



MINUTES

REGULAR MEETING OF THE GOVERNING BOARD MARCH 18, 2020 – 5:00 P.M.

The Governing Board held on Wednesday, March 18, 2020 at 5:11 p.m. its Regular Meeting Via Teleconference pursuant to California Governor Newsom Executive Order N-25-20 wherein he suspended certain provisions of the Brown Act to allow the continuation to hold meetings without gathering in a room in an effort to minimize the spread and mitigate the effects of COVID-19 (Corona Virus Disease of 2019).

CALL TO ORDER Governing Board Chair Carder called the meeting to order at 5:11 p.m.

ROLL CALL Roll call was taken.

GOVERNING BOARD

PRESENT: Robin Carder, City of La Verne, Chair
Carolyn Cockrell, City of La Verne, Board Member
Rubio R. Gonzalez, City of Pomona, Board Member
Jed Leano, City of Claremont, Board Member
Ronald T. Vera, City of Claremont, Board Member

ABSENT: Mona Sparks Johnson, City of Pomona, Vice-Chair
Elizabeth Ontiveros-Cole, City of Pomona, Board Member

STAFF: Toni Navarro, Executive Director
Darold Pieper, General Counsel
Diana Acosta, Chief Financial Officer
Nancy Gill, Chief Operations Officer
Mary Monzon, Housing Manager
Mica Olmos, JPA Administrator/Clerk

CONSENT CALENDAR

There being no comment, Board Member Leano moved, and Governing Member Gonzalez seconded, to approve the Consent Calendar. The motion was carried by the following vote: AYES: Board Members Cockrell, Gonzalez, Leano, and Vera; and Chair Carder. NOES: None. ABSTAIN: None. ABSENT: Board Member Ontiveros-Cole and Vice-Chair Sparks Johnson.

1. APPROVAL OF THE MINUTES FROM THE FEBRUARY 19, 2020 GOVERNING BOARD MEETING

Recommendation: "A motion to approve the Minutes of the Governing Board Regular Meeting of February 19, 2020."

NEW BUSINESS

2. APPROVAL OF RESOLUTION NO. 524 AUTHORIZING THE EXPENDITURE OF \$970,968.00 FROM ITS CAPITAL FACILITIES AND TECHNOLOGICAL NEEDS (CFTN) PLAN FUNDS FOR ELECTRICAL UPGRADES, OFFICE SPACE REMODEL AND CAPITAL IMPROVEMENTS

Executive Director Navarro reported that there is already funding available in the CFTN Plan which had been allocated by the stakeholders over the last couple of years; that the project proposal outlines how to spend the funds; and indicated that that these funds can only be spent for the purposes of capital facilities and technology.

Board Member Cockrell stated that the Board had already approved funding for the Therapeutic Community Garden and inquired if this was simply of a re-affirmation for approval to spend the funds. Executive Director Navarro replied in the affirmative noting that there was no specific project plan and that the funds were only allocated for when ready to make improvements; and that this is the specific project development and staff was seeking Board approval.

There being no further discussion, Board Member Gonzalez moved, and Board Member Leano seconded, to adopt Resolution No. 524 authorizing the Expenditure of \$970,968.00 from its CFTN Plan Funds for the proposed electrical upgrades, office space remodel and capital improvements. The motion was carried by the following vote: AYES: Board Members Cockrell, Gonzalez, Leano, and Vera; and Chair Carder. NOES: None. ABSTAIN: None. ABSENT: Board Member Ontiveros-Cole and Vice-Chair Sparks Johnson.

3. APPROVAL OF RESOLUTION NO. 525 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A PERFORMANCE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (CDHCS) FOR MENTAL HEALTH SERVICES ACT (MHSA) FUNDS

Executive Director Navarro reported that Tri-City has been receiving and spending its Mental Health Services Act funding since 2007/08, similar to the City of Berkley; however, it was not until last year in 2019 when the State began to audit counties on their MHSA Plan spending; noting that Tri-City was added to the list this year to be audited; that at this time Tri-City and the City of Berkeley looked at the requirements and noticed that they were never informed to collect data in a particular way; that the State sent Tri-City an email notifying staff that they discovered that the State had never signed a Performance Agreement with Tri-City. She then discussed the reporting requirements under the agreement which do not involve money and only stipulates how Tri-City should report data; noted that there was one item that Tri-City was reporting on semiannual basis and it should have been submitted quarterly; that the agreement is to bring Tri-City in alignment with the other Counties; that the agreement is retroactive to year 2017/18; and that in year 2021, Tri-City will present another agreement for the next three years.

