

BYLAWS

SAN JOAQUIN COUNTY BEHAVIORAL HEALTH ADVISORY BOARD

ARTICLE I

Name

The name of this Board shall be the San Joaquin County Behavioral Health Advisory Board.

ARTICLE II

Authority

The authority of this San Joaquin County Behavioral Health Board (BHAB) is established by the provisions of the Behavioral Health Services Act (BHSA) through Proposition 1 (approved by California voters in March of 2024). California's Welfare and Institutions Code (W&I Code), as specified in Sections 5604 through 5604.5 of Division 5 Part 2, was last updated on January 1, 2025.

ARTICLE III

Duties

As mandated by W&I Code Section 5604.2 (a), the BHAB shall be responsible for performing the duties set forth as follows:

1. The BHAB shall review and evaluate the community's public mental health needs, services, facilities and special problems in any facility within the County where mental health evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.

2. The BHAB shall review any county agreements entered into, pursuant to W&I Code Section 5650.
3. The BHAB shall advise the governing body and the local behavioral health services director as to any aspect of the local behavioral health program.
4. The BHAB shall review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. Involvement shall include individuals with lived experience of mental illness and their families, community members, advocacy organizations, and mental health professionals. It shall also include other professionals that interact with individuals living with mental illnesses on a daily basis, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.
5. The BHAB shall submit an annual report to the governing body on the needs and performance of the county's behavioral health system.
6. The BHAB shall review and make recommendations on applicants for the appointment of a local director of behavioral health services and participate in the selection process prior to the vote of the governing body.
7. The BHAB shall review and comment on the county's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.
8. The BHAB shall perform any other duties assigned by the San Joaquin County Board of Supervisors.

ARTICLE IV

Membership

Section 1. Composition. The BHAB shall be comprised of fifteen (15) residents of San Joaquin County who represent the diversity of the client population of the County as a whole, and who are appointed by the County Board of Supervisors (W&I Code Section 5604 (a) (l) (A) and (2) (A)).

Section 2. Membership Categories. Fifty percent of the board membership shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services. At least one of these members shall be an individual who is 25 years of age or younger. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers. At least one member of the board shall be a veteran or veteran advocate. The county veterans service officer will be notified about vacancies on the board. For the purposes of this section, “veteran advocate” will include a parent, spouse or adult child of a veteran, or an individual who is part of a veterans’ organization including the Veterans of Foreign Wars or the American Legion. At least one member of the board shall be an employee of a local education agency. The county office of education will be notified about vacancies on the board. The County will appoint individuals who have experience with, and knowledge of, the behavioral health system. (W&I Code Section 5604 (2) (A-E))

Members of the BHAB shall be placed in membership categories as required by W&I Code. Any change, personal or occupational, that alters a member's category shall immediately be reported to the BHAB. Vacancies shall be reported to the Board of Supervisors.

Section 3. Responsibilities of Membership. Members of the BHAB will attend in person all regular and special meetings of the BHAB, report unavoidable absences to the Chairperson of the BHAB or Secretary prior to the date of the meeting, participate in the deliberations and activities of the BHAB, and fulfill other responsibilities that are specifically delegated to them as BHAB members by the Chairperson.

Section 4. Restrictions and Conflict of Interest. No BHAB member, or his or her spouse, shall be a full-time or part-time employee of a County mental health and substance use disorder service, an employee of the State Department of Health Care Services, or an employee of, or a paid member of, the governing body of a mental health or substance use disorder

contract agency. The exception would be a consumer of mental health services who has obtained employment with an employer described above, and who holds a position in which the member does not have any interest, influence, or authority over any financial or contractual matter concerning the employer. This member shall abstain from voting on any financial or contractual issues concerning the member's employer that may come before the BHAB. Members of the BHAB shall abstain from voting on any issue in which the member has a financial interest. (W&I Code Section 5604 (3) (E-F))

Section 5. Terms of Appointment. The term of each member of the BHAB shall be for three years. It is recommended that members not serve more than three consecutive terms, with exception allowed upon approval by the Board of Supervisors. (W&I Code Section 5604 (3) (C) (1))

Section 6. Vacancies. When a BHAB member resigns or declares intent to cease participating in BHAB activities, the Chairperson of the BHAB or designee shall notify the Board of Supervisors in writing with the request that the Board of Supervisors declare a vacancy and proceed to fill the position. At least two members of the BHAB will attend all interviews of acceptable candidates.

Section 7. Compensation. Mileage to monthly BHAB meetings or BHAB committee meetings or committee events will be reimbursed according to the County mileage policy and IRS rate. Reimbursement for out of county travel, expenses, and stipends for meeting attendance will be provided to citizen members of the BHAB according to County policy and the IRS rate. Reimbursement for regional or statewide meetings will be compensated according to County policy and the IRS rate. Travel for regional and statewide meetings must be pre-approved by the Behavioral Health Director prior to travel.

