

# **TULARE COUNTY MENTAL HEALTH BOARD BYLAWS**

## **ARTICLE I - ESTABLISHMENT**

The name of this body shall be the TULARE COUNTY MENTAL HEALTH BOARD, also referred to as TCMHB and Board in this document.

The authority for the formation and operation of the TCMHB is set forth in Part 2, Chapter 1, Section 5604 of the Welfare and Institutions Code.

## **ARTICLE II - PURPOSE AND DUTIES**

The purpose of the TCMHB is to (a) continually review and evaluate the community's mental health needs, services, facilities, and specific challenges; (b) develop strategies to meet those needs, provide those services, improve those facilities and address those specific challenges; and (c) make recommendations to the Tulare County Board of Supervisors and the Tulare County Mental Health Director as appropriate.

The duties of the TCMHB shall be (a) those prescribed in Section 5604.2 of the Welfare and Institutions Code and Institutions Code Mental Health Services Act 5848, (b) those prescribed by Statute, County Ordinance or Resolution, and (c) those transferred by specific order of the Board of Supervisors.

## **ARTICLE III - COMPOSITION, REQUIREMENTS OF MEMBERSHIP, CONFLICT OF INTEREST**

The composition of the TCMHB is 16 members and one ex-officio member from the Tulare County Board of Supervisors. All appointments shall be consistent with Section 5604 of the Welfare and Institutions Code. In pertinent part, said Code requires the following: (a) that 50% of the members of the TCMHB shall be consumers or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services; at least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers; (b) at least one member of the board shall be a veteran or veteran advocate; (c) the composition of the TCMHB shall be representative of the demographics of the County as a whole, to the extent feasible; and (d) the term of office of each Board Member is three years; and one third of the membership will expire each year.

All TCMHB members are expected to attend all regular meetings.

Any member who is unable to attend any regularly scheduled meeting of the TCMHB shall communicate such inability to the Mental Health Board Liaison, twenty-four (24) hours in advance of said meeting as listed in Article VII.

TCMHB members shall serve without compensation except as provided in Section 5604.3 of the Welfare and Institutions Code.

TCMHB members shall be free of any conflicts of interest as required by law, and otherwise adopted as policy by its membership, including, but not limited to the fact that no member or spouse/domestic partner shall be employed by Tulare County Mental Health, the California Department of Mental Health, or an employee of or otherwise paid by a Bronzan-McCorquodale contract agency.

TCMHB members shall abstain from voting on any issue in which the member or spouse/domestic partner has a financial interest as defended in Section 87103 of the Government Code.

*For those who are active or former consumer(s) of Tulare County Mental Health employed with Tulare County Mental Health or a contracted provider, or by the State Department of Health Care Services:* The Mental Health Board Application must include the employer name and the title of the applicant. The applicant will also disclose whether their position of employment has any interest, influence, or authority over any financial or contractual matter for that employer. The applicant will acknowledge that the Mental Health Board will be advised of the provider/contractor affiliation and, if approved as a member, whenever an agenda item involves a financial or contractual matter concerning the employer, will abstain from any discussion or vote on that item. A signed approval from the employer will also be required to apply for membership to the Tulare County Mental Health Board, as it is the preference of the Mental Health Board that the applicant be in good standing with their employer; in addition, attendance to the meetings and committees may affect work schedules causing difficulty in the commitment necessary in membership.

#### **ARTICLE IV - RESIGNATIONS, REAPPOINTMENTS AND UNEXPIRED TERMS**

A TCMHB member may resign by filing a letter of resignation with the Chair of the Board.

Any member who misses three consecutive regularly scheduled meetings or more than half of regularly scheduled meetings in a calendar year without an excused absence from

the Chair will be deemed to have tendered a resignation from the Board as outlined in Article VII.

A TCMHB member shall serve no more than two consecutive three-year full terms unless special circumstances are present. A full term is considered 18 or more months. Any TCMHB member requesting reappointment should apply at least 90 days prior to expiration of the current term. If a position on the TCMHB will become vacant because of an expiring 2<sup>nd</sup> term by an active board member and another eligible candidate is not identified on the date 100 days prior to the last day of the expiring term, the presently sitting TCMHB member may re-apply for the seat that he/she occupies.

The Tulare County Board of Supervisors may re-appoint an active Board member whose second consecutive term is expiring, if no other eligible candidate applies and is recommended by TCMHB.

The Tulare County Board of Supervisors may make appointments to fill unexpired terms upon due consideration of candidates recommended by TCMHB.

## **ARTICLE V - OFFICERS, ELECTIONS, TERMS OF OFFICE**

Officers of the Board shall include a Chair, Vice-Chair and Secretary.

The Chair shall: (a) preside at, or designate a facilitator for, meetings of the TCMHB, any meetings of the Executive Committee and shall perform other duties ordinarily associated with the Chair; (b) establish an agenda for Board meetings; (c) see that all actions of the Board are implemented; and (d) act as a spokesperson for the TCMHB; and (e) consult as necessary with Tulare County Director of Mental Health.

