



## MINUTES

### **REGULAR MEETING OF THE GOVERNING BOARD JANUARY 18, 2023 – 5:00 P.M.**

The Governing Board held on Wednesday, January 18, 2023 at 5:01 p.m. a Regular Meeting Via Teleconference pursuant to Government Code § 54953, which allows 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** Chair Leano called the meeting to order at 5:01 p.m.

**ROLL CALL** Roll call was taken by JPA Administrator/Clerk Olmos.

#### GOVERNING BOARD

**PRESENT:** Jed Leano, City of Claremont, Chair  
John Nolte, City of Pomona, Vice-Chair  
Carolyn Cockrell, City of La Verne, Board Member  
Paula Lantz, City of Pomona, Board Member  
Wendy Lau, City of La Verne, Board Member  
Elizabeth Ontiveros-Cole, City of Pomona, Board Member Benita  
Ronald T. Vera, City of Claremont, Board Member (joined at 5:02 pm)

**ABSENT:** None.

#### STAFF

**PRESENT:** Rimmi Hundal, Executive Director  
Darold Pieper, General Counsel  
Diana Acosta, Chief Financial Officer  
Liz Renteria, Chief Clinical Officer  
Seeyam Teimoori, Medical Director  
Dana Barford, Director of MHSA & Ethnic Services  
Natalie Majors-Stewart, Chief Compliance Officer  
Kitha Torregano, Human Resources Manager  
Mica Olmos, JPA Administrator/Clerk

#### **CONSENT CALENDAR**

Chair Leano opened the meeting for public comment; and there was no public comment.

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

**1. CONSIDERATION OF RESOLUTION NO. 692 AUTHORIZING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY UNDER GOVERNMENT CODE SECTION 54953 (AB 361)**

Recommendation: “A motion to adopt Resolution No. 692 finding and declaring that it is unsafe to meet in person during the proclaimed state of emergency as a result of the continued threat of COVID-19, and authorizes the Executive Director, or her designee, to continue utilizing teleconferencing accessibility to conduct the Authority’s public meetings pursuant to Government Code § 54953.”

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

Recommendation: “A motion to approve the Minutes of the Governing Board and Mental Health Commission Regular Joint Meeting of December 21, 2022.”

**NEW BUSINESS**

**3. CONSIDERATION OF RESOLUTION NO. 693 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AFFILIATION AGREEMENT WITH POMONA VALLEY HOSPITAL CENTER (PVHMC) TO PROVIDE ADVANCED TRAINING IN MENTAL HEALTH TREATMENT AND SUBSTANCE USE TO ITS FAMILY MEDICINE RESIDENTS**

Medical Director Teimoori indicated that this is basically the current collaboration that Tri-City has with Pomona Valley Hospital for the family medicine residency in terms of them getting training in psychiatry, and they provide medical services, including street medicine.

Chair Leano opened the meeting for public comment; and there was no public comment.

Board Member Vera abstained from voting citing having a conflict of interest, since he is affiliated with the Pomona Valley Hospital.

There being no further comment, Board Member Cockrell moved, and Board Member Lantz seconded, to adopt Resolution No. 693 authorizing the Executive Director to execute an Affiliation Agreement with PVHMC to provide advanced training in mental health treatment and substance use to its Family Medicine Residents. The motion was carried by the following vote: AYES: Board Members Cockrell, Lantz, Lau, and Ontiveros-Cole; Vice-Chair Nolte; and Chair Leano. NOES: None. ABSTAIN: Board Member Vera. ABSENT: None.

**4. CONSIDERATION OF RESOLUTION NO. 694 ADOPTING THE FIRST AMENDMENT TO THE MENTAL HEALTH SERVICES ACT (MHSA) ANNUAL UPDATE FOR FISCAL YEAR 2022-23 AS RECOMMENDED BY TCMHA MENTAL HEALTH COMMISSION**

Director of MHSA & Ethnic Services Barford indicated that she had mentioned last month that this Amendment was posted for a 30-day public comment; and reported that this Amendment will transfer one service and one program to the Mental Health Services Act (MHSA) funding. She explained that the Access To Care service would be under the Community Services and Supports (CSS) Plan; and the School Based Service Program will go under the Prevention and Early

Intervention (PEI) Plan; and that by transferring these programs Tri City will be able to maximize its financial resources, noting that MHSA has a surplus of funds that are subject to reversion and by moving these programs to CSS and PEI, this issue will be addressed, and also will be able to have additional funds under 1991 Realignment, which is a more limited source of funding.

