

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

## **The San Francisco Behavioral Health Commission**

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**Commented [JR1]:** Update cites to Admin Code and references to Commission v Council

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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, formerly known as the Mental Health Board (MHB) of San Francisco. “Behavioral Health” includes mental health and substance use disorder programs and services.

### ARTICLE II – AUTHORITY, POWERS AND DUTIES

The San Francisco Behavioral Health Commission (BHC) is established pursuant to Cal. Welfare and Institutions Code § 5604, et §§ 15.12-15.14.

The purpose of the BHC is to:

1. Review and evaluate the community’s public behavioral health needs, services, facilities, and special problems in any facility within the City and County of San Francisco (City) where behavioral health evaluations or services are being provided, including but not limited to, schools, emergency departments, and psychiatric facilities. Facilities utilized out of the city to serve San Francisco residents with behavioral health needs, such as state hospitals and residential treatment programs, may be included in reviews and evaluations.
2. Review any City agreements entered into pursuant to California. Welfare and Institutions Code § 5650. The BHC shall make recommendations to the Board of Supervisors (BOS) regarding concerns identified within these agreements.
3. Advise the BOS, the Director of Health, the Health Commission, and the Director of Behavioral Health Services (BHS) and Mental Health SF (MHSF) as to any aspect of the local behavioral health programs.
4. Request assistance, when needed, from the local patients’ rights advocates when reviewing and advising on behavioral health evaluations or services provided in public facilities with limited access.

**Commented [JR2]:** Required by WIC 5604(b)(1), 5604.2(a)(1)

**Commented [JR3]:** Required by WIC 5604.2(a)(2)

**Commented [JR4]:** WIC 5604.2(a)(2) says that the BHC “may” make recommendations.

**Commented [JR5]:** WIC 5604.2(a)(3) requires BHC to advise the BOS and BHS director on this point.

Admin Code adds obligation to advise DPH Director and Health Commission.

MHSF obligation is not in either place.

**Commented [JR6]:** Drawn from WIC 5604.2(a)(3)(B) – which says the BHC “may” request assistance

5. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process. Involvement shall include individuals with lived experience of mental health conditions, substance use disorders, or both, and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals that interact with individuals living with mental health conditions or substance use disorders daily, such as education, emergency services, employment, health care, housing, law enforcement, local business owners, social services, seniors, transportation, and veterans.
6. 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 BOS.
7. Submit, in June, an Annual Report to the Director of BHS, MHSF and BOS on the needs and performance of the City's behavioral health care system.
8. Review and make recommendations on applicants for the appointment of Director of BHS and MHSF. The BHC shall be included in the selection process prior to the selection of a person to fill this position.
9. Review and comment on the City's performance outcome data and communicate its findings to the California Behavioral Health Planning Council and/or any other state designated agency that gathers such data. All such communications shall be reported to the BOS, BHC, the Health Commission, DPH, and the Directors of BHS and MHSF.
10. Assess the impact of the realignment of services from the State to the City on behavioral health services delivered to clients and on the local community.
11. Conduct a public hearing on the draft Behavioral Health Services Act three-year program and expenditure plan and annual updates at the close of the 30-day comment period as required by Cal. Welfare and Institutions Code § 5848, subsection (a). Each adopted plan and update shall include any substantive written recommendations for revisions. The BHC shall review the adopted plan or update and make recommendations to the Directors of BHS and MHSF, the Health Commission, the Director of Health, and the [EVBD0(1S].

**Commented [JR7]:** Required by WIC 5604.2(a)(4). Does not track the statutory language exactly, but is close.

**Commented [JR8]:** Required by Admin Code 5.16-3(a)(5)

**Commented [JR9]:** WIC 5604.2 requires an annual report to the BOS.

The specification that this should be in June and that it should also go to those other entities is not required.

