

SAN BENITO COUNTY

BEHAVIORAL HEALTH DEPARTMENT

Mental Health & Substance Use Disorder Services

1131 Community Parkway, Hollister, CA 95023

MENTAL HEALTH • SUBSTANCE ABUSE

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BY-LAWS **OF THE SAN BENITO COUNTY** **BEHAVIORAL HEALTH BOARD**

PREAMBLE

On January 13, 2009 the San Benito County Mental Health Board and Substance Abuse Advisory Boards were merged with the approval of the Board of Supervisors.

ARTICLE I

NAME

The name of this Board shall be: San Benito County Behavioral Health Board and shall be referred to in these By-laws hereafter as "the Board." State law pertaining to this Board is provided in Welfare and Institutions Code section 5604 et seq. and in Health and Safety Code section 11805. Pursuant to both sections, the Board is established as an advisory board.

The Objectives of this Organization shall be to ensure the quality and accessibility of mental health and substance abuse treatment services. The Behavioral Health Board is committed to the reduction of alcohol and drug abuse and the promotion of mental health in San Benito County.

ARTICLE II

PURPOSE

The Board's duties, as defined in Chapter 1374, Statutes of 1992, Section 5604.2 of the Welfare and Institutions Code, shall be:

- 1) Review and evaluate the community's mental health needs, services, facilities, resources and special problems.
- 2) Review and evaluate the community's needs and resources for alcohol and drug prevention and treatment/recovery services.
- 3) Advise the Board of Supervisors and the County Behavioral Health Director as to any aspect of the County Mental Health and Substance Abuse Programs.
- 4) Submit an annual report to the Board of Supervisors on the needs and performance of the County's mental health system.
- 5) Review and make recommendations on applicants for the appointment of a County Behavioral Health Director. The Board shall be included in the selection process prior to the vote of the Board of Supervisors.
- 6) Review and comment on the county's performance outcome data and communicate its findings to the State Mental Health Commission (the California Mental Health Planning Council).
- 7) Review any county agreements entered into pursuant to Section 5650.
- 8) Assess the impact of the realignment of services from the state to the county, on services delivered to clients on the local community.
- 9) Review and approve the procedures used to insure citizen and professional involvement at all stages of the planning process.
- 10) Members of the 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.

ARTICLE III

COMPOSITION

The membership requirements of the Board are provided in Chapter 1374 Statutes of 1992, Section 5604, Subdivisions (a), (d) & (f) & Section 5604.5 of the Welfare and Institutions Code as follows:

- 1) The San Benito County Behavioral Health Board shall be composed of representatives from population classifications interested in and active in the prevention and treatment of mental health and/or alcohol and drug abuse.
- 2) The Board shall at a minimum consist of five (5) members, but may elect to exceed (5) members subject to the final approval and acceptance by majority vote of the Behavioral Health Board.
- 3) Board members may recommend appointees to the Board of Supervisors.
- 4) Members are selected by majority vote of the San Benito County Behavioral Health Board and require final approval by the San Benito County Board of Supervisors.
- 5) Counties are encouraged to appoint individuals who have experience and knowledge of the behavioral health system. Efforts shall be made to appoint at least one member from each Supervisory District.
- 6) One member of the Board shall be a member of the Board of Supervisors.
- 7) The Board should reflect the ethnic diversity of the client population served and the demographics of the county as a whole, to the extent feasible.
- 8) At least one member shall be a consumer and at least one member shall be a parent, spouse, and sibling or adult child of a consumer, who is receiving or has received mental health and/or *alcohol/substance abuse treatment services. If the board members exceed the minimum number of (5) members, at least 20% of the total membership shall be consumers and at least 20% shall be the family of consumers.
- 9) No member of the Board or his or her spouse shall be a full-time or part-time county employee of the County Behavioral Health Department, an employee of the State Departments of Mental Health or of Alcohol and Drug Programs, or an employee of, or a paid member of the governing body of, a County Behavioral Health contract agency.

*This is not a statutory requirement, but is at the board's discretion.

ARTICLE IV

APPOINTMENTS AND TERMS

The term of each member of the Board shall be for three years. The Behavioral Health Advisory Board shall attempt to equitably stagger the appointments whenever feasible, so that approximately one-third of the appointments expire in each year.

