



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

County Counsel

DATE: December 30, 2003

BOARD MEETING DATE: January 13, 2004

TO: Honorable Board of Supervisors
FROM: County Counsel
SUBJECT: Mental Health Board By-laws, Membership and Responsibilities

Recommendation

Approve the by-laws that have been adopted by the Mental Health Board, and modify the most recent resolution concerning the responsibilities and membership of the Mental Health Board.

Background

Approximately one year ago, your Board adopted the most recent resolution specifying the membership, responsibilities and governance of the Mental Health Board.

Welfare & Institutions Code §5604.5 provides that local Mental Health Boards are required to adopt by-laws which must be approved by the Board of Supervisors. This practice, which is mandated by state law, is somewhat different than the standard county practice of requiring rules of procedure for all county boards and commissions.

The Mental Health Board by-laws are required to meet specific statutory criteria.

Discussion

In comparing the resolution, the by-laws and applicable laws, we have located some additional operational provisions that should be included in the Board of Supervisors' resolution. The attached resolution, which is consistent with state law, adds the provision that the membership of the Mental Health Board shall reflect the

demographics of the County to the extent feasible, that the Mental Health Board shall consult with the Mental Health Director in connection with the contracting of mental health services, and provides that the Board of Supervisors may pay from any available funds, the actual and necessary expenses of the members of the Mental Health Board incurred incidental 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. These changes will ensure consistency between the by-laws, the Board of Supervisors resolution and state law.

The Mental Health Board's by-laws meet the statutory requirements in that they establish the specific number of members on the Mental Health Board, ensure that the composition of the Mental Health Board represents the demographics of the County as a whole, to the extent feasible, establish that a quorum be one person more than one-half of the appointed members, establish that the chairperson of the Mental Health Board be in consultation with the local Mental Health Director, and establish that there may be an executive committee of the Mental Health Board.

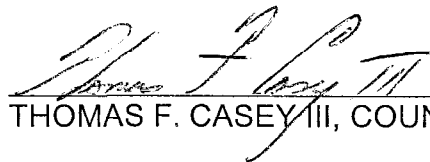
We have reviewed the by-laws and recommend your Board's approval.

Vision Alignment

This action is consistent with vision No. 2, in that it ensures that civic engagement is high among our diverse population.

Fiscal Impact

There is no fiscal impact.


THOMAS F. CASEY III, COUNTY COUNSEL

cc: John Maltbie, County Manager
Gale Bataille, Director, Mental Health

RECOMMENDED

COUNTY MANAGER