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NEWS RELEASE
FOR IMMEDIATE RELEASE
April 19, 2016

Santa Cruz County Grand Jury

Media Contact:

Jeff Palsgaard, Jury Foreperson
831-454-2099

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Our Troubled Mental Health Board

Santa Cruz County Mental Health Advisory Board

Revisited

SANTA CRUZ COUNTY – The Grand Jury's investigation of our local Mental Health Advisory Board found they lack the tools needed to perform the oversight mandated by Proposition 63 to advocate for some of our most vulnerable citizens – those with mental illness and their families. The Board must ensure that the Proposition 63 funds are used wisely by evaluating and reporting the successes and failures of county-wide mental health services to the Board of Supervisors and to the public. These funds for fiscal year 2015/16 are \$14 million. Changes are needed to empower the Mental Health Advisory Board to achieve these important goals.

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NEWS RELEASE
FOR IMMEDIATE RELEASE
April 26, 2016

Santa Cruz County Grand Jury

Media Contact:
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School Boards Serve Two Masters – Students and Community

Soquel Union Elementary School Board

– Full Disclosure is Not Optional –

SANTA CRUZ COUNTY – A school board’s foremost priority is the success of its students, an unsustainable goal without parent involvement and community support. The Grand Jury’s investigation of the Soquel school district found the Soquel Board of Trustees lost the confidence of the community in 2014 by making poorly reported decisions and letting board meetings deteriorate into an ‘us-versus-them’ dynamic. Inadequate accounting, reporting, and lack of respect for the independence of Home and School Clubs fueled the fire that ultimately led to the resignation of the superintendent and board reorganization.

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NEWS RELEASE
FOR IMMEDIATE RELEASE
May 3, 2016

Santa Cruz County Grand Jury

Media Contact:

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Very Civil Asset Forfeiture in Santa Cruz County

SANTA CRUZ COUNTY – The Grand Jury's investigation of the Civil Asset Forfeiture process in Santa Cruz County found that it has been, and continues to be handled and adjudicated with intelligence, compassion, and fairness. In contrast to some national media reports about abuse surrounding Civil Asset Forfeiture, the Santa Cruz County Sheriff's Office and the District Attorney's Office have fully complied with the letter and the spirit of the law.

###

NEWS RELEASE
FOR IMMEDIATE RELEASE
May 24, 2016

Santa Cruz County Grand Jury

Media Contact:

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K-12 School Safety and Emergency Plan Audit

Are we ready?

SANTA CRUZ COUNTY – Each year there is potential for natural or man-made emergencies that could impact Santa Cruz County Public schools. This demands that our schools exercise foresight and planning for school safety. The Grand Jury's investigation of required School Safety Plans found that not all were up to date, nor available at school district offices, and that most schools lack appropriate emergency supplies.

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NEWS RELEASE
FOR IMMEDIATE RELEASE
May 24, 2016

Santa Cruz County Grand Jury

Media Contact:

Jeff Palsgaard, Jury Foreperson

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Santa Cruz County Domestic Violence Commission

Missing in Action

SANTA CRUZ COUNTY – The Santa Cruz County Domestic Violence Commission is no longer meeting. The Grand Jury found that the Domestic Violence Commission is essential and needs to be reconstituted by modifying the membership, bylaws, and structure of the organization in order for it to function effectively. We were pleased that the District Attorney's Office has put together a team to spearhead this effort.

###

NEWS RELEASE
FOR IMMEDIATE RELEASE
June 8, 2016

Santa Cruz County Grand Jury

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Another Death in Our Jail

Six Deaths Since October 2012

SANTA CRUZ COUNTY – Krista DeLuca, a 23-year-old mother, died in a jail cell on September 29, 2015. Ms. DeLuca died after four days of vomiting, dehydration, and aspiration pneumonia while ostensibly under medically supervised drug withdrawal. For the third consecutive term, the Grand Jury is compelled to investigate yet another death at the Main Jail.

This tragic death comes as the Sheriff-Coroner and Santa Cruz County Board of Supervisors are in the process of selecting a new medical services provider. The 2012–2016 provider is California Forensic Medical Group, Inc., whose existing contract began shortly before the first of these deaths.

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NEWS RELEASE
FOR IMMEDIATE RELEASE
June 16, 2016

Santa Cruz County Grand Jury

Media Contact:

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Jails in Transition

SANTA CRUZ COUNTY – The Grand Jury toured and inspected four detention facilities in Santa Cruz County: the Main Jail, Rountree Men’s Medium Security Facility, Juvenile Hall Detention Center, and Blaine Street Women’s Minimum Security Facility. We found all to be well run and generally in good physical condition, with some signs of wear from their years of service.

