



# MENTAL HEALTH AND SUBSTANCE ABUSE RECOVERY COMMISSION

Bylaws

December 21, 2020



**SAN MATEO COUNTY HEALTH**

**BEHAVIORAL HEALTH  
& RECOVERY SERVICES**

# **MENTAL HEALTH AND SUBSTANCE ABUSE RECOVERY COMMISSION BYLAWS**

## **PREAMBLE**

The Mental Health & Substance Abuse Recovery Commission is committed to the goals of promoting wellness and recovery, enhancing public awareness and knowledge of mental illness and substance abuse disorders and eliminating stigma.

*These bylaws have been amended to reflect the addition of a Standing Committee for the Mental Health Services Act Steering Committee.*

## **ARTICLE I MEMBERSHIP**

- a. Members are expected to attend all meetings of the Commission. A member who is unable attend a given meeting shall give advance notice of his/her inability to attend either to the Commission Chairperson or the administration office of the County Behavioral Health & Recovery Services Division.
- b. In the event a member misses more than three (3) Commission meetings in a 12-mnth period the Executive Committee will review with the member his/her ability to serve on the Mental Health Substance Abuse & Recovery Commission. If after efforts to achieve compliance are unsuccessful and a member does not maintain consistent participation in Commission activities, the member will be deemed to have automatically resigned and the Board of Supervisors will be advised of the vacancy. A member may be granted a one-time leave of absence, not to exceed three (3) months, for a serious illness; to care for a spouse, child or significant other who has a serious illness; to attend school; or for another reason deemed sufficient by the members of the Executive Committee.
- c. All members should serve on at least one committee of the Commission and shall participate in the activities of the Commission, including ad hoc committees and community outreach and engagement opportunities, as their other obligations permit.

### **Section 1.2 Resignation or termination**

In the event that a member resigns or becomes ineligible to remain on the Mental Health & Substance Abuse Recovery Commission, it will be noted in the minutes of the next scheduled Commission meeting. The chairperson shall apprise the Supervisor, who is a member of the Commission, of the member's resignation or termination.

### **Section 1.3 Membership and composition**

- a. The Mental Health & Substance Abuse Recovery Commission shall include twenty-two persons, including:
  1. Nineteen members (19) appointed by the Board of Supervisors

2. One (1) member of the Board of Supervisors, and
3. Two (2) members may be appointed from the Youth Commission, who shall be non-voting members

Except as specified in Section 3.a.3 above, all members are voting members. The membership should reflect the ethnic diversity of the client population in the county, and the composition of the commission should represent the demographics of the county as a whole to the extent feasible.

- b. Of the nineteen (19) appointed members:
  1. No fewer than ten (10) of the appointed members shall be consumers or the parents, spouse, sibling, or adult children of consumers, who are receiving or have received mental health services. Of these 10, no fewer than five (5) of the appointed members shall be consumers, and no fewer than five (5) of the appointed members shall be families of consumers of the mental health services.
  2. No fewer than four (4) members shall be substance abuse clients or family members.
  3. Four (4) members shall be public members who have knowledge and experience of the mental health and substance abuse services system and may include additional consumer/family members.
  4. One (1) member shall be a representative of law enforcement who shall be selected by the local chiefs of police. His/her appointment shall be deemed confirmed upon notification to the Board of Supervisors.
- c. Consistent with Welfare & Institutions Code 5604 (d), no member of the commission or his/her spouse shall be a full-time or part-time county employee of a county behavioral health service, and employee of the State Department of Behavioral Health, State Department of Alcohol and Drug Programs, or an employee of, or a paid member of the governing body of a mental health or substance abuse contract agency. "Mental health services" includes any service directed toward early intervention or alleviation or prevention of mental disorder, including, but not limited to diagnosis, evaluation, treatment, personal care, day care, respite care, special living arrangements, community skill training, sheltered employment, socialization, case management, transportation, information, referral, consultation, and community services.
- d. A consumer of mental health or substance use services who has obtained employment with an employer described in paragraph c 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 commission. The member shall abstain from voting on any financial or contractual issue concerning his or her employer that may come before the commission. (W & I 5604.3.C.2 as amended 7/16/15).

