



MISSION

By understanding the needs of consumers and families, Tri-City provides high quality, culturally competent behavioral health care treatment, prevention and education in the diverse cities of Pomona, Claremont, and La Verne.

TRI-CITY MENTAL HEALTH AUTHORITY MENTAL HEALTH COMMISSION AGENDA

January 10, 2023
3:30 p.m.

MEETING LOCATION

There will be no in-person public meeting location. On September 16, 2021, the Legislature amended the Brown Act provisions regarding teleconferencing through Assembly Bill No. 361, codified under Government Code § 54953. Accordingly, the Mental Health Commission will hold this public meeting via teleconference and the public seeking to observe and to address the Mental Health Commission may participate telephonically or otherwise electronically.

To join the Mental Health Commission meeting click on the following link:

<https://tricitymhs-org.zoom.us/j/86307961598?pwd=N0VRQzhzVXRGb2VxYXpEcDQ4bEhyUT09>

Passcode: xm.T07sV

Or Telephone: 1-213-338-8477

Webinar ID: 863 0796 1598

Passcode: 77097477

Posting of Agenda. The Agenda is posted 72 hours prior to each meeting on the Tri-City's website: <http://www.tricitymhs.org>

*Public Participation. Section 54954.3 of the Brown Act provides an opportunity for members of the public to address the Mental Health Commission on any item of interest to the public, before or during the consideration of the item, that is within the subject matter jurisdiction of the Mental Health Commission. **The public can make a comment during the meeting by using the 'raised hand' feature, or by calling in, if they wish to address a particular agenda item or to make a general comment on a matter within the subject matter jurisdiction of the Mental Health Commission. The Chair will call on the member of the public at the appropriate time and allow the person to provide live comment. The public can also submit a comment by writing an email to molmos@tricitymhs.org.** All email messages received by 1:30 p.m. will be shared with the Mental Health Commission before the meeting. If you wish to speak on a matter which is not on the agenda, you will be given the opportunity to do so at the Public Comment section. No action shall be taken on any item not appearing on the Agenda. The Chair reserves the right to place limits on duration of comments.*

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by Tri-City Mental Health Authority to all or a majority of the Mental Health Commission less than 72 hours prior to this meeting are available for public inspection at <http://www.tricitymhs.org>

CALL TO ORDER

Chair Henderson calls the meeting to Order.

ROLL CALL

Anne Henderson – <i>Chair</i>	Clarence D. Cernal	Joan M. Reyes
Wray Ryback – <i>Vice-Chair</i>	Isabella A. Chavez	Twila L. Stephens
Carolyn Cockrell – GB Liaison	Nichole Perry	Toni L. Watson

REGULAR BUSINESS

I. APPROVAL TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY UNDER AB 361 (GOVERNMENT CODE SECTION 54953)

Recommendation: “A motion to ask the Executive Director, or designee, to perform all actions necessary to implement the Brown Act provisions regarding teleconferencing in compliance with Government Code § 54953.”

II. APPROVAL OF MINUTES FROM THE DECEMBER 21, 2022 GOVERNING BOARD AND MENTAL HEALTH COMMISSION REGULAR JOINT MEETING

III. DECIDE ON A RECOMMENDATION TO THE TCMHA GOVERNING BOARD ABOUT THE FIRST AMENDMENT TO THE MENTAL HEALTH SERVICES ACT (MHSA) ANNUAL UPDATE FOR FISCAL YEAR 2022-23

Recommendation: “A motion to recommend to the TCMHA Governing Board to approve the First Amendment to the MHSA Annual Update for Fiscal Year 2022-23.”

IV. ELECTION OF OFFICERS OF THE MENTAL HEALTH COMMISSION EACH ODD-NUMBERED YEAR

V. PRESENTATION – JANUARY IS NATIONAL PEER MENTOR MONTH

VI. EXECUTIVE DIRECTOR MONTHLY REPORT

COMMISSION ITEMS AND REPORTS

Commissioners are encouraged to provide comments or ask questions about the community’s mental health needs, services, facilities and special problems. In addition, this is an opportunity to provide reports on their activities.

PUBLIC COMMENT

The Public may speak regarding any Tri-City related issue. No action shall be taken on any item not appearing on the Agenda. The Chair reserves the right to place limits on duration of comments.