Board Member Vera commented that he read in the newspaper that the Los Angeles County is now eligible to participate in the recent legislation called C.A.R.E. Act, and inquired if this new legislation is going to affect in any way what Tri-City is doing over the next 2 or 3 years in connection to what is being proposed, and if we may have to amend some projects in light of the obligations that LA County is taking on.

Executive Director Hundal explained that the Cities, Tri-City, and Berkeley, are not part of the C.A.R.E. Act plan, and also will not be receiving funding under this new legislation; however, that she is planning to meet with the Interim Director of LACDMH, Lisa Wong, to talk about how they can work together on this issue; and after they meet, she will report back what they discussed.

Board Member Vera recommended having a joint meeting with the Mental Health Commission to really understand what that new legislation is going to require and how it is going to impact the residents in the cities. Executive Director Hundal replied in the affirmative, noting that the next meeting with the Commission is in May; however, if there is anything to report sooner she will let everyone know.

Board Member Lantz stated that she would like to better understand the Access To Care service, noting that she does not oppose to transferring it to the MHSA funding; however, she would like to know more about that particular service. Director of MHSA & Ethnic Services Barford replied that she will send more comprehensive information via email.

Chair Leano opened the meeting for public comment; and there was no public comment.

There being no further discussion, Vice-Chair Nolte moved, and Board Member Ontiveros-Cole seconded, to adopt Resolution No. 694 approving the First Amendment to the Authority's MHSA Annual Update For Fiscal Year 2022-23 as recommended by TCMHA MHC. The motion was carried by the following vote: AYES: Board Members Cockrell, Lantz, Lau, Ontiveros-Cole, and Vera; Vice-Chair Nolte; and Chair Leano. NOES: None. ABSTAIN: None. ABSENT: None.

**5. CONSIDERATION OF RESOLUTION NO. 695 ADOPTING A REVISED PERSONNEL RULES AND REGULATIONS MANUAL OF TRI-CITY MENTAL HEALTH AUTHORITY BY ADDING JUNE NINETEENTH TO THE AUTHORIZED HOLIDAYS, EFFECTIVE JANUARY 18, 2023**

Human Resources Manager Torregano reported that June 19, 1865, commonly known as Juneteenth, is a nationally celebrated and recognized day when enslaved African-Americans proclaimed their freedom; that in 2021, President Biden signed into law the Juneteenth National Independence Day, which made June 19th a nationally federally recognized holiday, and since many public agencies across the country have followed suit to make this an authorized holiday for their agencies, Tri-City staff are requesting the approval of the revised Personnel Rules and Regulations to add June 19th as a nationally authorized holiday for Tri-City.

Chair Leano opened the meeting for public comment; and there was no public comment.

There being no further discussion, Board Member Vera moved, and Board Member Lau seconded, to adopt Resolution No. 695 adopting the revised Authority's Personnel Rules and Regulations Manual, effective January 18, 2023. The motion was carried by the following vote: AYES: Board Members Cockrell, Lantz, Lau, Ontiveros-Cole, and Vera; Vice-Chair Nolte; and Chair Leano. NOES: None. ABSTAIN: None. ABSENT: None.

**6. CONSIDERATION OF RESOLUTION NO. 696 AUTHORIZING AN AMENDMENT TO FISCAL YEAR 2022-23 BUDGET BY INCREASING CONSULTING SERVICES IN THE AMOUNT OF \$52,388; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT WITH KOFF & ASSOCIATES, INC. FOR COMPLETION OF THE TOTAL CLASSIFICATION AND COMPENSATION STUDY**

Human Resources Manager Torregano reported that back in early 2020, the Governing Board approved Resolution No. 517, authorizing an Agreement for consulting services with Koff and associates to conduct a full scale total class and compensation survey for Tri-City; then, the pandemic hit and Tri-City experienced the 'great resignation', noting that staffing count has greatly fluctuated since then; that the original contract and agreement was for roughly for \$128,000 for 160 employees and 75 classifications; that the agency has grown since and there are over 200 staff, with approximately 80 to 85 classifications. Therefore, the original projected budgeted amount for this total class and compensation survey has grown; that the additional sum of money that Koff is requesting to complete the final phase of the survey, the compensation plan, is approximately an \$52,000; and staff is recommending to amend the contract to complete the final phase of the classification and compensation study to implement the results.

