

# **CBHPC Executive Committee Meeting**

## **January 17, 2024**

### **Committee Members Present:**

Deborah Starkey  
Tony Vartan  
Karen Baylor  
Uma Zykofsky  
Noel O'Neill  
Barbara Mitchell  
Ronnie Kelley

Monica Caffey  
Daphne Shaw  
Mike Phillips  
Susan Wilson  
Erika Cristo\*  
Arden Tucker

\*=Remote Attendance

**Committee Members Absent:** Monica Caffey

**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 January 2024, Executive Committee Meeting Minutes (Action)**

Chairperson Elect Tony Vartan asked if committee members had any changes to the minutes. With no changes requested, Tony Vartan moved to record minutes as accepted. Minutes accepted as written.

### **Council Membership Update**

Naomi Ramirez, Chief of Operations, provided an update on Council member appointment and recruitment efforts. Naomi reviewed the separations noted in the meeting packet including Vera Calloway and Christine Frey who resigned after the printing of the October meeting packet. Additional separations included Cindy Wang from the Department of Social Services.

New Council Member appointments since the October meeting include:

- Susie Baker, Parent/Family Member of SED Child
- Kimberly Chen, Health & Human Services Agency (State Representative)
- Bill Stewart, Consumer
- Danielle Sena, Consumer
- Jason Bradley, Department of Housing & Community Development (State Representative)

New member orientation was December 11-12, 2023, in Sacramento California. This was a two-day overview of the Council. The next new member orientation is planned for March of 2024.

The vacancies as of today are as follows:

- One (1) Parent
- Two (2) Direct Consumers
- Two (2) State Representatives (CA Department of Education and the Department of Social Services)

The areas of expertise the Council is interested in targeting include youth/Transitional Age Youth (TAY), justice-involved, and formerly unhoused. The Chief of Operations has been working with some of our partners to recruit including the California Youth Empowerment Network and the Council on Criminal Justice and Behavioral Health.

Council Member Arden Tucker asked for clarification on the areas of expertise. Naomi Ramirez stated we are considering all applications, we are just trying to include these areas of expertise in our recruitment efforts as we do not currently have these populations represented on the Council.

Council Member Barbara Mitchell acknowledged the staff for their efforts in filling the council vacancies and went on to state that this is the best it has been in a long time.

### **Report from CA Coalition for Mental Health**

Daphne Shaw reported that the next CA Coalition for Mental Health (CCMH) meeting is on January 31<sup>st</sup>. CCMH will discuss changing its name to the CA Coalition for Behavioral Health now that the landscape continues to change. At the meeting, the California Health Care Foundation will share about the project on Behavioral Health beds and housing. The annual report was provided to committee members, it can be found on the CCMH website.

Noel O'Neill asked how many of the organizations listed on CCMH attend. Daphne Shaw responded that most attend. She shared that the biggest change is that when CCMH was founded, members came to the meeting and now Executive Directors or other paid employees attend. The CA Nurses Association was one of the founding members as was NAMI; both are no longer active.

### **Report from CA Association of Local Mental Health Boards**

Executive Director, Theresa Comstock, provided a quick overview introduction of the CA Association of Local Mental Health Boards (CALBHB/C) for those who may not be familiar with the organization. CALBHB/C supports the 59 local mental and behavioral health boards by providing training, resources, and technical assistance. CALBHB/C has suggested legislation that would allow for tiered funding for Adult Residential Facilities. There is no legislative sponsor yet. Theresa Comstock stated that she hopes

the housing and homelessness committee can work on this legislative proposal as well. There is also a budget request in progress. The governing board is looking at priority issues for 2024 and will have those to report at a later date.

## **Attendance Policy**

Chairperson Deborah Starkey opened the discussion about the proposed attendance policy by identifying one of the major changes which is that currently Council Members are expected to “fully participate” in all Council meetings. Both proposed options for consideration include the allowance of one missed meeting per year. Executive Officer Jenny Bayardo notes the options are listed in the tab for this agenda item. The packet also includes DHCS legal teams’ responses to questions the committee had in October.

Option 1: All meetings are hybrid.

Option 2: Committee meetings are hybrid and General Session is in-person.

The Executive Committee reviewed and discussed the options. Committee members asked clarifying questions about the options proposed and the proposed language that accompanies it.

The Committee discussed and took into consideration the following:

- If the Council applies the teleconference rules and allows participation by Council Members at the General Session, we must also allow full public participation including virtual public comment.
- Bagley-Keene does allow teleconference attendance at in-person meetings in specific instances.
- There is no longer a requirement to list addresses for individuals provided there is a quorum of the body in person.

Noel O’Neil asked the Executive Officer, Jenny Bayardo if Council staff have a preferred option. Jenny Bayardo responded that option one would be a little more difficult to manage logistically. Approving virtual attendance and maintaining quorum would also be more difficult with this option. In addition, due to the complex and sometimes difficult nature of the issues we are discussing right now, in person appears to be a more effective approach.

