



County of El Dorado

See meeting locations
below

Minutes

Behavioral Health Commission

- Norma Santiago, Chair- Term Expiration 10/26/2024*
Dr. Richard Lynn, Vice Chair - Term Expiration 11/16/2024
Debra Thornburgh, Vice Chair- Term Expiration 12/07/2024
Wendy Thomas, Board of Supervisors Representative - Term Expiration 01/01/2023
Dr. Stephen Clavere, Commissioner - Term Expiration 01/01/2023
Kathryn Hamilton, Commissioner - Term Expiration 08/11/2024
Lauryn Sumimoto, Commissioner - Term Expiration 04/12/2025
Elizabeth DeBenedetto, Commissioner - Term Expiration 04/12/2025
Antoinette Maita, Commissioner - Term Expiration 04/12/2025
Vacant (7), Commissioner

Wednesday, November 16, 2022

5:00 PM

Meeting Locations (in person and connected via tele/video-conferencing):

- 330 Fair Lane, Building A, Placerville, CA
- Mental Health Office, 1900 Lake Tahoe Blvd., Suite 103, South Lake Tahoe, CA

330 Fair Lane, Building A, Placerville and 1900 Lake Tahoe Blvd., South Lake Tahoe

CALL TO ORDER AND ROLL CALL

Staff Present: Nicole Ebrahimi-Nuyken, Christianne Kernes, Meredith Zanardi, Don Duval, Moriah Weldy

Public Attendees: John Taylor, Barry Harwell, Anna Gleason, Diane Rabinowitz, Frank Porter, Chris Stedeford, Shawn Kernes

Present: 8 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas, Lauryn Sumimoto, Elizabeth DeBenedetto and Antoinette Maita

Absent: 1 - Richard Lynn

ADOPTION OF THE AGENDA AND APPROVAL OF THE CONSENT CALENDAR

Supervisor Thomas made a motion to approve the agenda and consent calendar. Commissioner Clavere provided a second.

Yes: 8 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas, Lauryn Sumimoto, Elizabeth DeBenedetto and Antoinette Maita

Absent: 1 - Richard Lynn

CONSENT CALENDAR

1. [22-2118](#) Commission Chair recommends the Behavioral Health Commission to approve the Minutes for the September 21, 2022 and October 19, 2022 regular meeting(s) of the Behavioral Health Commission.

Approved

2. [22-2119](#) Commission Chair recommends the Behavioral Health Commission to approve the hybrid meeting for members of the public for the regular meeting of the Behavioral Health Commission on December 7, 2022. This is recommended as a result of ongoing concerns related to COVID-19, approve the following finding pursuant to Government Code subsection 54953(e)(3) in order to allow for the continued use of virtual or hybrid Behavioral Health Commission meetings as authorized under Assembly Bill 361. Pursuant to Government Code subsections 54953(e)(3)(A) and (e)(3)(B)(ii), the Behavioral Health Commission has reconsidered the circumstances of the Governor's proclaimed state of emergency resulting from COVID-19 and finds that the El Dorado County Public Health Officer continues to recommend measures to promote social distancing, as documented in the September 30, 2021 "Public Health Officer's Recommendations for Safe Board and Commission Meetings During COVID-19 Pandemic."

Approved

END OF CONSENT CALENDAR

COMMISSIONER COMMENT

Commissioner De Benedetto shared that she has personally experienced the housing crisis in El Dorado County; due to circumstances outside of her control she was forced to find housing and although she works for the County, she could not locate housing that was affordable, therefore forcing a move of residency to Sacramento County.

Supervisor Thomas acknowledged and thanked Commissioner DeBenedetto for sharing her story and acknowledged the need for different types of housing in El Dorado County.

PUBLIC COMMENT

Diane Rabinowitz, of NAMI El Dorado, proposes that El Dorado County Behavioral Health and NAMI join in a collaborative effort to create a Clubhouse in El Dorado County. The Clubhouse is an innovative model that can provide many components for those impacted by mental illness including psycho-social rehabilitation and community re-entry, pre-employment and employment services and job skills training, return to education support, nature therapy, holistic health, body-mind connection among others, creating greater life satisfaction, greater sense of purpose, increased employment, reduced crisis and criminal justice involvement. The Clubhouse is a standard based, internationally certified program that includes these components and helps to fill several gaps in the continuum of care.