The Grand Jury recommends increased security around the Main Jail kitchen door and the area beyond, improved utilization of cells in the Main Jail Medical Unit and Observation Unit, more detailed treatment plans and quicker medical response for at-risk inmates, and a minor upgrade to one cell.

###

NEWS RELEASE
FOR IMMEDIATE RELEASE
June 21, 2016

Santa Cruz County Grand Jury

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A Fire Sale But No Fire

SANTA CRUZ COUNTY – Felton Fire Protection District sold a vacant land parcel in a private transaction for a fraction of other land sale prices in the same neighborhood.

The Grand Jury believes the November 2014 sale was conducted in violation of state law and with the appearance of benefitting one member of the community over others.

Santa Cruz County fire protection districts have substantial real estate holdings in the county and the Grand Jury wants to see all applicable laws governing the acquisition, management, and sale of these properties assiduously followed.

###

NEWS RELEASE
FOR IMMEDIATE RELEASE
June 23, 2016

Santa Cruz County Grand Jury

Media Contact:
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Capitola Police Department's Citizen Complaint Procedures Nothing to Complain About

SANTA CRUZ COUNTY – The Santa Cruz County Grand Jury investigated the Capitola Police Department's handling of citizen complaints and evaluated the department's performance for fairness, timeliness, professionalism, and willingness to improve.

Our investigation concluded the department is balancing the needs of its community for protection and service, consistently investigating citizen complaints thoroughly, effectively, and expeditiously. We believe that with minor improvements in its complaint procedures the department could be a role model for other county law enforcement agencies.

###

NEWS RELEASE
FOR IMMEDIATE RELEASE
June 23, 2016

Santa Cruz County Grand Jury

Media Contact:

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Grand Jury Exposes Six County Programs Several Agencies Named Responsible

SANTA CRUZ COUNTY – The Grand Jury's investigation of county operations has uncovered several programs and multiple agencies deserving recognition of work well done. Programs were found to have contributed significant improvements and benefits to the quality of life for the residents of our county. From books for children to inmate welfare programs, from voter outreach to neighborhood safety teams, we have found exemplary staff who work diligently to bring these praiseworthy services and programs to the county. The Grand Jury commends the staff and leadership of the agencies involved in these programs.

###

Reporting Santa Cruz County Retirement Costs and Obligations

Summary

The purpose of this Santa Cruz County Grand Jury report is to evaluate how Santa Cruz County retirement costs and obligations (liabilities) are reported to the public. The Santa Cruz County Grand Jury found the county is reporting annual retirement costs according to Government Accounting Standards Board (GASB) guidelines. However, the current reporting does not provide an easily accessible, clear, and understandable annual accounting of the totality of Santa Cruz County retirement costs and obligations in a single summary document. We recommend the county provide an easily accessible, clear and understandable annual accounting of all retirement costs and obligations in the budget.

Background

The 2014/15 Santa Cruz County Grand Jury issued a report titled “*Retirement Costs and Obligations in Santa Cruz County*”^[1] regarding pension plans for six jurisdictions, including the County of Santa Cruz. Recommendation 2 in the report stated:

Each of the six public agencies in this report should provide, in language understandable to the public, the totality of retirement obligations in their annual budget narratives beginning with the fiscal year 2015/16 budget.

The cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville and the Soquel Creek Water District responded by indicating they have implemented or will implement Recommendation 2. The County responded that Recommendation 2 will not be implemented, explaining:

The County will continue to adhere to the Governmental Accounting Standards Board (GASB) guidelines for reporting pension and OPEB obligations, and in accordance with GASB reports the obligations in the CAFR which is available to the public on the County's web page under “Budget and Financial Reports.” The budget documents will disclose costs on Schedule 9 for each department under Salaries & Benefits. Pension costs are provided on the “PERS” line item; retiree health benefit costs (OPEB) are included with active employee health benefit costs in the “Employee Insurance and Benefits” line item. It's anticipated that the County will begin issuing an Annual Report in FY 2015-16 and could provide some narrative of the OPEB and Pension liabilities there.^[2]

Social security costs, unfunded pension liabilities, and unfunded Other Post-Employment Benefits (OPEB) liabilities are not addressed in the county's response. The response does not address the issue of having an easily accessible and

clearly understandable summary of all annual retirement costs and obligations.

Retirement benefits comprise a significant portion (10.7% for fiscal year 2013/14) of the county operating budget.^[1] **No single summary document shows all retirement costs and obligations.** Prudent fiscal management should include a clear understanding of both short-term and long-term retirement costs in the budget.

