

**BYLAWS**

**of**

**SANTA BARBARA COUNTY MENTAL HEALTH COMMISSION**

**ARTICLE I**

**NAME**

The name of this body shall be Santa Barbara County Mental Health Commission.

**ARTICLE II**

**PURPOSE AND AUTHORITY**

The Santa Barbara County Mental Health Commission has been authorized by the California Legislature in Section 5604 of the Welfare and Institutions Code.

The purpose of this Commission is established in Section 5604.2, which includes the following duties:

Per Welfare and Institutions Code Section 5604.2:

- a) The local mental health board shall do all the following:
  - 1) Review and evaluate the community's mental health needs, services, facilities and special problems;
  - 2) Review any County agreements entered into pursuant to Welfare and Institutions Code 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 the local director of mental health services. The Commission 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 California 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 Commission.

### **ARTICLE III MEMBERSHIP**

There shall be eleven voting members of the Commission with two appointees by each member of the Board of Supervisors. The eleventh voting member shall be a member of the Board of Supervisors, the governing body.

Each of the five Supervisors shall designate a third, alternate member, from their District. The alternative member shall attend meetings and vote if either of the two voting appointees from the District is not present.

A second member of the Board of Supervisors also shall be designated as an alternate member of the governing body. This member shall attend meetings and vote if the voting appointee of the Board of Supervisors is not present.

Representation shall recognize the geographic description of Santa Barbara County; Supervisors may appoint members outside their Supervisorial districts to meet legal requirements.

Fifty percent of the Commission membership shall be consumers or the parents, spouse, sibling, or adult children of consumers, who are receiving or who have received mental health services. At least twenty percent of the total membership shall be consumers, and at least twenty percent shall be families of consumers. The composition of the Mental Health Commission will represent the demographics of the County as a whole and shall reflect the ethnic diversity of the target population in the County.

The Mental Health Commission may recommend appointees to the County Board of Supervisors for their approval. However, each County Supervisor reserves the right to appoint members to the Mental Health Commission directly.

The Board of Supervisors, through Alcohol, Drug and Mental Health Services may pay from any available funds, the actual and necessary expenses of the members and alternates of the Mental Health Commission of a community mental health service incident to the performance of their official duties and functions. The expenses may include travel, lodging, child care, and meals for the members of the Commission while on official business, as approved by the director of the mental health services. In addition, consumers may receive travel money in advance based on a two weeks advance written request with justification. The intent is to eliminate obstacles which impede the members/alternatives capacity to serve.

A quorum shall be one person more than one-half of the number of appointed voting members including the Board of Supervisors' representative or his/her designee. An alternate member can only be part of a quorum when an appointed voting member from the same District is absent. An alternative cannot represent a member from another District. In the event there is one or more vacancy among the 11 voting appointees, the quorum shall be calculated based on the number of actual voting appointees.

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

If a member fails to attend three consecutive regular meetings or three meetings in any one calendar year without contacting the Mental Health Director's office who will notify the Chair, they shall be referred to the appointing Board Supervisor and recommended for replacement. A member has the right to request a leave of absence from the Commission. This leave shall be approved by the appointing Supervisor. The Commission recommends that an appointing Supervisor's approval of a leave of absence take into consideration the number of Mental Health Commission vacancies at that time and the requesting member's past history of attendance. The leave of absence shall become effective at the meeting at which it is announced. If the Commissioner's term expires during the leave of absence, the appointing Supervisor shall determine if the member will be reappointed.

No member of the Commission or his or her spouse shall be a full-time or part-time county employee of the 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 Bronzan-McCorquodale contract agency.

The term of each appointed member and alternate shall be for three years. The governing body shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year.

#### **ARTICLE IV MEETINGS**

Meetings of the Commission shall be held no less than six times yearly, and shall include an annual meeting for the election and installation of officers.

A special meeting shall be called, consistent with the Brown Act, at any time by either the Chairperson of the Mental Health Commission or a majority of its members. This notice shall be done by delivery in person through regular mail or e-mail to each Commission Member and to each local newspaper, radio or TV station which requests such notice. That notice must be received at least 24 hours before the meeting. The notice shall include the time and place of the meeting and the business to be transacted. No other business shall be transacted at these meetings.

Meetings shall be noticed and conducted in accordance with the provisions of Section 5490 of the Government Code (Ralph Brown Act) and shall follow the current edition of Robert's Rules of Order, except when in conflict with the bylaws or State and County laws.

The time for public input will be clearly stated on the agenda, and individuals will be limited up to five minutes. No action may be taken on such public input until it is properly noticed on a future agenda.

## **ARTICLE V COMMITTEES**

There shall be an Executive Committee comprised of the Chair, Vice-Chair as well as the ex-officio Chair, provided he/she is still a member of the Mental Health Commission.

The Executive Committee has executive functions and may act for the Commission when necessary. All action taken by the Executive Committee must be ratified at the next regular meeting of the Commission or become null and void.

The Chair has the discretion to appoint Committees as required to further the goals of the Mental Health Commission, with confirmation by the Executive Committee. The Committees can include members drawn from the community with the exception of the Executive Committee; however, the chair must be a commission member. The actions and recommendations of any Committees shall not be deemed the actions of the Mental Health Commission. The establishment of all such Committees not represented in the Bylaws shall be reported to the Board of Supervisors through the Mental Health Commission minutes.

## **ARTICLE VI OFFICERS**

The officers of the Commission shall be the Chair and the Vice Chair. The Chair will appoint a nominating committee in May, which will then present a slate of nominees on an annual basis and shall be elected by a majority vote of the Commission members during a regular meeting in June.

Should the Chair or the Vice Chair leave the Commission, a special election shall be held to fill the vacant position. The Vice Chair shall preside in the Chair's absence and assist with other responsibilities as assigned. The Chair shall act as liaison with the Mental Health Director. The Ex Officio, if still a Commission member, may preside at a meeting if the Chair and Vice Chair are not in attendance.

## **ARTIICLE VII BYLAWS**

These bylaws may be amended at a regular or special meeting by a two-thirds vote of those present, provided that the proposed amendment is an agenda item and that such proposed amendments have been presented in writing to the Board of Supervisors.