**Commented [JR10]:** Required by WIC 5604.2(a)(6)

**Commented [JR11]:** This portion is required by WIC 5604.2(a)(7)

**Commented [JR12]:** Required by WIC 5604.2(b)

**Commented [JR13]:** This is a version of the requirement found in Admin Code 5.16-3(a)(10), but the underlying WIC section has been repealed. This needs further research.

12. Work collaboratively with behavioral health providers and other interested groups on issues of mutual concern.

13. Comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Government Code §§ 54950, et seq.) and the San Francisco Sunshine Ordinance (S.F. Administrative Code §§ 67.1, et seq.) in publishing notices, agendas, and minutes and carrying out its operations and functions. Where publication or posting on a website is required, the BHC shall use the Department of Public Health's website, or another website designated by the Department of Public Health.

### ARTICLE III – MEMBERSHIP

The membership of the Behavioral Health Commission shall be as follows:

1. Consistent with Cal. Welfare and Institutions Code § 5604(a) and S.F. Administrative Code § 15.12, the number of members on the Behavioral Health Commission of San Francisco shall be 12.

**Commented [JR14]:** Required by Admin Code Sec. 5.16-1(a)

2. The BHC shall ensure the composition of the Commission represents and reflects the diversity and demographics of the City as a whole, as well as the population served by the BHS and DPH to the extent feasible.

**Commented [JR15]:** Required by Admin Code 5.16-1(g)

**Commented [JR16]:** Per WIC 5604(a)(2)(A)(iii)

3. The activities and affairs of individual members of the Commission, acting as Commission members, shall be conducted, and powers exercised, by and under the direction of the BHC and these Bylaws.

4. Except for the BOS member, the term of each member of the BHC shall be three years. The clerk of the Commission in consultation with the Clerk of the BOS, shall assign existing Commission members, including members with expired terms serving as holdover appointees, to Seats 2-12 in accordance with the requirements of S.F. Administrative Code § 15.12. The Clerk of the BOS shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year, as required by California Welfare and Institutions Code Section 5604(c). New appointments made to Commission Seats 2-12 shall be made in accordance with S.F. Administrative Code § 15.12. The Board of Supervisors member shall be appointed to Seat 1.

**Commented [JR17]:** The three year term is required by WIC 5604(c)(1), but that provision does not exempt the BOS member from that term.

I see that this exclusion clause appears in Admin Code Sec. 5.16-2.

**Commented [JR18]:** WIC 5604(c) puts this obligation on the BOS, not the clerk. If the BOS wants to delegate to the clerk the mechanics of this, that's up to them, but that detail shouldn't be specified here.

5. No member shall serve more than two consecutive full terms. A member shall be deemed to have served a full term only if the member serves at least half of a full term. The term of office of a member appointed by an individual BOS member is not affected by the Board of Supervisors member no longer continuing in that office.

**Commented [JR19]:** Required by Admin Code 5.16-2

That section of the Admin Code also states that terms completed on or before 12/31/26 do not count towards the lifetime term limit.

6. The BHC serves in an advisory role to the BOS, and one member of the BOS shall be a member of the BHC.

**Commented [JR20]:** See also Admin Code 5.1-5, which reads:

“Except as otherwise provided in this Chapter 5 or in another section of the Municipal Code, the tenure of a member of any Commission or Advisory Body shall terminate no later than 60 days after the expiration of the member’s term, unless the member is reappointed. A member may not serve as a hold-over member of a Commission or Advisory Body for more than 60 days after the expiration of their term.”

7. Six of the seats on the BHC (or 50%) shall be reserved for consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services. At least three of the six seats shall be held by consumers, at least three of the 6 seats shall be held by family members of consumers, and at least one of the 6 seats shall be held by an individual who is 25 years or younger. Family members may include consumers’ domestic partners and significant others.

