



Tulare County Health and Human Services Agency

5957 S. Mooney Boulevard
Visalia, California 93277
559-624-8000

TULARE COUNTY MENTAL HEALTH BOARD MEETING AGENDA

Date and Time: February 07, 2023

Board Convenes at 3:00 p.m.

**Location: Tulare County HHSA, 5957 South Mooney Boulevard Visalia, CA 93277
Pine North and South Conference Rooms**

Zoom: <https://tularecounty-ca.zoom.us/j/98730617859?pwd=N3RMVHlFWXh1SXdCMzZnZtUXh6UT09>

Over the Phone: 1 (669) 900-9128

Meeting ID: 987 3061 7859

Passcode: 416161

I. Call to order

3:00 p.m.

NOTICE TO THE PUBLIC

PUBLIC COMMENT:

At this time, members of the public may comment on any item not appearing on the agenda. Under state law, matters presented under this item cannot be discussed or acted upon by the Tulare County Mental Health Board at this time. For items appearing on the agenda, the public is invited to make comments at the time the item comes up for the Board consideration. Any person addressing the Board will be limited to a maximum of three (3) minutes so that all interested parties have an opportunity to speak. At all times, please state your name and address for the record.

In Person: Please complete and submit a comment card and provide the Agenda Item number.

Zoom: If you are participating via Zoom, please use the Q&A feature to submit your request and provide your Name and Agenda Item number.

TELECONFERENCE INFORMATION:

This meeting will be held in person and via teleconference. Members of the Board may be attending from remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings. This meeting will be held in-person and via teleconference. Members of the public may participate in person or via Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer, click [Zoom- Mental Health Board Meeting Link](#) Passcode:416161

ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Mental Health Admin team at (559) 624-8000. Reasonable requests made at least 48 hours in advance of the meeting will ensure accessibility to this meeting.

MENTAL HEALTH BOARD AGENDA: Public documents related to the items on this agenda may be reviewed at the reception counter in the lobby of Tulare County Government Plaza, 5957 South Mooney Boulevard, Visalia, CA 93277, during normal business hours, 8:00 a.m. – 5:00 p.m. and Monday through Thursday and 8:00 a.m. – 12:00 p.m. on Friday. Please contact the Mental Health Admin team at (559) 624-8000. Agendas are also available online, subject to staff's ability to post the documents before the meeting, at the following website: <https://tchsa.org/eng/community/tulare-county-mental-health-board/mental-health-board/>



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- II. Public Comment 3:00-3:05 p.m.
- III. Action Items 3:05-3:25 p.m.
- a. Reaffirm the findings that would allow the Mental Health Board and its subcommittees to hold meetings remotely according to the Brown Act teleconferencing set forth in Assembly Bill 361
 - b. Approve December 06, 2022, Mental Health Board Minutes
 - c. Approve Mental Health Board Bylaws
 - d. Review and Discuss AB 2449 with County Counsel Attorney E. Scott
 - e. Consider application for renewed membership from Jennifer Newell for At-Large Seat # 9
 - f. Discuss Mental Health Board Retreat topics
- IV. Reminders 3:25-3:30 p.m.
- a. AB 1234 Ethics Training should be renewed every 24-months
 - b. Form 700s are due every year to the California Fair Political Practices Commission (FPPC)- Please complete by March 1, 2023
 - c. Beginning March 2023 in-person location changes to 4031 West Nobel Avenue Visalia, CA 93277
- V. Receive an update on Jail Based Competency Treatment and Early Access for Incomplete to Stand Trial (IST) Individuals – Assistant Sheriff Gist 3:30-4:00 p.m.
- VI. Reports 4:00-4:25 p.m.
- a. Supervisor Shuklian Report
 - b. Director of Mental Health Report
 - c. Mental Health Board Members' Reports (committee(s) and individual activities)



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VII. Adjournment

4:25 p.m.

Next Meeting Date: [March 07, 2023](#) from 3:00 to 4:30 p.m.

**Location: Tulare County HHSA Professional Development Center (PDC)
4031 West Nobel Avenue Visalia, CA 93277**

Conference Rooms: Plum/Apricot/Nectarine

Zoom: <https://tularecounty-ca.zoom.us/j/98730617859?pwd=N3RMVHIFWXh1SXdCMzM3ZnZtUXh6UT09>

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Mental Health Board Resolution for Remote Attendance at Meetings Pursuant to AB 361

WHEREAS, meetings of this Mental Health Board are governed by the provisions of California's open meetings law known as the Ralph M. Brown Act, found at Government Code section 54950, *et seq.* (the "Brown Act"); and

WHEREAS, for many years the Brown Act has allowed local legislative bodies such as ours to conduct their meetings, at least in part, through the use of teleconferencing for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law; and

