

BYLAWS OF THE  
KINGS COUNTY BEHAVIORAL HEALTH  
ADVISORY BOARD

ARTICLE I  
ORGANIZATION

**Section 1. Name**

The "KINGS COUNTY BEHAVIORAL HEALTH ADVISORY BOARD ("Advisory Board") is the official name of this organization created by the Kings County Board of Supervisors.

**Section 2. Duties of the Advisory Board**

The Advisory Board shall do all of the following:

(1) Review and evaluate the community's behavioral health needs, services, facilities, and special problems. This may include but is not limited to: Site visits, stakeholders process and surveys.

(2) Review any annual county behavioral health services performance contract entered into pursuant to Welfare and Institutions Code section 5650. This may include but is not limited to: Review of annual service contracts, i.e. Mental Health Services Plan, Mental Health Services Act Plans, Alcohol and Other Drugs Treatment Contracts, Drug Court Plan, Offender Treatment Plan.

(3) Advise the Board of Supervisors and the Behavioral Health Director as to any aspect of the local behavioral health program. This may include but is not limited to: New service needs in the community, newly implemented services, challenges/barriers to services, complaints and or concerns.

(4) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. This may include but is not limited to: Ensure involvement in the stakeholders process and public comment period when allowed.

(5) Submit an annual report to the Board of Supervisors on the needs and performance of the County's behavioral health system. This may include but is not limited to: Subcommittee participation to create the annual report.

(6) Review and make recommendations to the Board of Supervisors on applicants for the appointment of a director of behavioral health services. The

Advisory Board shall be included in the selection process prior to the vote of the Board of Supervisors. This may include but is not limited to: Working with administration in the selection and appointment process, provide feedback in the recruitment process assuring W & I code compliance (section 5604.2 (6))

(7) Review and comment on the County's performance outcome data and communicate its findings to the Board of Supervisors and the California Mental Health Planning Council and State Department of Alcohol and Other Drugs. This may include but is not limited to: Review and accept monthly outcome reports from Mental Health Services, AOD Treatment/Prevention programs and Mental Health Services Act programs.

(8) Sponsor and/or endorse Prevention/Intervention events and activities in the community. This may include but is not limited to: Ensure that the BHAB maintains a presence at local events.

(9) Assess the impact of the realignment of services from the State to the County, on services delivered to clients and on the local community. This may include but is not limited to: Ensuring space on the agenda for ongoing reporting of funding and program updates.

(10) Other duties as assigned or delegated by the Board of Supervisors.

### **Section 3. Membership**

Membership of the Advisory Board shall be seventeen in number. With the exception of the member from the Board of Supervisors, prospective members are recommended by the Advisory Board and appointed by the Board of Supervisors, subject to the following conditions:

(1) One Advisory Board member shall be a member of the Board of Supervisors.

(2) One Advisory Board member shall be an active member of the Law Enforcement Community. The Law Enforcement Community may include but is not limited to the employees of the Kings County Sheriff's Office, a City Police Department within Kings County, or the County District Attorney's Office.

(3) One Advisory Board member shall represent youth. To qualify, this member must be between the ages of eighteen (18) to twenty-four (24) at the time of appointment. This member may also be a consumer or family member of a consumer.

(4) One Advisory Board member shall be the Director of Human Services. This member may delegate his or her rights and/or responsibilities as a member of the Advisory Board, in whole or in part, including but not limited to the right to vote, to one or more designees within his or her Department.

(5) One Advisory Board member shall be the Director of Veteran's Services/Public Guardian. This member may delegate his or her rights and/or responsibilities as a member of the Advisory Board, in whole or in part, including but not limited to the right to vote, to one or more designees within his or her Department.

(6) The Advisory Board and the Board of Supervisors is encouraged to seek out representatives from Education, Substance Abuse Recovery Professionals, and Community Based Organizations that serve the Mental Health, Homeless, or Recovery Communities when looking to fill the remaining positions.

(7) At least nine (9) of the seventeen (17) members shall be consumers or family members of consumers including the parents, spouse, sibling, or adult children of consumers, who are receiving or have received behavioral health services.

- a. Of that nine (9), no less than four (4) members of the Board shall be consumers and no less than four (4) members shall be family members of consumers.
- b. The remaining member may be either a consumer or a family member of a consumer. However, the preference shall be for the remaining member to be a consumer.
- c. If the total number of members on the Advisory Board is modified to equal a number more or less than seventeen (17), at least 20% of the total membership shall be consumers and 20% of the total membership shall be family members of consumers. An additional 10% of the total membership shall be either consumers or family members of consumers so that consumers or family members of consumers comprise at least 50% of the total membership.