The Santa Cruz County Grand Jury is not questioning the payment of retirement benefits, but would like to see an easily accessible, clear, and understandable annual accounting of all county retirement costs and obligations in a single summary document.

Scope

The focus of this report is to identify how the annual retirement costs and obligations are reported. The Santa Cruz County 2015/16 budget,^[3] the 2014 county Comprehensive Annual Financial Report (CAFR),^[4] California Public Employment Retirement System (Cal/PERS) annual actuarial reports,^{[5] [6] [7]} and FY 2014/15 Preliminary Official Statement (POS)^[8] were reviewed to determine the accessibility and totality of annual retirement costs and obligations. The report also makes recommendations for reporting total retirement costs and obligations.

Investigation

The Santa Cruz County Grand Jury determined that the following elements comprise the county retirement costs:

- Pension costs
- Other post-employment benefits (OPEB) costs
- Social Security costs

The Santa Cruz County Grand Jury also determined that the following elements comprise the county retirement obligations:

- Unfunded Pension Liability
- Unfunded OPEB Liability

The funded status was also reviewed because it is an indicator of the health of a pension plan. The funded status is the ratio of assets to a plan's accrued liabilities. A ratio of over 100% means the plan has more assets than liabilities. A ratio of less than 100% means liabilities are greater than assets. Santa Cruz County has three separate plans covering county employees under the Cal/PERS retirement system (Miscellaneous, Safety, and Safety Sheriff), each with its own funding ratio.

The 2015/16 Santa Cruz county budget, 2014 Santa Cruz Comprehensive Annual Financial Report (CAFR), 2014/15 Preliminary Official Statement (POS), and FY 2012/13 Cal/PERS actuarial reports were reviewed to find and determine the total

retirement costs and obligations with the results reported in the following table:

Documents Where Retirement Costs and Obligations are Located

<i>Costs and liabilities/obligations</i>	<i>Document</i>
Pension costs	County budget, Schedule 9, ^[3] listed separately as the "PERS" line item for each of the 23 county departments. No summary totals were found in the budget. The CAFR ^[4] and POS ^[8] do show total pension costs.
OPEB costs	County budget, Schedule 9, ^[3] OPEB costs are included with active employee health benefit costs in the "Employee Insurance and Benefits" line item for each of the 23 county departments. No summary totals were found in the budget. The CAFR ^[4] and POS ^[8] do show total OPEB costs.
Social Security costs	County budget, Schedule 9, ^[3] listed separately as the "OASDI-Social Security" line item for each of the 23 county departments. No summary total social security costs were found. The CAFR, POS and Cal/PERS reports do not show any social security costs.
Total annual summary retirement costs	The county does not provide a comprehensive summary of its total retirement cost obligations.
Unfunded Pension Liability	Located in the 2014 CAFR (Note 14) ^[4] and POS ^[8]
Unfunded OPEB Liability	Located in the 2014 CAFR (Note 15) ^[4] and POS ^[8]
Funded ratios	Located in the 2014 CAFR (Notes 14,15) ^[4] and POS ^[8] (using Actuarial Value of Assets or AVA)

The Santa Cruz County Grand Jury could not find any single summary document that identified the totality of county retirement costs and obligations. In addition, no single

summary document could be located that provided a trend analysis of all retirement costs and obligations. The grand jury did not find any federal, state or local regulation that requires the identification of all retirement costs and obligations in a single document. However, the Santa Cruz County Grand Jury determined that a clear understanding of all retirement costs and obligations is important to the budget process.

The table listed below is an example of how the total county retirement costs and obligations could be reported; additional data may be useful.

**Annual Summary of Total Retirement Costs and Obligations
(Example for Reporting)**

	FY 2011/12	FY 2012/13	FY 2013/14
Total Pension Cost	\$33,261,121	\$34,365,995	\$36,462,580
Total OPEB Cost	\$4,822,914	\$4,591,534	\$4,681,209
Total Social Security Cost	<u>\$4,433,234</u>	<u>\$4,490,544</u>	<u>\$4,672,552</u>
Total Retirement Costs	\$42,517,269	\$43,448,073	\$45,816,341
Total Employee Contribution	\$13,886,917	\$15,850,295	\$15,387,807
Total County Contribution	<u>\$28,630,352</u>	<u>\$27,597,778</u>	<u>\$30,428,534</u>
Total Retirement Costs	\$42,517,269	\$43,448,073	\$45,816,341
Unfunded County Pension Liability Obligation	\$179,515,853	\$166,062,673	\$210,871,371
Unfunded County OPEB Liability Obligation	<u>\$88,212,910</u>	<u>\$95,416,647</u>	<u>\$102,743,480</u>
Total County Unfunded Liabilities	\$267,728,763	\$261,479,320	\$313,614,851
Miscellaneous Pension Plan Funded Ratio Market Value of Assets (MVA)	69.0%	73.4%	-
Safety Pension Plan Funded Ratio (MVA)	71.4%	76.3%	-
Safety Sheriff Pension Plan Funded Ratio (MVA)	61.6%	64.9%	-