Board Member Vera referred to the agreement, under the program specifications, wherein states that “the County shall prepare and submit a three-year program and expenditure plan, and annual updates”, noting that it was his understanding that Tri-City does this already. Executive Director Navarro replied in the affirmative, indicating that Tri-City has been doing all the requirements under the agreement; however, there was only one report that staff was submitting semi-annually and it should have been submitted on a quarterly basis because staff was not aware of this requirement.

Board Member Vera then inquired if there was anything in the Agreement that can be identified that Tri-City has to do by signing this agreement. Executive Director Navarro replied in the negative and reported that the executive team had reviewed the agreement and confirmed that Tri-City was already in compliance with all of the requirements under HIPAA, documentation, outcome reporting, and that Tri-City had been doing everything with the exception of one report that was being submitted semiannually, as Tri-City had been told; however, it should have been submitted quarterly and that the State was fine with that.

There being no further discussion, Board Member Cockrell moved, and Board Member Leano seconded, to adopt Resolution No. 525 authorizing the Executive Director to execute a Performance Agreement with the California Department of Health Care Services for the provision of MHSA services. The motion was carried by the following vote: AYES: Board Members Cockrell, Gonzalez, Leano, and Vera; and Chair Carder. NOES: None. ABSTAIN: None. ABSENT: Board Member Ontiveros-Cole and Vice-Chair Sparks Johnson.

MONTHLY STAFF REPORTS

4. TONI NAVARRO, EXECUTIVE DIRECTOR REPORT

Executive Director Navarro reported that there is nothing new from what is reported in the staff reports; however, she has maintained in daily contact with other behavioral directors via a daily update that is distributed by the CBHDA Director; that she is hearing that more and more counties are issuing “sheltering in place” orders; that she had been in communication with Jonathan Sherin (Director of the Los Angeles County Department of Mental Health) and sent him information about what Tri-City has been doing; and that he had expressed appreciation for all of our efforts. She added that behavioral health services are considered essential services and Tri-City will have staff that will have to continue to show up to work with clients and, of course, practicing social distancing and with appropriate protective gear; that staff had been trained on how to properly use the N-95 masks; that several staff who have children had to stay home because all the schools are closed; that Tri-City has already provided all the necessary equipment to allow staff to continue their duties from home and that most of the staff had been set up to work from home; that Tri-City has already in place its Rules and Regulations to provide a two-week administration paid leave those that cannot work from work; that Tri-City signed a contract with a local taxi company to provide transportation vouchers to Tri-City clients so that they can get to/from Tri-City without using public transportation; that finance is coding all COVID-19 expenses uniquely so that Tri-City can have the amounts ready for when the State and Federal Government get ready to reimburse counties for extra funding expended in providing essential services during the pandemic; and pointed out that staff had been wonderful.

Board Member Vera stated that some of the staff reports indicated that we are taking precautions to deal with the exposure by our employees and inquired if the Executive Director was okay with the present measures that we are taking; stating that the Pomona Valley Hospital had set up a special screening unit for anyone that may be exhibiting signs of the virus whom will then be placed in a special room where the hospital employees are wearing protective gear; and that there is a regulation for employers to ensure that employees have sufficient protective wear to deal with the virus.

Executive Director stated that Tri-City received today the N-95 masks supply; that Tri-City did have a protocol in place for the last 2-1/2 weeks in which the front desk was screening everybody; that only a couple of clients exhibited symptoms and were immediately routed to a room where they were seen by psychiatrists and licensed medical staff; that staff is moving to provide only essential services and most our sessions this week have been conducted by phone as allowed by health care services; that only essential staff will have interaction with clients and they have the supplies they need; that staff is practicing social distancing and is not holding meetings in person nor group meetings are being held.

5. DIANA ACOSTA, CHIEF FINANCIAL OFFICER REPORT

There was no comment.

6. NANCY GILL, CHIEF OPERATIONS OFFICER REPORT

There was no comment.

7. ANGELA IGRISAN, CHIEF CLINICAL OFFICER REPORT

There was no comment.

