

MENDOCINO COUNTY MENTAL HEALTH BOARD

BYLAWS

Article I

NAME

The name of this Board shall be the Mendocino County Mental Health Board, herein referred to as the Board or MHB.

Article II

AUTHORITY

The authority of this Board is set forth in Sections 5604 et. seq. of the Welfare and Institutions Code.

Article III

DUTIES

The duties of this Board shall be as follows:

1. Review and evaluate the community's Mental Health needs, services, facilities, and special problems.
2. Review any County agreements entered into pursuant to Section 5650.
3. Advise the Governing Body 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 Governing Body on the needs and performance of the County's Mental Health system.
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 Governing Body.
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 a Mental Health Board.
9. It is the intent of the Legislature that, as part of its duties, the Board shall assess the impact of the realignment of services from the State to the County, on services delivered to clients and on the local community.
10. The local Mental Health Board shall develop Bylaws to be approved by the Governing Board.

Mental Health Services Act Duties

1. Hold MHSA Plan and Plan annual update public hearings & forward public comment to the Mental Health Director.
2. Make recommendations to the Mental Health Director regarding the MHSA Plan and its annual updates (as per W&I Code #5608 (c) The Mental Health Director shall: Recommend to the Board of Supervisors, after consultation with the Mental Health Board, the provision of MHSA Plan services.) .
3. Review and comment on the MHSA Plan and the Plan's annual update performance outcome data and communicate findings to the California Mental Health Planning Council.
4. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the MHSA Plan planning process.

State law also mandates that a broad based stakeholder group develops the MHSA Plan and its annual update. It is also mandated that the following categories of stakeholders be a part of this group:

- adults with severe mental illness
 - seniors with severe mental illness
 - families of children with severe mental illness
 - families of adults with severe mental illness
 - families of seniors with severe mental illness
 - law enforcement agencies
 - education
 - social services agencies
 - other important interests
5. Review county agreements/contracts with MHSA service providers. (Note: This means simply being knowledgeable about what services are being provided.)

6. Include Mental Health Board actions on any/all of the above in the MHB's Annual Report to the Board of Supervisors.

Article IV

MEMBERSHIP

SECTION 1.

There shall be 15 members on the MHB, plus one non-voting representative of the County Board of Supervisors, who is encouraged to participate fully in all MHB discussion, but who shall not be counted for purposes of establishing a quorum.. (It is recommended that the Board of Supervisors appoint one representative and an alternate)

SECTION 2.

Each Supervisor shall appoint three (3) members to the MHB. Applications will be accepted at the Board of Supervisors Office and then be forwarded to the MHB office to be given to the MHB Chair to contact the applicant(s) to schedule an interview at the earliest regular meeting of the MHB for the board to interview the applicant(s). The application(s) will be included in the appropriate agenda packet for members to review. At a meeting where an applicant(s) is interviewed the MHB will vote to approve or not to approve the applications(s) and the action minutes of that meeting will be submitted to the Clerk of the Board of Supervisors to continue processing the application(s). The Board of Supervisors shall decide to appoint or not to appoint an MHB recommended applicant(s) at one of their regular meetings. The Board of Supervisors may appoint anyone to the MHB whether the MHB has recommended the person or not. Appointed new members will be notified of appointment by the clerk of the Board who will arrange to swear in (or affirm by declaration) the new member(s). Any new member cannot vote at an MHB meeting until that process is completed. Supervisors are encouraged to appoint those who have experience and knowledge of Mental Health systems. Board membership shall reflect the ethnic and geographic diversity of the client population of the county. Appointees shall be legally registered voters of Mendocino County.

SECTION 3.

50% of the Board membership shall be consumers or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received, mental health services. At least 20% of the total membership shall be consumers, and at least 20% shall be families of consumers. If an active search (documentation is advisable), does not secure the needed category, only then may the Supervisor substitute a representative from public interest. In all cases, the representation of consumers and family members should be proportional to the total membership.

SECTION 4.

The term of each position on the MHB shall be for three (3) calendar years. Individuals appointed to the MHB fill the remaining time left in the position they have been

appointed into. They may reapply after the term has ended. The governing body shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year. This statute does not put "term limits" into place for Board members.