Sources: County of Santa Cruz Grand Jury Report, Cal/PERS as of June 30, 2011 Actuarial Valuation Reports^[9] ^[10] ^[11] and CAFR Fiscal Year 2013/14.^[4]

The county has taken numerous steps to control and reduce retirement costs and obligations.^[1] As a defined benefit plan, the county is required to pay and guarantee pension obligations. Rights to retiree medical benefits (OPEB obligations) are not guaranteed in the way that pension rights are vested.^[12] In other words, OPEB costs are negotiable.

The Santa Cruz County Grand Jury is not questioning payment of retirement benefits, but would like to see an easily accessible, clear, and understandable annual accounting

of all county retirement costs and obligations in a single summary document.

Investigative Facts Summary

- According to CAFR, Santa Cruz County is reporting annual retirement costs pursuant to Government Accounting Standards Board (GASB) guidelines.
- Santa Cruz County has taken numerous steps to control and reduce retirement costs and obligations.
- The county is required to guarantee and pay pension costs and obligations.
- Rights to retiree medical benefits (OPEB obligations) are not guaranteed in the way that pension rights are vested.
- Santa Cruz County retirement costs and obligations include pensions, other post-employment benefits, social security, unfunded pension liabilities, and unfunded Other Post-Employment Benefits (OPEB).
- There is no single summary document which identifies all annual county retirement costs and obligations.

Finding

- F1.** The public has not received a clear, understandable accounting of the County of Santa Cruz's total annual retirement costs and obligations in a single summary document.

Recommendations

- R1.** The Board of Supervisors should direct the County Administrative Office to provide an annual summary of all retirement costs and obligations starting in FY 2016/17.
- R2.** The annual summary of the total retirement costs and obligations should be identified in the county budget in clear and understandable language.

Responses Required

<i>Respondent</i>	<i>Finding</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1	R1, R2	90 Days April 25, 2016

Definitions

1. **AVA:** The *Actuarial Value of Assets* is obtained through an asset smoothing technique where investment gains and losses are partially recognized in the year they are incurred, with the remainder recognized in subsequent years. This

method of determining asset value dampens fluctuations in the employer contribution rate.

- **CAFR:** The *Comprehensive Annual Financial Report* is a set of U.S. government financial statements comprising the financial report of a state, municipal, or other governmental entity that complies with the accounting requirements promulgated by the Governmental Accounting Standards Board (GASB).
- **Cal/PERS:** The *California Public Employees Retirement System* is the state agency responsible for managing public agency retirement funds through contracts with local agencies.
- **Defined Benefit Plan:** A type of pension plan in which an employer or sponsor promises a specified monthly benefit upon retirement that is predetermined by a formula based on the employee's earnings history, tenure of service, and age.
- **Funded status:** A measure of how well funded or how "on track" a plan or risk pool is with respect to assets versus accrued liabilities. A ratio greater than 100% means the plan or risk pool has more assets than liabilities and a ratio less than 100% means liabilities are greater than assets. A funded ratio based on the Actuarial Value of Assets (AVA) indicates the progress toward fully funding the plan using the actuarial cost methods and assumptions. A funded ratio based on the Market Value of Assets (MVA) indicates the short-term solvency of the plan. Cal/PERS uses MVA values and the CAFR document uses AVA values.
- **GASB:** The *Governmental Accounting Standards Board* is the source of generally accepted accounting principles used by state and local governments in the United States.
- **MVA:** The *Market Value of Assets* is the current price of assets.
- **OPEB:** *Other Post-Employment Benefits* are benefits that an employee will begin to receive at the start of retirement in addition to pension payments. Benefits for which a retiree can be compensated are life insurance premiums, health care premiums, and death benefits. OPEB costs are primarily health insurance premiums.
- **POS:** The *Preliminary Official Statement* is the statement approved by the Board of Supervisors with the "Fiscal Year 2014/15 Tax and Revenue Anticipation Notes" detailing the financial condition of the county in order to secure tax and revenue anticipation notes.