8. SEEYAM TEIMOORI, MEDICAL DIRECTOR REPORT

There was no comment.

9. RIMMI HUNDAL, DIRECTOR OF MHSA AND ETHNIC SERVICES REPORT

There was no comment.

10. NATALIE MAJORS-STEWART, CHIEF COMPLIANCE OFFICER REPORT

There was no comment.

There being no further comment, Board Member Leano moved, and Board Member Gonzalez seconded, to receive and file the month of March staff reports. The motion was carried by the following vote: AYES: Board Members Cockrell, Gonzalez, Leano, and Vera; and Chair Carder. NOES: None. ABSTAIN: None. ABSENT: Board Member Ontiveros-Cole and Vice-Chair Sparks Johnson.

GOVERNING BOARD COMMENTS

Executive Director Navarro announced that Vice-Chair Mona Sparks Johnson had submitted, to Council Member Torres of the City of Pomona, a Letter of Resignation as member of Tri-City's Governing Board to be effective immediately citing personal health crisis and that she had expressed that it had been a privilege to work with all of us.

The Board expressed gratitude for Vice-Chair Mona Sparks Johnson services and asked staff to send her a card with get well wishes.

PUBLIC COMMENT

There was no public comment.

Tri-City Counsel Darold Pieper stated that staff had prepared a couple of policies, telecommuting and hazardous pay for staff onsite to provide essential healthcare duties, which would like to be introduced as urgency items; he noted however, that this was not necessary as he suggested that the Executive Director had the authority under the circumstances of the emergency to implement these policies on emergency basis; however, if staff wanted the approval of the Governing Board, then the Board can convene a Special Meeting to discuss these two urgency policy items; pointing out that it would be difficult to discuss them right now since the meeting is being held via teleconference with no opportunity to read them.

Discussion ensued regarding the need to hold the meeting at the earliest opportunity to keep up with the rapid changes and protocols to be able to continue to provide services and get things ready in anticipation that the county will shut down sooner than later.

There was Governing Board consensus to continue this meeting to tomorrow Thursday, April 19, 2020 at 5:00 p.m. to discuss the two urgency items.

Board Member Vera asked that staff include the expected financial projection of the hazardous pay for the next three to four months.

Chair Carder stated that staff also indicate which funding will be used to pay for the hazardous pay. Executive Director Navarro stated that the funding will come from the department from which staff is working in.

Board Member Vera expressed appreciation for the concern that Executive Director Navarro has for staff and wanting to provide hazardous pay; and that he just wanted to know if we can do this legally and what other counties are paying for hazardous pay. Executive Director Navarro stated that staff had looked at the surrounding counties and cities that pay hazardous pay; however, nobody has implemented hazardous pay for COVID-19; that everyone is establishing it at the same time; and pointed out that this hazardous pay is temporary and only for the COVID-19 crisis.

Board Member Vera inquired if this hazardous pay will affect Tri-City's contribution to CalPERS. Counsel Pieper replied in the affirmative noting that this pay is PERSable.

Tri-City Counsel Darold Pieper announced that subsequent to the posting of the agenda, it came to the attention of the agency that the COVID-19 pandemic emergency and related federal, state, and local emergency orders require the agency to continue providing essential mental health services, and that it is accordingly necessary to adopt a telecommuting policy, and a hazardous pay policy to compensate employees who are required to expose themselves to potentially hazardous circumstances caused by the COVID-19 virus; that there is a need for the agency to take immediate action; and to add the matter of Approval of Resolution No. 526 Establishing Policy and Procedure No. I.13 -Temporary Telecommuting in Response to COVID-19 Crisis, and Approval of Resolution No. 527 Establishing Policy and Procedure No. I.14 -Temporary Hazard Pay in Response to COVID-19 Crisis, to the agenda as authorized by Section 54954.2(b)(2) of the Brown Act; and that these urgency items will be continued for discussion at tomorrow's Governing Board meeting.

ADJOURNMENT

At 5:46 p.m., on consensus of the Governing Board its meeting of March 18, 2020 was continued to Thursday, March 19, 2020 at 5:00 p.m. to be held via teleconference, to discuss the approval of Resolutions Nos. 226 and 227, respectively. The next Regular Meeting of the Governing Board will be held on Wednesday, April 15, 2020 at 5:00 p.m.



Micaela P. Olmos, JPA Administrator/Clerk