ADJOURNMENT

The next Regular Meeting of the Mental Health Commission will be held on **Tuesday, February 14, 2023 at 3:30 p.m.** via teleconference due to the COVID-19 pandemic, pursuant to Government Code § 54953.

MICAELA P. OLMOS
JPA ADMINISTRATOR/CLERK



**Tri-City Mental Health Authority
AGENDA REPORT**

DATE: January 10, 2023

TO: Mental Health Commission of Tri-City Mental Health Authority

FROM: Rimmi Hundal, Executive Director

BY: Mica Olmos, JPA Administrator/Clerk

SUBJECT: Approval to Implement Teleconferencing Requirements during a Proclaimed State of Emergency Under AB 361 (Government Code Section 54953)

Summary:

On Tuesday, March 1, 2022, the California Department of Public Health (CDPH) relaxed the masking requirement for unvaccinated individuals; however, it did not lift the state of emergency. The following day, Cal-OSHA announced its intent to mirror CDPH's recommendations except in certain industries, such as healthcare settings. Per Cal-OSHA regulations, masking will continue to be required in healthcare settings until further notice. Accordingly, Tri-City Mental Health Authority must follow Cal-OSHA requirements.

Therefore, TCMHA will continue to hold virtual meetings per Assembly Bill No. 361 (AB 361) enacted on September 16, 2021, which amended the Brown Act by waiving certain provisions regarding teleconferencing; and effectively authorizing public agencies to hold its public meetings via teleconference under a proclaimed state of emergency which makes it unsafe to meet in person, provided that it allows the public, seeking to observe and to address the legislative body, to participate in real time telephonically or an internet-based service option during a virtual meeting; and the legislative body makes additional findings every 30 days in order to continue such teleconferencing pursuant to AB 361.

Background

The Ralph M. Brown Act requires that all meetings of a legislative or advisory body of a local agency be open and public and that any person may attend and participate in such meetings; and allows for legislative bodies to hold meetings by teleconference, but imposes the following requirements for doing so:

1. The public agency must give notice of each teleconference location from which a member will be participating in a public meeting.
2. Each teleconference location must be specifically identified in the meeting notice and agenda, including full address and room number.
3. Each teleconference location must be accessible to the public.

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4. Members of the public must be able to address the body at each teleconference location.

On March 17, 2020, Governor Newsom issued Executive Order No. N-29-20, suspending the Brown Act's teleconferencing requirements (enumerated above) in order to address the need for public meetings during the present public health emergency (COVID-19) and allow legislative and advisory bodies to meet virtually as long as certain notice and accessibility requirements were met; and on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21 continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021.

On September 16, 2021, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361), codified under Government Code § 54953, waiving certain provisions of the Brown Act in order to allow local agencies to continue to meet using teleconferencing without complying with the regular teleconferencing requirements of the Brown Act when a legislative or advisory body holds a meeting during a proclaimed state of emergency and it unsafe to meet in person.

In addition, Government Code section 54953 adds new procedures and clarifies the requirements for conducting remote (virtual) meetings, including the following:

- Public Comment Opportunities in Real Time – a legislative or advisory body that meets remotely pursuant to AB 361, must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.
- No Action During Disruptions – in the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access is restored.
- Periodic Findings – Government Code § 54953(e)(B) requires the legislative body to hold a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

The Commission must make these findings no later than 30 days after the first teleconferenced meeting is held after September 30, 2021, and must also make these findings every 30 days thereafter, in order to continue to allow teleconference accessibility for conducting public meetings (Government Code § 54953(e)(3).) AB 361 will sunset on January 1, 2024.

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Tri-City Mental Health Authority (TCMHA) has already implemented the above stated requirements for conducting public meetings and is in full compliance with AB 361, thus there will be no change of the currently established procedures. Teleconference accessibility is available via call-in option or through via RingCentral Webinars platform (internet-based service option) and both the telephone number and meeting link are listed on the published agenda for each meeting as well as on TCMHA's website.

The JPA Administrator/Clerk monitors public comment submitted via email correspondence (as published on the agenda); and designated staff monitors comment via teleconference throughout each public meeting and provides access for public comment opportunities in real time both verbally (via call-in or by using the 'raised hand' feature) and in writing (in the 'chat' and 'Q & A' options.)

Fiscal Impact:

None.

