



RESOLUTION NO. 177-2014  
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**Mental Health Commission Bylaws**

**WHEREAS**, California Welfare and Institutions Code Section 5604 requires all counties to establish a Mental Health Advisory Board or Commission; and

**WHEREAS**, the County of El Dorado Board of Supervisors, through previous action, established a Mental Health Commission on May 11, 1993 via Resolution 131-93, which was superseded by Resolution 54-2000 on February 29, 2000; and

**WHEREAS**, on June 27, 2014, Senate Bill 1009 amended California Welfare and Institutions Code Section 5604 to replace reference to the California Department of Mental Health with reference to the California Department of Health Care Services; and

**WHEREAS**, the El Dorado County Mental Health Commission determined a need to review its current Bylaws adopted by the Board of Supervisors on February 29, 2000 to ensure compliance with current State law and Commission operations.

**NOW, THEREFORE, BE IT RESOLVED** that the County of El Dorado Board of Supervisors hereby adopts the revised El Dorado County Mental Health Commission Bylaws and, pursuant to the above-cited code sections, authorizes the continuation of the El Dorado County Mental Health Commission as previously established; and

**BE IT FURTHER RESOLVED** that the El Dorado County Mental Health Commission shall be included in the selection process for the position of the Mental Health Director by reviewing each qualified applicant for the position of Mental Health Director, and making its recommendations to the Board of Supervisors for the position of Mental Health Director prior to the vote of the Board of Supervisors; and

**BE IT FURTHER RESOLVED** that Resolution No. 054-2000, relating to the El Dorado County Mental Health Commission and its Bylaws, is hereby superseded by the approval of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 21st day of October 2014, by the following vote of said Board:

Attest:  
James S. Mitrising  
Clerk of the Board of Supervisors

Ayes: Frentzen, Veerkamp, Briggs, Santiago  
Noes: Mikulaco  
Absent: none

By:   
Deputy Clerk

  
Norma Santiago, Chair, Board of Supervisors

# EL DORADO COUNTY MENTAL HEALTH COMMISSION

## BYLAWS

### ARTICLE I

#### Name

The name of this Commission shall be the El Dorado County Mental Health Commission (MHC).

### ARTICLE II

#### Authority

The authority of this Commission is established in the provisions of California Welfare and Institutions Code Section 5604, *et seq.* and in El Dorado County Resolution 177-2014 (and superseded Resolutions 131-93 and 054-2000).

### ARTICLE III

#### Objectives

The El Dorado County Mental Health Commission shall:

- a. Review and evaluate the community's mental health needs, services, facilities, and special problems.
- b. Review and advise any county agreements entered into pursuant to California Welfare and Institutions Code Section 5650 (Performance Contract).
- c. Advise the Board of Supervisors and the El Dorado County Mental Health Director as to any aspect of the local mental health program.
- d. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process as specified in California Welfare and Institutions Code Section 5651.
- e. Submit an Annual Report to the Board of Supervisors on the needs and performance of the county's mental health system.
- f. Review each qualified applicant for the position of Mental Health Director, and make recommendations to the Board of Supervisors. The Commission shall be included in the selection process prior to the vote of the Board of Supervisors.
- g. Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.



## ARTICLE IV

### Membership

#### A. Composition of Commission

The Mental Health Commission for El Dorado County shall consist of sixteen regular members appointed by the Board of Supervisors in accordance with California Welfare and Institutions Code Section 5604. The sixteenth member shall be a member of the County Board of Supervisors and selected by that body. Additionally, Associate Members may be appointed by either of the Council Chairs to serve on Mental Health Commission committees.

#### B. Term

The term of each regular member of the Commission shall be for three years, with appointments equitably staggered so that approximately one-third of the appointments expire in each year. The sixteenth member shall be a member of the County Board of Supervisors and selected by that body. The term of each Associate Member will expire at the end of the calendar year upon dissolution of the MHC committees.

#### C. Conflict of Interest

The El Dorado County MHC shall abide by the provisions of the California Welfare and Institutions Code in defining who shall not be eligible for regular membership by virtue of a conflict of interest. No regular member of the MHC or his or her spouse shall be a full-time or part-time employee of the El Dorado County Health and Human Services Agency, an employee of the California Department of Health Care Services, or an employee of or a member of the Governing Body of a mental health contract agency. Regular 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.

#### D. Commission Composition

The composition of the El Dorado County MHC shall, to the extent possible, reflect the ethnic diversity of the client population in the County. Fifty percent of the Board membership shall be consumers or the parents, spouse, sibling, or adult children of consumers, who are receiving or have received mental health services. At least 20 percent of the total membership shall be families of consumers and at least 20 percent of the total shall be consumers.