**Commented [JR21]:** Required by WIC 5604.

**Commented [JR22]:** Required by WIC 5604(a)(2)(B)

**Commented [JR23]:** From Admin Code 5.16-1(c)

**Commented [JR24]:** Required by Admin Code 5.16-1(d)

8. One member of the BHC shall be a child advocate (a family member or consumer advocate for minors who use behavioral health services); one member shall be an older adult advocate (a family member or consumer advocate for persons 60 years of age or older who use behavioral health services); and two members shall be from the following professions: psychiatry, psychology, behavioral health social work, nursing with a specialty in behavioral health, marriage and family counseling, psychiatric technology, or administrator of a hospital/hospice providing behavioral health services or of a community mental health facility.

**Commented [JR25]:** This requirement does not appear in the WIC or Admin Code.

**Commented [JR26]:** Required by Admin Code 5.16-1(d), though this varies from the wording of the admin code somewhat.

9. One member shall be a veteran or a veteran advocate. Veteran advocate means a parent, spouse or adult child of a veteran, or an individual who is part of a veteran’s organization, including the Veterans of Foreign Wars or the American Legion. To comply with this requirement, BHS must notify its County Veterans Service Office (CVSO) about vacancies on the BHC.

**Commented [JR27]:** Required by WIC 5604(a)(2)(C), (i)

10. One member shall be an employee of a local education agency. To comply with the requirement, BHS shall notify its county office of education about vacancies on the BHC.

**Commented [JR28]:** Required by WIC 5604(a)(2)(D)

11. For the remaining BHC seats, the BOS is encouraged to appoint individuals who have experience with and knowledge of the behavioral health system. This includes members of the community that engage with individuals living with a behavioral health condition in the course of daily operations, such as representatives of offices of education, large

**Commented [JR29]:** Required by WIC 5604(a)(2)(E). For what it’s worth, the “This includes...” sentence omits some of the examples mentioned in the statute.

The relevant statutory text is:

“This would include members of the community who engage with individuals living with mental illness or substance use disorder 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.”

12. Except as provided below, a member of the BHC or the member's spouse shall not be a full time or part-time employee of BHS, an employee of the California Department of Health Care Services, or an employee of, or a paid member of the governing body of a behavioral health contract agency.

**Commented [JR30]:** Required by WIC 5604(e)

13. A consumer of behavioral health services who has obtained employment with an employer described above, and who holds a position in which the consumer does not have any interest, influence, or authority over any financial or contractual The Commissioner shall abstain from voting on any financial or contractual issue concerning the member's employer that may come before the BHC.

**Commented [JR31]:** Required by WIC 5604(e)

14. BHC Commissioners shall abstain from voting on any issue in which the member has a financial interest as defined in Cal. Government Code § 87103.

**Commented [JR32]:** Required by WIC 5604(f)

15. A Commissioner shall be removed from office if the Commissioner has four (4) unexcused absences from regular meetings in one calendar year where no leave or excusal has been granted.

**Commented [JR33]:** This is inconsistent with Admin Code 5.1-8, which reads:

16. A leave of absence may be granted for up to four months with prior approval from the Executive Committee.

"Any member of an Advisory Body who fails to attend at least three meetings of the Advisory Body in a 12-month period without the express approval of the Advisory Body at or before each missed meeting shall be deemed to have resigned from the Advisory Body ten days after the third unapproved absence. The Advisory Body shall promptly inform the Clerk of the Board of Supervisors and the member's appointing authority of the resignation. This Section shall not apply to a person serving in an ex officio capacity or serving in a seat designated for a City employee or officer."

17. In cases of medical illness, family emergency, parental leave, or other exigency, the Executive Committee may retroactively grant leave, as necessary. The city's parental Leave Policy Administrative Code Chapter 67B.

18. The BHC may grant leaves of absence for one or more meetings. Upon determining that a member has been absent for four meetings in a 12-month period and that no leave of absence had been granted for these meetings, the BHC shall provide written notification to the Clerk of the BOS. Upon receipt of the notification, the position shall be deemed vacant.

