

CBHPC Executive Committee Meeting

**June 14, 2023
Meeting Minutes**

Committee Members Present:

Karen Baylor, Vera Calloway, Monica Caffey, Erika Cristo*, Barbara Mitchell, Mike Phillips, Daphne Shaw, Deborah Starkey, Arden Tucker, Tony Vartan, Susan Wilson*, Uma Zykofsky

*=Remote Appearance

Committee Members Absent: Christine Frey, Veronica Kelley, Noel O'Neill

Staff Present: Jenny Bayardo, Naomi Ramirez

Welcome and Introductions

Chairperson Deborah Starkey called the meeting to order, welcoming Council Members. Attendees introduced themselves. A quorum was established.

Approval of the April 19, 2023, Executive Committee Meeting Minutes (Action)

Barbara Mitchell corrected for the record that she is the Chair-Elect, not the Chair, of the Legislation and Public Policy Committee. The Minutes were adopted including the on-the-record correction.

Review of Council Membership

Chief of Operations, Naomi Ramirez presented the following.

- Staff has been working to fill existing vacancies.
- We have had interviews with two consumers and a family member. They have been invited to our meeting.

Council members shared concerns about current vacancies including the number of vacancies and the time it is taking to fill vacancies, the process for notifying applicants, prolonged vacancies for state representatives, and the lack of diversity in appointments. Council Staff addressed the concerns raised.

The Executive Officer, Jenny Bayardo, stated that staff are allowing a little more time to reach out to the communities that the Council has typically not had enough representation from. Substance Use Disorder is one of the areas in which expertise is needed because the Council does not typically receive applications from persons with co-occurring mental health conditions and substance use. An effort has been made to connect with organizations that work with the SUD community in order to recruit

applicants. The Council has received more applications this year as a result of the recruitment efforts.

Items for current consideration include.

- geographic regions currently unrepresented on the council
- lived experience of substance use, justice-involvement, and homelessness
- un/underrepresented communities
- youth expertise

In regard to the process, applicants get two notifications, an email acknowledgment of receipt and an official letter of receipt that includes the process and an invitation to attend the next quarterly meeting with meeting details. Applications have been sent to the Department, it is anticipated that by the next meeting, most of the consumer and family member vacancies will be filled.

Naomi Ramirez shared that staff have reached out to the Director of the California Department of Housing and Community Development (HCD) and asked for their participation. Jenny Bayardo stated that staff is also inviting HCD to our Housing and Homelessness Committee, and she is also starting to meet with the California Interagency Council on Homelessness (Cal ICH).

In response to council member concerns, Jenny Bayardo asked Council Members to inform her about inquiries from applicants in the future so we can address any questions and/or concerns timely. Arden thanked the staff for their efforts on this.

CBHPC Attendance Requirement (Action)

Chairperson Deborah Starkey opened the discussion regarding the CBHPC attendance requirements and asked Jenny Bayardo to provide some background for the discussion. Jenny Bayardo stated that due to COVID-19, the Council was temporarily flexible with Council Member attendance. Now that in-person meetings have returned, Council Members have been requesting clarification on the attendance policy that was in place prior to the public health emergency which temporarily allowed for virtual attendance.

Executive committee members discussed the existing attendance policy, the existing leave of absence policy, virtual attendance including location disclosure, public attendance at all locations, reasonable accommodations for persons with disabilities, upcoming legislation that may change Bagley-Keene, increased public participation in virtual meetings through the pandemic, and how attendance affects quorum impacting a committee's ability to vote. In addition, Monica Caffey asked for the distinction between the Bagley-Keene Act and the Brown Act in hosting our meetings. Susan noted that the Brown Act has no impact on our meetings and the Council has to follow Bagley-Keene.

Outstanding issues to be addressed include;

- Can people who get sick at the last minute participate in meetings?
- If we do an in-person policy, we need to look into reasonable accommodations for disabilities.

The committee discussed the current leave policy at length. Daphne Shaw suggested that the policy on leave of absence be limited to six months maximum, at which point in time a Council Member could go off and reapply for the Council. There have been a lot of problems with this.

