

RESOLUTION NO. 171051

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION RENAMING AND REFORMATTING THE MENTAL HEALTH BOARD
AS THE “MENTAL HEALTH AND SUBSTANCE ABUSE RECOVERY
COMMISSION”, SPECIFYING THE STANDING RULES FOR ITS GOVERNANCE,
AND APPROVING ITS BYLAWS**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Welfare & Institutions Code section 5602 requires the Board of Supervisors to establish a community mental health service, and Welfare & Institutions Code section 5604 requires that the community mental health service shall have a Mental Health Board whose members are appointed by the Board of Supervisors, and

WHEREAS, Welfare & Institutions Code section 5604 (a) (1) provides that each community mental health service shall have a mental health board consisting of 10 to 15 members, although the governing body is authorized to increase the number of members above 15, and

WHEREAS, Welfare & Institutions Code section 5604.5 provides that the local mental health board shall develop bylaws to be approved by the governing body, and which shall establish the specific number of members on the mental health board, ensure that the composition of the mental health board represents the demographics of the county as a whole, to the extent feasible, establish that a quorum be one person more than one-half of the appointed members, establish that the chairperson of the mental health board be in consultation with the local Mental Health Director, and

establish that there may be an executive committee of the mental health board, and those bylaws have been prepared and submitted to this Board for approval concurrent with the adoption of this resolution, and

WHEREAS, there currently exists a Mental Health Board of the County of San Mateo, and this Board of Supervisors now wishes to modify the responsibilities, the name, and the composition of that board, and

WHEREAS, Health & Safety Code sections 11805 and 11998.1 provide that each county may, and that each county is encouraged to have an advisory board on alcohol and other drug problems, to be appointed by the Board of Supervisors, and

WHEREAS, this Board has previously created and disbanded the Drug and Alcohol Advisory Board, and

WHEREAS, the Division of Behavioral Health includes the provision of both Mental Health and Substance Abuse Recovery Services, and

WHEREAS, this Board wishes to create the Mental Health and Substance Abuse Recovery Commission, which, among other responsibilities, shall serve as the Mental Health Board for the County of San Mateo, and

WHEREAS, this Board also wishes to set forth the standing rules for the governance of the Mental Health and Substance Abuse Recovery Commission, and to approve the bylaws that have been prepared by the commission.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. *Renaming and reformatting the Mental Health Board.* This Board hereby renames and reformats the Mental Health Board as the “Mental Health and Substance

Abuse Recovery Commission” which, among other responsibilities specified herein, shall serve as the Mental Health Board for the County of San Mateo.

2. *Commission’s responsibilities.* The responsibilities of the Mental Health and Substance Abuse Recovery Commission shall include, but shall not be limited to the following:

a. Review and evaluate the community’s mental health and substance abuse disorders needs, services, facilities and special problems.

b. Review any county performance contracts entered into with the state pursuant to Section 5650.

c. Advise the Board of Supervisors and the local Behavioral Health and Recovery Services Director as to any aspect of the local mental health and substance abuse disorders services and programs.

d. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.

e. Submit an annual report to the Board of Supervisors on the needs and performance of the county’s behavioral health and recovery services system, which report shall satisfy the requirement of preparation of an annual work plan.

f. Review and make recommendations on applicants for the appointment of a local director of behavioral health services. 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.

h. Additional duties or authority as specified by the Board of Supervisors.

i. Assess the impact of the legislative realignment of services from the state to the county on services delivered to consumers/clients and on the local community.

j. Consult with the Behavioral Health and Recovery Services Director about the provision of services, establishment of facilities, contracting for services or facilities and other matters necessary or desirable in accomplishing the purposes of applicable state law.

k. The Commission may make recommendations to the Board of Supervisors concerning appointees to the Commission, according to the following procedures:

- (1) The Clerk of the Board of Supervisors will advertise openings on the Mental Health & Substance Abuse Recovery Commission, and will provide and receive applications for membership.
- (2) The Clerk will provide copies of Mental Health & Substance Abuse Recovery Commission applications to the Executive Committee as they are received. This will provide information to the Mental Health & Substance Abuse Recovery Commission so they can assist in the targeted recruitment as needed.
- (3) The Mental Health & Substance Abuse Recovery Commission will advertise openings on the Commission and will provide and receive applications for persons seeking membership on a “consumer/client” seat.
- (4) The Executive Committee will interview the “consumer/client candidates”, and will provide brief feedback on each of those applicants.

(5) A Board of Supervisors sub-committee will interview candidates, taking into account the feedback of the Executive Committee.

(6) The Board of Supervisors sub-committee will then make a recommendation to the full Board of Supervisors on appointments to the Commission.

3. *Membership and composition.*

a. The Mental Health and 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 of the Youth Commission.

All members are voting members. The membership should reflect the ethnic diversity of the client population in the county, and the composition of the board should represent the demographics of the county as a whole, to the extent feasible.

b. All persons who are serving as members of the Mental Health Board at the time this resolution is adopted shall continue to serve on the Mental Health and Substance Abuse Recovery Commission.

c. 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 mental health services.

2. No fewer than four (4) members shall be substance abuse clients or family members.
3. Five (5) 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.

d. 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 mental health service, an employee of the State Department of Mental 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 service" 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.

4. *Terms.*

a. Members appointed by the Board of Supervisors shall serve terms of three years, which begin on October 1 and end on September 30. Upon the conclusion of a term, a member may be reappointed subject to a maximum of twelve years of full terms. The twelve year limit does not include partial terms to which members may be appointed at the beginning of their service, holdover service caused by delay in appointing a replacement at the end of a member's service, or terms that have been adjusted to achieve the staggering referred to in the next paragraph.

b. To the extent that this resolution requires appointment of additional members to the Commission, the initial terms of those additional members appointed by

the Board of Supervisors shall be staggered so that approximately one third (1/3) of the appointments expire in each year.

c. The members of the Mental Health and Substance Abuse Recovery Commission who are Youth Commissioners shall be designated by the Youth Commission, and shall serve one term of two years.

d. The member of the Mental Health and Substance Abuse Recovery Commission who is a member of the Board of Supervisors may serve a term as long as that person's service on the Board of Supervisors.

5. *Compliance with Standing Rules.* Except as set forth herein, the Mental Health and 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.

6. The Mental Health and Substance Abuse Recovery Commission shall be staffed by the Division of Behavioral Health and Recovery Services.

7. This Board hereby approves the bylaws of the Mental Health and Substance Abuse Recovery Commission that have been submitted at the same time this resolution is adopted.
