

**ALAMEDA COUNTY MENTAL HEALTH ADVISORY BOARD**

**BYLAWS**

**ARTICLE I**

**Section I            NAME**

The name of this organization shall be the Alameda County Mental Health Advisory Board.

**Section II            DEFINITION AND PURPOSE (California Welfare & Institutions Code, Section 5604)**

- a. Review and evaluate the Alameda County mental health needs, facilities, services and special problems.
- b. Advise the County Board of Supervisors on any aspect of the local mental health programs.
- c. Advise the Alameda County Mental Health Director on any aspect of the local mental health programs.
- d. Review any county agreements or contracts entered into pursuant to Section 5650 of the Welfare and Institutions Code.
- e. The Mental Health Advisory Board Chair shall submit an annual report at the end of each fiscal year to the County Board of Supervisors on the needs and performance of the county's mental health system.
- f. Review and approve the procedures used to ensure citizen and professional involvement in all stages of the planning process.
- g. Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.
- h. Review and make recommendations on applications for the appointment of a local director of mental health to the County Board of Supervisors. The board shall be included in the selection process prior to the vote of the governing body.
- i. Pursuant to Welfare and Institutions Code Section 5604.2(b), the Mental Health Advisory Board shall assess the impact of the realignment of services from the state to the county, on services delivered to clients and the local community.
- j. Perform any other duties requested by the County Board of Supervisors.
- k. The Mental Health Advisory Board shall develop bylaws to be approved by the Board of Supervisors in accordance with Welfare and Institutions Code Section 5604.5.

**Section III            RELATIONSHIP TO ALAMEDA COUNTY BOARD OF SUPERVISORS**

The Mental Health Advisory Board will be formalized by county ordinance. It is anticipated that the Board of Supervisors, by virtue of ordinance and appointment, shall rely on the collective judgment of the board and its members for input on all mental health related issues.

**Section IV            MEMBERSHIP (Welfare and Institutions Code, Section 5604)**

- a. The membership of the Mental Health Advisory Board shall be determined by the Board of Supervisors and established by ordinance. The Alameda County Mental Health Advisory Board will have 17 members, one of whom shall be the chairman of the Board of Supervisors or his or her designee. All members must be electors of the County.
- b. The Mental Health Advisory Board membership should reflect the ethnic and cultural diversity of the client population in the county as a whole, and shall represent all geographic regions in the county and their demographics.

- c. Board members shall be as follows: two members shall be physicians engaged in the private practice of medicine, one of whom shall specialize in psychiatry; nine members shall be persons representative of the public interest in mental health and of those nine, five shall be persons or the parents, spouse, or adult children of persons who have received mental health services; the other five members of the advisory board representative of the public interest shall be selected from the disciplines of psychology, social work, nursing, education, marriage and family counseling, psychiatric technology, criminal justice, hospital or community mental health facility administration and fiscal management. If prior to the expiration of a term of appointment a member ceases to retain the status which qualified such member for appointment on the advisory board, such membership on the advisory board shall terminate and there shall be a vacancy. No member of the advisory board or his or her spouse shall be a full-time or part-time employee of the Alameda County mental health service, an employee of the State Department of Health, an employee of the department of benefit payments, or an employee of a Short-Doyle contract facility.
- d. The term of each member of the Mental Health Advisory Board shall be for three years. The Mental Health Advisory Board shall encourage the Board of Supervisors to equitably stagger the appointments so that approximately one-third of the appointments expire in each year.
- e. Each Mental Health Advisory Board member shall serve no more than four consecutive terms and shall not exceed 12 years total. Mental Health Advisory Board staff shall keep a record of appointment for each board member.
- f. No member of the Mental Health Advisory Board or his or her spouse shall be a full-time employee 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 paid member of, the governing body of a mental health contract agency.
- g. Members of the Mental Health Advisory Board shall abstain from voting on any issues in which the member has financial interest as defined in Section 87100, et seq., of the California Government Code (Conflict of Interest).

**Section V MEETINGS (California Welfare and Institutions Code, Section 5604.1)**

Mental Health Boards shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part I of Division 2 of Title 5 of the Government Code, relating to meeting of local agencies (The Brown Act).

In addition:

- a. The place and time of the regular meetings is to be posted for the public according to the Brown Act and regular meetings shall be held at least 10 times each year. Meeting locations will be posted in accordance to the Brown Act .
- b. Special meetings shall be convened in the following manner:
  - 1) Upon call of the chair or majority of board members, and
  - 2) In accordance with Government Code section 54956, the Brown Act, public notification shall be sent at least 24 hours in advance of the meeting.