Board Member Vera inquired how often do we have to do the survey. Human Resources Manager Torregano indicated that Koff and Associates recommends every 2 years, but it is the agency's decision.

Chair Leano opened the meeting for public comment; and there was no public comment.

There being no further discussion, Vice-Chair Nolte moved, and Board Member Ontiveros-Cole seconded, to adopt Resolution No. 696 amending the Fiscal Year 2022-23 Budget by increasing Consulting Services in the amount of \$52,388; and authorizing the Executive Director to execute the First Amendment to Professional Services Agreement with Koff & Associates, Inc. The motion was carried by the following vote: AYES: Board Members Cockrell, Lantz, Lau, Ontiveros-Cole, and Vera; Vice-Chair Nolte; and Chair Leano. NOES: None. ABSTAIN: None. ABSENT: None.

**7. CONSIDERATION OF DRAFT POLICY AND PROCEDURE FOR CLAIMS AND LITIGATION AGAINST THE AUTHORITY**

General Counsel Pieper, reported that the Governing Board had previously requested that a draft policy involving handling of claims and litigation be prepared for the Board's consideration; that the draft policy has 2 sections, one on claims which this agency rarely receives because we do not operate sidewalks or streets, or any of the things that commonly give rise to a toward claim; and that in terms of litigation the proposed policy sets forth a structure of communication and notification of the Board, and procedures for regular monthly reports in connection with the status of litigation.

Discussion ensued regarding Tri-City's insurance coverage and how often it is reviewed by Tri-City's insurance broker, which is on an annual basis.

Board Member Lantz requested an outline of the timeline from the current case, from the beginning to now, including the amount of money accrued to defend it. Executive Director Hundal indicated that she will prepare it and present it to the Board.

Vice-Chair Nolte referred to 2.2.7 and inquired the reason discrimination is singled out and retaliation is not included. General Counsel Pieper indicated that the word retaliation can be added, noting that discrimination probably encompasses that and it was brought forward because it tends to be a much more sensitive issue in government affairs, and the type of issue that is more likely to generate public concern, and he felt that it was a particular claim that that should be communicated early rather than later.

Board Member Lau spoke in support of adding the word retaliation, noting that if there is any claim that would give rise to litigation, which could lead to cost to this institution, then the Board should be made aware of it; and also indicated that there are other claims that could arise and jeopardize Tri-City finances, thus she wanted to have that changed into a notification when there is any claim that can reasonably give rise to litigation.

General Counsel Pieper explained that claims are not necessary in that context, and that this is the reason that this was singled out; however, he will make sure that equivalent language is included to deal with that concern. He also indicated that this is not an action item; that the final policy will be brought back next month; and that staff will follow this policy in the interim, nonetheless.

**8. ELECTION OF OFFICERS FOR THE 2023 CALENDAR YEAR AS REQUIRED BY THE JOINT POWERS AGREEMENT BETWEEN THE CITIES OF POMONA, CLAREMONT, AND LA VERNE**

JPA Administrator/Clerk Olmos reported that the Joint Powers Agreement indicate that annually the Board must conduct the election of the Board Chair and Vice-Chair; that board members can nominate them themselves, or someone can recommend someone else, and then take a vote.

Board Member Lantz inquired if the current chair and vice-chair are willing or able to continue in their positions. Both Vice-Chair Nolte and Chair Leano replied in the affirmative.

Board Member Vera commented that both vice-chair and chair are doing a great job.

Chair Leano opened the meeting for public comment; and there was no public comment.

There being no more comment, Board Member Lantz moved, and Board Member Lau seconded, to re-appoint Jed Leano as Chair, and John Nolte as Vice-Chair of the Tri-City Mental Health Authority Governing Board. The motion was carried by the following vote: AYES: Board Members Cockrell, Lantz, Lau, Ontiveros-Cole, and Vera; Vice-Chair Nolte; and Chair Leano. NOES: None. ABSTAIN: None. ABSENT: None.

