

# SAN FRANCISCO BEHAVIORAL HEALTH COMMISSION

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**Mayor  
London N. Breed**

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## **BYLAWS COMMITTEE AGENDA**

Behavioral Health Commission Meeting  
Wednesday, August 3, 2020  
10:00 a.m.

### **ZOOM REMOTE MEETING**

**CALL-IN #: 1-669-900-6833 & MEETING ID #: 982 1633 3312**

## **ITEM 1.0 REVIEW OF THE BEHAVIORAL HEALTH COMMISSION BYLAWS**

### **1.1 Review Of The Current Behavioral Health Commission Bylaws**

### **1.2 Review of Revised Behavioral Health Commission Bylaws**

### **1.3 Public comment**

## **ITEM 2.0 NEXT STEPS**

For discussion and action

**2.1 Share ideas of what information should be included, changed and updated in new bylaws and who will write a draft.**

### **2.2 Public comment**

## **ITEM 3.0 Next Action Items for Committee Members**

### **3.1 Planning for future meetings**

### **3.2 Public Comment**

### **Adjournment**



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London Breed, Mayor

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## **BYLAWS OF THE BEHAVIORAL HEALTH COMMISSION OF SAN FRANCISCO**

### **ARTICLE I - NAME**

The name of this organization shall be the Behavioral Health Commission of San Francisco, hereinafter referred to as the BHC, formerly known as the Mental Health Board (MHB).

### **ARTICLE II - POWERS AND DUTIES**

The BHC shall:

1. Operate in accordance with state and local legislation pertaining to the BHC set forth in Welfare & Institutions Code Section 5604.2 and in S.F. Administrative Code, Section 15.4-1.
  - a) Review and evaluate the behavioral health needs, services, priorities, facilities, and special issues of the City and County of San Francisco.
  - b) Review any City and County agreements entered pursuant to California Welfare and Institutions Code Section 5650.
  - c) Advise the Governing bodies, the Director of Public Health, the Director of Behavioral Health Services, and the Mayor, as to any aspect of the local behavioral health program.
  - d) Review and approve the procedures used to ensure citizen, consumer, family member, and professional involvement at all stages of the planning process.
  - e) Review the procedures used to ensure the involvement of interested members of the behavioral health community and the public in the development of the budget for Behavioral Health Services and report on its findings to the Board of Supervisors.

- f) Submit an Annual Report to the Board of Supervisors on the needs and performance of the City and County's behavioral health system.
- g) Review and make recommendations on applicants for the appointment of Director of Behavioral Health. The BHC shall be included in the selection process prior to the selection of a person to fill this position.
- h) Review and comment on the City and County's performance outcome data and communicate its findings to the State Commission, Department of California Health Services (DCHS). All such communications shall be reported to the Board of Supervisors, the Mayor, the Health Commission, the Director of Public Health, and the Director of Behavioral Health Services.
- i) Assess the impact of the Managed Care Mandate and the realignment of services from the State to the City and County on services delivered to consumers and/or the local community.
- j) The Behavioral Health Commission established pursuant to Section 5604 shall conduct a public hearing on the draft plan and annual updates at the close of the 30-day comment period required by subsection (a). Each adopted plan and update shall include any substantive written recommendations for revisions. The adopted plan or update shall summarize and analyze the recommended revisions. The Behavioral Health Commission shall review the adopted plan or update and make recommendations to the County Behavioral Health department for revisions. Mental Health Services Act, Section 10, 5848 (b).
- k) Work with other interested groups on issues of mutual concern.

### **ARTICLE III - MEMBERSHIP**

The membership of the BHC shall always be as provided for in California Welfare and Institutions Code Sections 5604 et. seq., and San Francisco Administrative Code Sections 15.3 et. seq. This legislation includes a provision that a member shall be removed from office if he or she is absent from four meetings in one year. A leave of absence may be granted for up to four months with prior approval of the Executive Committee. In the case of medical illness, family emergency or other exigency, the Executive Committee may retroactively grant leaves as necessary. If it is determined that a member has been absent from four meetings within a 12-month period, and no leave of absence has been granted, the BHC shall notify the Board of Supervisors in writing. Upon receipt of this notification, the position shall be declared vacant by the Board of Supervisors.