ARTICLE V

Meetings

Section 1. Open Meetings. Meetings of the BHAB shall be conducted in accordance with the California Ralph M. Brown Act. (Gov. Code Sections 54950 et seq.)

Meetings shall be open to the public except when the Ralph M. Brown Act permits closed sessions.

Section 2. Regular Meetings. Meetings of the BHAB shall be held on the third Wednesday of each month. Notice of the date and location of each meeting shall be made to the BHAB members at least seven days prior to the date set for the meeting. 72-hour notification will be provided to the general public.

Section 3. Special Meetings. Special meetings may be called by the Chairperson, the Executive Committee, or a majority of the members of the BHAB. Written notice of the special meeting shall be made to the members and the general public at least 24 hours prior to the time set for the meeting.

Section 4. Agenda. The agenda for regular BHAB meetings shall be prepared at the direction of the Chairperson. It shall be distributed by the Secretary to the members. The printed agenda will be posted in an area freely accessible to the public at least 72 hours prior to the meeting. No action shall be taken on any item not on the posted agenda. Notices for special meetings will serve as the agenda for special meetings as required by the Ralph M. Brown Act. The agenda shall allow time for public comment. All presentations, minutes, reports and questions shall be submitted by 12 noon the day prior to the Executive Committee meeting through the Secretary. BHS personnel and Community Based Organization presentations shall be submitted by 12 noon the Thursday before the BHAB agenda is to be posted unless time sensitive.

Section 5. Quorum. A quorum for the conduct of business shall be one person more than half of the current membership. (W&I Code Section 5604.5)

Section 6. Decisions and Actions. All decisions and actions of the BHAB shall be by a majority vote of the members present at a legal meeting.

Section 7. Closed Sessions. The BHAB may conduct closed sessions during any regular, continued regular or special meeting to consider those matters allowed by law to be heard in this manner.

Closed sessions will be conducted in accordance with the Ralph M. Brown Act.

Section 8. Addressing the BHAB. Members of the public may address the BHAB before or during consideration of an item.

Section 9. Attendance. Members of the BHAB are expected to regularly attend and participate in meetings in person so that the residents of San Joaquin County may be fully served by someone both interested and able to invest time in public service. Members of the BHAB shall notify the Chairperson or the Secretary in advance of any absence.

Section 10. Removal of Board Members. The BHAB may recommend to the Board of Supervisors the removal of any BHAB member who is absent from three or more consecutive meetings, or four or more total meetings during any one 12 month period. The Chairperson of the BHAB will submit a recommendation for the removal of any member to the Board of Supervisors for their action.

The Chairperson of the BHAB will submit the recommendation for the removal of any member of the BHAB, based on a majority vote at a legal meeting, for non-compliance with meeting protocol, a lack of courtesy and respect, bypassing the chain of command, monopolizing conversations and failure to yield the floor, personal attack, or sufficient cause.

ARTICLE VI

Officers

- Section 1. Officers. The elected officers of the BHAB will be the Chairperson and Vice Chairperson.
- Section 2. Secretary. A San Joaquin County Behavioral Health Services staff person may serve as Secretary to the BHAB by agreement between the Chairperson of the BHAB and the BHS Director.
- Section 3. Elections. Elections for the BHAB officers shall be held at the January meeting. If more than one person is nominated for any office, a written ballot is necessary. If there is only one candidate for any office, a voice vote may be taken. The elected officers shall take office immediately upon their election.
- Section 4. Consecutive Terms. No member shall hold the office of Chairperson of the BHAB for more than three consecutive years but said person shall be eligible for office after a one year break in service as Chairperson.
- Section 5. Removal. The Chairperson or Vice Chairperson of the BHAB may be removed from office for sufficient cause and relieved of duties by a majority vote at a legal meeting.

ARTICLE VII

Duties of Officers

- Section 1. Chairperson. Chairperson of the BHAB shall preside at all meetings of the BHAB and the Executive Committee. The Chairperson shall be an ex-officio member of all committees except the Nominating Committee. 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. (W&I Code Section 5604.5)

Section 2. Vice Chairperson. In absence of the Chairperson of the BHAB, the Vice Chairperson shall preside at meetings of the BHAB, including the Executive Committee. In the event of a vacancy in the office of the Chairperson, the Vice Chairperson shall succeed to the office of Chairperson.

Section 3. Temporary Chairperson. In the absence of the Chairperson of the BHAB and Vice Chairperson, the members shall, by order duly entered in their records, elect one of their number to act as Chairperson pro tem.

Section 4. Presiding Chairperson. The presiding Chairperson of the BHAB shall maintain order and decorum and decide questions of procedure, in which case the final decision will be by majority vote of the BHAB members present. The presiding Chairperson shall call the meeting to order promptly at the appointed hour and conduct the meeting in accordance with the California Ralph M. Brown Act.