## **MONTHLY STAFF REPORTS**

### **9. RIMMI HUNDAL, EXECUTIVE DIRECTOR REPORT**

Executive Director Hundal congratulated the chair and vice-chair and their re-appointment; and reported that there are some trainings coming up for Tri-City our staff; that the stakeholder season is happening right now, and encouraged everyone to attend the meetings; that Director of MHSA and Ethnic Services Barford and her team are working on the Three-Year MHSA Plan, which will be presented to the Governing Board for approval in April or May after the Mental Health Commission hosts the public hearing, then it is sent to the State. She also indicated that on January 10th, Governor Newsom released his proposed 2023-24 California state budget and that the January Budget estimates will be updated in May; that CBHDA has monthly meetings to go over how the budget impacts the mental health systems in California; that based on what we have to date, the current budget estimates behavioral health initiatives are not proposed for cuts due to lower revenue estimates, but they are largely in the delay category, which is a good thing for us. She then reported that there were 4 new hires in December, and one separation in December; and that after Tri-City's General Counsel resigned, but has graciously stayed 2 days after the next board meeting, he has given her some examples of Requests for Quotes, and she and JPA Administrator/Clerk Olmos will be working on drafting the RFQ for general counsel services, noting that the Governing Board will be appointing the selected general counsel, somebody who is experienced in municipal and government law, mental health, and HIPAA laws, and that these requirements will be included in the RFQ.

Board Member Vera stated that he would like to reserve the right to issue the RFQ and the selection process to the Board rather than to the Executive Director, and pointed out that he would welcome the Executive Director's input regarding what she is looking for in legal counsel, but in terms of the actual RFQ, the Board shall have input on what goes into it before it is issued to the public.

Chair Leano concurred with Board Member Vera's comment and inquired how this can be facilitated before the next Board meeting.

Board Member Lantz concurred that the Board needs input into that RFQ that will be issued.

Discussion ensued regarding the best approach for staff to receive input from the Governing Board on the Request For Quotes (RFQ) for General Counsel Services. The Board agreed to call a special meeting on February 1, 2023 to provide feedback to staff on the draft RFQ, with the following timeline for the RFQ process: on February 3, 2023 the RFQ will be issued; with a deadline to receive Quotes by February 17, 2023; conduct interviews on March 1, 2023; the award of contract on March 15, 2023; and anticipated commencement of work on March 16, 2023.

In light of the timeline to select a new general counsel, Mr. Pieper agreed to continue to provide general counsel services until his successor is found, provided that the selection process is moving forward.

### **10. DIANA ACOSTA, CHIEF FINANCIAL OFFICER REPORT**

Chief Financial Officer Acosta reported that she would respond to a question Board Member Lantz had regarding the two facilities projects facilities; and indicated that staff has issued two RFPs for the Therapeutic Community Garden project because the first time only one bid was received and

the Proposer withdrew their bid; that the second time only one proposal was received, noting that staff is currently in contract negotiations with that Proposer and hopes to bring forth a contract for Board approval next month. She then talk about the second project which is the office remodeling, noting that the last thing presented for Board approval back in November was the electrical project, which was completed; that also in November, the Board approved a contract with Sisson Designs, and they are finalizing the design, noting that our Facilities Manager is working closely with Sisson to get the plans completed and submitted to the City of Pomona for approval, so that an RFP for construction services for the office remodel can be issued.

#### **11. LIZ RENTERIA, CHIEF CLINICAL OFFICER REPORT**

Chief Clinical Officer Renteria expressed being pleased to report that staff submitted Tri-City's Mental Health Student Services Act implementation plan to the Mental Health Services Oversight Accountability Commission for review; that they had reviewed, accepted, and approved the Plan; that we are also fully staffed for that program and have hired a clinical supervisor, clinicians, mental health support staff, peer support specialists, and we are beginning to get some referrals from our local schools for that program. Additionally, staff are creating some curriculum, which will be used to train families on managing stress, mental health issues, etc., pointing out that there is a big prevention element to our program, and stated she was very pleased that there is such progress, and also has received great feedback about the work that staff did for the Mental Health Student Services Act program that we brought to the Board approximately one year ago.

#### **12. SEEYAM TEIMOORI, MEDICAL DIRECTOR REPORT**

Medical Director Teimoori reported that he had provided the statistics on the services provided by Tri-City's outreach and the PACT team that we have with Claremont, and indicated that he would be happy to answer any questions.

Chair Leano thanked Dr. Teimoori for his continued collaboration with Claremont PD; and shared that he continuously receives compliments for the work of the PACT team.

