

8. Consider approving in concept an “Ordinance Amending Chapter 2.104 of the Santa Cruz County Code Regarding the County of Santa Cruz Mental Health Advisory Board”, and take related actions ()



## **County of Santa Cruz Board of Supervisors**

### **Agenda Item Submittal**

**From:** Health Services Agency

**Subject:** Mental Health Advisory Board Code Update

**Meeting Date:** March 25, 2025

**Formal Title:** Consider approving in concept an “Ordinance Amending Chapter 2.104 of the Santa Cruz County Code Regarding the County of Santa Cruz Mental Health Advisory Board”, and take related actions

### **Recommended Actions**

- 1) Consider approving in concept an “Ordinance Amending Chapter 2.104 of the Santa Cruz County Code Regarding the County of Santa Cruz Mental Health Advisory Board”;
- 2) Schedule the ordinance for a second reading and final adoption on April 8, 2025;
- 3) Direct the Clerk of the Board to publish the Notice of Proposed Ordinance Summary in a newspaper of general circulation at least five days prior to the scheduled second reading and final adoption, no later than April 1, 2025, pursuant to Government Code Section 25124.

### **Executive Summary**

The Santa Cruz Mental Health Advisory Board (MHAB) is a commission that serves as an advisory body to the County of Santa Cruz Board of Supervisors. The Commission recommends updating Santa Cruz County Code (SCCC) Chapter 2.104 to comply with changes to the California’s Welfare & Institutions Code (WIC) Section 5604 due to approval of Proposition 1 and California Senate Bill 326 (SB326). Board approval is required to amend SCCC Chapter 2.104. MHAB will return after ordinance adoption to request approval to update its bylaws.

### **Discussion**

The MHAB provides oversight and monitoring of the local behavioral health system and serves as an advocate for persons with behavioral health or mental illness. A primary responsibility of this commission is to review and evaluate the community’s behavioral health needs, services, facilities, and special problems. Effective January 1, 2025, the MHAB membership bylaws should be updated to reflect changes from Proposition 1 and SB326 (the Behavioral Health Services Act).

The key changes to the ordinance are:

1. Rename the Board from MHAB to Behavioral Health Advisory Board (“BHAB”).
2. The term “Mental” is changed to “Behavioral.”
3. Youth Membership Requirement: WIC Section 5604(a)(2)(B)(i) states that at least one of the members that are consumers, or the parents, spouses, siblings, or adult children of consumers who are receiving or have received behavioral health services shall be 25 years of age or younger.
4. Local Education Agency Membership Requirement: WIC Section 5604(a)(2)(D)(i) states that at least one member of the board shall be an employee of a local education agency.

5. Veteran or Veteran Advocate Membership Requirement: WIC Section 5604(a)(2)(C)(i) states that at least one member of the Board shall be a veteran or a veteran advocate.
6. Advice on “Substance use disorder” is added to the Board’s duties.

At its meeting on January 16, 2025, MHAB voted to recommend revisions to SCCC Chapter 2.104 to conform to WIC Section 5604.

Attached for Board consideration are the ordinance and strikeout-underline versions showing amendments to SCCC Chapter 2.104.

Upon adoption of the amended SCCC Chapter 2.104, MHAB will address changes to its bylaws in a subsequent agenda item, which encompass meetings and trainings, officer responsibilities, committee responsibilities, and other administrative adjustments.

### **Financial Impact**

The recommended actions have no financial impact.

### **Strategic Initiatives**

Operational Plan - Comprehensive Health & Safety

### **Submitted By:**

Monica Morales, Director of Health Services

### **Recommended By:**

Carlos J. Palacios, County Administrative Officer

### **Artificial Intelligence Acknowledgment:**

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

**DRAFT Chapter 2.104**  
**MENTAL-BEHAVIORAL HEALTH ADVISORY BOARD**

Sections:

**2.104.010 Established—Statutory authority.**

**2.104.020 Membership.**

**2.104.030 Term of office.**

**2.104.040 Organization and procedures.**

**2.104.050 Powers and duties.**

**2.104.010 Established—Statutory authority.**

The Mental-Behavioral Health Advisory Board is established under the authority of Welfare and Institutions Code Section 5604. [Ord. \_\_\_\_\_, 2025; Ord. 5279 § 15, 2018; Ord. 4231 § 1, 1992; Ord. 2235, 1976; prior code § 3.41.010].

**2.104.020 Membership.**

The Board shall consist of 1113 members who are residents of the County, appointed as follows:

- (A) (A)—Each Supervisor shall nominate two persons who may reside within the Supervisor's district. Two (2) Transitional Age Youth shall also be appointed by the Board of Supervisors. Of the 4012 persons so appointed by the Board of Supervisors, the appointed board membership shall consist of the following:
- (1) aAt least six-seven (7) shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services. \_persons, or the parent, spouse, sibling, or adult child of persons, who are receiving or have received mental health services from a city or County Bronzan-McCorquodale program or any of its contract agencies, a State hospital, or any public or private non-profit mental health agency. At least three of the members so appointed shall be persons who have received or are receiving these mental health services; and at least three of the members so appointed shall be a parent, spouse, sibling, or adult child of a person receiving or having received mental health services. The remaining members appointed by the Board of Supervisors shall be persons with experience and knowledge of the mental health system;
  - (2) At least three (3) of the members appointed shall be consumers who are receiving or have received behavioral health services;
  - (3) At least three (3) of the members appointed shall be a parent, spouse, sibling, or adult child of consumers who are receiving or have received behavioral health services;
  - (4) At least one (1) member so appointed shall also be an employee of a local education agency;
  - (5) At least one (1) member so appointed shall also be a veteran or veteran advocate; and
  - (6) The remaining members appointed by the Board of Supervisors shall be persons with experience and knowledge of the behavioral health system.