SECTION 5.

Legally appointed members are in good standing unless they have three (3) consecutive absences in a calendar year. The Executive Committee shall review the situation, inform the Board of Supervisors, and send a letter of default to the absent Board member. The defaulted Board member may reapply at any time. Note: Common courtesy is to always notify the Chair of the MHB prior to absence from a regularly scheduled meeting.

SECTION 6.

No appointed member of the Board or his/her spouse/domestic partner 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.

SECTION 7.

Local Mental Health Boards shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, relating to meetings of local agencies.

Article V

OFFICERS

SECTION 1. OFFICERS

The officers of the Board shall be a Chairperson, a Vice-Chairperson, Corresponding Secretary and a Treasurer. Officers shall be elected by the members annually at the regular meeting in January, to take office immediately.

SECTION 2. EXECUTIVE COMMITTEE

The officers, in addition to Chairpersons of the standing committees, shall constitute an Executive Committee. This committee shall meet at the call of the Chairperson and shall comply with all requirements set forth in the Brown Act with respect to noticing and closed session items.

SECTION 3. REMOVAL OF OFFICERS

Any officer may be removed from office and relieved of duties by a majority vote of the Board membership at any regular or special meeting with a quorum in attendance.

SECTION 4.DUTIES

SUBSECTION (A) DUTIES OF THE CHAIRPERSON SHALL INCLUDE:

1. Administering operation of the Board and presiding at all meetings.
2. Calling special meetings as necessary.
3. Appointing committee members and establishing special committees.
4. Forward an Annual Report to the Mendocino County Board of Supervisors.
5. Notify the Mendocino County Board of Supervisors when vacancies or prolonged absences occur.
6. The Chairperson shall be in consultation with the local Mental Health Director.
7. Preparation of monthly meeting agenda.

SUBSECTION (B) DUTIES OF THE VICE-CHAIRPERSON SHALL INCLUDE:

1. Act as Chairperson in the event of his/her absence.
2. Establishment of quorum at all regular meetings.
3. Monitoring of planning process.

SUBSECTION (C) DUTIES OF CORRESPONDING SECRETARY SHALL INCLUDE:

1. Handle all correspondence as directed.
2. Publicity release to county papers, radio and TV stations.
3. Maintain a Minute Book

SUBSECTION (D) DUTIES OF THE TREASURER

1. The Treasurer shall monitor and account for any and all funds received by or allocated to the Mental Health Board, in accordance with the rules of procedure established by the Mendocino County Auditor and Treasurer.
2. Report financial status at each regularly scheduled Board meeting.
3. Maintain an open ledger.
4. When called upon, report to the governing body.
5. Approve all expenditures and travel, along with the Chairperson and the director of Mental Health, in accordance with Section 5604.3 of the W&I Code and Board policy.

SECTION 5.VACANCIES OF OFFICES

Should the office of Chairperson be vacated, the Vice-Chairperson shall assume the Chair for the remainder of the term, or until a special election can be held to appoint a successor. Such election shall be held at a regular or special meeting with nominations being made from the floor. Vacancies in other offices shall be filled by appointment of the Chairperson subject to ratification by the Board by simple majority vote with a quorum present.

SECTION 6.ELECTION OF OFFICERS

SUBSECTION (A)

Nominations for officers shall be made by a nominating committee appointed by the Chairperson in December and there may be nominations made from the floor. A candidate shall be elected by simple majority.

SUBSECTION (B)

Should the office of Chairperson be vacated, the Vice-Chairperson shall conduct the election of a new Chairperson.

SUBSECTION (C)

In the event there is neither a Chair or Vice-Chair to conduct the meeting, the Board, by simple majority vote, shall select a Chair Pro-Tem.

Article VI

MEETINGS

SECTION 1.

The regular meeting schedule for the Board shall be set by Minute Order at the organization meeting in January of each year. Meetings shall be conducted in accordance with the provisions of Section 54950 et. seq. of the Government Code (the Brown Act) and under Robert's Rules of Order Modern Edition or newer. The meetings shall alternate between Ukiah, North County area and the Coast.