#### E. Vacancies and Reappointments

A vacancy of an appointed regular member shall be filled for the remainder of the unexpired term. A vacancy in regular membership shall be deemed to exist for any applicable cause specified in

Section 1770 of the Government Code or for any other provision of law, including but not limited to, any of the following:

1. A regular member ceases to reside in El Dorado County.
2. A regular member ceases to retain the status that qualified him/her for appointment on the Commission.
3. A regular member has failed to attend a meeting of the Commission for three consecutive months (except when prevented by sickness or temporary absence from the state) unless nonattendance is excused by the Chairperson.

**F. Compensation**

All members shall serve without compensation, but may be reimbursed for actual and necessary expenses, as specified in the California Welfare and Institutions Code Section 5604.3, incurred in connection with their duties in accordance with the Board of Supervisors Resolutions and Ordinances.

**G. Organizational Structure**

Given El Dorado County's geography, the MHC shall comprise a Western Slope Council of ten regular members, a South Lake Tahoe Council of five regular members, and a member of the Board of Supervisors. The Board of Supervisors member or designee may attend either or both Council's meetings.

**ARTICLE V**

**Officers**

Officers of the Commission shall be the Chair, Vice-Chair and Secretary of each Council, and all shall serve as members of the Countywide Mental Health Commission Executive Committee. The Countywide MHC Executive Committee shall be chaired by one of the Council Chairs. The MHC Executive Committee shall meet as called by the Countywide Chair, and additionally as described under Article VIII.

Commission officers shall serve for a one-year term. Elections shall be held annually at the first meeting of the calendar year at which time the slate presented by the Nominating Committee and any nominations from the floor will be considered.

The duties of the officers shall be as follows:

**Mental Health Commission Countywide Chairperson:**

- a. Chair all countywide meetings.
- b. Call special Countywide meetings as necessary.
- c. Serve as a representative of the El Dorado County Mental Health Commission to regional or state mental health organizations that may be established. Alternatively, the Chairperson may appoint a representative from among the regular membership.
- d. Be responsible for the agenda of all countywide meetings in consultation with the Executive Committees of each Council.



- e. Consult with the of Mental Health Director.
- f. Submit Mental Health Commission Annual Report to Board of Supervisors during the first quarter of the calendar year following his/her term of office.

**Council Chairperson:**

- a. Chair all Council meetings.
- b. Appoint all Council committees.
- c. Call special Council meetings when necessary.
- d. Be responsible for the agenda of all Council meetings in consultation with the Council Executive Committee.
- e. Consult with the Mental Health Director.
- f. Submit that Council's Annual Report at the February meeting.

**Council Vice-Chairperson:**

- a. In the absence of the Chairperson the Vice-Chairperson shall fulfill all of the Chairperson's responsibilities. Additionally, he/she shall assume such tasks and responsibilities as the Chairperson may designate.

**Council Secretary:**

- a. The Council Secretary shall have the responsibility for all correspondence authorized by the Council. Additionally, he/she shall assume such tasks and responsibilities as the Chairperson may designate.

## **ARTICLE VI**

### **Meetings**

Countywide Mental Health Commission meetings and Council Commission meetings 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 meetings of local agencies, known as the Brown Act, in addition to applicable El Dorado County Ordinances and Board of Supervisors Resolutions.

The two Councils shall combine to hold Countywide Mental Health Commission meetings no fewer than ten times per calendar year at a time and place to be designated by the Mental Health Commission Chairperson. Separate meetings of the two Councils may be called by the respective Council Chair.

Notice of all Council and Countywide MHC meeting dates shall be communicated to members no fewer than five days prior to the date of the meeting and notice of all meetings shall be posted according to law and may be changed upon a 24-hour public notice.

All Council and Countywide Mental Health Commission meetings shall be governed by the provisions of Rosenberg's Rules of Order, Revised, to allow open participation and input by the public.

Special meetings may be called by the Chairperson for a stated specific subject and only the specified matter may be considered at such a special meeting.

## ARTICLE VII

### Quorum

A simple majority of all regular members of the Countywide MHC shall constitute a quorum of the Commission and a vote of the simple majority of that quorum shall constitute a vote of said Commission. Votes on adoption of amendments to the Bylaws shall require a majority of all regular members. Election of Council officers shall be by simple majority of the individual Council regular membership.

For administrative and other issues that are of concern to an individual Council, a simple majority of the members of that Council shall constitute a quorum and a vote of the simple majority of that quorum shall constitute a vote of said Council. Neither Council is empowered to act on behalf of the Countywide MHC without the participation of the other Council.