Frank Porter, Vice President of Housing El Dorado, has joined the start-up crew with NAMI. He has joined the startup crew because there are a multitude of reasons that people become homeless, with mental illness being one. The Clubhouse International model has been growing throughout the U.S., Europe and even Africa; with two operating models in California, one in San Diego County and a second in Contra Costa County. Believes that the Clubhouse is a model to complement existing mental health services.

AGENDA ITEMS

ROLL CALL: 5:12 PM Supervisor Thomas left meeting

- Present:** 7 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Lauryn Sumimoto, Elizabeth DeBenedetto and Antoinette Maita
- Absent:** 2 - Richard Lynn and Wendy Thomas

3. [22-1883](#)

Update by Behavioral Health Division Staff on newly signed Brown Act Allowances, effective January 1, 2023 (5 minutes)

Meredith Zanardi, MHSA Coordinator, provided an overview of changes to the Brown Act Allowances that will be going into effect on January 1, 2023.

One component, Behavioral Health Commissions are required to have one (1) member who is a Veteran. All Commissioners will receive an email from staff asking each to self-certify their designation in certain required categories.

The second component relates to the allowances through the public health emergency as it relates to virtual and/or hybrid meeting formats. The public health emergency is slated to end on January 11, 2023. The main items that will be required are that a quorum be on site in a single location, and that the site must be accessible to the public both in person and remotely; and commissioners will have only two circumstances that would allow for said commissioner to participate virtually, the two allowances for virtual participation by a commissioner are "just cause" which would require the commissioner to provide a statement to the Commission relating to their need to appear remotely and can only be used two times per year and "emergency circumstances" which also requires a request to the commission that does not need to exceed 20 words and does not need to disclose personal health information.

COMMISSIONER COMMENT: Commissioner Clavere asked for clarification that if the public health emergency ends on January 11th, 2023, the new rules would be in place effective for the regular meeting of the Behavioral Health Commission in January.

Staff confirmed, yes, if public health emergency is lifted on January 11, 2023, the regular meeting of the BHC will be in person.

Commissioner Santiago raised concern that the regulations state a singular meeting location. Prior to COVID the Brown Act allowed for two meeting locations, one on the West Slope and one in south Lake Tahoe and that the Commissioners attended the meeting in person in one of these two designated locations.

Commissioner Santiago will reach out to CalBHBC for guidance on how to move forward with continuing to hold meetings in two locations and satisfy the quorum requirement.

PUBLIC COMMENT: None

ROLL CALL: 5:15 PM Supervisor Thomas returned to the meeting

Present: 8 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas, Lauryn Sumimoto, Elizabeth DeBenedetto and Antoinette Maita

Absent: 1 - Richard Lynn

4. [22-1884](#)

Discussion and approval of Behavioral Health Commission Bylaw amendments (5 minutes)

Commissioner Santiago brought forward the draft bylaws and invited Commissioners to provide input on changes or concerns of context.

COMMISSIONER COMMENTS: Comments from Supervisor Thomas, read by Commissioner Santiago, regarding Article VII, Meetings; “Behavioral Health Commission shall meet no fewer than ten (10) times per calendar year”. Supervisor Thomas asked for confirmation if the number of meetings is dictated by the Brown Act.

Commissioner Santiago clarified that the Brown Act does not dictate a specific number of meetings per year and asked the Commission to consider if they would like to remove a designated number of meetings.

Commissioner Clavere made the point that with the scheduled 10 meetings per year it can be difficult for the Commission to complete the work at hand, and that the monthly meetings is supposed to be an opportunity for the community to express their concerns and opinions about the behavioral health services of the community.

Commissioner Clavere stated he will research Brown Act requirements and WIC regulations to confirm that there is not a specific number in regulations.