Recommendation:

Staff recommends that the Mental Health Commission (MHC) of Tri-City Mental Health Authority finds, determines, and declares by a majority of vote, the following:

1. That a state of emergency as a result of the threat of COVID-19 still exists and continues to impact the ability of members of the Mental Health Commission, Tri-City staff, and public to meet safely in person.
2. The State of California and the TCMHA continue to follow safety measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (DPH), California Occupational Safety and Health Administration (Cal/OSHA), and/or County of Los Angeles, as applicable, including facial coverings when required and social distancing.
3. That the MHC will make these findings every 30 days in order to continue such teleconferencing pursuant to AB 361.
4. That, pursuant to the findings listed in this Report, the Executive Director or her designee, continue to utilize teleconferencing accessibility to conduct MHC meetings and implement teleconference requirements in compliance with AB 361 (Stats. 2021, ch. 165) and Government Code § 54953 (as amended), effective immediately.

Attachments:

None.



II. APPROVAL OF MINUTES FROM THE DECEMBER 21, 2022 GOVERNING BOARD AND MENTAL HEALTH COMMISSION REGULAR JOINT MEETING

This Agenda Item will be distributed on Monday, January 9, 2023.



**Tri-City Mental Health Authority
AGENDA REPORT**

DATE: January 10, 2023

TO: Mental Health Commission of Tri-City Mental Health Authority

FROM: Rimmi Hundal, Executive Director

BY: Dana Barford, MHSA Director and Ethnic Services

SUBJECT: Decide on a Recommendation to the TCMHA Governing Board about the Approval of the First Amendment to the Mental Health Services Act (MHSA) Annual Update for Fiscal Year 2022-23

Summary:

Tri-City Mental Health Authority is seeking the approval of the First Amendment to the Mental Health Services Act (MHSA) Annual Update for Fiscal Year 2022-23, to add two new programs to the MHSA programming including: 1) Access to Care (ATC) services to the Community Services and Supports Plan; and 2) the School Based Services (SBS) program to the Prevention and Early Intervention Plan.

Background:

Access to Care (ATC), is a clinical adjunct service that acts as a gateway to the intake process for Tri-City's outpatient clinics. Individuals interested in Tri-City services can access care either by calling, walk-in or via referral. This service is currently funded through 1991 Realignment Revenue and Medi-Cal reimbursement from the federal and state governments.

The second program, School Based Services (SBS), provides services to students directly on local school campuses, during school hours. Tri-City provides services to students attending schools whose districts are within its jurisdiction (Bonita Unified School District, Claremont Unified School District, Pomona Unified School District). The School Based Services program is currently funded 100% from Realignment funds.

By moving the Access to Care services and School Based Services program under MHSA, Tri-City will be able to maximize financial resources, specifically MHSA surplus funds which are subject to reversion, as well as conserving the most limited source of funding which is 1991 Realignment (General Fund). In addition, once approved, the School Based Services program will be included under the MHSA Prevention and Early Intervention Plan thereby increasing the number of individuals served ages 0-25 (minimum of 51%) which is a requirement per PEI regulations.

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Stakeholder Process

This plan amendment was posted for a 30-day public comment period beginning December 9, 2022, until January 10, 2023, on Tri-City's website as well as all social media sites including Facebook, Instagram, and Twitter. In addition, this amendment was distributed to numerous locations including city halls, libraries, and community centers. There were no written or verbal comments received during this comment period.

Fiscal Impact:

The addition of the ATC program will result in a total CSS expenditure increase of approximately \$755,000 annually. The addition of the SBS program will result in a total PEI expenditure increase of approximately \$817,000 annually. Once approved, this amendment will be retroactive to July 1, 2022.

Recommendation:

Staff recommends that the Mental Health Commission approve and endorse the First Amendment to the MHSA Annual Update FY 2022-23 to TCMHA Governing Board for approval and adoption on January 18, 2023.

Attachments:

Attachment III-A: First Amendment to MHSA Annual Update FY 2022-23



First Amendment to MHSA Annual Update FY 2022-23

Request Approval for Addition of Two New MHSA Programs

Subject:

Request approval for the addition of the Access to Care (ATC) services to the Community Services and Supports Plan and the addition of the School Based Services (SBS) program to the Prevention and Early Intervention Plan with funding provided under the Mental Health Services Act (MHSA).

Summary:

Tri-City Mental Health is seeking the approval for the addition of two new programs to the Mental Health Services Act (MHSA) Community Services Plan and the Prevention and Early Intervention Plan.