## **ARTICLE II FINANCES**

The Board of Supervisors may pay from any available funds the actual and necessary expenses of the members of the Mental Health & Substance Abuse Recovery Commission incurred

incident to the performance of their official duties and functions. The expenses may include mileage and parking, travel, lodging, conference registration fees, childcare and meals for the members of the Commission while on official business as approved by the local behavioral health director. (W & I 5604.3) The members of the Mental Health & Substance Abuse Recovery Commission shall serve without additional compensation.

## **ARTICLE III MEETINGS**

### **Section 3.1 Commission Meetings**

The regular meetings of the Commission shall be held on the first Wednesday of each month or as such other times as the Commission shall designate. Special meetings may be called by the Chairperson or a majority of the Commission. The Commission shall be subject to the provisions of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, relating to meetings of local agencies (the Brown Act). [W&I 5604.1]

### **Section 3.2 Agenda**

- a. The Chairperson shall prepare an agenda prior to each Commission meeting containing items agreed upon by the Executive Committee. Any member of the Commission may add an item to the agenda through the Chairperson.
- b. An item may be added to a meeting agenda by a simple majority vote of the members present at the time the agenda is presented for acceptance at the beginning of the Commission meeting.
- c. The agenda of all regular meetings shall contain an open agenda item during which time members of the audience may address the Commission.

### **Section 3.3 Quorum**

- a. A quorum of any meeting of the Commission shall consist of one person more than 50% of the total number of appointment members, excluding Youth Commission members. (W&I 5604.5.c)
- b. In the absence of the Board of Supervisor, his or her designated representative shall be counted in the quorum.

### **Section 3.4 Voting**

## **ARTICLE IV OFFICERS**

### **Section 4.1 Personnel**

The selected officers of the Commission shall be a Chairperson, Vice-Chairperson, representative to the statewide organization and a Member at Large.

#### **Section 4.2 Election**

At the regular October meeting the Commission shall elect members to their offices. Nominations shall be submitted by the Nominating Committee at the regular September meeting or made from the floor at the regular October meeting.

No member of the Nominating Committee may be nominated to serve as an elected officer of the Mental Health & Substance Abuse Recovery Commission. If a member of the Nominating Committee wishes to be considered for nomination as an officer of the Mental Health & Substance Abuse Recovery Commission, that person will relinquish his/her participation on the Nominating Committee prior to the Nominating Committee's consideration of the member's candidacy.

#### **Section 4.3 Term**

- a. The officers shall be elected to serve for one year commencing November 1.
- b. No officer shall be eligible to serve more than three full terms in the same office. If an officer has served a partial term, that officer shall still be entitled to serve three full terms.
- c. Notwithstanding Section 4.3.b above, except for the Chairperson, an incumbent may serve additional terms in the same office if there are no other members who are willing to stand for election to that office.

#### **Section 4.4 Duties**

The powers and duties of the officers shall be as follows:

- a. The Chairperson shall be the Executive Officer of the Commission and shall preside at meetings of the Commission and Executive Committee. The Chairperson shall be in consultation with the Behavioral Health & Recovery Services Director. [5604.5.d] The Chairperson shall, with the approval of the Commission, create ad hoc committees as deemed necessary and shall assign their duties.
- b. The Vice Chairperson shall assume the duties of the Chairperson in his/her absence.
- c. The Representative to the statewide organization shall attend its meetings and report to the Commission.
- d. The member-at-large shall serve on the Executive Committee and shall serve as a liaison to the consumer/client community through outreach and engagement activities.