Continued discussion by several commissioners to suggest wording that would indicate an intent to meet ten times per year, but without penalty if unable to meet due to the lack of quorum or unforeseen circumstance or when business does not dictate a monthly meeting.

Suggested wording “When business matters dictate, the Behavioral Health Commission will meet monthly.” or “Monthly as necessary and possible.”

Commission Chair Santiago asked staff to review and rework wording as appropriate.

Commission Chair Santiago asked that the Commission consider the wording paragraph 4 of Article VII referencing the “members of the Behavioral Health Commission residing greater than 50 miles from the County Seat (Placerville) may attend meetings via publicly accessible video conference from remote locations with compatible video conferencing capabilities.” It is the opinion of Commissioner Santiago that this paragraph has set the allowance of the Commission to participate in a meeting from more than one location simultaneously.

Nicole Ebrahimi-Nuyken, Behavioral Health Director, reiterated points made in earlier discussion indicating that Commission Chair will seek clarification from CalBHBC to determine if the Commission will be required to have a quorum of the Commission in a single meeting location.

Supervisor Thomas made the suggestion to remove the wording that indicates “within 50 miles of the County Seat” and replace with “may attend meeting via publicly accessible video conference from remote locations as needed.”

Commissioner Clavere added that historically the reason for a second location was not only to benefit the Commissioner's, but also to allow the public, specifically South Lake Tahoe basin residents, the ability to attend a meeting in person without driving to Placerville.

Commission Chair Santiago suggested that approval of the amended wording of the Bylaws be postponed until the Commission receives clarification from CalBHBC regarding:

- Brown Act requirement that a meeting quorum must be met in a single meeting location, as opposed to how this Commission operated prior to COVID by meeting in two publicly accessible locations that are remotely connected via compatible video conferencing, and

- The allowance for a Commissioner to attend remotely for up to two meetings annually using the "Just Cause" or emergency circumstances.

Commissioner Clavere emphasized the importance of having two publicly accessible meeting locations that will be announce or publicized with the agenda.

PUBLIC COMMENT: Barry Harwell, Sierra Child and Family Services, commented that the Commission has been functioning using a Zoom/Hybrid format for almost three(3) years and during that time there has been little or no public participation, this is concerning because prior to COVID restrictions it was common for there to be 10-15 public participants at most meetings.

5. [22-2120](#)

Update and discussion by MHSA Coordinator on Mental Health Services Act (MHSA) Annual Update Fiscal Year 2022/23 adopted by the Board of Supervisors on August 30, 2022, and any recommendations by the Behavioral Health Commission. (15 minutes)

Meredith Zanardi, MHSA Coordinator, provided a brief overview of the process that was following in July and August, highlighting that the Commission made no recommendations or substantive comments during the Public Hearing process on July 20, 2022, and the Plan Update that was presented to and approved by the Board of Supervisors on August 30, 2022, contained no changes. Staff acknowledges that in future years the Commission will be asked more intently for specific revisions that they would like made in the plan.

COMMISSIONER COMMENT: Commissioner Clavere suggested that staff response and analysis to Public Comment should be more thoughtful, cited two examples of staff responses that provided vague response indicating that “services are voluntary” or “outside the scope of MHSA”.

Staff responded indicating that more attention and detail will be included to provide more specification about what can be done by MHSA vs. Traditionally funded programs.

Commissioner Clavere prepared and presented two charts referencing fund balances and the continual growth of these reserves. He believes that these funds and CSS funds should be used to fund additional clinical services.

Staff responded that CSS funds are currently being spent in about a year and half, and if increased services were implemented there is a risk that the funds will not be sufficient to support the mandated services. During COVID and post-pandemic MHSA received more funds than anticipated, but it is projected that the revenues will stabilize, and balance will revert back to levels similar to what was received prior to the pandemic. Opportunities are being explored to expand programming and spend down reserves, but it is the desire and obligation of the division to be prudent in the implementation of new spending.

Supervisor Thomas is confident with the course of action recommended by staff.