WHEREAS, as a condition of using teleconferencing in part or in whole for meetings of local legislative bodies, the Brown Act requires that such meeting agendas disclose the precise locations from which teleconferencing will occur, that notices and agendas of the teleconferencing meetings be posted at all of those locations, and that all of the locations be freely accessible by members of the general public during the meetings; and

WHEREAS, as part of his response to the COVID-19 pandemic, in March 2020 Governor Newsom issued his Executive Order N-29-20 suspending said posting, noticing, and public access conditions for teleconferencing in order to allow local legislative bodies to carry out their important work while promoting social distancing and combatting the spread of COVID-19; and

WHEREAS, on November 2, 2021, the Tulare County Board of Supervisors adopted resolution number 2021-0871 promoting social distancing as a means to reduce the risk of COVID-19 transmission; and

WHEREAS, Executive Order N-29-20 expired on September 30, 2021; and

WHEREAS, the newly-enacted AB 361 allows local legislative bodies to continue meeting remotely to the extent possible upon making certain findings; and

WHEREAS, a state of emergency, declared by the Governor pursuant to Government Code section 8625, remains in effect in the State of California due to the continued effects of the COVID-19 pandemic; and

WHEREAS, this Mental Health Board adopted a resolution on December 7, 2021 allowing remote participation in its governing board meeting consistent with the requirements of AB 361; and

WHEREAS, this Mental Health Board reconsidered the circumstances of the state of emergency on January 11, 2022 and continued to allow remote participation in its governing board meeting consistent with requirements of AB 361; and

WHEREAS, this Mental Health Board wishes to allow its members to continue to have the option to participate in its governing board meetings remotely through the use of the teleconferencing provisions of AB 361.

NOW, THEREFORE, the Governing Board of the Tulare County Mental Health Board hereby finds and declares the following,

1. The above-listed recitals are adopted as being true and correct.
2. The Mental Health Board ratifies the decision to call the meeting via teleconferencing pursuant to AB 361.
3. The Mental Health Board has reconsidered the circumstances of the state of emergency.
4. The Mental Health Board finds that State and local officials continue to impose or recommend measures to promote social distancing.
5. COVID-19 continues to threaten our community. The unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides is one means by which to reduce the risk of COVID-19 transmission.
6. Relaxing the requirements for remote meeting attendance by Mental Health Board members through teleconferencing will promote social distancing and allow potential governing board meeting attendees to maintain the privacy of their vaccination status, which will reduce the health and safety risk inherent in personal attendance at public meetings.
7. Based on these findings and pursuant to Government Code section 54953 (e)(1)(A), members of the Mental Health Board may use teleconferencing for meeting attendance without complying with the provisions of Government Code section 54953 (b)(3), so long as the requirements of AB 361 and this Resolution are met.
8. Pursuant to Government Code section 54953(e)(2), if meetings of this Mental Health Board allow for remote participation by members through teleconferencing as described above, then all of the following shall apply to such meetings:
 - (A) The Mental Health Board shall give notice of the meeting and post agendas as otherwise required by the Brown Act.
 - (B) The Mental Health Board shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the Mental Health Board directly pursuant to Government Code section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the Mental Health Board shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the Mental Health Board to provide a physical location from which the public may attend or comment.

- (C) The Mental Health Board shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the Mental Health Board.
- (D) In the event of a disruption which prevents the Mental Health Board from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the Mental Health Board's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the Mental Health Board shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the Mental Health Board from broadcasting the meeting may be challenged pursuant to Government Code section 54960.1.
- (E) The Mental Health Board shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the Mental Health Board and offer comment in real time. This subparagraph shall not be construed to require the Mental Health Board to provide a physical location from which the public may attend or comment.
- (F) Notwithstanding Government Code section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the Mental Health Board, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (G)
 - (i) If the Mental Health Board provides a timed public comment period for each agenda item, then it shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.
 - (ii) If the Mental Health Board does not provide a timed public comment period, but takes public comment separately on each agenda item, then it shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.
 - (iii) If the Mental Health Board provides a timed general public comment period that does not correspond to a specific agenda item, then it shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

9. If a state of emergency remains active, then in order to continue to teleconference without compliance with Government Code section 54953 (b)(3), this Mental Health Board shall, not later than 30 days after teleconferencing for the first time pursuant to this Resolution, and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

10. If this Board does not meet within thirty days of this meeting, or any subsequent meeting where these findings are ratified, and a state of emergency pursuant to Government Code section 8625 remains in effect, then the Mental Health Board will be deemed to have delegated to its Chair or designee or Branch Executive Director the authority to call a meeting pursuant to these provisions, provided that official also places on the agenda of that meeting an item calling for the Mental Health Board to ratify that action and readopt this Resolution.

11. For purposes of this Resolution, a “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act found at Article 1 (commencing with § 8550) of Chapter 7 of Division 1 of Title 2 of the Government Code.

Date: September 20, 2022