**Commented [JR34]:** See comment above.

19. The BHC may vote to excuse an absent member from a BHC meeting. Whenever the BHC does not take such a vote, then the minutes of the meeting from which the member is absent shall note that the absence is unexcused. Regular attendance at the BHC meetings is critical to the BHC's ongoing success.

20. The Commission may recommend to the BOS that a member be removed from the BHC on the grounds that the member's conduct is seriously disruptive of the functioning of the BHC. Once the BHC makes such a recommendation, the Board of Supervisors may remove a member from the BHC if it determines that the member's conduct is seriously disruptive of the functioning of the BHC.

21. No Commissioner shall be compensated for duties performed as a member of the BHC. Notwithstanding the previous sentence, a commissioner may be reimbursed for the actual costs of attending meetings, conferences, or similar gatherings if attendance at the meeting, conference or similar gathering is approved in advance in writing by the BHC Chair.

#### 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. Meetings may be held in person, or virtually via teleconference, as permitted by Cal. Government Code § 54953.

2. The BHC is subject to the provisions of the Brown Act and the San Francisco Sunshine Ordinance (Cal. Government Code §§54950 et seq. and S.F. Administrative Code §§ 67.1, et seq. respectively.

3. **Annual Meetings.** There shall be, which shall constitute the annual meeting of the BHC, to be held in February of each year, a regular meeting schedule will be adopted for the next twelve (12) months, and officer elections held.

4. **Regular Meetings:** The BHC shall establish by resolution or motion the time and place for holding regular meetings at its annual meeting.

**Commented [JR35]:** Admin Code 5.16-2(b) provides that the BOS can remove BHC members at will. It also allows the BHC to recommend removal of a member to the BOS. The rest of the content here – about the basis for the removal or recommendation – is not part of the Admin Code provision.

**Commented [JR36]:** Required by Admin Code 5.1-6

**Commented [JR37]:** WIC 5604.3 permits such reimbursements, but nothing in the Admin Code specifies that the BOS has opted to do so here.

**Commented [JR38]:** Must align with recent City guidance.

**Commented [JR39]:** Not required.

5. **Special Meetings:** Special meetings, including ad hoc meetings, for any purpose or purposes related to the business of the BHC, may be called at any time by the Chair or the Co-Chairs or by a majority of the BHC members in accordance with the Brown Act and San Francisco Sunshine Ordinance. Any special meeting notice must be posted on the BHC web site, delivered to the Clerk of the Board of Supervisors and to the Government Information Center at the Main Branch of the SF Public Library, and to any members of the media who have requested notice in writing, subject to the same public notice requirements described below for regular meetings.

**Commented [JR40]:** Sunshine/Brown Act do not have a category of "ad hoc" meetings.

6. If a special meeting will be held in a building other than its regular meeting place, BHC must give public notice of the meeting at least 15 days in advance. (S.F. Administrative Code § 67.6(f)). The 15-day notice requirement does not apply if the special meeting is held in the same building as the BHC's regular meeting place, but a different room. The 15-day notice does need to include a formal agenda but should specify the time and place of the meeting and generally identify the nature and purpose of the meeting. BHC must post a formal agenda 72 hours in advance of the meeting, as with all special meetings.

7. Actual notice of Annual and Regular Meetings shall be received by each member of the BHC at least 72 hours before the time set for the meeting by one of the following methods:

- Personal delivery of written notice; or
- First class mail, postage prepaid sent by first class mail shall be deposited in the U.S. Mail not less than five (5) days before the time set for the meeting; or
- Fax transmittal or e-mail of written notice; or
- Telephone, either directly to the member or to a person at the member's office who would reasonably be expected to communicate that notice promptly to the member; and,
- All such notices shall be given or sent to the member's address or telephone number as shown on the records of the BHC.

8. Notice of regular and special meetings shall be provided in accordance with the Brown Act and S.F. Sunshine Ordinance.

9. A quorum for a BHC meeting is one person more than half of the number of members designated by law, rather than the number of seats actually filled. Currently this is seven (7) Commissioners.