#### **13. DANA BARFORD, DIRECTOR OF MHSA AND ETHNIC SERVICES REPORT**

Director of MHSA and Ethnic Services Barford announced that January is National Mentor Month, which gives the opportunity to recognize peer mentors and talk about the impact of mentoring on individuals; that it is time for the Community Wellbeing Grants and staff are getting the word out to our community members and can apply for the grants up to \$10,000; that our annual Cultural Competence Plan, which signifies our commitment to our community regarding our services are culturally inclusive, equitable, and so forth, has been posted, and indicated that is available in our website.

#### **14. NATALIE MAJORS-STEWART, CHIEF COMPLIANCE OFFICER REPORT**

Chief Compliance Officer Majors-Stewart pointed out that she had provided basic updates on some compliance requirements, current auditing efforts, data development pieces, as well as some processes and program implementations that staff had been working on, and she would be happy to answer any questions.

Chair Leano opened the meeting for public comment; and there was no public comment.

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

### **GOVERNING BOARD COMMENTS**

Chair Leano thanked Darold Pieper for his over 17 years of service as legal counsel to Tri-City Mental Health Authority, noting that when Mr. Pieper first came to Tri City there were some difficult times for the agency navigating through financial difficulties, and then bankruptcy; that Tri-City is unquestionably in a much stronger position now, and that is due to the diligent service of our legal counsel for over 17 years; he then expressed gratitude on behalf of City Claremont, for what Mr. Piper has done for Tri-City.

Board Member Vera expressed sadness about Mr. Pieper's resignation, and expressed appreciation for what Mr. Pieper has done, and spoke of his good habits that he hopes the next counsel can emulate. He then expressed appreciation for all of the information provided in the staff reports and encouraged everyone to keep the good work.

Vice-Chair Nolte thanked Mr. Pieper for his long service, his professionalism, and for his knowledge in this area of law; noting that the time that he has been on the Board it was in good hands; and expressed sadness to see his resignation and shared that he Googled Mr. Pieper and saw a lot of really great public service, a lot of publications, a lot of knowledge, and that he is someone with quite an amazing career, who of made a niche for himself; and thanked him for his service and congratulated him on his career.

Board Member Lau expressed appreciation for the guidance and the counsel that he has provided, as well as his even keeled manners whenever issues arise; that based on the comments Mr. Pieper will be sorely missed; and that the Board does intend to celebrate him and all his good work.

Board Member Lantz commented that she has served longer than anyone else with Mr. Pieper; that he came to Try-City in a chaotic time and he really helped to bring order out of chaos, keep Tri-City functioning, and brought us to where we are today. She then expressed sadness for his resignation and indicated that it is going to be a very difficult transition for her, but recognizes that it is necessary. She added that she has known Mr. Pieper as the attorney for Foothill Transit for many years; that expressed appreciation for his friendship and thanked him for the years that he has given for this agency.

Board Member Cockrell echoed Board Member Lau's comment of Mr. Pieper's even keeled level headed manner of providing guidance for the Board throughout their meetings, and also behind the scenes; and thanked him for all the service that he has provided.

General Counsel Pieper thanked the Board for its very kind words, noting that Board Member Lantz's comment about the early days caused him to flash back on the very first comment that he was ever given about taking this position, which came from the Claremont City Manager at that time, and gave him good advice by saying that 'no matter how bad the problem seems, it's probably worse', and regrettably that did turn out to be the case. He then expressed being proud of how this agency was saved through the bankruptcy process and against a lot of strong winds

that were against Tri-City from the County and to some extent from the State; and that it is exciting to see where we have made it today.

**PUBLIC COMMENT**

There was no public comment.

**CLOSED SESSION**

At 6:20 p.m., the Governing Board recessed to a Closed Session pursuant to Conference With Legal Counsel – Existing Litigation (Gov't Code § 54956.9); Patricia Kears v. Tri City Mental Health Authority, Warkitha Torregano, et al.; Case Number: 21PSCV00953; Venue: Los Angeles Superior Court.

**RECONVENE TO OPEN SESSION**

At 7:13 p.m., the Governing Board reconvened to an Open Session.

**CLOSED SESSION REPORT**

There was no reportable action.

**ADJOURNMENT**

At 7:13 p.m., on consensus of the Governing Board its meeting of January 18, 2023 was adjourned. The next Regular Meeting of the Governing Board will be held on Wednesday, February 15, 2023 at 5:00 p.m., via teleconference due to the COVID-19 pandemic, pursuant to Government Code § 54953.

  
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Micaela P. Olmos, JPA Administrator/Clerk