The Vice-Chair shall (a) meet all the responsibilities of the Chair, in the Chair's absence or as otherwise directed by the Chair and (b) perform other duties as assigned by the Chair.

The Secretary shall (a) cause to be kept a full and true record of all regular and special meetings of the TCMHB and its committees; (b) caused to be issued notices of regular, special, and annual meeting of the Board, and (c) maintain a record of attendance of members and promptly report to the Tulare County Board of Supervisors any TCMHB member whose position has been vacated.

At the regular October meeting of each year, the TCMHB shall open the floor to nominations for Officers for the coming year, including the recommendations of any Nominating Committee. Nominations shall remain open until the regular November meeting when the election of Officers will take place.

Officers will be installed at the regular January meeting after election, to serve for one full calendar year. No Officer shall serve more than two consecutive terms.

## **ARTICLE VI - MEETINGS**

THE TCMHB shall meet on a monthly basis, at a consistent hour, day and place as determined by the Board. Public notification of regular or special meetings shall be posted at least seventy-two (72) hours prior to the meeting, or within such time as may be permitted by law.

Special meetings may be called at any time by the Chair or a quorum of the TCMHB. A quorum shall be defined as fifty (50%) percent plus one of the appointed and active members of the TCMHB

A quorum shall be required for any TCMHB action. In the absence of such a quorum at a regularly scheduled meeting, the members present may act, in the event the Chair or majority of members present declare the need for emergency action. Said action will not be considered an action of the TCMHB unless subsequently ratified at regular meeting where a quorum is present.

All meetings of the TCMHB shall be open to the public pursuant to Chapter 9 of Part1 of Division 2 of Title 5 of the Brown Act.

The regular meetings of the TCMHB shall be conducted in accordance with Robert's Rules of Order (revised edition). The Chair is responsible for setting the Agenda for said meetings. Items for the Agenda may be submitted to the Chair or designee.

## **ARTICLE VII – ATTENDANCE**

Members will attend any regularly scheduled TCMHB meetings, as well as emergency, special, and continued meetings. Except in extraordinary circumstances, absences must be reported by telephone or electronically to the Chair of the Board, Board Secretary and/or the Tulare County Mental Health Administrative team twenty-four (24) hours in advance of the meetings. The Chair may excuse a reported absence for good cause subject to their sole discretion. The Chair shall report absences to the TCMHB at the beginning of each meeting.

1. Any member who is absent from three consecutive regularly scheduled meetings within the last twelve (12) months without an excused absence from the Chair shall be

deemed to have tendered a resignation from membership and that position shall be declared vacant.

2. Any member who is absent for more than half of all regularly scheduled TCMHB meetings, including excused absences, within the last 12 months shall be removed as a voting member of the TCMHB and that position shall be declared vacant. Vacancies shall be filled as required in ARTICLE III.

3. At the direction of the Chair, the Secretary shall notify any member of the TCMHB who is subject to the provisions of ARTICLE VII, Section 1 or 2 of their change in membership. Notice shall be provided in writing to the member's last known address and electronic mail.

## **ARTICLE VIII – COMMITTEES**

Standing committees may be established by the TCMHB. All standing committee meetings shall be open to the public pursuant to Chapter 9 of Part I of Division II of Title 5 of the Brown Act. Public notification of standing committees meetings shall be posted at least seventy-two (72) hours prior to the meeting or within such time as may be permitted by law.

The TCMHB shall establish an Executive Committee consisting of its Officers and two Members-at-Large. The composition of the Executive Committee shall include an individual with mental illness and a family member of an individual with mental illness. The Executive Committee is empowered to act when action is required before a regular meeting is, or special meeting can be, held. To be binding on all members of the TCMHB, such actions must be ratified at the next regular meeting. The TCMHB may delegate other functions to the Executive Committee as necessary.

Ad Hoc Committees may be appointed by the Chair or by resolution of the TCMHB at any time to fulfill a specific purpose.

## **ARTICLE IX - ADOPTION AND AMENDMENT**

These Bylaws shall become effective immediately upon approval by a majority of the membership of the TCMHB and subsequent approval by a majority of the members of the Tulare County Board of Supervisors.

These Bylaws are subject to amendment in accordance with Robert's Rules of Order. Any proposed amendment to these Bylaws must be published in writing sent to each member of the TCMHB along with notice of the date, time and place of the meeting at

which such proposed amendment shall be put to a vote. Said publication and written notice must be provided to each member of the TCMHB a minimum of thirty (30) days prior to the date of the meeting at which such proposed amendment shall be put to a vote. An amendment to the Bylaws requires approval by a quorum of the TCMHB and subsequent approval by the members of the Tulare County Board of Supervisors.