SECTION 2. SPECIAL MEETINGS

Special meetings of the Board may be called at any time by the Chairperson or by a majority of the members of the Board. Noticing of of any special meeting shall made no less than 24 hours prior to the meeting and shall specify the time, place and business to be transacted. No other business shall be considered. In addition to posting a written notice of the meeting notice shall also be provided to all members of the Board and the public by a call by the Chair to each member and appropriate media outlets.

SECTION 3. QUORUM

One-half, plus one of the duly appointed members currently serving, shall constitute a quorum. A majority vote shall be a majority of those members present and voting, but in no case less than five.

SECTION 4. AGENDA

The agenda for regular meetings shall be prepared by the Chairperson seven (7) days prior to such meeting. Agenda packets are to be prepared by the Corresponding Secretary and Administrative Assistant for distribution to each Board member no later than five (5) days before such meeting, accompanied by all agenda support materials to be considered. The agenda shall allow time for presentation of non-agenda items in accordance with the Brown Act.

Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, except those marked confidential, of any meeting of the Board at any time. If requested, the agenda and all non-confidential documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 CFR. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The Board may establish a fee for mailing the agenda or

agenda packet and the fee shall not exceed the actual cost of providing the service. The preparation and distribution of agendas and agenda packets shall be in accordance with the Brown Act.

Copies of the agenda for regular and special meetings shall be posted in appropriate public places as well as submitted to the County Administrative Office and the Board of Supervisors Office. Agendas are also to be distributed to all appropriate media outlets and community organizations. Agendas are to be posted and distributed at least seventy-two (72) hours before each meeting and twenty-four (24) hours for special meetings, in accordance with the Brown Act and under adopted Board policies.

SECTION 5. AGENDA DEADLINE

All matters to be included on the printed agenda must be submitted to the Chairperson at least ten (10) days preceding the meeting.

SECTION 6. AGENDA NOTICE

Copies of agenda for regular and special meetings shall be sent to the County Administrative Office and posted in appropriate public places.

SECTION 7. VOTING PROCEDURE

When a roll call vote is called for by the Chairperson, clerical staff or their designee shall institute a roll call asking for a voice vote by each member. The votes of each member shall be recorded in the Minutes and made a matter of public record. This is to ensure the right of the public to know the position taken by each member on individual items.

SECTION 8. RECORDING OF MEETINGS

Each meeting of the Board shall be recorded and the tapes shall be preserved for a period of no less than five (5) years.

Article VII

COMMITTEES

SECTION 1.

Standing committees shall be Adult Services, Children's Services, Business Services, Forensic Services, and Mental Health Services Act (MHSA). Members of the public are hereby allowed to be appointed to the MHSA Committee.. Standing Committees shall be developed by the Board and can be changed and or added by a majority vote of the duly appointed Board members, but in no case less than five, at a regularly scheduled meeting. Standing Committees are allowed to have subcommittees to look into issues that might occur within the scope of the work of each committee. Standing Committees shall comply with the provisions of the Brown Act.

SECTION 2.

Ad Hoc Committees of the Board shall be appointed as needed and only exist until a final written report has been submitted to the Board. Members of the public are hereby allowed to be appointed to Ad Hoc Committees.

Article VIII

BUDGET

SECTION 1.

The Governing Board shall receive from the Mental Health Board a request for an annual allocation of funds to be allocated to the Mental Health Board to enable the Board to carry out the functions of the Board. All expenditures will be documented by the Treasurer and approved by the Board.

The Board shall submit to the Governing Board a proposed budget for the next fiscal year in a timely manner.

Reimbursement for travel and meals shall be in accordance with the policies set by the Governing Board.

Article IX

AMENDMENT OF THE BYLAWS

SECTION 1.

These Bylaws may be amended at any regular or special meeting by a majority vote of those present, provided that such proposed amendment has been presented in substance or completed text in writing to the Chairperson and read by the Chairperson at a regular or special meeting thereof held prior to the time proposed amendment is to be voted upon. Amendments to the Bylaws shall be forwarded to the Governing Body.