
**“Mental Health Treatment Act”
Measure B Citizens Oversight Committee
JUNE 27, 2018; 1:00-3:00 PM**

MINUTES
APPROVED JULY 25, 2018

**MENDOCINO COUNTY ADMINISTRATION CENTER
CONFERENCE ROOM C
501 LOW GAP ROAD, UKIAH, CALIFORNIA**

1. **Roll Call** was called by Dora Briley, Committee Clerk.
 - a. Present: Jenine Miller, Jan McGourty, Ace Barash, Lloyd Weer, Mark Mertle, Jed Diamond, Shannon Riley, Donna Moschetti.
 - b. Absent: Carmel Angelo, Thomas Allman, Ross Liberty.
 - c. Quorum was established.

2. **Approval of April 25 & May 23, 2018 Minutes**

- a. April 25, 2018 minutes were approved with corrections indicated.

Motion by Member Diamond, seconded by Member Riley.

Vote was called for by Vice Chair Barash:

Yay	8	Committee unanimously passed the motion.
No	0	
Absent	3	Member Angelo, Liberty and Allman

- b. May 23, 2018 minutes were approved with corrections indicated.

Motion by Member Riley, seconded by Member Diamond.

Vote was called for by Vice Chair Barash:

Yay	8	Committee unanimously passed the motion.
No	0	
Absent	3	Member Angelo, Liberty and Allman

3. **Communications Received and Filed:**

- a. May 31, 2018 Margie Handley, City Council Letter, via email.
- b. City of Willits Resolution #2018-30, from Member Mertle via email.

4. Public Expression.

- a. Vice Chair Barash invited public expression for items not on the agenda.

No one came forward.

The June 27, 2018 meeting can be viewed at:

<https://www.youtube.com/watch?v=OoaZ2Rn3rZE&feature=youtu.be>

5. Discussion and Possible Action Items.

- a. **Report from Member Weer, Auditor, on Measure B Tax Funds with Discussion and Possible Action.** *Member Weer.*

June 26, 2018 we received our first installment of Measure B Funds from the State. It was \$517,059.09 for one month. Those funds are deposited into a separate fund within the County's finance system and will be kept for its entirety in that fund. Expenditures of the funds will be recommended to and approved by the Board of Supervisors (BOS). There are no expenditures as of yet.

Member Riley asked if that amount is what is expected?

Member Weer expressed that the amount seems about right, but it will take a few months to measure it and he will provide a projection at a later time.

Vice Chair called for public expression. None given.

- b. **Stepping Up Initiative with Discussion and Possible Action.** *Continued to July 25, 2018 meeting.*

Member McGourty asked to speak to the item. She shared the initiative's intent is to defer those with mental illness from being incarcerated in jails. She feels it would be good for this committee to receive education on the initiative. The Behavioral Health Advisory Board has been promoting the initiative for quite a while and Mendocino County was the first county in California to pass a Resolution in support of it. She will provide a copy of the Resolution to the committee clerk for the July meeting packet. In January 2017 a conference on the initiative occurred and several people from our County attended. At the conference there was a document shared about the 6 questions community leaders need to ask, she will provide it for the July meeting packet. She also suggested the committee visit the Stepping Up Website for further information. <https://stepuptogether.org/>

Vice Chair called for public expression. None given.

c. Update on Contract and Detailed Scope of Work for the Lee Kemper Needs Assessment, June 19 BOS Meeting with Discussion and Possible Action. *Member Miller.*

Member Miller shared that everyone has a copy of the Kemper contract that was submitted to the BOS in their meeting packet. It was approved by the Board at their last meeting. She asked if there were any questions. Member Mertle asked who composed the definition of services.

Member Miller did not know the answer. Member McGourty asked if Mr. Kemper accepted the contract. Member Miller responded yes. Member Weer is concerned that the contract crosses County Fiscal Year's and he requested that all invoices for the 2017/18 Fiscal Year be submitted as soon as possible for payment. Member Miller will relay to Mr. Kemper the need for an invoice.