**Section VI OFFICERS**

- a. At the time of election of a chair there shall also be elected a vice-chair, and secretary.
- b. The Executive Committee is composed of the chair, vice-chair, secretary, and chairs of the standing committees of the Mental Health Advisory Board . These meetings should be attended by appropriate mental health administration staff.
- c. The officers shall serve for a term of one year, or until their successor is elected, and be subject to election in June of each year for terms beginning July 1 of each fiscal year.

**Section VII ELECTION OF OFFICERS**

- a. A Nominating Committee shall be appointed by the chair in May of each year:
- b. The chair, vice-chair, and secretary shall not sit as ex-officio members of the Nominating Committee.
- c. The Nominating Committee shall:
  - 1) Select a slate of officers for the coming year.
  - 2) Secure the verbal consent to serve of those selected.
  - 3) Report back to the full board in June with a slate of officers for the coming fiscal year (July 1 through June 30).
  - 4) The chair of the Nominating Committee shall assume the duties of the Mental Health Advisory Board chair to accept further nominations and conduct the election of officers during the June meeting of the year.

**Section VIII TERMS OF OFFICE**

New officers shall begin their terms July 1 and serve for one year, ending June 30. No member shall hold more than three consecutive one-year terms in the same office.

**Section IX VACANCIES IN OFFICE**

In the event any officer resigns from his or her office or resigns from the Mental Health Advisory Board or is disqualified from serving due to a change in status during the term of his or her office, the board may hold an election to fill any vacancy occurring in any elective office during an unexpired term. In the event the chair resigns during his or her term, the vice-chair shall become chair.

**Section X POWERS & RESPONSIBILITIES OF OFFICERS**

- a. The chair shall be the principal executive officer. He/she shall carry out the policies of this board and the Executive Committee. He/she shall carry out the purposes of this organization including consultation with the local mental health director (Welfare and Institutions Code Section 5604.S(d).
- b. The vice-chair shall assist the chair in the performance of his/her duties. The vice-chair shall exercise all the powers of the chair in the event of the absence of the chair .
- c. The secretary shall review the minutes of the Mental Health Advisory Board and Executive Committee prior to public distribution and is responsible for the accuracy of the minutes. The secretary shall assist the chair and vice-chair in the performance of their duties.

**Section XI REMOVAL OF OFFICERS**

- a. An officer may be removed from office, for cause, by the majority vote of all members at an official board meeting at which a quorum is present.
- b. Adequate formal notice, in writing and in person or by U.S. certified mail, must be given to any officer of such an impending removal action.

**Section XII VACANCIES**

When a vacancy occurs, other than in an elective officer position, the chair shall contact the Board of Supervisors to determine if there is a candidate for the vacancy and/or if the member would consider recommendations from the Mental Health Advisory Board. All such vacancies shall be filled by appointment by the appropriate County Supervisor.

**Section XIII QUORUM**

A quorum is one person more than one-half of the appointed members of the Mental Health Advisory Board.

**Section XIV COMMITTEES**

- a. Committees shall be created as needed to do the work of the Mental Health Advisory Board. Standing committees will meet on a regular basis to develop and implement their work plans, which shall reflect current board goals and priorities.
- b. Each member of the Mental Health Advisory Board shall serve on at least one committee and/or serve as a Mental Health Advisory Board liaison to another entity or organization.
- c. The existing standing committees are the Executive Committee, which plans the board agenda and can act on behalf of the full board under emergency circumstances or as directed by the majority of the full board; the Adult Committee; the Children's Committee; and Criminal Justice Committee. The Executive Committee is composed of the chair, vice-chair, secretary, and chairs of the standing committees of the Mental Health Advisory Board. Any board member may attend the Executive Committee meetings as a member of the public.
- d. Other standing committees shall function with the approval of the Mental Health Advisory Board and be approved by the Mental Health Advisory Board to conduct its business in accordance with its legal responsibilities and corresponding to the current membership of the Mental Health Advisory Board. Each standing committee shall be chaired by a Mental Health Advisory Board member.
- e. Ad hoc committees shall be created or dissolved by the board chair to reflect the interest and responsibilities of the Mental Health Advisory Board.
- f. Current liaison responsibilities shall be organized to reflect the interests and responsibilities of the Mental Health Advisory Board.
- g. The chair of the Mental Health Advisory Board shall appoint the chair of each standing and ad hoc committee. Mental Health Advisory Board members may choose upon which committee they wish to serve, or shall be appointed to a committee or liaison role by the board chair. Committees may not consist of more than seven board members.
- h. Committees shall develop annual work plans that will be reviewed by the full Mental Health Advisory Board. Any action recommended by a committee shall be acted upon by the full Mental Health Advisory Board.
- i. The chair may appoint a member of the Mental Health Advisory Board as a liaison to another organization to reflect the interests and responsibilities of the Mental Health Advisory Board.
- j. The chair, with the approval of the full Mental Health Advisory Board, may appoint a non-voting representative from another organization to reflect the interests and responsibilities

of the board not already represented by board members appointed by the Board of Supervisors. Such a non-member organizational representative may provide agenda reports or presentations to the board at its meetings, in compliance with the Brown Act .