ARTICLE V

MEETINGS/AGENDA/QUORUM

- 1) The Board shall meet regularly each month, with the exception of the month of August, and the November and December meetings are combined as a holiday potluck luncheon meeting scheduled either in November or December. If the regular meeting falls on a holiday, the meeting date shall be scheduled at a date to be determined by the Board.
- 2) Special meetings may be called at the direction of the Chair.

Notices of said meeting are to be published section and posted for public viewing at the County Administration Building, County Court House and the County Behavioral Health Department

- 4) For special meetings, a designated member of the Board shall make an attempt to reach all other members either by telephone, mail or electronic mail.
- 5) All meetings shall be recorded and kept as a permanent record.
- 6) Meetings will be held regularly in the Conference Room of the Behavioral Health Department with the possibility of locating meetings at various other places in the county to assure accessibility and convenience of both the public and Board members on an equal basis. The Board Chair and County Behavioral Health Director will identify other designated meeting places, with final approval of the location decided by consensus vote of the Board at the monthly meeting prior to the planned forthcoming meeting.
- 7) Meetings are open to the public, except when personnel matters are discussed.
- 8) The agenda for the forthcoming meeting shall be mailed either electronically or by first class United States Postal Service at least seven (7) days prior to the meeting. In order for interested parties to be placed on the agenda, the Chair of the Board shall give the approval on a timely basis and so advise the secretary of the County Behavioral Health-Substance Abuse Program who normally mails out the agendas.

Anyone who requests in writing to be placed on the agenda mailing list will have the request granted.

- 9) A quorum of the Board shall consist of one person more than half of the appointed members.
- 10) Any meeting date may be subject to change upon Behavioral Health Board approval.

ARTICLE VI

ATTENDANCE

Members, who miss more than three (3) meetings in a twelve (12) month period without notice to the Chair submitted in advance of the meeting, shall be dropped from membership. After 2 absences without advanced notification, the Board shall issue a letter notifying the member that an additional absence without advanced notification will require their removal from the Board. The County Board of Supervisors will be notified in writing of their termination and the name of the recommended replacement submitted for appointment.

ARTICLE VII

EXPENSES OF BOARD MEMBERS

The County Behavioral Health Department shall pay from any available funds the actual and necessary expenses of the member(s) of the Board incurred incident to the performance of their official duties and functions. The expenses may include travel, lodging, childcare, and meals while on official business. Expenses require the Behavioral Health Directors pre-approval and original receipts must be turned in to the County Behavioral Health Director for the purpose of verifying the expenses. Reimbursement shall be in accordance with applicable San Benito County policies and procedures.

ARTICLE VIII

ORGANIZATION

- OFFICERS:** There may be two (2) elected officers on the Board, namely: a Chair and Vice Chair.
- ELECTION:** The elections committee annually at the regular November meeting shall recommend Officers. Nominations from the floor are acceptable and, if there is more than one nominee, the election shall be carried out by secret written ballot. A vote of a quorum of the Board will occur to decide the officers who shall serve for the ensuing (1) one year period.
- TERM OF:** Officers shall be elected for one (1) year beginning on January 1st.
OFFICE: The term shall continue until a successor is elected or the officer resigns. A member shall serve as Chair for no more than two (2) consecutive years unless otherwise decided by vote of the Board.
- VACANCY:** If for any reason a vacancy exists in an elective office, a nominating committee may be convened within two (2) weeks, and the vacancy may be filled at a special election held at the next regularly scheduled meeting of the Board.
- REMOVAL:** Any elected officer or member of the Board may be removed from office by a majority vote of the Board. The discussion of the issue and the vote upon it shall be carried out in closed session at a duly convened meeting of the Board.

ARTICLE IX

DUTIES OF THE BOARD MEMBERS

As part of the board member's responsibilities, they will:

- Interpret the organization's work and value to the community, represent the organization, and assign the Chair as spokesperson.
- Actively participate in one or more Behavioral Health Department promotional/public relations activity.
- Act in the best interest of the organization.
- Stay informed about what's going on in the organization. Participate in and take responsibility for involvement in the decision making process on issues, policies, and other board and mental health and substance abuse services matters.
- Work in good faith with staff and other board members as partners towards achievement of our goals.
- Actively participate in one or more board committee.
- Actively pursue and recruit potential board members.

