



RESOLUTION NO. 113-2023
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
Update of Behavioral Health Commission Bylaws

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

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through previous action, established a Mental Health Commission on May 11, 1993 via Resolution 131-93, which was superseded by Resolution 54-2000 on February 29, 2000, which was superseded by Resolution 177-2014 on October 21, 2014, which was superseded by Resolution 058-2018 on May 24, 2018;

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;

WHEREAS, the County of El Dorado Board of Supervisors approved the change of name from the Mental Health Commission to the Behavioral Health Commission via Resolution 058-2018 on May 24, 2018.

WHEREAS, the El Dorado County Behavioral Health Commission determined a need to review its current Bylaws adopted by the Board of Supervisors on May 24, 2018 to make minor revisions to align their Bylaws with their current operations and to ensure compliance with current statewide best practices;

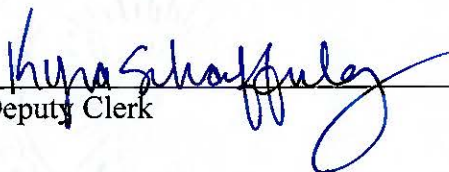
NOW, THEREFORE, BE IT FURTHER RESOLVED that the County of El Dorado Board of Supervisors hereby adopts the revised El Dorado County Behavioral Health Commission Bylaws and, pursuant to the above-cited code sections, authorizes the continuation of the El Dorado County Behavioral Health Commission as previously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

NOW, BE IT FURTHER RESOLVED that Resolution No. 058-2018 relating to the El Dorado County Behavioral Health Commission and its Bylaws, is hereby superseded by the approval of this Resolution.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 25th day of July 2023, by the following vote of said Board:

Ayes: Thomas, Hidahl, Parlin, Laine
Noes: None
Absent: Turnboo

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: 
Deputy Clerk


Wendy Thomas, Chair
Board of Supervisors

**EL DORADO COUNTY
BEHAVIORAL HEALTH COMMISSION BYLAWS**

**ARTICLE I
NAME**

The name of this Commission shall be the El Dorado County Behavioral Health Commission.

**ARTICLE II
DEFINITION**

For the purpose of this document, "behavioral health" means the treatment and prevention of all diagnosed mental health disorders, specifically including all categories of substance dependence and abuse.

**ARTICLE III
AUTHORITY**

The authority of this Commission is established in the provisions of California Welfare and Institutions Code Section 5604, *et seq.*, Health and Welfare Code Sections 11752.1(d) and 118.05, and by the El Dorado County Board of Supervisors in El Dorado County Resolution 113-2023 (and supersede Resolutions 058-2018, 177-2014, 054-2000, and 131-93).

**ARTICLE IV
OBJECTIVES**

The El Dorado County Behavioral Health Commission shall:

1. Review and evaluate the community's behavioral health needs, services, facilities, and special problems.
2. Review and advise any county agreements entered into pursuant to California Welfare and Institutions Code Section 5650 (Performance Contract).
3. Advise the Board of Supervisors and the El Dorado County 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 as specified in California Welfare and Institutions Code Section 5651.
5. Submit an Annual Report to the Board of Supervisors on the needs and performance of the county's behavioral health system.

6. Review each qualified applicant for the position of Behavioral 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.
7. Review and comment on the county's performance outcome data and communicate its findings to the California Mental Health Planning Council.

ARTICLE V **MEMBERSHIP**

A. Composition of Commission:

The Behavioral Health Commission for El Dorado County shall consist of eleven regular members appointed by the Board of Supervisors in accordance with California Welfare and Institutions Code Section 5604. The eleventh member shall be a member of the County Board of Supervisors and selected by that body. Associate Members may be appointed by the commission Chairperson to serve on Behavioral 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 eleventh 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 Behavioral Health Commission committees.

C. Conflict of Interest:

The El Dorado County Behavioral Health Commission 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 Behavioral Health Commission or his or her spouse shall be a full-time or part-time employee of the El Dorado County Behavioral Health Division, 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 entity. 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.

A consumer of behavioral health services who has obtained employment with an employer described above and who holds a position in which he or she does not have any interest, influence, or authority over any financial or contractual matter concerning the employer, may be appointed to the Behavioral Health Commission. The member shall abstain from voting on any financial or contractual issue concerning his or her employer that may come before the Commission.

D. Commission Composition:

The composition of the El Dorado County Behavioral Health Commission shall, to the extent possible, reflect the ethnic diversity of the client population in the County. Fifty percent of the Commission membership shall be consumers or the parents, spouse, sibling, or adult children of

consumers, who are receiving or have received behavioral 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. Membership Responsibilities:

Membership responsibilities shall include the following:

1. Attendance at all regularly scheduled meetings.
2. Active participation on a minimum of one committee, task force, program activity or officer of the Commission.
3. Become knowledgeable regarding at least one component or service provided by the El Dorado County Behavioral Health Division.

F. 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.
4. A Commissioner may be deemed by the Executive Committee to have ceased to discharge the duties of a Behavioral Health Commission member based on attendance and/or performance of other assigned duties. If after review, the Executive Committee determines the member should be removed, a recommendation will be made to the full Behavioral Health Commission. Upon two-thirds vote the Behavioral Health Commission may recommend the removal of the member to the Board of Supervisors.