Section 5. Secretary. The Secretary to the BHAB shall attend all meetings of the BHAB and Committee meetings when requested, if scheduling permits. The Secretary shall maintain recorded minutes of all sessions noting if a quorum is present, voting records and attendance.

ARTICLE VIII

Duties of Behavioral Health Services Staff

Section 1. The BHAB shall inform the BHS Director of BHAB action within the scope of the Board's authority requiring implementation by BHS staff. BHS staff shall report to the BHAB on actions implemented.

Section 2. Chairperson of the BHAB shall work cooperatively with the

BHS Director to ensure that appropriate behavioral health services are provided to the citizens of San Joaquin County.

BHS staff shall provide information and consultative services to the BHAB and its Committees.

ARTICLE IX

Committees

Section 1. Committees. The BHAB may create standing or ad hoc committees to meet continuing or temporary needs. The Chairperson shall appoint committee chairpersons and members of each committee, except the Nominating Committee.
BHAB members may not serve as chairperson of more than one committee.

Committee Report Protocol:

1. The Committee Representative will submit the Committee's report by 12 noon the day prior to the Executive Committee meeting through the Secretary.
2. The Committee Representative will submit final reports, including any corrections and updates provided by the Secretary, by the Thursday prior to the Board meeting through the Secretary.
3. The Secretary will attach Committee reports, including any corrections and updates, to the Executive Committee and BHAB meeting agendas.
4. Any questions about reports from BHAB members shall be submitted to the Secretary to be answered by appropriate BHS staff.

Section 2. Executive Committee. Members of the BHAB Executive Committee shall include the Chairperson, Vice Chairperson, and the chairpersons of the permanent (standing) committees. The Executive Committee shall meet prior to the monthly meeting of the BHAB to set the agenda. The

Executive Committee may make recommendations to the BHAB concerning actions to be taken.

Section 3. Nominating Committee. The Executive Committee of the BHAB shall appoint three members to the Nominating Committee in the month of November. The Nominating Committee shall select a slate of officers, obtain their consent to serve, and report their results to the full BHAB at the January meeting.

Nominations from the floor shall be in order after the Nominating Committee has made their report.

The Nomination Protocol shall be as follows:

1. The Nominating Committee shall contact all members that qualify under the qualifications of Chairperson and Vice Chairperson.
2. The Nominating committee will present the list of names(s) to the current Chairperson at the appropriate time.
3. The Chairperson will declare the nominations open for each position and the Chairperson will read the recommendation list of names.
4. The Chairperson will then ask for any additional nominations from the floor. If there is a nomination(s) from the floor, the name(s) will be added to this list of candidates.
5. If there are no other nominees, the Chairperson will state "I will entertain a motion that the nominations be closed, do I hear a second?" Upon second, the Chair will declare "the nominations for chairperson are now closed." Voting will follow.

After the voting for a new Chairperson is complete, the same procedure will apply for Vice Chairperson. This shall take place at the beginning of the January meeting and the newly elected Chairperson and Vice Chairperson will assume their positions immediately.

ARTICLE X

Bylaws Amendments

Section 1. These Bylaws of the BHAB may be amended by a two thirds vote of BHAB members in a regularly scheduled legal meeting. Before bylaws amendments can be considered and/or voted on by the BHAB, they shall be submitted, in writing, to the membership at least thirty (30) days prior to the meeting date at which they are considered.

The amendments shall not take effect until approved by the Board of Supervisors.

ARTICLE XI

Parliamentary Authority

The Parliamentary authority for this Board shall be Robert's Rules of Order, current edition.

Approved by the San Joaquin County Behavioral Health Advisory Board on: August 21, 2024.

Approved by the San Joaquin County Board of Supervisors on: December 10, 2024

Executed by the parties as follows: By Board Order B-24-680 attached and incorporated herein.

Before the Board of Supervisors

County of San Joaquin, State of California

B-24-680

APPROVAL OF MODIFICATIONS TO THE BEHAVIORAL HEALTH ADVISORY BOARD BYLAWS

THIS BOARD OF SUPERVISORS DOES HEREBY approve modifications to the Behavioral Health Advisory Board Bylaws as amended by the Behavioral Health Advisory Board on August 21, 2024, and updated in accordance with new State regulations.

I HEREBY CERTIFY that the above order was passed and adopted on December 10, 2024 by the following vote of the Board of Supervisors, to wit:

MOTION: Canepa/Patti/5-0

AYES: **Canepa, Patti, Ding, Rickman, Villapudua**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

ATTEST: RACHÉL DeBORD
Clerk of the Board of Supervisors
County of San Joaquin
State of California



By: **Rachél DeBord**