



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

Larry Meredith, Ph.D., Director

DIVISION OF PUBLIC HEALTH  
COMMUNITY HEALTH &  
PREVENTION SERVICES

899 NORTHGATE DRIVE, SUITE 415  
SAN RAFAEL, CA 94903  
PHONE: (415) 473-4340  
FAX: (415) 473-6266

## Marin HIV/AIDS Care Council Meeting MINUTES

Wednesday, March 9, 2011

5:00p.m. – 7:00p.m.

3420 Kerner Blvd.

San Rafael, CA 94903

Connection Center – Room 109

[ Approved April 13, 2011 ]

**Council Members Present:** Roy Bateman, Kevin Cronin, Elaine J. Flores, Wade Flores, James Frazier, Walter Kelley, Scott Marcum, Jennifer Malone.

**Council Members Absent:** David Witt (AE).

**Staff Present:** Cicily Emerson, Deborah Gallagher, Chris Santini, Michael Schieble.

**Public:** Jon Botson, Brian Slattery.

### I. Call to Order

The meeting was called to order at 5:05p.m. by Co-Chair Cronin.

### II. Roll Call

Roll was called and quorum was established with 7 of 9 Council Members present. CM Bateman arrived at 5:08p.m. increasing the attendance to 8 of 9 Council Members present.

CM Witt(AE) was absent and excused.

CM Bateman reported that he was unable to stay for the entire meeting and would be leaving at 6:15p.m. CM Malone reported that she was unable to stay for the entire meeting and would be leaving at 6:30p.m.

### III. Review and Approval of Agenda

CM Frazier made motion to approve the agenda. CM Malone seconded. Agenda items requiring a vote were reviewed.

A voice **vote** was conducted. Co-Chair Cronin asked for objections. No objections were heard. The agenda was approved.  
5:08p.m CM Bateman arrives.

### IV. Review and Approval of the February 9, 2011 Minutes – VOTE

CM Malone made motion to approve the February 9, 2011 minutes. Co-Chair Kelley seconded.

A voice **vote** was conducted. Co-Chair Cronin asked for objections. No objections were heard. The February 9, 2011 Marin Care Council minutes were unanimously approved.

### V. General Announcements

Co-Chair Kelley announced "Sisters – Doing It For Themselves", a free luncheon for HIV+ and at-risk women on March 10, 2011 in Oakland. This National Women and Girls HIV/AIDS Awareness Day event is presented by AIDS Healthcare Foundation, Alameda County Office of AIDS Administration, and WORLD / Women Organized to Respond to Life-threatening Disease.

Co-Chair Kelley announced "She's Living Positive", a National Women and Girls HIV/AIDS Awareness Day event on March 10, 2011, at The Center, 1800 Market Street, San Francisco.

CM W. Flores announced that on March 11, 2011, the San Francisco HIV Health Services Planning Council will conduct a leadership training workshop.

CM W. Flores announced that the next People Living with HIV/AIDS Caucus meeting will be March 15, 2011.

CM W. Flores announced that he will not be available to attend the April 13, 2011, Care Council meeting.

CM W. Flores reported that the San Francisco Outreach and Listening Group plans to conduct a forum for Marin Consumers on June 16, 2011. CM W. Flores requested that the Marin Co-Chairs contact Mark Molner.

## **VI. Public Comment**

Brian Slattery submitted the following:

"On behalf of our HIV case management / substance use counseling program I ask the CARE Council to take the following actions.

1. Acknowledge that the need for this request arose after the creation of the agenda for your meeting this evening and that it is urgent.
2. Move \$3,848 out of residential detox services and into the substance use counselor salary to take the total staff time to 15½ hours a week. I have met with Theresa from Helen Vine Detox and she has agreed that if more detox clients are referred to their program that she will give priority access to county funded or other private beds if our staff person is working with them to find a placement after a detox episode is completed.
3. Until March 1 of this year our staff person was working 28 hour [per] week for Ryan White programs. The position has been reduced twice this year – once by one-third because of the reduction in services while the case manager attended to her mother's final illness and death and then again 20% in anticipation of cuts to the EMA. We hope to maintain services to clients but it would be virtually impossible to hire someone at 14 hours a week and we are able to keep our current staff person if we can provide 15.5 hours a week and no fringe benefits. Please help us survive these almost devastating cuts."

Co-Chair Cronin had researched The Brown Act and provided copies of CAL. GOV. Code 54954.2 and 54956.5, arguing that an "emergency situation" existed and the Care Council could discuss and vote on the funding request even though the item had not been on the posted agenda. Discussion followed.

CM Bateman made motion to amend the agenda. CM Frazier seconded. There was a parliamentary discussion about considering a motion to amend the agenda before establishing that an emergency situation exists as defined in Section 54956.5.

There was additional discussion on the need to take immediate action. It was agreed that the request would be noticed and included on the April agenda.

## **VII. Co-Chair Report**

Co-Chair Kelley asked if Council Members would be interested in scheduling a presentation by Maurice Graham of Gilead on the April agenda. There was interest in M. Graham's presentation on HIV and aging and outreach to minority communities.

CM W. Flores relayed concern that telephone calls from Mark Molner, Interim Director of the San Francisco Planning Council to the Marin Co-Chairs were not getting returned. Co-Chair Cronin was not aware of any messages and requested M. Molner's phone number.

Public Comment: None

## **VIII. Membership Report – VOTE**

Subsequent term James Frazier

CM Malone made motion to approve James Frazier for a subsequent term. CM Marcum seconded. CM Frazier's responses to the Subsequent Term Application Renewal Questions were reviewed.