### **ARTICLE V COMMITTEES**

#### **Section 5.1 Executive Committee**

- a. There shall be an Executive Committee of the Mental Health & Substance Abuse Recovery Commission. (W&I5604.5.e). The Executive Committee shall be composed of:
  1. The elected officers of the Mental Health & Substance Abuse Recovery Commission.
  2. *The Chairpersons of the Adult Services, Children & Youth Services, Older Adult Services and Mental Health Services Act standing committees.*
- b. The Executive Committee shall meet regularly to develop the agenda for the full Commission meetings and shall have the power to handle matters between regular Commission meetings, such action to be ratified at the next regular Commission meeting.
- c. The Executive Committee will review applications for membership on the Mental Health & Substance Abuse Recovery Commission and provide feedback on each of the applicants to the Board of Supervisors.
- d. The chair of an ad hoc committee and other interested parties may be invited to attend an Executive Committee meeting when the subject matter of the ad hoc committee will be discussed.

### **Section 5.2 Nominating Committee**

A Nominating Committee shall be appointed by the Chairperson at the regular July meeting with the majority vote of the Commission to meet one month prior to the election of officers, select a slate of officers for the coming year and secure verbal consent to serve of those selected. The Chairperson of the Nominating Committee shall temporarily assume the role Commission Chair to accept further nominations and conduct election of officers.

### **Section 5.3 Standing Committees**

*There shall be an Adult Services Committee, a Children & Youth Services Committee, an Older Adult Services Committee, and a Mental Health Services Act Steering Committee. All committees shall be inclusive of persons or representatives of clients who are engaged in substance abuse recovery services.*

- a. The Commission Chairperson shall appoint the chairpersons of these standing committees.
- b. Each year, the goals and objectives of the standing committees shall be determined by the committee members and presented to the full Commission.
- c. *These committees shall hold regular meetings and consult with the heads of the Adult Services, Children and Youth Services, Older Adult Services, Alcohol and Other Drug Services, Mental Health Services Act, respectively.*
- d. These Committees will report to the full Commission at each Commission meeting.
- e. *The Chairpersons of the Adult, Children and Youth, Older Adult, and Mental Health Services Act Steering Committees shall be members of the Executive Committee.*
- f. Interested members of the public may serve on a standing committee at the discretion of the committee chairperson.

### **Section 5.4 Sub-Committees**

Sub-committees may be established as needed, which may include persons who are not members of the Commission.

### **Section 5.5 Ad Hoc Committees**

Ad Hoc committees may be established as needed and may include persons who are not members of the Commission.

## **ARTICLE VI AMENDMENT AND RULES**

### **Section 6.1 Rules of Order**

The meetings of this Commission shall be conducted in accordance with Robert’s Rules of Order, Revised. A parliamentarian may be appointed by the Chairperson.

The Mental Health & Substance Abuse Recovery Commission will comply with all standing rules for County boards, commissions and advisory committees that are established by the Board of Supervisors.

### **Section 6.2 Amendment of the Bylaws**

These bylaws may be amended at any meeting by a two-thirds vote of the current membership, provided that copies of the proposed amendments are sent to all members of the Commission at least (30) days prior to the meeting at which such action is taken.

### **Section 6.3 Approval by the Board of Supervisors**

Amendments to the Bylaws shall require the approval of the Board of Supervisors. [W&I Code 5604.5]

### **Section 6.4 Standing Rules**

Standing Rules, not in conflict with these Bylaws, may be adopted from time to time. These rules are directed toward the conduct of the affairs of this Commission. They may be amended or rescinded by a majority vote of the Commission.

## **ARTICLE VII ETHICS**

- a. Commission members must comply with California Government Code §§ 87100 and 1090 referring to financial conflict of interest and will sign an “Acknowledgement of Financial Conflict of Interest Laws” affidavit upon taking office.

- b. Commission members must comply with the County's Conflict of Interest Code and the Standing Rules for County Boards, Commissions, and Advisory Committees which state: "All members of boards, commissions, and advisory committees are conducting public business for the County of San Mateo and are subject to applicable California laws regarding conflicts of interest."
- c. Commission members shall take and pass State mandated ethics training within six (6) months of appointment and every two years thereafter. A certificate of completion shall be filed with Behavioral Health & Recovery Services Director.
- d. The Commission recognized that all persons have inherent dignity and shall be treated with respect.