

Bylaws of the Tuolumne County Behavioral Health Advisory Board

Article 1

Name

The name of this advisory board shall be the Tuolumne County Behavioral Health Advisory Board (hereinafter "Advisory Board").

Article 2

Purpose

The Tuolumne County Behavioral Health Advisory Board ("Advisory Board") is appointed by the Tuolumne County Board of Supervisors to meet the requirements as defined and mandated in California Welfare and Institutions Code §§ 5604 *et seq.* All similar duties are also assumed by this Advisory Board for alcohol and other drug services.

Article 3

Duties

As mandated by Section 5604.2(a) of the California Welfare & Institutions Code, the Advisory Board shall:

1. Review and evaluate the community's behavioral health needs, 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 behavioral health director as to any aspect of the local behavioral 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 behavioral health system. The annual report will be completed in the month best suited for this County's needs as determined by the Advisory Board.
6. Review and make recommendations on applicants for the appointment of a local director of behavioral health services. The Advisory Board shall be included in the selection process prior to the vote of the Board of Supervisors.
7. Review and comment on the county's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.

8. Additional duties as assigned by the Board of Supervisors

Article 4
Membership

1. Advisory Board Composition. The Advisory Board shall be comprised of between five (5) and fifteen (15) representatives of the public interest of Tuolumne County and who represent the demographics of the county as a whole and who are appointed by the Board of Supervisors pursuant to Section 5604 and 5604.5 of the Welfare & Institutions Code.
2. Member Categories. Members shall also be Tuolumne County residents and overall composition should reflect the ethnic diversity of the client population in the County. Members shall be placed in categories as required by Welfare & Institutions Code § 5604(a)(1). Any change, personal or occupational, that alters a member's category shall immediately be reported to the Advisory Board. Vacancies shall notify the Clerk of the Board of Supervisors. The required categories are as follows:
 - a. At least fifty (50) percent of the Advisory Board membership shall be consumers or the parent, spouse, sibling or adult children of consumers, who are receiving or have received behavioral health and/or alcohol/drug services.
 - b. At least twenty (20) percent of the total membership shall be consumers.
 - c. At least twenty (20) percent shall be families of consumers.
 - d. One (1) member shall be from the Board of Supervisors.
3. Membership Responsibilities. Members of the Advisory Board are expected to attend all regular and special meetings of the Advisory Board, to report unavoidable absences to the Chairperson or Secretary prior to the date of the meeting, to participate in deliberations and activities of the Advisory Board, and to fulfill those other responsibilities that are specifically delegated to them as Advisory Board members by the Chairperson.

Specific responsibilities may include:

- a. Attendance at all regular meetings typically lasting two (2) hours;
- b. Spending additional time engaging in informal meetings with staff, program review, subcommittee meetings, training, interaction with other advisory boards, or general community contact as needed;
- c. To accept appointment, attend and actively participate in an existing Advisory Board committee, ad hoc committee, task force or represent the Advisory Board with a collaborating group or agency.

No Advisory Board member may take any action or make any representation on behalf of the Advisory Board without consent of the full committee.

4. Conflicts of Interest.
 - a. Advisory Board members shall abstain from voting on or participating in any matter in which the member has a financial interest as defined in Section 87103

of the Government Code.

A member may disqualify themselves either in writing to the Advisory Board Chairperson, or when the item on the agenda is announced by (1) disclosing the interest raising the potential conflict, and (2) that they are disqualifying themselves from participating in the decision. Any questions about conflicts of interest or disqualification may be referred to the Office of County Counsel.