Sources

References

1. County of Santa Cruz Grand Jury Final Report 2014-2015. 2015. "Retirement Costs and Obligations in Santa Cruz County." Accessed 10/3/15.
http://www.co.santa-cruz.ca.us/Portals/0/County/GrandJury/GJ2015_final/FundedForTheFuture.pdf
2. County of Santa Cruz Grand Jury Final Report 2014-15 Responses. 2015. "Retirement Costs and Obligations in Santa Cruz County" Response. Accessed

- 10/3/15.
http://www.co.santa-cruz.ca.us/Portals/0/County/GrandJury/GJ2015_final/FFTF_SCCBoS.pdf
3. County of Santa Cruz. 2015. "Fiscal Year 2015-16 Proposed Budget" Accessed 10/4/15.
http://sccounty01.co.santa-cruz.ca.us/prop_budget2015-16/Proposed_Budget_2015-2016.pdf
 4. County of Santa Cruz. 2014. "Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2014." Accessed 10/3/15.
http://www.co.santa-cruz.ca.us/Portals/0/County/auditor/cafr14/CAFR_2014.pdf
 5. Cal/PERS. 2015. "Miscellaneous Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2013". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2013/santa-cruz-county-miscellaneous-2013.pdf>
 6. Cal/PERS. 2015. "Safety Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2013". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2013/santa-cruz-county-safety-2013.pdf>
 7. Cal/PERS. 2015. "Safety Sheriff Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2013". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2013/santa-cruz-county-safety-sheriff-2013.pdf>
 8. County of Santa Cruz. 2015. "FY 2014-15 Tax and Revenue Anticipation Notes, Preliminary Official Statement." Accessed 10/15/15.
http://sccounty01.co.santa-cruz.ca.us/BDS/Govstream2/Bdsvdata/non_legacy_2.0/Minutes/2014/20140520-623/PDF/039.pdf
 9. Cal/PERS. 2015. "Miscellaneous Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2011". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2011/santa-cruz-county-miscellaneous-2011.pdf>
 10. Cal/PERS. 2015. "Safety Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2011". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2011/santa-cruz-county-safety-2011.pdf>
 11. Cal/PERS. 2015. "Safety Sheriff Plan of the County of Santa Cruz, Annual Valuation Report as of June 30, 2011". Accessed 10/3/15.
<https://www.calpers.ca.gov/docs/actuarial-reports/2011/santa-cruz-county-safety-sheriff-2011.pdf>
 12. Channel 7 San Diego NBC. "City Can Change Retiree Health Benefits: CA Supreme Court." May 5, 2014. Accessed 10/22/15.
<http://www.nbcsandiego.com/news/local/City-Can-Change-Retiree-Health-Benefits-CA-Supreme-Court-258047741.html>

Santa Cruz County Mental Health Advisory Board Revisited

Summary

The Santa Cruz County Mental Health Advisory Board was established in accordance with Proposition 63, now known as the Mental Health Services Act, to provide local oversight of the county's many mental health programs and services. The Grand Jury's investigation found that our local board lacks adequate direction, training, and support to perform its reporting and oversight responsibilities and to advocate for some of our most vulnerable citizens.

The estimated Mental Health Services Act funding available to the county for fiscal year 2015/16 is more than \$14 million.^[1] In order to ensure that these funds are used wisely, the Mental Health Advisory Board is mandated to advise the Board of Supervisors and the Mental Health Director on program successes and failures and to bring public attention to areas of concern, while also advocating for persons with mental illness and their families. These requirements have not been fully met and changes are needed to empower the Mental Health Advisory Board to perform effectively as a true advisory board.

Background

The 2013–2014 Santa Cruz County Grand Jury, in their report “Proposition 63: Money for Mental Health,”^[2] made several findings and recommendations relating to the Mental Health Advisory Board (MHAB):

2013–2014 Findings

- F4.** *The apparent lapses of direct communication between the Advisory Board, HSA[Health Services Agency], and the Board of Supervisors impedes the Advisory Board's goals of effective advocacy for clients and advising HSA concerning Prop 63 funded mental health programs.*
- F6.** *Five vacancies on the 11--member Advisory Board left it ineffective for months during our investigation.*

2013–2014 Recommendations

- R4.** *HSA should regularly attend the Mental Health Advisory Board meetings and should respond directly to the concerns raised. (F4)*
- R5.** *The Mental Health Advisory Board should quickly and clearly*

communicate to HSA all issues that come before the Board. (F4)

R7. *The Board of Supervisors should fill all Advisory Board vacancies in a timely manner. (F6)*

The Santa Cruz County Board of Supervisors (BOS) and the Santa Cruz County Health Services Agency (HSA) responded to that Grand Jury report, but the Mental Health Advisory Board (MHAB) did not.