Vice Chair called for public expression. None given.

d. Update on Needs Assessment Progress Report with Discussion and Possible Action. *Member Miller.*

Member Miller shared that Mr. Kemper has been meeting with local providers and a variety of other individuals. He is also collecting data from Redwood Quality Management Company (RQMC) and Behavioral Health to pull his report together. He has spoken with Member Moschetti. Member Moschetti shared that she has spoken with Mr. Kemper, he has been talking to the contacts she has shared with him. He hasn't reached everyone yet, but she will be emailing him in the next week to make sure he does. He has talked to at least one client and two family members so far. There are others, she will check in with him.

Member Diamond reminded all that we were asked to submit questions and he referred to the April minutes where submitted questions are listed. He was wondering if the first four questions from his list (having to do with 5150 holds, those who are a danger to self or others or gravely disabled) could be answered by Member Miller so we have the information up front. He reviewed the questions with all and wondered if Behavioral Health would have that information available or is it information that Mr. Kemper will be gathering?

Member Miller shared that Mr. Kemper will be gathering that information, however questions 1, 2 and 4 she has answers readily available depending on how the information is requested (monthly, annual, bi-annual, etc.) RQMC reports to the Behavioral Health Advisory Board (BHAB) monthly with the number of 5150's and categories, etc. Behavioral Health does reports monthly to BHAB and the State. Questions 1, 2 and 4, we have data on hand and can provide it to you. Member Diamond requested copies of that data, for the month, year and two years. Member Miller will pull the data for Member Diamond. Member McGourty shared that the reports to BHAB are available on line in the BHAB monthly meeting packets;

<https://www.mendocinocounty.org/government/health-and-human-services-agency/mental-health-services/mental-health-board>

Member Mertle asked if the committee has appointed a committee liaison to Mr. Kemper. The answer was no. Discussion occurred. Member Diamond volunteered to be the liaison. Member Riley reminded all that the committee liaison will need to be careful of Brown Act violations. Member Mertle reminded that the liaison cannot change the scope of work of the Kemper contract or advise on things that have not been openly discussed by the committee in a public forum.

Motion by Member Mertle to appoint Member Diamond to be the Mental Health Treatment Act Citizen’s Oversight Committee Liaison to Lee Kemper and Associates to Communicate Directly with Lee Kemper and to Update the Committee monthly on the Process. Seconded by Member McGourty.

Vote was called for by Vice Chair Barash:

Yay	8	Committee unanimously passed the motion.
No	0	
Absent	3	Member Angelo, Liberty and Allman

Vice Chair called for public expression. None given.

- e. City of Willits, Resolution 2018-30, “Asserting Its Rights and Obligations Relevant to the Proposed Conversion of the Former Howard Memorial Hospital by the County of Mendocino to Operate an Acute Psychiatric Hospital or Psychiatric Health Facility; Request that any Such Use Conform with Applicable Laws and Regulations of the City of Willits; and Request for Production of Public Records.” With Discussion and Possible Action. *Member Mertle***

Member Mertle shared that he received the City of Willits Resolution from the District 4 Supervisor which he then shared with the Measure B Committee. He summed up the Resolution as: the City of Willits does not support the use of the old Howard Hospital as a site for a 32 bed acute psychiatric hospital. The City cites California codes, seismic safety, fire codes, close proximity to schools, supreme court rulings, etc. They are not in support of use of that site. The Willits City Council wants the BOS to receive due notice and the right to participate in the evaluation and approval of the Willits hospital project. The County acknowledges that the City Fire, Safety, Zoning and Building Ordinance and the City General Land Use Authority be considered. County will perform a detailed study on financial feasibility of the facility. Provide a detailed study on the potential effects and impacts on the businesses and residents of the City of Willits. Provide records concerning agreements, plans, proposals, letters of intent or records concerning use of Measure B funds for such purpose, citing Government Code. In summary, we have a fight to use the old Howard Hospital site for a 14 bed Psychiatric Health Facility (PHF) Unit.