**Commented [JR41]:** This is inconsistent with WIC 5604.5. That provision reads:

“Establish that a quorum be one person more than one-half of the appointed members.”

10. Each Commissioner present must vote on every question put to a vote, unless excused by a majority vote of the BHC, or unless a recognized conflict of interest exists, as provided for in the S.F. Administrative Code.

**Commented [JR42]:** Required by Admin Code Sec. 1.29

#### ARTICLE V – OFFICERS

1. The officers shall be Commissioners elected for the positions of Chair, Vice Chair, and Secretary. There may be two Co-Chairs sharing the duties of the Chair.

**Commented [JR43]:** WIC 5604.6 permits the establishment of an executive committee of the BHC.

#### ARTICLE VI – ELECTION OF OFFICERS

1. Officers shall be elected at the annual meeting of the BHC in February of even-numbered years and shall serve a term of two (2) years, or until their successors are elected.

2. Nominating Committee shall be appointed by the Chair or Co-Chairs, following consultation with the Executive Committee, by the November meeting of each odd-numbered year and shall consist of no fewer than three (3) Commissioners. The Nominating Committee shall:

- 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. Prior to voting for BHC officers, additional nominations may be made from the floor by Commissioners.

4. Elections shall be by roll-call vote.

**Commented [JR44]:** Nearly all the details of how officers are elected are optional. Nothing in the Admin Code or WIC requires:

- A nominating committee
- The particular timing of elections specified here
- The need for a secretary
- An alternative process for filling off-cycle vacancies

When there is a vote on officers, this would be subject to the general requirements that apply to any vote:

- It must be taken publicly
- Members must vote yes or no unless an exception applies

5. Vacancies occurring in the offices between elections shall be filled in the following manner:

- a. At its next meeting the Chair or Co-Chairs, in consultation with the Executive Committee, shall appoint a Nominating Committee.
- b. The Nominating Committee shall then meet within 15 days.
- c. At the next BHC meeting the Nominating Committee shall present its report to the BHC, and elections shall then occur, with nominations being accepted from the floor.

6. 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 Commissioners.

7. If the Chair's office is vacated prior to the end of the two-year term, the Vice Chair shall assume the Chair's office and a replacement Vice Chair nominated the next regularly scheduled meeting. The election for the new Vice Chair shall be held at the next regularly scheduled meeting following the nomination meeting.

#### ARTICLE VII – DUTIES OF OFFICERS

1. The Chair or Co-Chairs shall be the official spokesperson(s) of the BHC and shall carry out the policies of the BHC. The Chair or Co-Chairs shall preside at all meetings of the BHC and the Executive Committee and shall consult with the Directors of BHS and MHSF. The Chair or Co-Chairs is/are ex-officio voting member(s) of all standing and ad hoc committees, but not of the Nominating Committee Nominating Committee.

2. The Vice Chair shall serve as an aide to the Chair, shall consult with Directors of BHS and MHSF at the request of the Chair, and shall serve as Acting Chair in the Chair's absence.

3. The Secretary shall take minutes, or review the minutes prepared by other Commissioners or staff, of all BHC monthly meetings and Committee meetings prior to approval by the BHC and serve as Acting Chair in the absence of the Chair and Vice Chair.

**Commented [JR45]:** For the most part, the specific articulation of these duties is not specifically required.

**Commented [JR46]:** WIC 5604.5 provides that the chair shall "be in consultation with the local behavioral health director."

The reference to MHSF goes beyond the statutory requirement.