The California Welfare and Institutions Code § 5604.2^[3] and Santa Cruz County Code Title 2, Chapter 2.104^[4] provide for the establishment of a local mental health board as the advisory body to the local Mental Health Director and BOS for county mental health programs and policies.

The following is a description of the MHAB on the County of Santa Cruz HSA website:^[5]

SCCMHB [Santa Cruz County Mental Health Advisory Board] provides advice to the governing body (Board of Supervisors) and the local mental health director. They provide oversight and monitoring of the local mental health system as well as advocate for persons with mental illness. A primary responsibility of the Local Mental Health Board (LMHB) is to review and evaluate the community's mental health needs, services, facilities, and special problems.

Printed on each MHAB Meeting Agenda^[6] is a mission statement and list of goals:

Mission Statement: To obtain the highest quality and most effective mental health services for the county.

SCCMHB Goals:

- 1) Advise the Mental Health Department on Current and ongoing Issues as they relate to the Quality and Effectiveness Of Mental Health Services for the County*
- 2) Develop skills and procedures to maximize the effectiveness of the SCCMHB*
- 3) Increase community awareness on issues related to mental health to Ensure Inclusion and Dissemination of Accurate Information*

Scope

The 2015–2016 Grand Jury inquired into whether the prior jury recommendations concerning the MHAB were implemented, and examined the board's current functioning and effectiveness.

Investigation

We began our investigation by reviewing related documents and published literature, including text of the original Proposition 63 passed in 2004,^[7] and subsequent amendments to the law now known as the Mental Health Services Act (MHSA).^[8]

The MHSA requires that mental health consumers and community members participate

in the local advisory board. In Santa Cruz County the BOS appoints eleven members, one of whom is a County Supervisor. The other ten members are to include current or former clients of mental health services, their relatives, and others with relevant knowledge and experience.

Jurors observed four of the monthly public MHAB meetings held between August and December, 2015. During this period at least three of the ten appointed positions were vacant, which combined with member absences prevented a quorum. According to MHAB attendance records, the Supervisor did not attend four of the eleven meetings in 2015, and sent an assistant as a representative. Two of the eleven meetings had no attendance record in the 2014–2015 MHAB biennial report; see [Appendix A](#). We could not find any provision in the County Code which allows the Supervisor to send an alternate to the MHAB.

Agendas for monthly meetings have not been posted on the website since October 15, 2015. Meetings are held at various locations around the county, but there is no published annual location schedule, and audience members complained about insufficient notice to enable them to attend distant locations. MHAB meeting minutes have not been posted on the website from March, 2014 through the present, with one exception on July 16, 2015.

The meetings we attended were not conducted in an orderly manner and did not follow the agenda or any rules of order. No motions were made, nor votes taken on any action items. Board members were not seated facing the audience thereby discouraging public participation. The MHAB heard public comments, questions, and complaints from clients, but they did not take any action to place the issues on a future agenda or to investigate them. The Board chair sometimes suggested that the clients take the matter to the BOS or HSA themselves, or to their case manager. We learned that the MHAB does not report any of these public comments to the BOS.

At each meeting the MHAB heard informative presentations from local mental health professionals and agencies, but no reports or information sheets about the presentations were published or made available for interested parties. Again, the MHAB did not take any action related to the information presented.

We observed frustration and discouragement in the MHAB members and audience at monthly meetings. We found there was no comprehensive professional training for new members or for continuing members, and no strategic plan established. Although members expressed a sense of failure in their mission, it was apparent that they take their responsibilities very seriously, have a willingness to make changes, and to adopt recommendations if given direction by the BOS.

After completing our investigation, we found that the 2013–2014 Grand Jury's recommendations concerning the MHAB were not fully implemented:

R4. HSA should regularly attend the Mental Health Advisory Board meetings and should respond directly to the concerns raised.

We could not confirm that an HSA representative attends every meeting since there are no meeting minutes available. We did observe an HSA representative responding to

concerns raised at some of the meetings we attended.

R5. The Mental Health Advisory Board should quickly and clearly communicate to HSA all issues that come before the Board.

When issues were raised by board or audience members at meetings, we did not observe any attempt to place items on a future agenda or to initiate action with respect to HSA. There is no system in place to relay these issues when there is no representative present. There is no system to report oral or written communications received outside of meetings.

R7. The Board of Supervisors should fill all Advisory Board vacancies in a timely manner.

The MHAB continues to operate without a full panel of ten members and frequently with as few as seven. Although the MHAB Chair is responsible for notifying the BOS and HSA of any vacancies, which only the BOS can fill, there is no procedure for doing so.

The Grand Jury has concluded that the MHAB is not meeting their mandate to:

- Advise the BOS and the Mental Health Director on program successes and failures.
- Bring public attention to areas of concern.
- Advocate for persons with mental illnesses and for their families.
- Perform effectively as a true advisory board.

