

**Behavioral Wellness Commission
Ad Hoc Committee on Commission Bylaws**

Draft August 21, 2018

Committee members: Jan Winter, Ann Eldridge, Sharon Rumberger

Please note; All recommendations are subject to review and amendment by the commissioners and must be approved by 2/3 of the members. Approved amendments met be reviewed by County Counsel and then approved by the Board of Supervisors.

RECOMMENDED AMENDMENTS:

Number 1

Bylaws Article II, paragraph 8: “No member shall serve more than two consecutive three year terms, with the exception that if a member has been appointed to a partial term of one and one-half years or less, an individual may then be appointed to two full three year terms. When one year has elapsed following a member’s service, the individual is again eligible for appointment.”

Recommendation: Omit this provision. Why? 1) Natural turnover on the BW Commission is already sufficient to allow for new members with fresh input to be appointed. 2) The complexity of the BWD organization, programming and funding streams make it vital to have continuity in its commission membership.

Number 2

Bylaws Article II, paragraph 14: Current wording: “After three unexcused absences of any member during a fiscal year, the BWC Executive Committee will review the reasons for the absences and will, if warranted, notify the member to inform it, in writing, with thirty (30) days, whether the member wishes to remain on the BWC. Failure to respond timely to the notice or the continuation of absences may result in a recommendation by the Executive Committee to the BWC that the Board of Supervisors be asked to remove and replace that member.”

Recommendation: Rewrite as follows: “*After three unexcused absences of any member during a fiscal year, the BWC Chairperson and Vice-Chairperson will review reasons for absences and will, if warranted, contact the member in writing to inquire if the member wishes to remain on the BWC. Failure to respond in 30 days or the continuation of absences may result in a recommendation by the Chairperson to the BWC that the appointing Supervisor be asked to remove and replace that member.* ***Reason for change: 1) The BWC has no Executive Committee. 2) Seems reasonable that only the appointing Supervisor be notified and asked to replace the member, not the entire Board.***”

Number 3

Bylaws Article V Officers: Duties:

Recommendations: *Add to Chairperson's duties listed in this Article;*

-Consult with Department Director [required to be in bylaws by Welfare and Institutions Code 5604.5(e)]

-Appoint Committees

-Appoint Nominating Committee to nominate Chairperson and Vice-Chairperson in December of each year

Number 4

The following is suggested as a new article in the BWC bylaws, as there is currently no provision for the appointing of committees even though the current bylaws mention committees several times throughout:

The Chairperson may appoint the chair of each committee as required to further the goals of the Behavioral Wellness Commission. A committee chair must be a BWC member. It is at the committee chair's discretion to determine members of the committee. Committees may include members drawn from the community who are not BWC members.

An Executive Committee may be established, composed of the Chairperson, Vice-Chairperson, Ex-Officio Chairperson and two or three at-large members appointed by the Chairperson to bring the number of voting members to five. This committee shall have executive functions and may act for the Commission when necessary. Any such action taken must be ratified at the next regular meeting of the Commission or become null and void.

This second provision, for the establishment of an Executive Committee, is required to be part of a Commission's Bylaws by the State of California's Welfare and Institutions Code #5604.5(e). The code does not require an Executive Committee be formed, but only that there be provision in each commission's bylaws for its establishment.