**Commented [JR47]:** Not required role.

## ARTICLE VIII – COMMITTEES

### *Section 1: Overview of Committees*

1. A member of the BHC shall serve on at least one committee or work group.
2. The duties of the Chair or Co-Chairs shall be to at least annually establish or confirm ad hoc, work groups and standing committees; appoint the Chairs of such committees, groups, and any liaisons to other groups, organizations, task forces or committees; or discontinue any committee or work group.
3. The duties of the Committee shall be to:
  - a. Set agenda for committee meetings.
  - b. Assure 72-hour notice and agenda re posted on website, prior to convening meeting.
  - c. Conduct Committee meetings.
  - d. Perform or oversee any special projects assigned to the Committee.
  - e. Perform or assign a Committee Member or staff to take meeting minutes.
  - f. Report on Committee's activities to the Executive Committee and the full BHC, at their respective monthly meetings
4. Ad hoc committees may be established or eliminated in accordance with notice and agenda requirements in Article IV, above, by the Chair or Co-Chairs, with concurrence of the Executive Committee. Ad hoc committees include, but are not limited to: Nominating Committee, Strategic Planning Committee, Retreat Committee, Bylaws Revisions Committee, Annual Report Committee, Planning Council Study Committee, Annual BHSA Plan Review and Public Hearing, and Recruitment and Outreach Committees.
5. Standing Committees include, but are not limited to: Executive Committee, Implementation Committee, and Rules and Reports Committee. Standing Committees may be established or eliminated in accordance with notice and agenda requirements in Article by the BHC. Standing Committees have ongoing responsibilities concerning a particular subject matter that is not time limited.
6. Committees and work groups will conduct meetings in accordance with the Brown Act and the San Francisco Sunshine Ordinance (Cal. Government Code §§§ 54950 et seq.; S.F. Administrative Code, §§ 67.1 et seq.).

**Commented [JR48]:** The BHC is not required to have committees or work groups at all, so this section is largely optional.

If you do have committees or work groups (not sure what you are meaning by this distinction), their meetings must also comply with the Brown Act and Sunshine Ordinance.

**Commented [JR49]:** Required

## ***Section 2: Standing Committees***

1. The Executive Committee shall consist of the BHC officers, chairs of the standing committees and one (1) at-large commissioner to be appointed by the Chair or Co-Chairs. The at-large commissioner is to be chosen from any category that is under-represented on the Executive Committee, e.g., gender, ethnic or sexual minority, or membership category (consumer, professional, etc.). The at-large commissioner will be a regular voting member of the Executive Committee. The duties of the Executive Committee shall include:

- a. Draft agendas for regular and special meetings of the BHC.
- b. Review and proofread the Annual Report as specified in Article II, Section 7 of these Bylaws.
- c. Handle urgent matters at properly noticed meetings 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.
- d. Coordinate with BHC staff, submit budget suggestions to DPH/BHS, and monitor monthly BHC expenditures [EVD(2)].
- e. Shall meet monthly (11 months) each year.
- f. Hold a special session, at the call of the Chair or Co-Chairs with the concurrence of the Executive Committee, or upon the receipt of a written request signed by at least four (4) Commissioners [EVD(3)].
- g. Such a special session shall be held within five (5) days of the Chair or Co-Chair's receipt of the written request and posted 72 hours on the BHC website prior to the convening of the meeting.
- h. Proactively engage to resolve any internal and external conflicts related to behavioral health and BHC. The committee may only take action at a properly noticed meeting.

2. **The Implementation Committee** shall devise and implement strategies for accomplishing the goals and objectives of the BHC. All BHC Commissioners shall have a proactive role in setting goals and objectives. The Implementation Committee shall:

- a. Convene monthly;
- b. Recommend which program areas, under the BHC's jurisdiction, should receive significant attention, using tools such as the BHC Strategic Plan and the BHS and MHSF Director's monthly report to the BHC; and,
- c. Research and attend community meetings and investigate relevant issues, such as City task forces or working groups formed by the BOS, DPH, or Mayor, and report this information back to the BHC membership and constituents.