Changes are needed to empower the MHAB.

Recent Changes

The Grand Jury's investigation has acted as a catalyst for the MHAB to initiate changes. When Jurors attended the meeting on December 17, 2015, we witnessed several signs of improvement compared to prior meetings:

- The Chair announced that meetings would now be conducted according to *Robert's Rules of Order*.
- Board members discussed the need to establish structure and goals, assign roles, establish meeting dates, make recommendations to the BOS, and to develop a strategic plan for the coming year.
- The strategic plan will focus on recruiting potential new members and on collecting data to support their recommendations to the BOS.
- HSA offered the department's full support for the MHAB, and will budget to cover the cost of a training and meeting facilitator, as well as a dedicated note taker to maintain proper agendas and minutes.

The BOS has taken the following actions to make further changes:

- Adopted an ordinance on November 15, 2015 amending the County Code to permit expanded membership eligibility for the MHAB.
- Approved the appointment of a new MHAB member on February 9, 2016 and accepted the MHAB biennial report for calendar years 2014 and 2015.

- Appointed another new member on February 23, 2016.

The Grand Jury's investigation has acted as a catalyst for the MHAB to initiate changes.

Findings

- F1.** The Mental Health Advisory Board had not followed the recommendations of the 2013–2014 Grand Jury report and instead was less communicative and less effective.
- F2.** The Mental Health Advisory Board is not meeting the requirements of the Mental Health Services Act or achieving its own goals to advocate for persons with mental illness and to increase community awareness on issues related to mental health.
- F3.** The Board of Supervisors is providing little or no direction, no specific goals and objectives, and no comprehensive training on how to be an effective advisory board.
- F4.** Mental Health Advisory Board members attribute some of their deficiencies to the difficulty of filling vacant positions.
- F5.** The Mental Health Advisory Board takes no responsibility for investigation or possible action on issues raised at their meetings, and there is no general process available for the public to raise concerns.
- F6.** Without any regular communication with the Board of Supervisors, except a written report once every two years, the Mental Health Advisory Board is not fulfilling its advisory responsibility.
- F7.** The Mental Health Advisory Board receives a great deal of information from local mental health agencies and professionals on available programs and services, but there is no mechanism to circulate and share the information with the community and to keep local mental health professionals up to date.
- F8.** The Grand Jury's involvement has resulted in an increased recognition that an effective Mental Health Advisory Board is important to the community and that more positive steps are needed for continuing improvement.

Recommendations

- R1.** The appointed member of the Board of Supervisors should be an advocate for the Mental Health Advisory Board, meeting regularly with the Chair to establish goals, identify problem areas, suggest possible solutions, and should personally attend the monthly meetings. (F1–F3, F6)
- R2.** The Board of Supervisors should make every effort to fill Mental Health Advisory

Board vacancies immediately, provide training for new appointees, and provide annual professional training for all members on how to serve effectively on an advisory board. (F3, F4)

- R3.** The chair of the Mental Health Advisory Board should immediately notify the Board of Supervisors and the Clerk of the Board of vacancies. (F4)
- R4.** The Mental Health Advisory Board should advocate for their clients by following through with investigations of complaints, concerns, and questions, then reporting to the Health Services Agency and Board of Supervisors. (F5, F6)
- R5.** The Mental Health Advisory Board should hold an annual meeting to establish and evaluate strategic goals, prioritize those goals by focusing on problem areas, and establish committees to develop plans for problem resolution. (F8)
- R6.** Monthly meetings of the Mental Health Advisory Board should be conducted according to County Code Chapter 2.104. In addition, they should be scheduled well in advance with times and locations made available to the public, conducted according to parliamentary procedure, physically arranged to invite public participation, and recorded in complete and accurate minutes that include discussion, decisions, actions, and public comments. (F5, F7, F8)
- R7.** The Mental Health Advisory Board, in cooperation with Health Services Agency staff support, should record presentations and publish summaries for the public, mental health professionals, and the Board of Supervisors. (F6, F7)
- R8.** The Mental Health Advisory Board should increase efforts to raise community awareness of mental health issues through public announcements, publications, speaking engagements, and other forms of community outreach. (F7)

Commendations

- C1.** The Santa Cruz County Health Services Agency Behavioral Health Division has demonstrated a spirit of cooperation and support for the Mental Health Advisory Board by agreeing to fund an annual planning meeting, regular training for board members, and clerical support.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F8	R1–R8	90 Days July 18, 2016

Responses Requested

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Mental Health Advisory Board	F1, F2, F4–F8	R3–R8	90 Days July 18, 2016

