

BOARD of SUPERVISORS



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MEMORANDUM

Date: October 31, 2023
To: The Honorable Members, Board of Supervisors
From: *ACC* Angela Calvillo, Clerk of the Board
Subject: Revisions to the Behavioral Health Commission (File No. 231076)

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 231076 Administrative Code - Composition of Behavioral Health Commission

- Does a current body address the same or similar subject matter?

No. There are no other bodies that currently perform the same function as the Behavioral Health Commission.

- Language requiring the body to meet at least once every four months

No. There is no requirement to meet at least once every four months. As you have for other bodies, consider adding the following: "The Commission shall hold a regular meeting not less than once every four months."

- Language indicating members serve at the pleasure of the appointing authority

Yes. Section 15.13, entitled "Behavioral Health Commission – Terms of Removal," states "the Board of Supervisors may remove a member from the commission for cause or upon the commission's recommendation".



- Language establishing attendance requirements

Yes. Section 15.13, entitled "Behavioral Health Commission – Terms of Removal," states "A member shall be removed from office if the member is absent for four meetings in a one 12-month period."

- Number of seats and qualifications

The Ordinance proposes to amend the Commission's composition to reduce the number of members from 17 to 11, as follows:

- *Seats 1-3: At least three members shall be consumers*
- *Seats 4-6: At least three members shall be family of consumers*
- *Seats 7-9: Must be a person with experience and knowledge of the mental health system representing the public interest, which may include, but need not be limited to, people who engage with individuals living with mental illness in the course of daily operations, such as representatives of county offices of education, large and small businesses; hospitals, hospital districts, physicians practicing in emergency departments, city police chiefs, county sheriffs, and community and nonprofit service providers.*
- *Seat 10: One member shall be a veteran or veteran advocate.*
- *Seat 11: One member of the Board of Supervisors.*

The California Welfare and Institutions Code, Section 5604, requires:

Fifty 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. At least 20 percent of the total membership shall be consumers, and at least 20 percent shall be families of consumers.

In counties with a population of 100,000 or more, at least one member of the board shall be a veteran or veteran advocate. In counties with a population of fewer than 100,000, the county shall give a strong preference to appointing at least one member of the board who is a veteran or a veteran advocate. A county shall notify its county veterans service officer about vacancies on the board, if a county has a veteran's service officer.

- Term limits (i.e., commencement date? staggered terms?)

The proposed Ordinance adjusts term limits, as follows:

No member shall serve more than two consecutive full terms. For the purpose of this term limit, terms beginning January 1, 2024, shall count as full terms. Provided however, that a member whose term ends January 1, 2024, and who has served for six months or less, will not be deemed to have served a full term.



The Clerk of the Board of Supervisors shall determine by lot the initial terms for all 11 seats. Four seats shall have an initial one-year term expiring January 1, 2025, three seats shall have an initial two-year term expiring January 1, 2026, and three seats shall have three-year terms expiring January 1, 2027. After the initial terms expire, subsequent terms for all seats shall be three years.

- Administering department

No. There is no administering department listed in the Ordinance. As you have for other bodies, consider adding the following: "The Department of Public Health shall provide administrative support to the Commission."

- Reporting requirements

The Commission shall review and evaluate the City and County's behavioral health needs, services, facilities and special problems and other duties as stated in Administrative Code, Section 15.14.

Reports: An Annual Report shall be submitted to the Board of Supervisors on the needs and performance of the City and County's mental health system.

- Sunset date

The Behavior Health Commission does not currently have a sunset date nor will it be suggested since this Commission is also governed and effectuated by California Welfare and Institutions Code, Section 5604 et seq.