- 2.1. Program Review/Site Visit Workgroup shall be responsible for assisting the Commission in making at least four (4) visits annually to public behavioral health programs, utilizing the most current “BHC Site Visit Manual [EVD(4) [TB5]]” for procedures and forms. The Workgroup shall:
- a. Convene monthly as part of the Implementation Committee.
  - b. Review and revise the “BHC Site Visit Manual” as necessary
  - c. Ensure that a copy of the “BHC Site Visit Manual” is distributed to each Commissioner.
  - d. Verify that all Site Visit Summaries and Reports have been submitted to the BHC Clerk.
3. The Rules and Reports Committee shall be responsible for overseeing matters pertaining to the BHC’s rules and procedures, the reporting of committee activities, and the preparation of annual reports. The Rules and Reports Committee shall:
- a. Convene monthly.
  - b. Review the commission’s rules and procedures, and make recommendations, changes, or updates.
  - c. Prepare reports of committee activities, using the results of program reviews and site visits, program presentations made at commission or committee meetings, public hearings, and other relevant sources. These reports serve as a historical record of commission actions. Submit copies of the reports to the directors of BHS, BHSA, the BOS, and other stakeholders.
  - d. Assist in producing reports resulting from oversight or legislative activities, including the county’s annual performance outcome data. Additionally, communicate data notebook findings to the California Behavioral Health Planning Council [WIC 5604.2 (a)(7)].

## ARTICLE IX – ATTENDANCE, VACANCIES, AND REMOVAL

1. All BHC members are required to contact the BHC Chair or Secretary or the designated DPH staff person [EVD(6)] prior to a meeting if they are unable to attend. Failure to do so will result in an unexcused absence.
2. A BHC member may be deemed by the Executive Committee to have ceased to discharge the duties of a BHC member based on lack of attendance or if the member's conduct is seriously disruptive of the functioning of the BHC. If after review, the Executive Committee determines by majority vote of the Executive Committee members present, that they should be referred to the full BHC for a vote, the matter will be brought will be made to the full BHC as an action item. The BHC may recommend the removal of the BHC member to the Board of Supervisors if two-thirds (2/3) of those Commissioners in attendance at a regular or special meeting at which a quorum is present vote in favor of making the recommendation for removal to the Board of Supervisors.
3. If a vacancy occurs due to the occurrence of any of the events described, the Secretary or staff shall advise the BHC. The Executive Committee may commence the recruitment for a replacement and make recommendations to the BHC, which may in turn, make recommendations to the Board of Supervisors.

## ARTICLE X – RESIGNATIONS AND LEAVES OF ABSENCE

1. Any member may resign effective upon giving written notice to the Clerk of the BOS with a copy to the Chair or Co-Chairs, Vice Chair, or Secretary of the BHC. A notice which specifies a later time shall be effective upon the date of the resignation set forth in said notice.
2. A BHC member, who does not wish to resign and who needs leave from BHC commitments, may request a leave of absence for personal reasons. The request must be submitted in writing to the Chair or Co-Chairs of the BHC. The Executive Committee may approve this request for a period of time not to exceed four (4) months. A Commissioner on leave may request an extension in writing to the Chair or Co-Chairs and such extension is subject to the approval of the Executive Committee. The request for extension will be reviewed by the Executive Committee as to the reasonableness of the extension and the overall impact on the Board in carrying out its responsibilities.

**Commented [JR50]:** The BHC can recommend removal to the BOS. The rest of this paragraph contains a level of detail that is not required.

**Commented [JR51]:** BHC's ability to recommend appointees to BOS comes from WIC 6504(a)(2)(A)(ii). Other parts of this section are not found in that section.

**Commented [JR52]:** I'm not aware of anything in the WIC or Admin Code that contemplates this kind of leave of absence.