**MOTION:** Council Member Susan Wilson moved to adopt option 2 as the new attendance policy, seconded by Noel O’Neill.

Council Member Barabara Mitchell asked for confirmation that disability accommodations are allowed in this option for virtual attendance when needed. Naomi Ramirez confirmed that the Bagley-Keene Open Meeting Act does have an allowance for disability accommodation. There was no comment from the public on the motion.

**ROLL-CALL VOTE:** The motion passed unanimously.

## Expenditure Reports & Allotment Updates

Naomi Ramirez reviewed the budget information provided in the January meeting packet. Naomi shared that we are trying to secure a contract for a project related to the Data Notebook with the Performance Outcome Committee. CBHPC anticipates spending funds available in all categories except training due to the Governor's expenditure freeze. The Council will not send members to conferences for training purposes at this time. We will continue to participate in required conferences when we are presenting or recruiting members at exhibit tables. We do anticipate some of the funds designated for training to be used for unexpected and required expenses such as legal costs.

Naomi Ramirez provided an update on a recent meeting with DHCS regarding Mental Health Block Grant funds. On Monday, October 23, 2023, Naomi Ramirez and Jenny Bayardo met with the DHCS budgets and the federal grants branch to discuss CBHPC allotments. CBHPC staff inquired about the increased funds to the state as previously the CBHPC received increased allotments when the state received increases. DHCS confirmed they did receive an increase but did not disclose the percentage. They committed to discussing a possible increase in CBHPC funding. In early January, DHCS provided an e-mail response to Naomi Ramirez which stated, "Due to the uncertainties about future allocations and concerns about exceeding the state operations cap, they will not be increasing our funding at this time." DHCS also stated that they are open to considering increasing allotments in the future. Naomi Ramirez shared that we also submitted a Budget Change Proposal requesting a policy position for the council. The BCP was not submitted this time, but we were encouraged to re-submit the proposal as part of the 2025-26 Governor's Budget.

As of January 1, state per diems for meals have increased resulting in up to \$59 per day. Lodging rates have also increased based on going rates in each county.

Council Member Karen Baylor asked a few clarifying questions:

- What is the line-item Departmental Services?
- Do we have discretion in what we charge to MHSA versus the Block Grant?
- Does the Council receive general funds?
  - Since the Council does not, does any of the money saved go back into the General Fund?
- Karen encouraged the Council to utilize funds allotted for the intended purposes as much as possible.

Naomi Ramirez responses

- Department Services is for overhead charges from the Department, it does not include legal expenses.
- CBHPC does have discretion over what charges are billed to each account.
  - We typically charge 60% of meetings to MHBG and 40% to MHSA

- On occasion we change this based on the content of the meetings, for example, the current (January) meeting will be charged 100% to MHBG due to the content.
- When we hold Public Forums the funding source charged is determined based on the subject and its relevancy.
- Council Members are “tied” to a fund source and their expenses are charged to the appropriate funding based on their area of expertise/focus.
- The Council does not receive General Funds. The money we save is not placed back into the General Fund but used by the department.

CBHPC will use the unspent funds in training to help offset the cost of legal expenses we will incur this year as we address some long-standing questions and issues impacting our operations such as Bagley-Keene requirements and legality of some of the questions asked in the application for appointment to the Council.

Tony Vartan commented that when talking about financial management and funding shortages statewide, the Council is a part of that “tightening up” and we have a responsibility to decrease expenses along with the rest of the state.

Noel O’Neill asked the Executive Officer, Jenny Bayardo if the seasonal clerk position is one, we are hoping to request in the future through the BCP process. Jenny Bayardo shared that the seasonal clerk is a part-time position we can use as long as we have DHCS approval and the funds available in our budget. The positions we will ask for are specialist-level positions for policy consultation-related work of the Council. Noel then asked about benefits for seasonal clerk. Jenny states after a set number of hours, temporary staff do have some benefits with the state.

## **Annual Report**

Naomi Ramirez provided an update on the Annual Report. The 2023 Annual Report will be completed and e-mailed to the Executive Committee in late January. The report will be sent to the CBHPC partners list, the MHSOAC, the Department of Health Care Services, and Health and Human Services by January 31, 2024. Susan Wilson requested Council staff share the Annual Report with all mental and behavioral health boards. Susan Wilson requested we also share with legislators on the mental health committees. Naomi Ramirez agreed to add appropriate legislators to the list of recipients.

## **General Public Comment**

There was no public comment.

## **Transparency Statement**

Naomi Ramirez, Chief of Operations, shared that several Council Members were appointed after the 2023-2024 Transparency Statement was approved in June of 2023. The Executive Committee accepted the Transparency Statement as presented. Barbara Mitchell asked how Council Members report activity and when they report. Naomi Ramirez read the transparency statement. Naomi shared that she would send an email notification in 2024 when the annual update is required.

Corrections required on the Transparency Statement include:

- Tony Vartan- add “and recovery services” at the end of his transparency statement.
- Barbara Mitchell- add agencies she is contracting with to the list.
  - San Benito County, non-profit agencies contracted with various counties.

## **Wrap-Up and Plan for Next Meeting**

The next meeting is on April 17, 2024, in Sacramento California.

## **Adjourn**

The meeting was adjourned at 10:05 a.m.