

**FINAL BY-LAW REVISION (12/23/03) PENDING BOARD OF
SUPERVISORS APPROVAL**

**MENTAL HEALTH BOARD,
COUNTY OF SAN MATEO
BYLAWS**

**ARTICLE 1
NAME**

The Name of this Board shall be: Mental Health Board of San Mateo County.

**ARTICLE II
FUNCTIONS**

The functions of this Board shall include, but not be limited to the following [W&I 5604.2]:

1. Review and evaluate the community's mental health needs, services, facilities and special problems.
2. Review any county performance contracts entered into with the state pursuant to Section 5650.
3. Advise the Board of Supervisors and the local Mental Health Director as to any aspect of the local mental health program.
4. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.
5. Submit an annual report to the Board of Supervisors on the needs and performance of the county's mental health system, which report shall satisfy the requirement of preparation of an annual work plan.
6. Review and make recommendations on applicants for the appointment of a local director of mental health services. The board shall be included in the selection process prior to the vote of the Board of Supervisors.
7. Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.
8. Additional duties or authority as specified by the Board of Supervisors.
9. Assess the impact of the legislative realignment of services from the state to the county on services delivered to clients and on the local community.
10. Consult with the Mental Health Director about the provision of services, establishment of facilities, contracting for services or facilities and other matters necessary or desirable in accomplishing the purposes of applicable state law.

¹ These Bylaws have been revised to comply with Board of Supervisors' Resolutions 65019 and 65338.

ARTICLE III MEMBERS

Section 3.1 Qualification and Selection

The Mental Health Board shall include eighteen (18) persons, including fifteen (15) members appointed by the Board of Supervisors as required by Welfare & Institutions Code §5604, one (1) member of the Board of Supervisors, and two (2) members of the Youth Commission. All members are voting members.

Section 3.2 Composition

- a) Fifty percent (8) of the appointed members shall be consumers or the parents, spouse, sibling, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent (3) of the appointed members shall be consumers, and at least 20 percent (3) of the appointed members shall be families of consumers [W&I 5604.a.1]
- b) The remainder of the appointments shall include individuals who have knowledge and experience of the mental health system and may include persons who are also in category a) above.
- c) The Board membership should reflect the ethnic diversity of the client population in the county. [W&I 5604.a]
- d) The composition of the board should represent the demographics of the county as a whole, to the extent feasible.

Section 3.3 Terms of Appointment

- a. Members appointed by the Board of Supervisors shall serve terms of three years, which begin on October 1 and end on September 30. Upon the conclusion of a term, a member may be reappointed subject to a maximum of twelve years of full terms. The twelve year limit does not include partial terms to which members may be appointed at the beginning of their service, holdover service caused by delay in appointing a replacement at the end of a member's service, or terms that have been adjusted to achieve the staggering referred to in the next paragraph.
- b. The terms of the members appointed by the Board of Supervisors shall be staggered so that approximately one third (1/3) of the appointments expire in each year. To the extent that members' terms are not staggered as of the date this revision of the By-laws is adopted, the terms of the existing members may be adjusted to achieve staggering and equal distribution of term expiration.

- c. In the event that a member misses more than three (3) Board meetings in a 12-month period the Executive Committee will review with the member his/her ability to serve on the Mental Health Board and may recommend his/her replacement to the Board of Supervisors.
- d. The members of the Mental Health Board who are Youth Commissioners shall be designated by the Youth Commission, and shall serve one term of two years.
- e. The member of the Mental Health Board who is a member of the Board of Supervisors may serve a term as long as that person's service on the Board of Supervisors.

Section 3.4 Conditions

- a. Consistent with Welfare & Institutions Code §5604(d), no member of the Board or his/her spouse shall be a full-time or part-time county employee of a county mental health service, an employee of the State Department of Mental Health, or an employee of, or a paid member of the governing body of a mental health contract agency. "Mental health service" includes any service directed toward early intervention or alleviation or prevention of mental disorder, including, but not limited to, diagnosis, evaluation, treatment, personal care, day care, respite care, special living arrangements, community skill training, sheltered employment, socialization, case management, transportation, information, referral, consultation, and community services.
- b. Members are expected to attend all meetings of the Board. A member who is unable to attend a given meeting shall give advance notice of his/her inability to attend either to the Board Chairperson or the administration office of the County Mental Health Services Division.
- c. All members shall serve on at least one committee of the Board.

Section 3.5 Resignation or termination

In the event that a member resigns or becomes ineligible to remain on the Mental Health Board, it will be noted in the minutes of the next scheduled Board meeting. The Chairperson shall apprise the Supervisor, who is a member of the Mental Health Board, of the member's resignation or termination.

Section 3.6 Appointments to the Mental Health Board

- a) Consistent with Welfare & Institutions Code §5604(a)(1), the Mental Health Board may recommend appointees to the Board of Supervisors, as follows [Board of Supervisors' Resolution 65338 (10)]:
- b) The Clerk of the Board of Supervisors will advertise openings on the Mental Health Board, and will provide and receive applications for membership.
- c) The Clerk will provide copies of Mental Health Board applications to the Mental Health Board Executive Committee as they are received. This will provide information to the Mental Health Board so they can assist in the targeted recruitment as needed.
- d) The Mental Health Board Executive Committee will interview all candidates and provide brief feedback on each of the applicants.

