

# Sacramento County Mental Health Board

## BYLAWS AS APPROVED BY THE MENTAL HEALTH BOARD ON

DRAFT 11-3-14

### ARTICLE I

The name of this Board shall be the Sacramento County Mental Health Board.

### ARTICLE II—Authority

The Mental Health Board is established by Section 5604 of the California Welfare and Institutions Code.

### ARTICLE III—Responsibilities

The responsibilities of this Board are mandated in the Welfare and Institutions Code, Section 5604.2.

The Mental Health Board shall do all of the following:

- (1) Review and evaluate the community's mental health needs, ~~created by set-up~~ services, facilities, and special problems.
- (2) Review any County agreements entered into 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.
- (6) Review and make recommendations on applicants for the appointment of the person responsible for the full-time direction and management of the Division of ~~Mental Behavioral Health Services~~. The Mental Health Board shall be included in the selection process prior to the appointment.

- (7) Review and comment on the County's performance outcome data and communicate its findings to the State Mental Health Planning Council.
- (8) Nothing in this part shall be construed to limit the ability of the governing body to transfer additional duties or authority to the Mental Health Board.

As part of its duties, the Mental Health Board shall assess the impact of the realignment of services from the State to the County on services delivered to the clients and the local community.

#### ARTICLE IV—Membership

The membership of this Board and the qualifications of such members shall be as provided Section 5604 of the Welfare and Institutions Code.

Section 1 The Mental Health Board shall consist of 16 members who are appointed by the Sacramento County Board of Supervisors to serve for a period of three (3) years. One member of the Board shall be a member of the Board of Supervisors. There shall be an equal number of appointees by each member of the Board of Supervisors. Nothing in this section shall be construed to limit the ability of The County Board of Supervisors to increase the number of members above 16. The Mental Health Board may recommend appointees to the Board of Supervisors. The Board of Supervisors is encouraged to appoint individuals who have experience and knowledge of the mental health system. The Mental Health Board should reflect the ethnic diversity of the client population in the County.

Section 2 Specific conflict of interest provisions are:

“...No member of the Mental Health Board or his or her spouse shall be a full-time or part-time employee of a county mental health service, an employee of the State Department of ~~Mental Health~~[Health Care Services](#), or an employee of, or a paid member of the governing body, of a county mental health contract agency.”  
[Section 5604 \(d\) of the Welfare and Institutions Code.](#)

“If it is not possible to secure membership as specified from among persons who reside in the county, the Board of Supervisors may substitute representatives of the public interest in mental health who are not full-time or part-time employees of the county mental health service, the State Department of ~~Mental Health~~[Health Care Services](#), or on the staff of, or a paid member of the governing body

of, a county mental health contract agency.” Section 5604\_(f) of the Welfare and Institutions Code.

Members of the Mental Health Board shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

Section 3 Fifty percent of the board membership shall be consumers or the parents, spouse, sibling or adult child of consumers who are receiving or have received mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.

Section 4 The term of each member of the Mental Health Board shall be for three (3) years. The Board of Supervisors shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year.

Section 5 The composition of the Board shall:

“reflect the ethnic diversity of the client population in the county.”  
Section 5604(a) of the Welfare and Institutions Code.

The Mental Health Board shall reflect ethnic diversity as well as advocacy for special interest groups such as children and the aging population.

Section 6 Members are expected to attend all *General* meetings of this Board and to participate on at least one Mental Health Board subcommittee, *Executive Committee*, ~~membership committee~~, special committee, or a ~~Mental Health~~ [Division of Behavioral Health Services](#) task force. A member who is unable to attend a given meeting shall give advance notice of his/her inability to attend to the Board Chairperson or to the Administrative Office of the Sacramento County ~~Mental Health~~ [Division of Behavioral Health Services](#).

Section 7 A member who is absent, whether it be excused or unexcused from five (5) *General* Board meetings in any twelve-month period shall be deemed to have automatically resigned from the Board. In such event, the member’s status will be noted at the next scheduled Board meeting and shall be recorded in the Board’s minutes. The Chairperson shall, without further direction from the Board, apprise the Board of Supervisors of the member’s resignation and request the appointment of a replacement.

- Section 8 No member shall serve more than two (2) consecutive three-year appointments with the exception that if a member has been appointed to a partial term of one and one-half years or less, he/she may then be appointed to two full three-year terms. As of the date of adoption of these bylaws, any member serving a second three-year appointment shall be terminated at the end of that period of service and a new appointment shall be made. When one year has elapsed following a former member's service on the Board, of whatever duration that service was, he/she again becomes eligible for appointment.
- Section 9 Terms shall be three (3) years, ending December 31<sup>st</sup>. One-third of the terms shall expire each year.
- Section 10 The Chairperson may grant a Board member a leave of absence, not to exceed four (4) consecutive ~~regular~~ General monthly Board meetings. A leave of absence may only be granted when the affected board member requests it. To grant such a leave, the Chairperson shall announce it at a Board meeting. The leave may become effective at the meeting at which it is announced. The leave waives the limitation of absences state in Section 7 of this article.
- Section 11 The Board may have appointed up to 5 associate members, between the ages of 15 and 18 years to bring the perspectives of youth to the Board. These associates will have no voting privileges but will have the right to participate in all other matters of the Board, with the exception of training conducted in areas outside the County. The members of this class will reflect the requirements of Article IV, Section 3 and serve a term of two (2) years. Terms will expire on December 31<sup>st</sup> of each year.