(8) To fill the remaining positions, the Advisory Board is encouraged to recommend, and the Board of Supervisors is encouraged to appoint, individuals who have experience and knowledge of the behavioral health system, including but not limited to professionals in education, substance abuse recovery and community based organizations including but not limited to faith based organizations that serve the mental health, homeless or recovery communities.

(9) The Advisory Board should reflect the ethnic diversity of the client population in Kings County and the demographics of Kings County as a whole, to the extent feasible.

(10) No member of the Advisory Board or his or her spouse shall be a full-time or part-time county employee of the county Mental Health service, an employee of the State Department of Mental Health, or an employee of, or a paid member of the governing body of, a Mental Health contract agency.

(11) Members of the Advisory Board shall not participate in the discussion of, and shall abstain from voting on any issue in which the member or a member of his or her family has a financial interest as defined in Government Code section 87103.

(12) Members of the Advisory Board shall not receive compensation for their services on the Advisory Board. However, the Board of Supervisors may pay from any available funds the actual and necessary expenses of the members incurred incidental to the performance of their official duties and functions (W&I sec. 5604.3). Expenses may include but are not limited to travel, lodging, child care, and meals for the members of the Advisory Board while on official business as approved by the director of the local Behavioral Health program.

(13) Except for the member who represents the Board of Supervisors, the Director Human Services, and the Director of Veteran's Services/Public Guardian, the term of service for each member of the Advisory Board shall be three years. One-third of the terms shall expire each year. Members may apply for additional terms.

(14) Except for the member who represents the Board of Supervisors, the Director of Human Services, and the Director of Veteran's Services/Public Guardian, prospective members shall be appointed as follows:

- a. Upon the receipt of a letter of resignation of a Board Member or upon notification of a vacancy by the Chair, the Secretary of the Advisory Board shall notify the Clerk of the Board of Supervisors of the vacancy and request that the appropriate posting be made in accordance with the Maddy Act. As soon as possible thereafter, the Chair will convene the Membership Committee to begin the process necessary to fill the vacant position.

- b. Upon notification from the Clerk of the Board of Supervisors that the requirements of the Maddy Act have been fulfilled, the Membership Committee shall interview all prospective applicants and make recommendations for membership at a regularly scheduled meeting of the Advisory Board, following the requirements set forth in Section 3, Subsections 1 through 7. The Advisory Board will vote on whether to indorse the Membership Committee's recommendations. The names of indorsed candidates will be recommended to the Board of Supervisors for Appointment.
- c. After the Board of Supervisors has appointed a candidate for membership and they have been sworn in by the Clerk of the Board of Supervisors, they shall be seated at the next regularly scheduled meeting of the Advisory Board as a full voting member.

#### **Section 4. Officers**

- (1) The officers of this Board shall be a Chair and Vice Chair.
- (2) Officers shall be elected at the regular November meeting in every calendar year which ends in an odd number. The process for electing officers shall be as follows:
  - a. At the regular Board Meeting in September, the Chair shall appoint at least three members to serve as a Nominating Committee.
  - b. At the regular Board Meeting in October, the Nominating Committee shall present their recommendation for officers to the Advisory Board. Any voting member of the Advisory Board may propose additional nominations at that meeting by motion.
  - c. At the regular meeting of the Advisory Board in November, all nominations shall be voted on by the members of the Advisory Board present at that meeting.
  - d. Voting shall be by ballot.
- (3) The term of office for the officers of the Advisory Board shall be for two calendar years or remaining portion thereof should the officer assume appointment mid-term. No member shall hold the office of Chair or Vice-Chair for more than two full consecutive two year terms not to include any partial term.

(4) On resignation of the Chair, the Vice-Chair shall become the Chair of the Advisory Board. An election shall then be held among the remaining members of the Advisory Board to fill the vacant office of Vice-Chair. This same procedure shall apply if the Vice-Chair resigns.

(5) In the absence of, or inability to act of both the Chair and the Vice-Chair, the members shall, by an action duly entered in their minutes, elect one of their members to act as temporary Chair.

#### Section 5. Duties of Officers

(1) Chairperson Duties. The duties of the Chairperson shall be:

- a. Preside at all meetings of the Advisory Board.
- b. Decide all points of order. Unless two thirds of those present vote to the contrary, the Chairperson's decisions shall stand.
- c. Appoint the Chairperson of all committees.
- d. Be an ex-officio member of all committees.
- e. Represent the Advisory Board at public functions or appoint a representative to do so in his/her stead.
- f. Approve all non-policy Advisory Board matters, other than matters to be decided by the Advisory Board.
- g. Recommend to the Advisory Board any amendments to the Bylaws deemed appropriate.
- h. Periodically consult with the Administrator, or his or her designee, on any or all behavioral health matters as needed or required.