Public Comment: None

A roll call **vote** was conducted.

**AYES:** CM Bateman, CM Cronin, CM E.J. Flores, CM Frazier, CM Kelley, CM Malone, CM Marcum.

**Noes:** CM W. Flores

**Abstain:** None

**Recuse:** None

**7-1-0-0**

James Frazier was approved for a subsequent term.

**IX. Notice of Bylaw Change – Elimination of Standing Committees - VOTE**

The following motion of a Bylaw change had been publicly noticed:

Eliminate all standing Committees and proceed with steps to revise the Bylaws, Policies, and Handbook accordingly. Leaving open the option to create ad hoc Groups.

Co-Chair Cronin read the motion. Council Support distributed copies of the Bylaws, which had been edited to reflect the proposed changes. There was no additional discussion on the motion.

Public Comment: None

A roll call **vote** was conducted.

**AYES:** CM Bateman, CM Cronin, CM E.J. Flores, CM W. Flores, CM Frazier, CM Kelley, CM Malone, CM Marcum.

**Noes:** None

**Abstain:** None

**Recuse:** None

**8-0-0-0**

The Committee structure was eliminated and the Care Council regular meeting order of business will include reports on Membership and Community Outreach and Advocacy.

The “Marin HIV/AIDS Care Council New Member Orientation Handbook & Resource Guide” will be revised to reflect the elimination of the standing Committees.

**X. Notice of Bylaw Addition – Membership Eligibility - VOTE**

The following motion of a Bylaw addition had been publicly noticed:

Appendix G, Article III, (page 61)

“Section 2. Individuals are eligible for Care Council membership if they live in Marin County, work in Marin County, or receive Ryan White services in Marin County. Membership shall reflect...”

Co-Chair Cronin read the motion.

CM W. Flores stated, “I’m on the Policy and Procedure Work Group in San Francisco and we are going over each policy and procedure in our group. Since this was monitored so closely to San Francisco we got to this section and according to the policy where the EMA criteria; that you can live anywhere in the EMA and you can choose to be on either Council. Even if you are getting services and all that stuff in San Francisco, you can still choose to be a member of San Francisco or Marin or San Mateo or vice versa. If I’m getting all my services here, I can still go to, so it’s open as long as you live in the EMA.”

Discussion followed and hypothetical membership eligibility scenarios were discussed. Council Support reported that this was a long time Marin practice, however the membership eligibility requirement in use did not appear anywhere in the Bylaws. CM W. Flores commented that adopting the requirement, “...might give reason for a grievance.”

Co-Chair Cronin asked CM W. Flores, “How should this [motion] language be changed?”

CM W. Flores changed the motion to, “Individuals are eligible for Care Council membership if they live in the San Francisco EMA, work in the San Francisco EMA, or receive Ryan White services in the San Francisco EMA.” CM Marcum seconded.

CM Bateman commented, “I guess I’d be reluctant to make the change in this, unless I could see in writing exactly what the requirement is because it’s not my understanding. I can see that San Francisco would be open to the entire EMA, but I think Marin and San Mateo are supposed to have their own groups just for

those counties.” CM Malone requested that the motion be tabled and “researched a little more” to see if Marin “has the option to be a little more restrictive”. CM W. Flores and the second withdrew the motion.

There was agreement that the vote on the motion would be tabled pending further research and the item was moved to the April agenda.

Public Comment: None

**XI. Budget Update**

C. Emerson reported that there were no budget updates. San Francisco continues to expect a Part A funding cut of \$4.9million. The time frame of the final update is unknown, but anticipated in late May or June. The Care Council will meet when the final 2011-'12 Part A award is known to review, revise, and finalize the allocation. On the State front, the Legislature is not in discussion on cuts to ADAP.

Public Comment: None

**XII. Division of Public Health Report**

Chris Santini distributed copies of the “2010-11 Countywide Client Satisfaction Survey” and reviewed the “Executive Summary”. (see attachment “A”) The Satisfaction Survey provided Client feedback for the period March 1, 2010 through February 28, 2011.

6:19p.m. CM Bateman leaves.

The overview was followed by a question and answer session and discussion. It was noted that the Client Satisfaction Survey is one of a number of available data sources. The concept of an “outcome measure” was suggested to evaluate a client service. The outcome measure would gauge if the expected service outcome occurred.

Public Comment: None

**XIII. Epi-data Update**

Deborah Gallagher distributed copies of the presentation “HIV/AIDS Surveillance & Epidemiology” (see Attachment “B”).

6:47p.m. CM Malone leaves.

The report provided data of “People Diagnosed with HIV Infection” and “Risk Factors of People Diagnosed with HIV Infection” for the period of 2007 through 2009 in Marin County. The presentation was followed by a question and answer session

Public Comment: None

**XIV. New Business**

**Next Step – To Do’s**

- Next Meeting: April 13, 2011, 5:00p.m.-7:00p.m.

Agenda Item – Quarterly Review of 2011 Calendar agenda topics.

Agenda Item – Marin Food Bank presentation - April.

Agenda Item – Bylaw addition & vote / Membership Eligibility.

Agenda Item – Review of 2011-12 Substance Abuse Treatment Service – Outpatient and Residential Substance Abuse Treatment Service Categories.

Agenda Item – Review of Membership Removal and Discipline policy.

KC / WK contact Mark Molner – SF Council Interim Director regarding Listening Group.

MJS contact SF for clarification on EMA Membership eligibility.

**XV. Meeting Adjourned at 6:53p.m.**