## ARTICLE XI – CONDUCT OF BUSINESS

1. The parliamentary authority for the BHC shall be the most current edition of Robert’s Rules of Order, to the extent to which it is consistent with these Bylaws, as well as all other applicable federal, state, or City legislation or regulation. All meetings must conform to the Brown Act and S.F. Administrative Code.
2. Public Testimony. The Chair may require persons speaking before the BHC or at committee to confine their remarks to the question before the BHC or committee, or, if speaking during the public comment period for non-agenda items, to matters within the BHC’s subject matter jurisdiction. The Chair may also establish uniform speaker time limits at the beginning of each agenda item or public comment and may limit the total time for public comment on any item.  
(References: Government Code section 54954.3(a), (b)(1); 78 Ops.Cal.Atty.Gen. 224 (1995).)
3. Disorderly Conduct. The presiding officer may turn off the microphone or may order removed from the meeting room any person who commits the following acts in respect to a meeting of the BHC or of a standing or special committee:
  - a. Disorderly, contemptuous or insolent behavior toward the BHC or committee or any member thereof, tending to interrupt the due and orderly course of said meeting.
  - b. A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting.
  - c. Disobedience of any lawful order of the presiding officer, which shall include an order to be seated or to refrain from addressing the BHC or committee.
  - d. Usage and ringing of cell phones and pagers not in silent mode, in BHC and committee meetings.
  - e. Any other interference with the due and orderly course of said meeting.
  - f. BHC Commissioners should be protected at all times

(References: Government Code, section 54957.9; White v. City of Norwalk (9th Cir. 1990) 900 F.2d 1421; Kindt v. Santa Monica Rent Control Board (9th Cir. 1995) 67 F.3d 266; Norse v. City of Santa Cruz (9th Cir. 2010) 629 F.3d 966; Acosta v. City of Costa Mesa 9th Cir. 2013) 718 F.3d 800.)

**Commented [JR53]:** This is consistent with WIC 54954.3 and Admin Code 67.15

**Commented [JR54]:** These points are not required to be in the bylaws

## ARTICLE XII – AMENDMENTS

1. These Bylaws may be amended at any meeting of the BHC by a two-thirds (2/3) vote of the Commission when 15 days' notice has been given as described below. The BHC shall use the following procedure when amending the Bylaws:

- a. Proposals for change shall be noticed on the BHC agenda and a written copy sent to all BHC members a minimum of five (5) days prior to the meeting date on which proponents wish consideration and a vote on the change.
- b. The BHC must approve the change by a two-thirds (2/3) majority of those Commissioners in attendance at a regular or special meeting at which a quorum is present.
- c. The change, as approved, is to be signed and dated by the BHC Chair or Co-Chairs.
- d. Amended Bylaws should be presented to each BHC member at the next regularly scheduled meeting.
- e. Bylaws shall be reviewed at least once every five (5) years recommending revisions to be presented to the Behavioral Health Commission for approval.
- f. An original copy signed by the BHC Chair or Co-Chairs are to be filed with the BHC Secretary. Additionally, an appropriate historical log of all Bylaw amendments and the date of the changes are to be maintained by the BHC Secretary. The historical log is to be distributed to BHC members whenever revisions are recommended.
- g. All Commissioners will be provided with the current BHC Bylaws and a proposed Policies and Procedures [EVD(7) manual.

2. These Bylaws and any amendments to these Bylaws must be approved by the Board of Supervisors before they may become effective.

**Commented [JR55]:** The BOS must approve bylaws or amendments.

No particular process required for BHC's drafting of proposed amendments, other than general Brown Act/Sunshine requirements.

## ARTICLE XIII – CODE OF CONDUCT

The BHC is committed to providing a welcoming, respectful, friendly, safe, supportive, bully free, and harassment-free environment for Commissioners, staff, presenters, and members of the public, and expects all such individuals to act professionally, respecting the personal rights and dignities of all to create a productive, inclusive environment. All individuals should feel welcome and safe within the BHC regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, employment status, type of employment, or any other legally protected classifications. All Commissioners and all others associated with the BHC shall comply with the applicable Code of Conduct as stated in the BHC Bylaws.

**Commented [JR56]:** Not required.

#### ARTICLE XIV – POLICIES AND PROCEDURES

Commented [JR57]: Not required

The BHC may establish Policies and Procedures on matters not covered by these Bylaws.

#### 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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Chair or Co-Chairperson(s)

Adopted: June 10, 2025