



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: September 21, 2021

Subject: MODIFICATIONS TO THE BYLAWS OF THE COUNTY'S MENTAL HEALTH COMMISSION

RECOMMENDATION(S):

ADOPT revisions to the Mental Health Commission Bylaws pertaining to meeting attendance and member recruitment and selection.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

In the early spring of 2021, the Executive Committee of the Mental Health Commission (MHC) discussed the fact that its Bylaws were not consistent with the current practices of how members of the Board of Supervisors appoint Mental Health Commissioners. The MHC Bylaws were last amended in 2018.

(Continued on page 2...)

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY
ADMINISTRATOR

☒ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/21/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 21, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
(925) 655-2056

By: Stacey M. Boyd, Deputy

cc:

BACKGROUND: (CONT'D)

The current MHC Bylaws provide for the following in terms of vacancies and recruitment:

ARTICLE IV, SECTION 4. VACANCIES AND RECRUITMENT

4.1 Role of the Commission

At the discretion of and to the extent requested by the Board, the Commission shall be involved in the recruitment and screening of applicants. When an application is received, the Commission will appoint an Ad Hoc Applicant Interview Committee, pursuant to Article VIII, Section 5.1. Following an interview by the Ad Hoc Applicant Interview Committee, it will forward its recommendation to the Commission. After Commission vote and approval, the recommendation for nomination of the applicant shall be forwarded to the appropriate member of the Board of Supervisors for that Supervisor's consideration.

4.2 Applications The Commission shall receive applications on an ongoing basis.

4.3 Commission Recommendation

a) Pursuant to Article IV, section 1.2, the Commission shall, to the extent possible, recommend for appointment those persons who will assist the County in complying with the ethnic and demographic mandates in the Welfare & Institutions Code.

b) To the extent possible, the Commission shall recommend for appointment applicants who have experience and knowledge of the mental health system, preferably in the County.

In practice, members of the Board of Supervisors interview applicants, ensure that they meet the requirements of Commission membership, and encourage them to attend MHC meetings prior to appointment. However, Supervisors have not recently requested that the Commission appoint an Ad Hoc Applicant Interview Committee or asked them to make recommendations for nominations.

Supervisor Candace Andersen, the representative of the Board of Supervisors on the MHC, met with MHC Chair Graham Wiseman. It was agreed that the provision in the bylaws regarding an Ad Hoc committee making recommendations for appointment created confusion, and Supervisor Andersen suggested that the bylaws be amended to reflect the current practice. The MHC voted to forward suggested modified language to the Internal Operations Committee for consideration.

The MHC additionally voted to amend its bylaws pertaining to meeting

attendance, to provide for excusal of certain absences and to clarify that excused absences will not be counted towards constructive resignation, and also forwarded that language to the Internal Operations Committee.

The Internal Operations Committee discussed the proposed amendments at its regular July and September meetings and made additional changes to the amendments proposed by the MHC. County Counsel reviewed language recommended by the Internal Operations Committee to verify it is reflective of current practices by the Board of Supervisors and in conformance with Welfare and Institutions Code sections 5604 and 5604.5.

Attached are a redline (Attachment A) and proposed final version (Attachment B) of the amended MHC bylaws for the Board's consideration and recommended approval.

ATTACHMENTS

Attachment A: Proposed Amendments to Mental Health Commission Bylaws_9-21-21_Redline Markup

Attachment B: Mental Health Commission Bylaws as Amended on 9-21-21_No Markup