(2) Vice-Chairperson Duties: The duties of the Vice-Chairperson shall be:

- a. Perform the duties of the Chairperson during the absence of the Chairperson.
- b. Perform such other duties as may be assigned by the Chairperson or by the Advisory Board.

- c. Be an ex-officio member of all committees.
- d. Act as an advisor to the Chairperson.

## ARTICLE II MEETINGS

### Section 1. Time and Place

The Advisory Board shall establish a regular meeting schedule, which shall not be less than quarterly. The meetings shall be held at Kings County Behavioral Health, 460 Kings County Drive, Ste. 101, Hanford, California 93230. With proper notice, Board Meetings may be conducted at alternative locations.

### Section 2. Special Meetings

Special meetings of the Advisory Board may be held on call of the Chairperson or the Vice-chairperson in the Chairperson's absence, or by the Administrator.

### Section 3. Notice and Conduct of the Meetings

The meetings of the Advisory Board shall be subject to the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.)

### Section 4. Attendance

Members will attend all regularly scheduled meetings of the Advisory Board, as well as emergency, special, and continued meetings. Except in extraordinary circumstances, absences must be reported to the Chairperson or the Secretary to the Advisory Board in advance of the meetings. The Chairperson may excuse a reported absence for good cause subject to his or her sole discretion. The Chair shall report absences to the Advisory Board 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 Chairperson shall be terminated from membership and that position shall be declared vacant.
2. Any member who is absent for more than half of all regularly scheduled Advisory Board meetings, including excused absences, within the last 12 months shall be removed as a voting member of the Advisory Board and

that position shall be declared vacant. Vacancies shall be filled as required in ARTICLE I, Section 3, Membership.

3. At the direction of the Chairperson, the Secretary shall notify any member who is subject to the provisions of ARTICLE II, Section 4, Subsection 1 or 2 of their change in membership. Notice shall be provided in writing mailed to the member's last known address.

#### **Section 5. Quorum of the Advisory Board**

A quorum for meetings of the Advisory Board shall be one person more than one-half of the appointed members of the Advisory Board.

#### **Section 6. Administrative Support**

There shall be a staff person designated as liaison to the advisory board and advisory board committees. The liaison will be chosen by the Department of Behavioral Health Director. This person shall be responsible for all administrative matters regarding the operation of the Advisory Board. These duties shall include, but not be limited to: Generate and maintain the minutes, preparing and posting advisory board and committee meeting agendas of advisory board meetings (not committees), keeping track of attendance, and being the contact person for matters concerning the Advisory Board. These duties may be changed as necessary to provide proper liaison between the Advisory Board and Behavioral Health staff.

#### **Section 7. Procedures**

Robert's Rules of Order shall be followed unless inconsistent with these Bylaws.

### **ARTICLE III** **COMMITTEES**

#### **Section 1. Appointment of Committees**

The Chairperson shall approve volunteers to such committees as are deemed necessary for the proper transaction of the business of the Advisory Board. Vacancies on the committees shall be filled by the Chairperson.

#### **Section 2. Executive Committee**

With the approval of the Advisory Board, an Administrative Committee of the Advisory Board may be established. The Administrator or his or her designee shall serve as an ex-officio member of the Executive Committee.



**Section 3. Quorum of Committees**

A majority of each committee shall constitute a quorum.

**ARTICLE IV**  
**AMENDMENTS**

**Section 1. Initiation of Proposed Amendment**

Any member of the Advisory Board may propose an amendment to these Bylaws by submitting it to the Advisory Board at any regular meeting. The amendment shall be voted upon at the next regular meeting or special meeting following the meeting at which the amendment is proposed.

**Section 2. Adoption**

An amendment to these Bylaws may be adopted by a majority vote of all the Advisory Board members present.

**Section 3. Board of Supervisors' Approval**

These Bylaws, and any amendment thereto, shall be subject to approval of the Board of Supervisors before becoming effective.

**ADOPTED BY: The Kings County  
Behavioral Health Advisory Board at  
its meeting of**

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**September 28, 2015**  
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**APPROVED BY: The Kings County  
Board of Supervisors at its meeting of**

**October 30, 2015**  
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Richard Fagundes, Chairman  
Kings County Board of Supervisors