Daphne Shaw made a motion that, “we adopt a policy that a leave of absence can only last for two meetings rather than six months.”

Uma Zykofsky requested an amendment to the motion on the floor, “I would suggest three because we value consumers and family members whose commitment is really important. Having a little flexibility around holding on to people who have developed would be nice.”

Council Member Shaw accepted the amendment.

MOTION: Council Member Daphne Shaw moved that a leave of absence can only last three meetings, seconded by Council Member Uma Zykofsky.

Discussion on the Vote

Susan Wilson mentioned that Council Member Christine Frey was on leave of absence. “Why can’t we be a little more liberal and consider what the reason for the leave of absence is? I am concerned that we have one person already in this situation and what happens to that person?”

Daphne Shaw suggested that if you start a new policy, you do not do it retroactively. If a new policy is approved, it will start now going forward. You have to have policies that are fair and consistent. Individual considerations are necessary because of the potential diversity of situations. I would hesitate for the Council or staff to get involved in analyzing the reasons for an absence.

Jenny Bayardo noted that for existing Council Members who are on leave, the leave that was granted is actually less than what is being proposed.

There was no public comment on the motion. A roll call vote was taken.

VOTE: The motion carried with a vote of 11-0-0 with Council Members Baylor, Caffey, Cristo, Mitchell, Phillips, Shaw, Tucker, Wilson, Zykofsky, Chair-Elect Vartan, and Chair Starkey voting, “YES”, no “NO” votes and, no “ABSTENTIONS”.

Public Comment

Theresa Comstock with the California Association of Local Behavioral Health Boards and Commissions and the California Coalition for Mental Health spoke about membership and the requirements. She highlighted that within Code, 5571, Chapter

Four, E4, states the Department of Health Care Services should be appointing the Members. She added that there is a requirement that they be affiliated with constituency organizations. It lists a number of organizations that qualify. Theresa Comstock stated, "I just wanted to remind you of that, and I ask that this be put into the information for people."

Steve Leoni recommended that the Legislation and Public Policy Committee follow legislation to amend Bagley-Keene. He also suggested the Council advocate for policies that would help people who may be vital to the process stay engaged.

Barbara Mitchell stated she does not want this referred to the Legislation and Public Policy Committee (LPPC). She added that this is more a decision of how the Council moves to operate and it cannot be handled by the LPPC.

Break

Transparency Statement

Executive Officer Jenny Bayardo reviewed the copy of the Transparency Statement provided in the meeting packet. The Transparency Statement is an existing policy that is provided to all Council Members as a part of the orientation binder. Barbara Mitchell suggested that input be given prior to the next meeting. It was decided that Jenny Bayardo would e-mail the transparency statement to all Council Members requesting all review and provide any changes needed by the end of June. The Fiscal Year 2023-2024 Transparency Statement will be posted by July 1, 2023.

Representing the Council

Chairperson-Elect Tony Vartan addressed the item Representing the Council with attendees: "We are trying to get information to our new members. Sometimes Council Members are approached directly by organizations to go and represent the Council speaking on a particular item."

The committee reviewed and discussed the existing policies in section 10.2 of the Operating Policies and Procedures. Council Members have the right to request that certain items be put on the agenda for discussion. A member would have to consult with the Executive Officer with a written request prior to making the request to place an item on the agenda. This request would then be discussed during the Executive meeting. At that meeting, it will be decided if the item is appropriate or not. Council Members represent the Council upon request of the Executive Officer with the Officer Teams approval.

CHPC Logo & Marketing Materials

Naomi Ramirez, CBHPC Chief of Operations, shared that Council staff have been working with the Office of State Publishing on updating our logo and our marketing materials. A draft of the brochure, letterhead, and memo designs were shown.

Public Comment

Theresa Comstock gave additional public comment regarding updates on the California Association of Local Behavioral Health Boards & Commissions (CALBHB/C) and the California Coalition for Mental Health (CCMH).

Wrap-Up and Plan for Next Meeting

The Executive Committee decided to revisit the attendance policy during the October 2023 meeting.

Adjourn

The meeting was adjourned at 10:15 a.m.