- e) A Board of Supervisors sub-committee will interview candidates, taking into account the feedback of the Mental Health Board Executive Committee.
- f) The Board of Supervisors sub-committee will then make a recommendation to the full Board of Supervisors on appointments to the Mental Health Board. Before beginning service, each appointed member will take an oath of office, to be personally administered by the Clerk of the Board of Supervisors or a deputy of said Clerk. [B of S Resolution 65019]

ARTICLE IV FINANCES

The Board of Supervisors may pay from any available funds, the actual and necessary expenses of the members of the Mental Health Board incurred incident to the performance of their official duties and functions. The expenses may include travel, lodging, childcare and meals for the members of the Board while on official business as approved by the local mental health program. [W&I 5604.3]

ARTICLE V MEETINGS

Section 5.1 Board Meetings

The regular meetings of this Board shall be held on the first Wednesday of each month or as such other times as the Board shall designate. Special meetings may be called by the Chairperson or a majority of the Board. The Board shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, relating to meetings of local agencies (the Brown Act). [W&I 5604.1]

Section 5.2 Agenda

- a. The Chairperson shall prepare an agenda prior to each Board meeting containing items agreed upon by the Executive Committee. Any member of the Board may add an item to the agenda through the Chairperson.
- b. An item may be added to a meeting agenda by a simple majority vote of the members present at the time the agenda is presented for acceptance at the beginning of the Board meeting.
- c. The agenda of all regular meetings shall contain an open agenda item during which time members of the audience may address the Board.

Section 5.3 Quorum

A quorum of any meeting of the Board shall consist of one person more than one-half of the persons currently serving on the Board.

Section 5.4 Voting

- a. A simple majority of the quorum shall decide all questions unless otherwise stated.
- b. Voting shall be by voice unless otherwise stated or unless a request to vote by ballot is made by one-half of those members present.

ARTICLE VI OFFICERS

Section 6.1 Personnel

The elected officers of the Board shall be a Chairperson, Vice-Chairperson, representative to the statewide organization and one member-at-large.

Section 6.2 Election

At the regular October meeting the Board shall elect members to their offices. Nominations shall be submitted by the Nominating Committee at the regular September meeting or made from the floor at the regular October meeting.

Section 6.3 Term

- a. The officers shall be elected to serve for one year commencing November 1.
- b. No officer shall be eligible to serve more than three full terms in the same office. If an officer has served a partial term, that officer shall still be entitled to serve three full terms.

Section 6.4 Duties

The powers and duties of the officers shall be as follows:

- a. The Chairperson shall be the Executive Officer of the Board and shall preside at meetings of the Board and Executive Committee. The Chairperson shall be in consultation with the Mental Health Director. [5604.5.d] The Chairperson shall, with the approval of the Board, create ad hoc committees as deemed necessary and shall assign their duties.
- b. The Vice-Chairperson shall assume the duties of the Chairperson in his/her absence.
- c. The Representative to the statewide organization shall attend its meetings and report to the Board.
- d. The member-at-large shall serve on the Executive Committee.

ARTICLE VII COMMITTEES

Section 7.1 Executive Committee

- a. There shall be an Executive Committee of the Mental Health Board. (W&I 5604.5.e) The Executive Committee shall be composed of:
 1. The elected officers of the Mental Health Board.
 2. The Chairpersons of the Adult Services, Children & Youth Services, and Older Adult Services standing committees.
- b. The Executive Committee shall meet regularly to develop the agenda for the full Board meetings, and shall have the power to handle matters between regular Board meetings and action to be ratified at the next regular Board meeting.
- c. The Executive Committee will review applications for membership on the Mental Health Board and provide brief feedback on each of the applicants to the Board of Supervisors.

Section 7.2 Nominating Committee

A Nominating Committee shall be appointed by the Chairperson at the regular July meeting with the majority vote of the Board, to meet one month prior to the election of officers, select a slate of officers for the coming year, and secure verbal consent to serve of those selected. The Chairperson of the Nominating Committee shall temporarily assume the role of Board Chair to accept further nominations and conduct the election of officers.

Section 7.3 Standing Committees

There shall be an Adult Services Committee, a Children & Youth Services Committee, and an Older Adult Services Committee.

- a) The Board Chairperson shall appoint the chairpersons of these standing committees.
- b) Each year, the goals and objectives of the standing committees shall be determined by the committee members and presented to the regular Board.
- c) These committees shall hold regular meetings and consult with the heads of Adult Services, Children and Youth Services, and Older Adult Services Divisions, respectively.
- d) These Committees will report to the regular Board at each Board Meeting.
- e) The Chairperson of the Adult, Children, and Older Adult Committees shall be members of the Executive Committee.
- f) Interested members of the public may serve on a standing committee at the discretion of the committee chairperson.

Section 7.4 Sub-Committees

Sub-committees may be established as needed, which may include persons who are not members of the Board.

ARTICLE VIII AMENDMENT AND RULES

Section 8.1 Rules of Order

- The meetings of this Board shall be conducted in accordance with Robert's Rules of Order, Revised. A parliamentarian may be appointed by the Chairperson.
- The Mental Health board will comply with all standing rules for county boards, commissions and advisory committees that are established by the Board of Supervisors. [B of S Resolution 65338 (12)]

Section 8.2 Amendment of the Bylaws

These Bylaws may be amended at any meeting by a two-thirds vote of the current membership, provided that copies of the proposed amendments are sent to all members of the Board at least thirty (30) days prior to the meeting at which such action is taken.

Section 8.3 Approval by the Board of Supervisors

Amendments to the Bylaws shall require the approval of the Board of Supervisors. [W&I Code 5604.5]

Section 8.4 Standing Rules

Standing Rules, not in conflict with these Bylaws, may be adopted from time to time. These rules are directed toward the conduct of the affairs of this Board. They may be amended or rescinded by a majority vote of the Board.