Access to Care (ATC), is a clinical adjunct service that acts as a gateway to the intake process for Tri-City's outpatient clinics. Individuals interested in Tri-City services can access care either by calling, walk-in or via referral. A mental health professional assesses the individual seeking services and recommends the most appropriate level of care and services. This service is currently funded through 1991 Realignment Revenue and Medi-Cal reimbursement from the federal and State governments.

The second program, School Based Services (SBS), provides services to students directly on local school campuses, during school hours. Tri-City provides services to students attending schools whose districts are within its jurisdiction (Bonita Unified School District, Claremont Unified School District, Pomona Unified School District). The School Based Services Program is currently funded 100% from Realignment Funds.

Tri-City would like to add both programs to MHSA programming thereby funding them 100% from funds received through the Mental Health Services Act.

Background:

1991 Realignment Revenue

Counties who are considered a Mental Health Plan, receive an annual allocation of health realignment funding to carry out certain health-related activities. Although not a Mental Health Plan (MHP), Tri-City is one of two entities that receive Realignment Revenues from the State of California. However, after evaluating and reassessing existing programs, processes, and procedures Tri-City has determined that it is prudent to move away from 1991 Realignment Revenue as the primary funding source for these programs to make these funds available for additional costs related to providing mental health services for clients, many of which include consumers eligible under the Medi-Cal programs or are indigent.

Mental Health Services Act (MHSA) Funds

The Mental Health Services Act (MHSA) was passed by voters in 2004 and is funded through the imposition of a 1% State income tax on personal income which exceed \$1 million. Tri-City relies on MHSA funds to provide an array of mental health services approved under its MHSA plans. However, State MHSA funds can fluctuate based on new events and economic pressures including the onset of COVID-19 in 2020.

ATTACHMENT III-A



As part of its overall response to COVID-19, the IRS announced that the due date for both filing federal income tax returns and making federal income tax payments was extended from April 15, 2020 to July 15, 2020. This change in filing date impacted the MHSA allocations to counties significantly and created a surplus of funds in the subsequent year as counties were delayed in receiving these funds. Additionally, funding amount in the most recent fiscal year, were significantly higher than first anticipated yet still subject to the 3-year time frame for expending these funds under the MHSA.

By moving the Access to Care services and School Based Services program under MHSA, Tri-City will be able to maximize financial resources, specifically MHSA surplus funds, as well as conserving the most limited source of funding which is 1991 Realignment (General Fund). In addition, once approved, the School Based Program will be included under the MHSA Prevention and Early Intervention Plan thereby increasing the number of individuals served ages 0-25 (minimum of 51%) which is a requirement per PEI regulations.

Stakeholder Involvement:

In preparation for this amendment to the MHSA Annual Update FY 2022-23, the Director of MHSA conducted two virtual stakeholder meetings on December 6 and December 8, 2022. One meeting was held in the morning and the other in the evening to accommodate community members who may be working or attending school. The purpose of this meeting was to invite stakeholders to review and provide input regarding the addition of the Access to Care Program to the Community Services and Support Plan and the addition of the School Based Services Program to the Prevention and Early Intervention Plan. The presentation for this meeting included an orientation to the Mental Health Services Act (MHSA) and community planning process as well as an overview of all five MHSA plans.

Following the presentation, attendees asked several clarifying questions before voting on this proposal. A high majority of stakeholder voted in favor of this proposal and the results are below:

Program Name	MHSA Plan Addition	Stakeholder Approval %
Access to Care Program	Community Services and Supports	83%
School Based Services Program	Prevention and Early Intervention	86%

This plan amendment was posted for a 30-day public comment period beginning December 9, 2022, until January 10, 2023, on Tri-City's website as well as all social media sites including Facebook, Instagram, and Twitter. In addition, this amendment was distributed to numerous locations including city halls, libraries, and community centers. All written and verbal comments received during this comment period will be reviewed by Tri-City staff and included in the final document.

This plan is scheduled for presentation to the Mental Health Commission on January 10, 2023, with a request for endorsement to the Tri-City Governing Board. The Governing Board is scheduled to review this amendment on January 18, 2023.

Fiscal Impact:

The addition of the ATC team will result in total CSS expenditures to increase by approximately \$755,000 annually. The addition of the SBS team will result in total PEI expenditures to increase by approximately \$817,000 annually. Once approved, this amendment will be retroactive to July 1, 2022.