Associate members, assigned to Council and countywide committees, may vote and participate in all other committee activities. While voting privileges in Council and Countywide Mental Health Commission meetings are limited to regular members, Associate Members may otherwise fully participate in the activities of these meetings, including all discussions.

The Mental Health Commission's Executive Committee (the officers of both Councils) is empowered to act on behalf of the entire Commission in an emergency situation when either Council or countywide membership meetings are not possible. Decisions so made by the Executive Committee are subject to confirmation by the general membership at the next regular Council meetings.

## ARTICLE VIII

### Special Meetings

Special meetings of the MHC may be called any time by Executive Committee Chair, Council Chair or by a majority of the regular members of the Commission. Any special meeting notice must be received by regular members at least 24 hours in advance and shall specify time, place and business to be transacted. No other business shall be considered.

## ARTICLE IX

### Committees

Except for the countywide Executive Committee, all committees are advisory to the Mental Health Commission and no committee shall have the power to bind the Mental Health Commission.

#### **Commission Executive Committee:**

The members of the Commission Executive Committee are elected by the MHC membership.

The members of the Commission Executive Committee are the Chair, Vice-Chair, and Secretary of each Council. In an emergency situation when a full Commission meeting is not possible, the



Commission Executive Committee shall be empowered to act on behalf of the entire Commission on local issues not requiring full MHC consideration. Decisions so made by the Commission Executive Committee are subject to confirmation by the general membership of the Commission at the next regular Commission meeting.

The Commission Chair may appoint the following standing committees:

**Membership Committee:**

The Membership Committee is responsible for:

- a. Ensuring that Mental Health Commission regular membership meets State mandates and local expectations.
- b. Coordination with the Board of Supervisors on regular membership matters.
- c. Orientation of new regular members.
- d. Training of new regular members.

**Planning and Budget Committee:**

The Committee will focus on the current and next year's plan and budget. The Planning and Budget Committee shall:

- a. Participate in the development of the planning process.
- b. Review all state and county proposals resulting in plan amendments and make recommendations to the MHC.
- c. Review the budget, contracts, and other documents which need to be reviewed by the Mental Health Commission.
- d. Ensure consistency with the long-range goals and objectives of the MHC in planning and programs.

**Nominating Committees for each Council:**

The Nominating Committees shall be appointed during the month of October for the purpose of developing a slate of officer nominees, which shall be presented to the regular members of the Commission at the November meeting.

**Children's Committee:**

The Children's Committee is responsible for:

- a. Representing the special needs of children.
- b. Evaluating (where appropriate, in conjunction with the Evaluation Committees), and making recommendations on Children's Mental Health Services.
- c. Such reports and inquiries as may be assigned by the Chairperson concerning Children's Services.

**Committee on Aging:**

This Committee is responsible for:

- a. Representing the special needs of the elderly.
- b. Evaluating (where appropriate, in conjunction with the Evaluation Committees) and making recommendations on the Elderly Mental Health Services.
- c. Such reports and inquiries as may be assigned by the Chairperson.



**Legislative Committee:**

The duties of this Committee shall consist of:

- a. Reviewing all pertinent legislative bills on mental health issues and reporting to the Commission .
- b. Making recommendations to the Commission about actions on pending legislation.
- c. Making recommendations to the Commission regarding the future legislative stance of the County.

**Patients’ Rights Committee:**

The duties of this Committee shall consist of:

- a. Evaluating and making recommendations on the Patients’ Rights policies and procedures of the Department.
- b. Such reports and inquiries as may be assigned by the Chairperson.

**Ad Hoc Committees:**

The Chairperson of each Council and the countywide Chairperson may appoint for a specific purpose an ad hoc committee. Such committees shall be given a specific charge in writing, e.g., in the minutes of an MHC meeting, by the Chairperson. Ad Hoc committees are dissolved upon submission of their report and recommendations to the Commission .

**Evaluation Committees:**

The Chairperson of each Council may appoint an Evaluation Committee, which shall review and evaluate the County's services and facilities in their respective geographical areas, and may also be assigned to evaluate and report on special issues. Mental Health Commission members shall not be current consumers or family members of current consumers in programs they are evaluating. There will always be two people evaluating a program.

**Committee Membership:**

A regular member of the Mental Health Commission shall chair all committees, both regular and ad hoc. Persons other than regular members of the MHC may serve on all committees.

**ARTICLE X**

**Staffing**

The Mental Health Commission and two Councils shall be staffed by the El Dorado County Director of Mental Health or designee.

**ARTICLE XI**

**Amendments**

These Bylaws may be amended at regular or special meetings provided that such proposed amendments have been presented in writing to the Executive Committee chair and each member of the MHC and read by the Commission Chair at an earlier regular or special meeting. Said proposed amendments are to be approved by a majority of all regular MHC members.