Commissioner Clavere would like the Commission to vote on a recommendation that the Board of Supervisors direct the County Auditor to audit the MHSA plan and expenditures budget for the purpose of identifying the how and why the fund balance is growing and not being spent.

Commission Chair Santiago would recommend that the Board of Supervisors thoroughly review the MHSA revenue and expenditures.

Commission Chair Santiago asked for clarification regarding if a project can only be funding during a single 3-year MHSA plan.

Staff responded that some projects may extend beyond a single 3-year plan, but the contract expiration and renewal dates will align with the fiscal years identified in the Plan.

PUBLIC COMMENT: Diane Rabinowitz, NAMI El Dorado, expressed concern that

MHSA Innovation funds are not able to be spent, would like to see the Clubhouse International model funded through Innovation.

Barry Harwell, Sierra Child and Family Services, many years ago contracted providers questioned the contract process due to the delay in providing services because of the length of time and administrative process that it takes to sign a new contract, he has not seen any signs that this process has improved, and it can have a negative impact on service providers ability to provide the needed services to consumers.

Shawn Kernes, identified himself as a Mental Health Advisor to HUD and Department of Health and Human Services at the Federal level, stated that from a federal perspective, the reserve funds held by MHSA are insufficient. Governor Newsom has recently put a pause on funding for homeless services to the Counties, he asks what is being done by MHSA to address homeless services.

ADDITIONAL COMMISSIONER COMMENTS: Commission Chair Santiago asked that a presentation by NAMI regarding the Clubhouse be agendaized for the December meeting.

Supervisor Thomas advised that the Board of Supervisors has had ongoing discussions around homeless services in El Dorado County.

Commissioner De Benedetto pointed out that some of the noted reduction in number of unhoused persons in El Dorado County is because those individuals have left El Dorado County for areas like Sacramento County with more available housing and services, but not necessarily out of homelessness.

Commissioner Clavere pointed out to the Commission, that in order for the MHSA team to consider recommendations from the Commission as Substantive Comments, the commission must vote on the recommendation.

6. [22-2121](#)

Recommendations from Behavioral Health Commission to be included in Mental Health Services Act (MHSA) Community Program Planning Process (CPPP) for the new 3-year MHSA Plan (10 minutes)

Meredith Zanardi presented an overview of the Community Program Planning Process (CPPP) that has been implemented for the development of the new 3-year MHSA Plan; highlighting the three (3) County hosted community meetings and numerous provider hosted meetings with combined attendance to date of 53 stakeholders, the receipt of 134 completed surveys to date and the continued availability of the MHSA to present to additional community groups and meetings.

COMMISSIONER COMMENTS: Commission Chair Santiago thanked MHSA staff for detailed information regarding the process involved in the CPPP.

PUBLIC COMMENTS: None

ROLL CALL: 7:02 PM Commissioner Maita left the meeting

Present: 7 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas, Lauryn Sumimoto and Elizabeth DeBenedetto

Absent: 2 - Richard Lynn and Antoinette Maita

- 7. [22-1886](#) Commission Chair recommends that John Taylor be appointed as a full member of the Behavioral Health Commission (5 minutes)

Commissioner Chair Santiago thanked John Taylor for his interest in the Commission and asked that he introduce himself again to the Commission and re-state why he is interested in the Commission.

John Taylor spoke briefly, introducing himself and his background and his interests in the Behavioral Health of the community.

COMMISSIONER COMMENT: None

PUBLIC COMMENT: None

Commission Chair Santiago made a motion to appoint John Taylor as a full member of the Behavioral Health Commission. Supervisor Thomas provided a second.

Yes: 7 - Stephen Clavere, Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas, Lauryn Sumimoto and Elizabeth DeBenedetto

Absent: 2 - Richard Lynn and Antoinette Maita

- 8. [22-1887](#) Commission Chair recommends the reappointment of Commissioner Stephen Clavere as a full member of the Behavioral Health Commission (5 minutes)

Commission Chair Santiago acknowledged Commissioner Clavere's years of service and recommends his reappointment to the Commission.