### **ARTICLE IV - MEETINGS**

1. Meetings of the BHC shall be held monthly as designated by the BHC, for a minimum of 11 meetings per year.
2. The BHC is subject to the provision of Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, relating to meetings of local agencies (The Brown Act) and to the provisions of the Sunshine Ordinance (SF Administrative Code, Section 67).
3. Special meetings shall be convened in the following manner:
  - a. Upon the call of the Chair, provided at least one (1) other member of the Executive Committee concurs.
  - b. Upon the call of the Chair following the Chair's receipt of a written request signed by at least six (6) BHC members.
  - c. Any special meeting notice must be received at least 72 hours in advance and posted on the BHC web site and delivered to the Clerk of the Board of Supervisors and to the Government Information Center at the Main Branch of the SF Public Library.
  - d. A quorum for a full board meeting is always nine (9) members, per the San Francisco Administrative Code which states that a quorum is 51percent of the number of members designated by law, rather than the number of seats actually filled, SF Administrative Code, Charter Section 4.104. A quorum to do business in Standing Committees shall consist of 51percent of the current membership of the committee.
  - e. Each member present must vote on every question put to a vote, unless excused by a majority vote of the BHC, or unless a legally recognized conflict of interest exists, as provided for in San Francisco Administrative Code, Chapter 1, Section 1.29.
4. Each member shall serve on at least one Standing Committee and shall attend the scheduled meetings of that Committee. The BHC Chair may assign a member of the BHC to a Department of Public Health BHS or another outside committee.

## **ARTICLE V - OFFICERS**

1. The officers shall be Chair, Vice Chair, and Secretary.
2. They shall be elected at the meeting of the BHC in February of even-number years and shall serve a term of two (2) years, or until their successors are elected.
3. At the same February meeting of the BHC, additional nominations may be made by Board members.
4. Elections shall be by open and public ballot.
5. Vacancies occurring in the offices between elections shall be filled in the following manner:
  - a. At its next meeting the Chair, in consultation with the Executive Committee, shall appoint a Nominating Committee. The Nominating Committee shall then meet within 15 days. At the BHC meeting next following the Nominating Committee meeting, the Nominating Committee shall present its report to the BHC, and elections shall then occur, with nominations being accepted from the floor.
  - b. Officers may be removed from office for failure to carry out the duties of their office by a two-thirds (2/3) vote of the BHC, provided that forty-five (45) days notice is given to all members.
6. The current Chair following consultation with the Executive Committee, may appoint a past Chair to the office of Chair Emeritus. The term of this office is for one (1) year. The duty of the Chair Emeritus is to serve as a voting member of the Executive Committee, and to carry out their duties as requested by the current Chair and Executive Committee. This is an optional office and may be filled or left vacant at the discretion of the Chair and the Executive Committee.

#### **ARTICLE VI - ELECTION OF OFFICERS**

1. A Nominating Committee shall be appointed by the Chair, following consultation with the Executive Committee, by the last meeting of each odd-numbered year and shall consist of no fewer than three (3) members of the BHC.
2. The Nominating Committee shall have the responsibility to:
  - a. Select at least one (1) candidate for each office;
  - b. Secure from each candidate their written or verbal consent to serve; and
  - c. Report the slate to the BHC at its January meeting.

3. At the February BHC meeting, additional nominations may be made from the floor by Commission members.
4. Elections shall be by open and public ballot, unless there is only one (1) candidate for any office, in which case the ballot shall be dispensed with and a voice vote taken.