G. 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.

**ARTICLE VI
OFFICERS**

Officers of the Commission shall be the Chairperson, two Vice-Chairpersons, one each for the West Slope and South Lake Tahoe areas, and Secretary. All shall serve as members of the Behavioral Health Commission Executive Committee. The Behavioral Health Commission Executive Committee shall meet as called by the Commission Chairperson, and additionally as described under Article X.

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 a nominating committee and any nominations from the floor will be considered.

The duties of the Officers shall be as follows:

A. Behavioral Health Commission Chairperson:

1. Chair all Behavioral Health Commission meetings to include moderating member and public comment.
2. Serve as a representative of the El Dorado County Behavioral 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.
3. Be responsible for the agenda of all commission meetings.
4. Consult with the Behavioral Health Director.
5. Submit the Behavioral Health Commission Annual Report to the Board of Supervisors.

B. Commission Vice-Chairpersons:

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

C. Commission Secretary:

1. The Commission Secretary shall have the responsibility for all correspondence authorized by the Behavioral Health Commission. Additionally, he/she shall assume such tasks and responsibilities as the Chairperson may designate.

**ARTICLE VII
MEETINGS**

All Behavioral Health 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 Behavioral Health Commission shall meet monthly as necessary and whenever possible at a time and place to be designated by the Behavioral Health Commission Chairperson.

Notice of all Behavioral Health Commission 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.

Given El Dorado County's geography, members of the Behavioral Health Commission residing greater than 50 miles from the County Seat (Placerville) may attend meetings via publicly accessible video conference from remote locations with compatible video conferencing capabilities. It is intended that this provision will provide for countywide representation and facilitate membership involvement and meeting attendance.

All Behavioral 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. All members of the public shall be invited to comment when appropriate. The time and length shall be at the discretion of the Chair.

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 VIII **MEETINGS, QUORUMS, AND RULES OF ORDER**

1. The Behavioral Health Commission shall meet monthly or as scheduled on the Board's approved annual calendar of meetings.
2. A quorum shall consist of one person more than one-half of the appointed members. Members who are on an approved leave of absence will not count toward establishing a quorum.
3. Meetings of the Behavioral Health Commission shall be governed by Rosenberg's Rule of Order Revised 2011 as modified to allow open participation of the Chair and to comply with the Brown Act.
4. Associate members assigned to committees may vote and participate in all other committee activities. While voting privileges in Behavioral Health Commission meetings are limited to regular members, associate members may otherwise fully participate in the activities of these meetings, including all discussions.

ARTICLE IX **SPECIAL MEETINGS**

Special meetings of the Behavioral Health Commission may be called any time by the Commission Chairperson 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 X **COMMITTEES**

Except for the Behavioral Health Commission Executive Committee, all committees are advisory to the Behavioral Health Commission and no committee shall have the power to bind the Behavioral Health Commission. The Commission Chair may appoint either ad hoc or standing committees.

Standing Committees:

A. Commission Executive Committee:

The members of the Commission Executive Committee are the officers elected by the Behavioral Health Commission membership: the Chairperson, the two Vice-Chairpersons, and Secretary. 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. Decisions so made by the Commission Executive Committee are subject to confirmation by the general membership of the Behavioral Health Commission at the next regular Commission meeting.

B. Standing Committees may be established or eliminated by the Behavioral Health Commission. Standing Committees have ongoing responsibilities concerning a particular subject matter that is not time limited. Committees and Work Groups will conduct meetings in accordance with the Brown Act (Government Code Section 54950 et seq.) to the extent applicable.

C. Ad Hoc Committees:

The Chairperson of the Behavioral Health Commission 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 a Behavioral Health Commission meeting, by the Chairperson. Ad Hoc committees are dissolved upon submission of their report and recommendations to the Commission.

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

ARTICLE XI
AMENDMENTS

These Bylaws may be amended at any meeting of the Behavioral Health Commission by a two-thirds vote of the membership of said Board when reasonable advance notice has been given as described below.

The Behavioral Health Commission shall use the following procedure when amending the Bylaws.

- A. Proposals for change shall be noticed on the Behavioral Health Commission agenda and a written copy sent to all El Dorado County Behavioral Health Commission members a minimum of five days prior to the meeting date on which proponents wish consideration and a vote on the change.
- B. The Behavioral Health Commission must approve the change by a two-thirds majority of those members in attendance at a regular or special meeting at which a quorum is present.
- C. The change, as approved, is to be signed and dated by the Behavioral Health Commission.

- D. The changed and revised copy of the Bylaws is then forwarded to the El Dorado County Board of Supervisors for their review and approval/disapproval and signature by the Board of Supervisors Chair or designated representative.
- E. A copy of approved changed Bylaws is to be provided to each El Dorado County Behavioral Health Commission member at the next regularly scheduled meeting.

ARTICLE XII
STAFFING

The El Dorado County Director of Behavioral Health or designee shall staff the Behavioral Health Commission.