- b. Restrictions on Membership. No member of the Advisory Board, or his or her spouse, shall be a full-time or part-time employee of the County, Department of Behavioral Health, or State Departments or entities receiving the reorganized authorities and services previously held by the "State Department of Mental Health," such as the "State Department of Health Services," or any employee or paid member of the governing body of a Short-Doyle contract agency or facility. Any such employment or relationship shall immediately be reported to the Advisory Board.
5. Terms of Appointment. Advisory Board members shall be appointed for a period of three (3) years and may be reappointed.
6. Board Vacancies. When a member resigns or declares by ceasing participation in Board activities, the Advisory Board may notify the Clerk of the Board of Supervisors in writing with the request that the Board of Supervisors declare a vacancy and proceed to fill the position.
7. Removal of a Member. A majority of the members of the Advisory Board may, upon a roll call, vote to remove a member of the Advisory Board. Reasons for removal may include:
 - a. Missing three (3) or more meetings which are not excused; or
 - b. Exhibiting disruptive and/or disorderly behavior; or
 - c. Taking actions contrary to the Advisory Board's mission

Upon removal, the Advisory Board will notify the Clerk of the Board of Supervisors pursuant to Article 4, Section 6 above.

Article 5 **Member Training**

1. Mentors. Each new member will have an Advisory Board member as a mentor appointed or volunteered at the first meeting following the new member's appointment. The mentor will sit with the new member at meetings for at least one (1) year. The mentor will be available for questions.
2. Executive Committee. New members will meet with the Executive Committee within the first three (3) months of membership for orientation to the Advisory Board. The Orientation Manual will be provided.

3. State Trainings. Each year the Advisory Board will consider utilizing trainings from the California Institute of Behavioral Health (CIMH) and California Association of Behavioral Health Boards (CALMHB) for trainings in Tuolumne County.
4. Behavioral Health Department Training. Each year the Advisory Board will receive trainings on the local system.
5. CIMH Training. Board members are encouraged to take part in trainings offered to Advisory Board by CIMH.

Article 6 **Meetings**

1. Open Meetings. Meetings shall be open to the public and conducted in accordance with the Ralph M. Brown Act. (Government Code §§ 54950 *et seq.*) The Advisory Board may conduct closed sessions to consider those matters allowed by law to be heard in this manner.
2. Regular Meetings. Regular meetings of the Advisory Board shall be held once a month. The Advisory Board may set the date and time of a regular meeting, or cancel a meeting, by a majority vote of the members of the Advisory Board. Regular meetings shall be noticed at least seventy-two (72) hours prior to the date and time set for the meeting.
 - a. Agenda Preparation. Agenda items should be presented to the Chairperson or the Behavioral Health, Alcohol/Drug Services office ten (10) days before the regular meeting date. The Officers (meeting as the Executive Committee) will meet or confer with the Behavioral Health Director at least seven (7) days prior to the regular meeting to set agenda items.
 - b. Agenda Distribution. The agenda shall be mailed to Advisory Board members seven (7) days prior to the regular meeting date. Pertinent back-up data shall be mailed with agenda.
3. Special Meetings. Special meetings may be called by the Chairperson or the majority of the members of the Advisory Board. Special meetings shall be noticed at least twenty-four (24) hours prior to the date and time set for the meeting.
4. Quorum. A quorum shall consist of one-half of the appointed Advisory Board members, plus one. A quorum shall be necessary at all times to conduct Advisory Board business. At any meeting at which a quorum is not achieved, or lost during a meeting, the meeting shall be adjourned or recessed as appropriate until such time a quorum is achieved or re-established.
5. Conduct of Meetings. The Executive Committee may determine the order of meeting items, such as the following suggested format:
 - a. Call to Order

- b. Introductions
- c. Public Comment
- d. Correspondence
- e. Approval of Minutes
- f. Action Items
- g. Program Review
- h. Supervisor/Director's Report
- i. Member Reports
- j. Committee Reports
- k. Old Business
- l. New Business
- m. Closed Session (As Needed)
- n. Adjournment
- o. Behavioral Health and Recovery Upcoming Events

Article 7
Officers

1. Officers and Duties. The elected officers of the Advisory Board shall be the Chairperson, Vice Chairperson and Secretary. These officers constitute the Advisory Board's Executive Committee.