Member Riley shared that as the representative for the City of Ukiah; she understands the City of Willits position. As the County Seat we are home to the majority of the services in the County and that is not without its impacts. The City of Ukiah learned about the proposed RCS Orchard Ave. Crisis Center by reading about in the newspaper. She understands where this is coming from and appreciates the concerns of the community. As a committee she hopes we are sensitive to that as we move forward, particularly since we are considering facilities in multiple locations. We should make a concerted effort to keep those jurisdictions apprised. Administrations or City Councils need to receive notifications of our agendas. She realizes we have our information on line, however many may not be proactive in looking for the information. She would like us to take action to add these entities to our mailing list.

Member Diamond shares that whatever happens with the committee's work and Board actions need to have the support of the communities. Translating a proposal to implementation is critical and having input and dialog with all interested parties is critical. He desires the committee to be as open and transparent as possible. He attends City of Willits Council meetings and will continue the dialogue in the community. Now that funding is coming in it becomes more real and the need for better communication is more important.

Member McGourty shared that the Willits Resolution states in the introduction that the County proposes to use the old Howard Hospital, she isn't aware of any proposals or decisions made, it was being considered but no decisions were made. It also states a 32-bed acute psychiatric hospital; she notes in the presentation we received on the site it wasn't a 32-bed facility. She agrees with Member Diamond that transparency and openness is really important. This is something that the BHAB has struggled with, to get information before decisions are made. There is a lot of worry here that things have happened that have not happened. We should be looking at and considering a number of different locations and facilities and not just focusing on Howard Hospital. Should the committee or a group go look at other places?

Member Mertle is concerned about false interpretations happening. The document basically states "not in my hometown" and he thinks any city in our county might say that. He doesn't think that is fair. He thinks the committee needs to get out and communicate what we are trying to do. It is way too early to say we are selecting a place for a PHF unit, we don't even know if we can afford one. We do need to communicate that we are here to make mental health services better, any way we can. We are identifying the needs and we will use the money as wisely as we possibly can to make mental health services better. We do need to communicate and get out and talk to the citizens and stakeholders. Attending city council meetings, having the discussion is good. Perhaps we can head off these types of Resolutions in all of our cities.

Member Diamond shared he has been working in mental health services for over 50 years. He works with clients who are being sent out of county for

services. When this committee first started meeting, the topic of a needs assessment was discussed. It took a bit to organize it and get the Kemper Group on board. He thinks that the committee's process got out of order which gave the impression that the Willits old Howard Hospital was already on the agenda for approval. In past years the discussion around the old hospital site being used for mental health services was already occurring. The fact that it was on the committee's agenda early, before the needs assessment was figured out, gave the impression that a decision was about to be made. This caused the community to gear up. We got things out of order. We should have had the needs assessment first then discussed the old hospital site. As a committee member, he is open to hearing the needs assessment first and then have the facility discussion next. The committee is open, the old hospital site may be considered, but we need the needs assessment first. He asks that the citizenry and City of Willits hold off on making decisions on what they do or do not want until the assessment is ready and we know what the needs are.

Member Mertle would like the committee to look at the financial feasibility of supporting a PHF Unit. We need to do this sooner than later. He shared he has talked to people and the feeling is we do need a PHF Unit. We need to put numbers out on a spreadsheet to see if we can afford the annual cost of maintaining it. That way if Kemper determines a PHF Unit is needed we can see if we can afford to run one each year. He shared he recently learned that the highest paying position in the county is a psychiatrist and we can't fill the position. Member Miller confirmed this fact. We need to draft what kind of staff is needed for a PHF, put it out on a spreadsheet and see what the cost would be to run that facility. If it comes back on the needs assessment as the number one thing we need, we may not be able to afford it on an on-going basis. Member Diamond noted that this is true; there is a concern with being able to staff a PHF. Member Mertle shared that any position can be staffed, the question is what it would cost to do so. We can't staff a psychiatrist, it must not pay enough, otherwise it would be staffed.

Member McGourty shared that a PHF Unit isn't the only type of facility that is possible; what are the different levels and what are the different staffing needs? It needs to be researched and maybe this information will be in the needs assessment. When we talk about staff, we need to know what is needed. Psych Tech's are needed; can the college have a program to train techs? Is it possible to get a residency program for psychiatrists? We need an assessment of staff.