#### ARTICLE V—Meetings

- Section 1 The ~~regular~~ *General Board* meetings of this Board shall be held on a monthly basis, at a consistent hour, day, and place as determined by the Board. Public notification of the regular meetings shall be sent at least seventy-two (72) hours prior to the meeting.
- Section 2 In addition to the ~~regular~~ *General* meetings of this Board, there shall be a *monthly Executive Committee meeting* ~~monthly business planning meeting in order to address administrative matters of the board to set the agenda for the next General meeting.~~ *These Executive Committee* meetings shall be held at an hour, day, and place as determined by the *Chair of the Board*. Public notification of the *Executive Committee* meetings shall be sent at least seventy-

two (72) hours prior to the meeting. *The Executive Committee shall perform the functions described in Article VIII, Section 1.*

Section 3 Special meetings may be called by the Chairperson or a majority of the Board members. Public notification of special meetings shall be sent at least seventy-two (72) hours in advance of the meeting.

Section 4 All Board and committee meetings shall be open to the public and subject to The Brown Act (Government Code section 54950) *except ad hoc or special committees, comprised of less than a majority of the Board members, established for a limited duration, to perform a specific function, shall be exempt from the requirements of the Brown Act.*

## ARTICLE VI—Officers

Section 1 The officers of the Board shall be a Chairperson, a Vice-chairperson and a Public Information Secretary In the absence of all officers, the Chairperson will designate an acting Chairperson.

Section 2 At the ~~regular~~ General November meeting, the Board shall elect members to these three offices by majority vote. Nominations shall be made from the floor. The term of office is to begin the first meeting of the next calendar year.

Section 3 The officers shall be elected to serve for one calendar year or until their successors are selected.

Section 4 ~~In executive sessions,~~ Officers may be removed from office by a majority vote of the Board membership.

Section 5 Vacancies occurring in offices between elections shall be filled by the Board at its next meeting.

Section 6 The Chairperson of the Board's duties include but are not limited to, consulting with the local mental health director; scheduling and announcing regular monthly General meetings, Executive meetings, and special meetings as needed, presiding at such meetings, and conduct other Board business as may be indicated. The Vice-chairperson duties include but are not limited to, presiding at such meetings in the absence of the Chairperson and providing other support to the officers of the Board as may be indicated. The Public Information Secretary duties include but are not limited to, reporting outreach activities.

Section 7 There may be a representative, who may be either an officer or a member-at-large, to the California Association of Local Mental

Health Boards/Commissions. The duties of the representative to the statewide organization shall be to represent the Mental Health Board at statewide meetings and to make regular reports to the local Board.

## ARTICLE VII—Parliamentarian

A parliamentarian may be appointed by the Chairperson. The parliamentarian's duties include but are not limited to; maintain a record of meetings, keep records of members' attendance and status as an active member.

## ARTICLE VIII—Committees

*Section 1 There shall be a five member Executive Committee comprised of the Chairperson, the Vice-Chairperson, the Public Information Secretary, the immediate past Chairperson, and one (1) member-at-large selected by a majority vote of the Board. If any of the officers are unable to serve or if any member occupies two of the designated positions, then a replacement shall be selected by a majority vote of the Board. The Executive Committee shall meet monthly to prepare an agenda for the General meeting. In addition, the Executive Committee shall prepare the agenda for the annual retreat, and carry out any responsibilities delegated to it by the Board for any activities that do not require approval of the full Board. The Executive Committee is authorized to act on behalf of the full Board to fulfill the Board's responsibilities only when time sensitive matters arise and an urgent response is required, but the entire Board is unable to convene for a special meeting. In those circumstances the Executive Committee may perform only those actions necessary to deal with that emergent situation until such time as the full Board can be convened. Any actions taken pursuant to this subsection shall be placed on the agenda for the next subsequent General meeting for review by the Board and are subject to the ratification or invalidation by a vote of the full Board.*

Section 4 2 There shall be a Budget Committee, composed of not less than three (3) members of the Board and one of those members shall serve as chair of the committee. The purpose of the Budget Committee is to advise the Mental Health Board on budget concerns and to provide recommendations for consideration by the Mental Health Board. This committee shall comply with the Brown Act in regard to notification of meetings.

Section 2 3 There shall be such other standing and special committees as the Chairperson shall appoint with the approval of the Board.

## ARTICLE IX

Section 1 The meetings of this Board shall be conducted in accordance with Robert's Rules of Order, Revised.

Section 2 Quorum: One person more than one-half of the appointed members shall constitute a quorum.

Section 3 Amendments: These bylaws may be amended at any meeting of the Board by a majority vote of the full membership, provided that copies of the proposed amendments are sent to all members of the Board at least five (5) days prior to the meeting at which such action is taken. The amendments must be approved by the Board of Supervisors.

Section 4 Effective Date: These bylaws shall become effective immediately upon their adoption by the Sacramento County Board of Supervisors.