**Tri-City Mental Health Authority
AGENDA REPORT**

DATE: January 10, 2023

TO: Mental Health Commission of Tri-City Mental Health Authority

FROM: Rimmi Hundal, Executive Director

BY: Mica Olmos, JPA Administrator/Clerk

SUBJECT: Election of Officers of the Mental Health Commission Each Odd-Numbered Year

Summary:

The Mental Health Commission By-Laws indicate that an election to select officers shall be held during the first quarter of each odd-numbered year to serve for the ensuing two years. Therefore, an election of officers shall be conducted to elect the Chair and the Vice-Chair positions of the Mental Health Commission.

Background:

The Mental Health Commission last held an election of officers at its meeting of January 12, 2021. Pursuant to the Mental Health Commission By-Laws, the term of office is approximately two years and the Chairperson cannot serve for more than two consecutive terms. Accordingly, both the Chairperson and the Vice-Chairperson are eligible for re-election at this time.

Duties of the Chairperson of the Mental Health Commission include the following: 1) shall preside at general and special meetings of the Commission; 2) carry out the directives of the Commission; 3) perform other duties appropriate to the role and consistent with the policies of the Commission and the procedures specified in the Bylaws; 4) be in consultation with the Executive Director; and 5) represent the Commission at all mandated meetings. The duties of the Vice-Chairperson include the following: 1) shall preside at Mental Health Commission Meetings if the Chairperson is absent or unable to preside; and 2) perform such duties as may be delegated by the Commission, or the Chairperson, that are consistent with Board policies and Bylaws.

Recommendation:

The election of the Chair position shall be chaired by Executive Director Rimmi Hundal; and the election of Vice-Chair position shall be chaired by the appointed Mental Health Commission Chairperson. If any office has more than one nominee, the election shall be carried out by secret, written ballot; and since meetings are currently being held electronically via Zoom, the votes will be sent directly to the JPA Administrator/Clerk via chat during the discussion of this Agenda Item.

AGENDA ITEM NO. IV



V. PRESENTATION - JANUARY IS NATIONAL PEER MENTOR MONTH

Presenter: Michelle Robinson, MHSa Program Coordinator



**Tri-City Mental Health Authority
MONTHLY STAFF REPORT**

DATE: January 10, 2023

TO: Mental Health Commission of Tri-City Mental Health Authority

FROM: Rimmi Hundal, Executive Director

SUBJECT: Executive Director's Monthly Report

Happy New Year!

During the next Board meeting which will be held on January 18th, staff will be presenting to the Governing Board a resolution to approve Juneteenth, a Tri-City recognized paid holiday. Juneteenth, deriving from combining “June” and “nineteenth” represents and celebrates June 19, 1865, the date enslaved African Americans were emancipated and proclaimed their freedom in Texas. Since then this date has been celebrated annually culturally, but was first recognized as a federal holiday in 2021 when President Biden signed the Juneteenth National Independence Day Act. Since then, many local, municipal and County agencies have adopted Juneteenth as an official paid holiday. It is Tri-City’s intent to do so as well on January 18, 2023 and participate in our first official observance on Monday, June 19, 2023.

Additionally, over the 2023 calendar year, Tri-City’s staff will participate in a variety of Supervisory and Management trainings as it relates to public sector employment presented by employment law firm, Liebert, Cassidy and Whitmore. The trainings will take place monthly and consist of a variety of topics including, but not limited to, “Supervisor’s Guide to Understanding and Managing Employees’ Rights’ Labor, Leaves and Accommodations”, “Public Service Customer Service”, “Maximizing Supervisory Skills for the First Line Supervisor – Part 1 & 2”, “Prevention and Control of Absenteeism and Abuse of Leave”, “Public Service: Understanding the Roles and Responsibilities of Public Employees”, and “Supervisor’s Guide to Public Sector Employment Law.”

The Mental Health Services Act (MHSA) Department is currently working on the 3-year plan update and is hosting a number of stakeholder meetings, the links to these meetings are posted on Tri-City’s website. Once all the feedback from the stakeholders is received, it will be compiled in a report and that report will be distributed in the community for a 30-day public comment period in March followed by a Public Hearing during the April Mental Health Commission Meeting.

This year Tri-City will also be working on a strategic plan based on our vision and mission statement to create a road map for the next 5 years. This strategic plan will allow us to apply for more state and federal grants.