

**Secs. A18-131—A18-140. Reserved.**

**Sec. A18-141. Established.**

There is hereby established the Santa Clara County Behavioral Health Board (“Board”).

(Ord. No. NS-300.548, § 2, 4-5-94; Ord. No. NS-300.609, § 2, 3-10-98)

**Sec. A18-142. Duties of the Behavioral Health Board.**

The Board shall carry out the following duties, which are in compliance to Welfare and Institutions Code § 5604.2:

- (a) Review and evaluate the community’s mental health and substance use disorder (“SUD”) needs, services facilities, and special problems;
- (b) Review any County of Santa Clara (“County”) agreements entered into pursuant to Welfare and Institutions Code § 5650;
- (c) Advise the Board of Supervisors and the County Behavioral Health Director as to any aspect of the County’s behavioral health program;
- (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 system;
- (f) Review and make recommendations on applicants for the position of County Behavioral Health Director. The Board shall be included in the selection process prior to the appointment by the appointing authority;
- (g) Review and comment on the County’s performance outcome data and communicate its findings to the California Mental Health Planning Council;
- (h) Assess the impact of the realignment of services from the State to the County on services delivered to clients/consumers and on the local community, and assess the effective use of these funds in the community; and
- (i) Carry out any other duties given to the Board by the Board of Supervisors.

(Ord. No. NS-300.548, § 2, 4-5-94; Ord. No. NS-300.609, § 2, 3-10-98)

**Sec. A18-143. Membership.**

(a) *Composition.* The following requirements comply with Welfare and Institutions Code § 5604:

- (1) The Board shall consist of 16 members appointed by the Board of Supervisors. Each member of the Board of Supervisors shall appoint three members. One member of the Board of Supervisors shall serve as a member of the Board. When the designated Supervisor is unable to attend the Board’s regular monthly meeting, the Supervisor's aide may represent him/her by having a seat and voice, but may not cast a vote.

- (2) At least 50 percent of the Board membership shall be consumers or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received, mental health services. A majority of the consumers or the parents, spouses, siblings, or adult children of consumers shall have received public mental health services. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.
- (3) In addition, a cross section of five members shall have experience (personal, family member or professional) with a SUD and at least one of the three members appointed by each Supervisor shall have experience (personal, family member or professional) with a SUD.
- (4) Board membership should reflect the ethnic diversity of the client/consumer population in the County. And to the extent feasible, the composition of the Board shall represent the demographics of the County as a whole.

(b) *Nominating procedure.*

- (1) The Board may recommend appointees to the Board of Supervisors through its Recruitment Committee, which shall assess the candidate's interest and demonstrated commitment to behavioral health advocacy, educate the candidate about responsibilities and duties of Board members, and encourage the candidates to attend a meeting of the Board or Executive Committee prior to recommendation. The Recruitment Committee shall then advise the Executive Committee of its recommendation prior to advising the Board of Supervisors.
- (2) A member who wishes to resign shall submit her/his resignation in writing to the Behavioral Health Department employee who supports the Board ("Board Support Liaison"), who will forward the resignation to the Board of Supervisors.
- (3) The Recruitment Committee shall be responsible for working with the Board of Supervisors to ensure that the composition of the Board complies with state law.

(c) *Terms.*

- (1) The terms of each Board member, except the member of the Board of Supervisors, shall be three years with one-third of the appointments expiring each year. A term shall be automatically extended until the member is reappointed or replaced. No member shall be eligible to serve on the Board for more than three consecutive terms, except that a partial term does not count toward the three-term limit.
- (2) The Board member who is a member of the Board of Supervisors serves at the discretion of the Board of Supervisors; her/his term automatically terminates if s/he is no longer a member of the Board of Supervisors.

(d) *Quorum.* One person more than half the appointed members of the Board shall constitute a quorum.

(e) *Attendance.* The active participation by all of its members is essential to the function of the Board. Therefore:

- (1) The Board will issue an email of concern to a member with a copy to his/her appointing Supervisor when the lack of attendance at meetings impairs the functioning of the Board.
- (2) A Board member may submit a written request to the chairperson of the Board for a leave of absence. The request should clearly state the proposed start and end dates for the requested leave of absence. The chairperson shall issue a written response granting or denying the request, and may grant a leave of absence of up to three months.
- (3) Failure to attend three consecutive Board meetings without a leave of absence from the chairperson, or four total Board meetings in a Board year without a leave of absence from the chairperson, constitutes automatic resignation.

(f) *Transition from Mental Health Board to Behavioral Health Board.* All members of the Mental Health Board immediately prior to the enactment of these bylaws shall automatically become members of the Behavioral Health Board. For each such member, the time served as a member of the Mental Health Board shall count towards the membership term limit as if it were served as a member of the Behavioral Health Board.

*(Ord. No. NS-300.548, § 2, 4-5-94; Ord. No. NS-300.609, § 2, 3-10-98; Ord. No. NS-300.763, § 1, 12-12-06)*

**Sec. A18-144. Meetings.**

Regular meetings of the Board shall be held monthly except for the months of August and December, unless otherwise determined by the chairperson.

*(Ord. No. NS-300.548, § 2, 4-5-94; Ord. No. NS-300.609, § 2, 3-10-98; Ord. No. NS-300.763, § 3, 12-12-06)*

**Secs. A18-145—A18-153. Reserved.**