**Section XV      REMOVAL FROM THE BOARD**

- a. Absence at three consecutive board and/or committee meetings, or for those circumstances outlined in Section 2.68.060 (Prior Admin. Code§ 5-19.06) of the Alameda County Administrative Code, without just cause and advance notice of such cause prior to the meeting to be missed, shall be grounds for summary removal of a Mental Health Advisory Board member. The chair will contact the Board of Supervisors in the event that removal is deemed necessary.
- b. Section 2.68.060 of the Alameda County Administrative Code states: "In cases of misconduct, inability or willful neglect in the performance of his duties, any member may be removed by the affirmative vote of four members of the Board of Supervisors. Such member sought to be removed shall be given an opportunity to be heard in his own defense at a public hearing, and shall have the right to appear by counsel and to have process issued to compel the attendance of witnesses, who shall be required to give testimony, if such member of the advisory board so requests . A full and complete statement of the reasons for such removal, if such member be removed, together with the findings of fact made by the Board of Supervisors, shall be filed by the Board of Supervisors, with the County Clerk and made a matter of public record."

**Section XVI      CONFLICT OF INTEREST**

Appointments will be subject to state and federal conflict of interest laws.

**Section XVII      RULES OF ORDER**

Meetings of this board shall be conducted in accordance with the Brown Act, the Mental Health Advisory Board bylaws, and Roberts Rules of Order (Newly Revised) to allow open participation . The chair may also set discussion time limits as appropriate. If in conflict, the Brown Act will take precedence, followed by the Mental Health Advisory Board bylaws, and then Roberts Rules of Order, respectively.

**Section XVIII      EXPENSES**

Pursuant to California Welfare and Institutions Code Section 5604.3 and the Alameda County Administrative Code (see below), the Board of Supervisors may pay from any available funds the actual and necessary expenses of the members of the mental health board of a community mental health service incurred incident to the performance of their official duties and functions. The expenses of Mental Health Advisory Board members may include travel, lodging, child care, and meals for Mental Health Advisory Board Members while on official business as approved by the Mental Health Director and the Mental Health Advisory Board. A yearly finance report shall be presented to the Mental Health Advisory Board so that expenses can be reviewed and approved.

**California Welfare and Institutions Code 5604.3:**

"The board of supervisors may pay from any available funds the actual and necessary expenses of the members of the mental health board of a community mental health service incurred incident to the performance of their official duties and functions . The expenses may include

travel, lodging, child care, and meals for the members of an advisory board while on official business as approved by the director of the local mental health program."

**Alameda County Administrative Code 2.68.080 - Expenses:**

"The members of the mental health advisory board shall serve without compensation and shall be reimbursed the actual amounts of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. Travel expenses shall be limited to mileage traveled within the Bay Area counties as defined in Chapter 3.36, Section 3.36.100 of this code, unless the board of supervisors specifically authorizes the travel beyond these counties."

**ARTICLE II**

**Section I AMENDMENTS**

These bylaws may be amended at any meeting of the Mental Health Advisory Board by a two-thirds vote of the appointed membership. These bylaws shall be reviewed periodically to ensure compliance with state law and adequately address the needs of our community .

**Section II EFFECTIVE DATE**

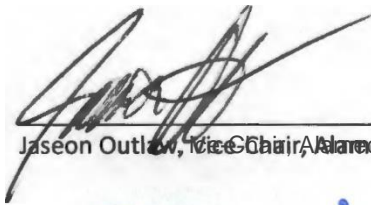
These bylaws shall become effective immediately upon their approval, and shall be submitted to the Board of Supervisors for their approval and final adoption.

The final draft was reviewed and endorsed by the Mental Health Advisory Board on May 9, 2016. They were then reviewed by County Counsel and the proposed revisions adopted on May 23, 2016. These articles were ratified by the Mental Health Advisory Board on September 12, 2016. They were ratified by the Alameda County Board of Supervisors on September 17, 2016.

Signed:



Alane Friedrich, Chair, Alameda County Mental Health Advisory Board



Jason Outlaw, Vice Chair, Alameda County Mental Health Advisory Board



Supervisor Wilma Chan, President, Alameda County Board of Supervisors