#### **ARTICLE VII - DUTIES OF OFFICERS**

1. The Chair shall be the primary executive and the official spokesperson of the BHC. The Chair shall carry out the policies of the BHC. The Chair shall preside at all meetings of the BHC and the Executive Committee and shall be in consultation with the Director of Behavioral Health Services. The Chair is an ex-officio voting member of all standing and ad hoc committees, but not of the Nominating Committee, unless the Chair is serving on the Nominating Committee.
2. The Vice Chair shall serve as an aide to the Chair, shall be in consultation with the Director of Behavioral Health Services at the request of the Chair, and shall serve as Acting Chair in the absence of the Chair.
3. The Secretary shall review the minutes of all BHC and Committee meetings prepared by the BHC staff and serve as Acting Chair in the absence of the Chair and Vice Chair.

#### **ARTICLE VIII - EXECUTIVE COMMITTEE**

1. The Executive Committee shall be composed of the BHC officers, ~~the~~ Chairs of the Standing Committees and one (1) At Large Member to be named by the Chair, following consultation with the Executive Committee. The At Large Member is to be chosen from any category that is under-represented on the Executive Committee, e.g., male/female, ethnic or sexual minority, or membership category (consumer, professional, etc.) The At Large Member will be a regular, voting member of the Executive Committee.
2. The duties of the Executive Committee shall be to prepare the Annual Reports as specified in Article II, Section 7 of these Bylaws, to handle urgent matters within established policy between regular or special meetings with ratification of all action required by a majority vote of the full BHC at its next regular or special meeting, and to carry out any duties ordered by the full BHC.
3. The Executive Committee shall, in general, meet monthly, as specified by the Executive Committee, and:

- a. In special session, at the call of the Chair with the concurrence of one (1) other Executive Committee member or one (1) other BHC member not on the Executive Committee, or,
- b. In special session, at the call of the Chair, upon the Chair's receipt of a written request signed by at least four (4) BHC members. Such a special session shall be held within five (5) days of the Chair's receipt of the written request.

## **ARTICLE IX - COMMITTEES**

1. At least annually, the Chair of the BHC, after hearing the advice of the Executive Committee, shall:
  - a. Establish or confirm Standing Committees;
  - b. Appoint the Chairs of BHC Committees and any Board liaisons to other groups, organizations, task forces or committees;
  - c. Establish task forces which can determine their own membership and selection of officers or establish ad hoc committees or discontinue any committee or task force.
2. The duties of Committee Chairs shall be to:
  - a. In consultation with staff, set agenda for committee meetings;
  - b. Conduct Committee meetings;
  - c. Perform or oversee any special projects assigned to the Committee;
  - d. Report on Committee's activities to the Executive Committee and the full BHC, at their respective monthly meetings.

## **ARTICLE X - FISCAL AFFAIRS**

The fiscal affairs of the BHC, including but not limited to personnel and office expenses, shall be conducted by San Francisco Behavioral Health Education Funds, Inc.

## **ARTICLE XI - CONDUCT OF BUSINESS**

The parliamentary authority for the BHC shall be the most current edition of Robert's Rules of Order, Newly Revised, to the extent to which they are consistent with these Bylaws; San Francisco Administrative Code, Sections 15.3 et. seq., and California Welfare and Institutions Code, Sections 5604 et. seq.; as well as all other applicable federal, state, or City and County legislation or regulation.



## ARTICLE XII - AMENDMENTS

These Bylaws may only be amended at a full Commission meeting, upon a two-thirds (2/3) vote of the whole BHC membership. Notification of Bylaws revisions must be provided to every BHC member and mailed at least 15 days before the meeting.

### CERTIFICATE

This is to certify that the foregoing is a true and correct copy of the Bylaws of the Behavioral Health Commission of San Francisco and that such Bylaws were duly adopted by the Behavioral Health Commission of San Francisco on the date set forth below.

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Adopted: December 2019

DRAFT