COMMISSIONER COMMENT: Commissioner De Benedetto comments that she respects the historical knowledge that Commissioner Clavere brings to the Commission; but feels that the role of the Commission should be more collaborative with Staff.

PUBLIC COMMENT: Shawn Kernes, appreciates the knowledge that Commissioner Clavere brings to the Commission, but believes that he focuses too much energy on funding.

Commission Chair Santiago made a motion to reappoint Commissioner Stephen Clavere as a full member of the Behavioral Health Commission. Supervisor Thomas provided a second.

Yes: 5 - Kathryn Hamilton, Debra Thornburgh, Norma Santiago, Wendy Thomas and Lauryn Sumimoto

Absent: 2 - Richard Lynn and Antoinette Maita

Abstained: 2 - Stephen Clavere and Elizabeth DeBenedetto

9. [22-2122](#)

Ad Hoc Committee to provide an update on the progress of the completion of the 2022 Data Notebook (5 minutes)

Ad Hoc provided a brief summary of the Data Notebook process.

COMMISSIONER COMMENT: Commissioner Clavere noted that this year's Notebook is very extensive, substantial, and well put together.

Supervisor Thomas would like to recommend that the approval of the final Data Notebook be added to the Consent Calendar in the December meeting. This suggestion was agreeable to all.

PUBLIC COMMENT: Non

10. [22-2123](#)

Commission Chair recommends the appointment of an Ad Hoc to be the Nominating Committee for the 2023 officers for the Commission (5 minutes)

Commission Chair Santiago asked for 3 volunteers from the Commission to act as the nominating committee for the 2023 Officers. The slate of officers will be presented for a vote at the regular meeting in January 2023.

COMMISSIONER COMMENT: Commissioner DeBenetto, Supervisor Thomas, and Commission Hamilton volunteer to be serve on the Ad Hoc.

PUBLIC COMMENT: None

11. [22-2161](#) Review/Discussion/Questions of the Behavioral Health Director's Report (10 minutes)

Behavioral Health Director Nicole Ebrahimi-Nuyken called attention to a few points within the monthly reports:

Announced the start of Evelyn Schaefer, as the new Director of Health and Human Services Agency; subsequently the resignation of Daniel DelMonte, Chief Assistant Director and Interim Director of Health and Human Services Agency.

Three staff from the Behavioral Health Division had the opportunity to participate in a college job fair at Sacramento State University.

Shared the announcement of the passing of Lesly VonSloten, Manager of Mental Health Programs; the loss of Lesly has been felt by staff not only in the aspect of a gap in workload coverage, but also as an emotional loss. Staff are working closely to support each other to cover the work and through the grief process.

COMMISSIONER COMMENT: Commissioner Clavere asked about the Clinician allocation on the staff vacancy chart noting that the chart reflects the loss or reallocation of several clinician positions throughout the division.

Staff responded that the reported numbers will be reviewed and updated as appropriate.

Commissioner Clavere asked why the staff vacancy is not broken down by slope.

Staff responded that when there is a vacancy in the division, staff from both slopes coordinate efforts to cover the gap, so reporting a vacancy in one location is not representative of the workload.

PUBLIC COMMENT: None

COMMISSIONER COMMENT

Commissioner Santiago pointed out that the shortage of qualified mental health professionals is being felt in all sectors of the medical population, from Medi-Cal providers to private insurance providers. Barton Health has zero Psychiatrists and has heard that it can be up to a year for a patient to see a doctor in South Lake Tahoe.

Commissioner DeBenedetto echoed the sentiment of Commissioner Santiago and shared her personal experience of waiting close to 12 weeks for an intake appointment and several additional weeks before she would be able to be seen for an assessment.

Commissioner De Benedetto asked if there is anything that the Division can do to incentivize community providers or provide support to private providers to allow patients to be seen more promptly?

NEXT BEHAVIORAL HEALTH COMMISSION REGULAR MEETING DATE: December 7, 2022

ADJOURNED: 7:29 PM