- a. Chairperson Duties. The Chairperson shall be in consultation with the local behavioral health director. The Chairperson shall preside at all meetings of the Advisory Board. The Chairperson shall have all the rights and duties of other members, including the right to introduce motions or proposals and to speak and vote on them while presiding. In the event of a tie vote, the matter may be either carried over for the next meeting, or the discussion may continue with an additional vote. If a consensus is not reached with further discussion or at a continued meeting, the matter will fail, or be reported as a "tie vote."
- b. Vice Chairperson Duties. In the absence of the Chairperson, the Vice Chairperson shall preside at meetings of the Advisory Board. In the event of a vacancy in the office of the Chairperson, the Vice Chairperson shall succeed to the office of the Chairperson.

In the event that the Vice Chairperson is not able to carry out his or her duties, an election shall be held for the vacant office at the next regular meeting of the Advisory Board if appropriate. In the event both the Chairperson and Vice Chairperson are not present, the membership of the Advisory Board shall vote to appoint an acting Chairperson for a given meeting.

- c. Secretary. The Advisory Board shall maintain records of all activities. The Advisory Board may fulfill those requirements by electing one of its members as Secretary. The Secretary will (1) attend all meetings of the Advisory Board, and committees as requested; (2) maintain a record of all sessions noting a quorum is

present, and attendance; (3) assist with distribution of the agenda and agenda materials; and (4) assist with meeting notices in compliance with the Brown Act.

2. Term. The term of office for officers shall be two (2) years.
3. Nominating Committee. The Advisory Board shall appoint three (3) members to the Nominating Committee at the April regular meeting. The Nominating Committee shall select a slate of officers, obtain their consent to serve, and report their results back to the Advisory Board at the May regular meeting. Nominations from the floor shall be in order after the Nominating Committee has made their report.
4. Elections of Officers. Election of officers shall be held at the regular June meeting or as soon as practical thereafter. If more than one (1) person is nominated for any office, an open polling of each Advisory Board member in attendance will be made to decide the election. A secret ballot is not allowed by open meeting laws. The elected officers shall take office immediately after their election.
5. Vacancies. When a vacancy of an office occurs, the position may be filled by open Advisory Board nomination and majority vote of those members present. The officer filling a vacancy shall complete the remainder of the term.
6. Removal. The Chairperson or Vice Chairperson may be removed from office for sufficient cause and relieved of duties by a majority vote of the Advisory Board.

Article 8 **Committees & Task Forces**

1. Standing Committees. The Advisory Board may form standing committees consisting of less than a quorum of the Advisory Board. Standing Committee Chairpersons may be appointed by the Advisory Board Chairperson after consultation with the Advisory Board. Standing committees meetings must comply with Brown Act open meeting law requirements.
2. Ad Hoc Committees. Ad Hoc Committees of limited duration may be formed by action of the Advisory Board as needed and following the same procedures as standing committees.
3. Task Forces. Task forces may be formed by action of the Advisory Board consisting of community members and a task force chairperson. Community members are appointed by the Advisory Board, and the task force chairperson is appointed by the Advisory Board Chairperson.

Article 9 **Bylaw Amendments**

All proposed bylaw amendments shall be approved by majority vote of the members of the Advisory Board. Amendments shall not take effect until approved by the Board of Supervisors.

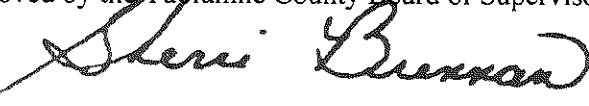
Article 10
Parliamentary Procedure

The Advisory Board shall follow the *Rosenberg's Rules of Order* to conduct its meetings.


Approved by the Tuolumne County Behavioral Health Advisory Board on this date

11/17/17
By: 
Chairperson, Behavioral Health Advisory Board

Approved by the Tuolumne County Board of Supervisors on this date: 11/17/17

By: 
Chairperson, Board of Supervisors

Attest:

By: 
Alicia Jamar, Deputy
Clerk of the Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

ALICIA L. JAMAR
Clerk of the Board

Approved as to legal form:

By: 
Christopher Schmidt
Deputy County Counsel

By: 

Updated 2008/2009, 2012/2013, 2016/2017