ARTICLE X

DUTIES OF OFFICERS & RECORDER

CHAIR: The Chair shall perform the following duties:

1. Preside at general and special meetings.
2. Formulate the agenda in conjunction with the Behavioral Health Director prior to each meeting and direct its preparation.
3. Appoint the members of all non-elective committees.
4. Carry out the directives of the Board.
5. Be in consultation with the County Behavioral Health Director.

6. May designate a member to represent the Board at community meetings, California Mental Health Board and at other Behavioral Health Board functions.
7. See that all actions of the Board are implemented.

VICE CHAIR: The Vice Chair shall, in the absence of the Chair, meet all the responsibilities of the Chair.

RECORDER: The Recorder, a staff member of the Behavioral Health Department assigned by the County Behavioral Health Director, shall perform the following duties:

1. Cause to be kept a full and true record of meetings of the Board, of its committees, and such special meetings as may be requested.
2. Cause to be issued notices of regular, special and annual meetings of the Board.
3. Maintain a record of attendance.
4. Report to the Board of Supervisors any existing vacancies.
5. Assure that the minutes are transmitted via email or first class mail with the agenda of the forthcoming meeting.

CHAIR PRO TEM: At any meeting the membership present shall, in the absence of the Chair and the Vice Chair, elect a Chair Pro Tem.

ARTICLE XI

RESPONSIBILITY OF THE COUNTY BEHAVIORAL HEALTH DIRECTOR TO BOARD

The County Behavioral Health Director shall recommend to the Board of Supervisors, after consultation with the Board, the provision of services, establishment of facilities, contracting for services or facilities, and other matters necessary or desirable in accomplishing the purposes of State law pertaining to the provision of mental health and substance abuse services.

ARTICLE XII

STAFF SUPPORT

For the Board to function most usefully in its advisory role, it must have access to as much diverse, unbiased, current information regarding the County Mental Health and Substance Abuse Programs as is attainable.

The County Behavioral Health Director will give a report at each meeting and be available to answer specific questions or provide additional information. If attendance by the Director is not possible, the Director may designate a staff member to be present.

The staff and clerical support for the work of the Board shall be supplied by the County Behavioral Health Department.

ARTICLE XIII

ORDER OF BUSINESS

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| REGULAR | 1. | Call meeting to order |
| MEETINGS: | 2. | Role call |
| | 3. | Certificate of posting |
| | 4. | Public comments |
| | 5. | Approval of minutes of previous meeting |
| | 6. | Correspondence |
| | 7. | Reports when available submitted in writing from the County Behavioral Health Director |
| | 8. | Discussion of Board Old Business and New Business |
| | 9. | Urgent items or other special items not on previously published agenda(s) |
| | 10. | Adjournment. |

ARTICLE XIV

RESPONSIBILITIES OF THE MEMBER APPOINTED TO REPRESENT THE BOARD TO THE CALIFORNIA ASSOCIATION OF LOCAL MENTAL HEALTH BOARDS AND CALIFORNIA SUBSTANCE ABUSE ADVISORY BOARDS

Board Members may attend general meetings of the California Substance Abuse Advisory Boards and general meetings of the California Association of Local Mental Health Boards and represent the interests and concerns of the Board to these Boards.

Any attending member representative shall provide reports to the Board regarding his or her participation at the State level.

ARTICLE XV

ROBERTS RULES OF ORDER

Except when State laws or regulations, County Ordinances, or these By-Laws apply, the current Roberts Rules of Order shall govern procedures of the Board. A copy of the Robert's Rules of Order shall be kept with the Chair.

ARTICLE XVI

AMENDMENTS

These By-Laws may be amended by majority vote at any meeting called in accordance with these By-Laws, provided notice of the proposed amendment was given in advance with the call for the meeting.

ADOPTED: April 23, 2009

REVISION ADOPTED: July 16, 2009

Chair
Behavioral Health Board

Approved by San Benito County Board of Supervisors:

SUPERVISORS: AYES:

NOES:

ABSTAIN:

Chair of the County Board of Supervisors
San Benito County Board of Supervisors

Date

Approved as to form:

County Counsel