

**PROPOSED AMENDMENT TO THE BHC BY-LAWS:**

Article V. AGENDA QUORUM, ATTENDANCE

SECTION 1 AGENDA

*ADDED 1.3 Scheduling Subject Matters to be Explored in the Fiscal Year.*

- a) In April of each year during the scheduled Commission meeting, each commissioner shall introduce to the whole of the Commission present, his or her proposed subject matters to be explored during the ensuing fiscal year. The Director of the Department of Behavioral Health (or designee) should advise the Commission, if he or she chooses to do so, of important subjects and potential topics for inquiry. The Secretary or other commissioner chosen by the Chair shall compile the offered subject matters and cause the compilation to be distributed to the entire commission and the Director no later than 5 days prior to the May Commission meeting. Once submitted the compilation of subjects shall be set on the agenda and properly posted for public viewing.*
- b) In May of each year at the scheduled Commission meeting, the Commission shall vote to accept and approve 6 to 8 of the subject matters proposed and compiled as described in subsection (a). The vote shall comply with Section 2 of these by-laws.*
- c) In June of each year at the scheduled Commission meeting, the Commission shall publish the ensuing fiscal years subject matters to be explored as determined at the May meeting, including the specific time and place for such meetings.*
- d) The Chair of the Commission shall cause to be distributed to subject matter experts and interested persons an invitation to attend the Commission meeting at the date and time established for that subject matter discussion. The Director of the Department (or designee) should, if he or she chooses to, offer advice as to persons with expert advice on the subject matter to be discussed.*
- e) The Commission shall, from its allotted budget pursuant to Welfare and Institutions Code Section 5604.3, create, approve, and maintain letterhead for the purposes of inviting interested persons to attend subject matter focused sessions during Commission meetings. The letter shall describe the subject to be explored, the reason why the subject matter is being explored, and to encourage the invitee to attend the designated Commission hearing so as to inform the Commission on the state of the subject matter in the County of San Bernardino. The letter shall include the date, time, and place for the commission meeting for which the persons attendance is cordially requested and shall be signed by the Chairperson.*
- f) At each session on a designated subject matter invitees in attendance will be given adequate time to inform the Commission as to matters for which the hearing is held. Each commissioner will be allowed 3 minutes to ask questions of the invitees. These*

*times can be increased or decreased in the discretion of the Chairperson, so long as each invitee and commissioner in attendance is granted equal time. Time will be allotted for public comment on the subject matter discussed as required by law and these by-laws.*

- g) At the close of each subject matter session, the Chair shall select, among the commissioners present at the meeting in which the subject matter was discussed, one commissioner to draft a "proposed memorandum of findings" to be submitted to the whole of the Commission one week prior to the subsequent Behavioral Health Commission meeting. The "proposed memorandum of findings" shall be published and attached to the agenda for public review and comment as required by law and these by-laws. During the executive session of this subsequent meeting, the Commission shall review and vote to accept or modify the "proposed memorandum of findings." Once voted upon, the "proposed memorandum of findings" shall become the "memorandum of findings relating to [specific subject matter]". The Secretary of the Commission shall maintain the final memorandum of findings until such time as the substance of the memorandum of findings is included in the Annual Report to the Governing Board.*
- h) Nothing in Sections 1.3(a)-(g) preclude the Commission from addressing other matters so long as each matter is properly noticed and placed on the agenda pursuant to law and these Commission by-laws.*
- i) For Fiscal Year 2016-2017 agendas, a one-time modification of the timelines stated in sections 1.3 (a)-(f) of this proposed amendment is necessary. The purpose for this subchapter (i) is to permit the Commission to implement the substance of these amendments to the by-laws once approved by County Counsel and the Board of Supervisors, as required by Article VIII of the by-laws. Accordingly, if approved by County Counsel and The Board of Supervisors, subsection (i) authorizes the Commission to apply these by-laws according to a one-time modification of the timelines stated in Sections 1.3(a)(f) if the Commission votes and approves such a modification for Fiscal Year 2016-2017. In subsequent fiscal years the timelines 1.3 a)-f) shall become operable.*

*(Excerpt from Current Bylaws)*

**ARTICLE V AGENDA, QUORUM and ATTENDANCE**

**SECTION 1 AGENDA**

1.1 The agenda shall confirm the place, date and time of a regularly scheduled meeting of the Commission and the business to be brought before the Commission, and shall serve as a public notice of the meeting when posted publicly according to the Brown Act and County policy.

1.2 **Agenda Timeline**

- (a) A meeting of the Executive Committee to set the agenda for the next meeting shall be held prior to the regular monthly meeting. The place, date and time shall be set by the Chairperson.
- (b) Written information provided by the chairperson, department staff, or others and the information relevant to any agenda item shall be mailed or emailed per Commissioners' request along with the agenda to Commissioners at least ten (10) calendar days prior to a regular monthly meeting.
- (c) The agenda and background material shall be made available to the public in accordance with the Brown Act.

*(1.3 Suggested that proposed amendment be added here)*

**SECTION 2 QUORUM and ACTIONS OF THE COMMISSION**

2.1 **Quorum**

A quorum shall be one person more than one-half of the appointed members.

2.2 **Decisions and Actions of the Commission**

- (a) All actions and decisions shall be by a majority vote of the members present, provided there is a quorum.
- (b) Unless otherwise required by law, all resolutions, motions or other comments made by the Commission are subject to substantive intervening review by the director of the behavioral health program prior to any Board of Supervisors action.

**SECTION 3 ATTENDANCE**

3.1 **Regular Attendance and Participation Required**

Commissioners are expected to attend regularly and participate in meetings and other activities which contribute to the effective functioning of the Commission in order to ensure that the residents of the County of San Bernardino are fully