Member Mertle shared that he comes from a community that had a \$22 million facility built for them and they could not keep the lights on, the city had to step in and partner with them. (CV Starr Center) He doesn't want this to happen here. Member Mertle would be willing to work on a spreadsheet of costs for a PHF Unit.

Member Miller will provide information on staffing levels for the next meeting.

Vice Chair called for public expression.

Gregory Simms spoke as a mental health educator. He spoke to the different types of clients that need services and the need to monitor progress.

Gerry Gonzalez, City of Willits Council Member spoke to the committee's discussions around the old Howard Hospital site and its possible use as a psychiatric facility and how it appeared the cart was before the horse and the city was not involved. He explained how all the confusion around the issue occurred and why the Resolution came about. The City of Willits wants to be involved. He or another council member will be attending the Mental Health Treatment Act Citizen's Oversight Committee meetings in the future to stay involved.

Member Riley will provide contacts, email addresses to the committee clerk for other jurisdictions and city councils so they can receive the committee's information on a regular basis.

Member Diamond will reach out to Lee Kemper to introduce himself as the committee liaison.

- f. **Monthly Committee Update to the Board of Supervisors at their First Meeting of Each Month with Discussion and Possible Action.** *Vice Chair Barash.*

The Clerk of the Board (COB) office informed the committee clerk that the committee now has a standing item on the BOS agenda at the first meeting of each month to update them on committee business. The committee clerk will submit the agenda item to the COB within their time frames each month.

Currently Chair Allman has given two update reports to the BOS. Discussion occurred about who will present to the BOS, the need for a back up to the Chair in the event he is unable to attend and what information to send forward.

For the July 10 BOS meeting, Chair Allman will present and in the event he cannot attend, Member McGourty will be the backup.

6. Committee Member Reports.

- a. **Member Miller:**
Medi-Cal Specialty Mental Health Services handout in today's packet explains brief definitions of services. The services do not necessarily happen in the sequence as listed. There are many factors involved; a brief verbal overview was given. It was explained that not all treatments given to clients are billable; the treatment occurs however the provider may not receive reimbursement.

The July 10 BOS meeting will include a presentation update of mental health services. <https://www.youtube.com/watch?v=TBpcHiixgfA>

She is continuing to work with Lee Kemper's group, providing information for the needs assessment.

b. Member McGourty:

Nothing to report.

c. Member Barash:

Nothing to report.

d. Member Weer:

Nothing to report.

e. Member Mertle:

Reported that he has met with Mendocino Coast Hospitality House board members Lynelle Johnson and Jerry Thomas who are stakeholders in the community. He wanted to see what they felt was most needed. He also talked to the Supervisor and they all said the number one need is affordable housing for the mentally ill. It is hard to stabilize someone when they don't have a safe home. This is something we need to consider. He asked what type of housing is needed. A County owned facility for mentally ill, and the answer was no. What is needed is small, 5-6 unit places placed throughout the community. The second need would be a secured facility for the most ill individuals. He will continue to meet with each stakeholder in his community, outside of the Kemper report, so we know what they think. We should each be doing this, so we see what our stakeholders think is important. That way we have all the information in order to make tough decisions later.

f. Member Diamond:

He has met with the Willits City Council at their meeting and will continue to do so. Supervisor Croskey also attended and he is available to go to other places too.

g. Member Riley:

Nothing to report.

h. Member Moschetti:

She received the CCR Title 9 State Mandated Treatment Services and shared with the committee clerk who made copies for each of us in today's packet. These are the requirements.

Vice Chair Barash asked for any further public comment. None was given.

7. Tasks

Given to	Task	Comments
Member McGourty	Provide the Committee Clerk with Stepping up information for the July meeting packets	
Member Riley	Provide the Committee Clerk with email addresses and contact	

	names for jurisdiction administrations and city council members	
Member Miller	Provide the Committee Clerk with staffing info for a PHF Unit for the July meeting packets	

8. Adjournment.

Meeting adjourned 2:05 p.m.