** task force has completed its mission, ~~whichever comes first.~~

D. Meetings/Actions

A minimum of two (2) Commissioners, **or 50% of the membership plus one individual, whichever is more,** shall constitute a quorum for the transaction of business. All matters coming before **an ad hoc committee or** task force shall be determined by a **simple** majority of the members voting, ~~subject to approval by the sponsoring standing committee, if any,~~ and Commission. All ~~task force~~ meetings shall be conducted in accordance with the Brown Act and the Contra Costa County Better Government Ordinance.

E. Chairpersons/Co-Chairpersons

1. Selection

Each **ad hoc committee and** task force shall have a Chairperson, ~~appointed by the Commission on the recommendation of the sponsoring standing committee, if any, or Executive Committee.~~ **selected by the members of the ad hoc committee or task force.** The Chair of an **ad hoc committee or** task force must be a Commission member. In the event of a vacancy in the position of Chairperson of **an ad hoc committee or** task force, the ~~sponsoring committee~~ **Commission** Chairperson may serve as temporary Chairperson of the **ad hoc committee or** task force for up to 90 days. If the position remains vacant for more than 90 days, the task force shall go into abeyance until a Chairperson is appointed.

2. Duties

- The Chairperson shall preside at all meetings of the **ad hoc committee or** task force and perform his or her duties consistent with the procedures outlined herein. The Chair shall be in consultation with the Commission Chairperson.
- The Chairperson shall direct the preparation and distribution of agendas for the **ad hoc committee or** task force.
- The Chairperson shall provide monthly reports to the ~~sponsoring standing committee, if any, or~~ Commission.
- ~~The Chairperson shall conform to the Mental Health Division client confidentiality statement and ensure that members and attendees of the subcommittee do likewise.~~

SECTION 7. WORKGROUPS

A. Purpose

Workgroups shall be time-limited and have a stated purpose approved by the Commission and shall be required to report back to the Commission regarding their

stated purpose.

B. Membership of the Workgroup

The membership of a workgroup will consist of a minimum of two (2) but no more than four (4) members of the Commission.

C. Appointment and Terms

The Commission shall appoint Commission members to a workgroup upon the recommendation of the Commission in accordance with the Commission Policy and Procedures Manual.

D. Meetings/Actions

A minimum of two (2) Commissioners, or 50% of the membership plus one individual, whichever is more, shall constitute a quorum for the transaction of business. All matters coming before a workgroup shall be determined by a simple majority of the members and Commission. Since no decisions are made by workgroups, they do not have to be handled as publicly noticed meetings.

E. Chairpersons/Co-Chairpersons

1. Selection

Each workgroup shall have a Chairperson, appointed by the Commission Chairperson. The Chair of a workgroup must be a Commission member. In the event of a vacancy in the position of Chairperson of a workgroup, the Commission Chairperson may serve as temporary Chairperson of the task force for up to 90 days. If the position remains vacant for more than 90 days, the workgroup shall go into abeyance until a Chairperson is appointed.

2. Duties

- The Chairperson shall preside at all meetings of the workgroup and perform his or her duties consistent with the procedures outlined herein. The Chair shall be in consultation with the Commission Chairperson.
- The Chairperson shall direct the preparation and distribution of agendas for the workgroup.
- The Chairperson shall provide monthly reports to the Commission.

**ARTICLE VIII
COMMISSION POLICY AND PROCEDURE MANUAL**

A. Purpose

Establish policies and procedure within which the Commission will operate. None of these guidelines can be established to nullify or circumvent these Bylaws, the Welfare and Institutions Code or any other prevailing laws and statutes.

B. Establishment and Amendment of these Policies and Procedures

The Policies and Procedures are established and amended by an absolute majority vote during a regular Commission meeting.

**ARTICLE IX
COMMISSION/MENTAL HEALTH DIVISION RELATIONSHIP**

SECTION 1. STAFF SUPPORT

The Mental Health Division shall provide for administrative and clerical support services to

manage the operations and activities of the Mental Health Commission. The budget of the Mental Health Division shall fund the position of the Executive Assistant to the Mental Health Commission.

SECTION 2. MENTAL HEALTH STAFF ATTENDANCE AT MEETINGS

The Mental Health Division staff shall provide information to the Commission, or to committees, regarding agenda items. The Commission requests that appropriate staff members or their designees regularly attend ~~the following~~ meetings:

- ~~1. Adult & Transitional Age Youth Committee—Adult/Older Adult Mental Health Program Chief~~
- ~~2. Children’s Committee—Children/Adolescent Mental Health Program Chief~~
- ~~3. Executive/Finance Committee—Mental Health Director and Health Services Financial Director~~
- ~~4. Justice System Committee—Adult/Older Adult Mental Health Program Chief~~
- ~~5. Mental Health Commission—Mental Health Director~~
- ~~6. Older Adult Committee—Adult/Older Adult Mental Health Program Chief~~

SECTION 3. ACTIONS

The Commission shall regularly inform the Director of Mental Health Services of Commission actions.

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| ARTICLE X BYLAW AMENDMENTS |
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SECTION 1. AMENDMENTS

These bylaws may be amended by **an absolute** majority vote ~~of the appointed members~~ in a regularly scheduled meeting as defined at Article IV, Section 1. Before the Commission may consider and/or vote on Bylaw amendments, proposed amendments shall be submitted in writing to Commission members at least thirty (30) days prior to the meeting date at which they are to be considered. Amended Bylaws shall be submitted to County Counsel for review, finalized by the Commission and then transmitted to the Board of Supervisors for final approval.