Definitions

- **BOS:** Santa Cruz County Board of Supervisors
- **HSA:** Santa Cruz County Health Services Agency
- **MHAB:** Santa Cruz County Mental Health Advisory Board
- **MHSA:** Mental Health Services Act
- **SCCMHB:** Santa Cruz County Mental Health Board, another name for the MHAB

Sources

References

1. Santa Cruz County Mental Health & Substance Abuse Services. "Mental Health Services Act: FY 2015-2016 Annual Update." Draft for public review. August 28, 2015. Accessed February 28, 2016. <http://www.santacruzhealth.org/Portals/7/Pdfs/MHSA%202015-2016%20Annual%20Update%20Plan.pdf>
2. Santa Cruz County Grand Jury Report 2013-2014. 2014. "Proposition 63: Money for Mental Health." Accessed September 28, 2015. http://www.co.santa-cruz.ca.us/Portals/0/County/GrandJury/GJ2014_final/Prop63_Money_for_Mental_Health.pdf
3. California Welfare and Institutions Code § 5604.2. 2015. Accessed September 28, 2015. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5604.2.&lawCode=WIC
4. Santa Cruz County Code Chapter 2.104. Accessed September 28, 2015. <http://www.codepublishing.com/CA/SantaCruzCounty/html/SantaCruzCounty02/SantaCruzCounty02104.html>
5. County of Santa Cruz 2015. "Santa Cruz County Mental Health Advisory Board." Accessed September 28, 2015. <http://www.santacruzhealth.org/HSAHome/HSADivisions/BehavioralHealth/MentalHealthAdvisoryBoard.aspx>
6. Mental Health Advisory Board Agenda October 15, 2015. <http://www.santacruzhealth.org/Portals/7/Pdfs/Local%20Mental%20Health%20Board/Agenda201510.pdf>

7. Proposition 63, November 2004. Accessed September 28, 2015.
<http://www.dhcs.ca.gov/services/MH/Documents/MHSAafterAB100.pdf>
8. Mental Health Services Act (Amended in 2012). Accessed September 28, 2015.
http://www.mhsoac.ca.gov/docs/MHSA_AsAmendedIn2012_AB1467AndOthers_010813.pdf
9. 2014-15 Biennial Report of the Santa Cruz County Mental Health Advisory Board contained in Item 27 of the February 9, 2016 Santa Cruz County Board of Supervisors Agenda Packet . Accessed March 15, 2016.
<http://santacruzcountyca.igam2.com/Citizens/FileOpen.aspx?Type=1&ID=1012&Inline=True> (Caution: slow loading document.)

Site Visits

Mental Health Advisory Board Meetings

Appendix A

Santa Cruz County Mental Health Advisory Board Attendance Record 2015

Meeting Dates	Jan 15	Feb 19	Mar 19	Apr 16	May 21	Jun 18	Jul 16	Aug 20	Sep 17	Oct 15	Nov NM	Dec 17
Ann Andrews	U	X	X	X	R 4/16/15							
Bill Lewis	U	X	X	R 3/19/15								
Cheryl Daniels	X	X	E	E	X	X	E	R 8/1/15				
Denise Ostlund	X	X	X	X	X	X	X	X	X			
Hugh McCormick							NBM 8/4/15	E	X			
John Laue	E	X	X	X	X	X	X	X	X			
Kate Avraham				NBM 5/12/15	X	E	X	X	X			
Rick Martinez					NBM 6/9/15	X	X	E	X			
Maria Correia	E	X	X	E	X	E	X	X	E			
Sheryl Lee	X	E	X	E	X	X	X	X	E			
Vanessa Kuhlman	U	E	U	U	SV 5/21/15							
Supv. Ryan Coonerty	*1/27	E	X	E	X	X	U	U	X			

- X - Present
- E - Excused
- U - Unexcused
- R - Resigned from Board
- N - Not Appointed Yet
- NBM - New Board Member
- T - Term Ended
- NM - No Meeting Unless Needed
- SV - Seat Vacated, too many absences
- CI - Conflict of Interest
- SM - Special Meeting

D. When a member fails to attend three (3) consecutive meetings without good cause entered in the minutes of the Mental Health Board, or if a member fails to attend six (6) meetings during any twelve (12) consecutive month period with or without good cause, a vacancy shall exist and shall be reported in writing by the Mental Health Board Chair to the Board of Supervisors, the Clerk of the Board, and the member vacating his or her seat of the Mental Health Board.

Source: page 7 of the 2014-15 Biennial Report of the Santa Cruz County Mental Health Advisory Board^[9]