(B) One member of the Board shall be a member of the Board of Supervisors.;

(C)(1) Except as provided in subsection (C)(2) of this section, no member of the ~~Mental Behavioral~~ Health Advisory Board, or the spouse of that person, shall be a full-time or part-time employee of a County ~~mental behavioral~~ health service facility, an employee of the State Department of Health Care Services, or an employee of, or a paid member of, the governing body of a Bronzan-McCorquodale contract facility.;

\_\_\_(2) A consumer of ~~mental behavioral~~ health services who has obtained employment with an employer described in subsection (C)(1) of this section and who holds a position in which that person does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the ~~Mental Behavioral~~ Health Advisory Board. The member shall abstain from voting on any financial or contractual issue concerning that member's employer that may come before the ~~Mental Behavioral~~ Health Advisory Board.;

(D) The composition of the Board should reflect the ethnic diversity of the client population in the county to the extent possible. [Ord. \_\_\_\_\_, 2025; Ord. 5279 § 15, 2018; Ord. 5213 § 1, 2015; Ord. 4231 § 1, 1992; Ord. 4191 § 1, 1992; Ord. 3822 §§ 1, 2, 1987; Ord. 3723 § 1, 1986; Ord. 3620 § 23, 1985; Ord. 2636, 1979; Ord. 2357, 1976; Ord. 2235, 1976; prior code § 3.41.030].

#### **2.104.030 Term of office.**

Each member shall serve a term of three years. Per Welfare and Institutions Code Section 5604, the Board of Supervisors shall equitably stagger the appointments so that approximately one-third of the appointments expire in each year. [Ord. 5279 § 15, 2018; Ord. 4231 § 1, 1992; Ord. 2357, 1976; Ord. 2235, 1976; prior code § 3.41.040].

#### **2.104.040 Organization and procedures.**

(A) General Organization. The Board shall comply in all respects with SCCC 2.38.110 through 2.38.2580 unless otherwise provided herein.

(B) Quorum. The quorum for the Board shall be one person more than one-half of the appointed members.

(C) Staff Support. The County Health Services Agency shall provide staff support for the Board. The Director of the Health Services Agency, or a designated representative, shall serve as Administrative Secretary to the Board. The Administrative Secretary shall receive copies of all reports and recommendations prepared by the Board, prepare and mail agendas, take minutes of each meeting, and perform other duties as directed by the Board.

(D) Members of the Board shall abstain from voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code. [Ord. 5279 § 15, 2018; Ord. 4231 § 1, 1992; Ord. 4191 § 2, 1992; Ord. 2235, 1976; prior code § 3.41.050].

#### **2.104.050 Powers and duties.**

The Board shall exercise the following responsibilities pursuant to Welfare and Institutions Code Section 5604.2 in its efforts to obtain the highest quality and most effective ~~mental behavioral~~ health services and substance use disorder treatment system for the County:

(A) ~~Review and evaluate the County's mental health needs, services, facilities and special problems~~Review and evaluate the community's public behavioral health needs, services, facilities, and special problems in any facility within the County where mental health or substance use disorder evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.;

(B) Review the County agreements entered into pursuant to Welfare and Institutions Code Section 5650;

(1) The Board may make recommendations to the Board of Supervisors regarding concerns identified within these agreements.

(C) Advise the Board of Supervisors and the local ~~mental~~behavioral health director as to any aspect of the local ~~mental~~behavioral health program.;

(1) The Board may request assistance from the local patients' rights advocates when reviewing and advising on mental health or substance use disorder evaluations or services provided in public facilities with limited access.

(D) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.;

(1) Involvement shall include individuals with lived experience of mental illness, substance use disorder, or both, and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illnesses or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, public safety, local business owners, social services, older adults, transportation, and veterans.

(E) Submit an annual report to the Board of Supervisors on the needs and performance of the County's ~~mental~~behavioral health system.;

(F) Review and make recommendations on applications for the appointment of a local director of ~~mental~~behavioral health services. The Board shall be included in the selection process prior to the vote of the Board of Supervisors.;

(G) Review and comment on the County's performance outcome data and communicate its findings to the ~~State Mental Health Commission~~California Behavioral Health Planning Council.;

(H) Assess the impact of the realignment of services from the State to the County, on services delivered to clients and on the local community. [Ord. \_\_\_\_\_, 2025; Ord. 5279 § 15, 2018; Ord. 4231 § 1, 1992; Ord. 3723 § 2, 1986; Ord. 2235, 1976; prior code § 3.41.020].

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 2.104 OF THE SANTA CRUZ  
COUNTY CODE REGARDING THE COUNTY OF SANTA CRUZ MENTAL  
HEALTH ADVISORY BOARD**

The Board of Supervisors of the County of Santa Cruz hereby finds and declares the following:

WHEREAS, the Mental Health Advisory Board (MHAB) provides ongoing advice and recommendations regarding the behavioral health program to the County of Santa Cruz Board of Supervisors and any County administrative body that is concerned with behavioral health; and

WHEREAS, on January 1, 2025, amendments pursuant to Proposition 1 and Senate Bill 326 to California Welfare & Institutions Code (WIC) Section 5604 will become operative; and

WHEREAS, the MHAB recommends updating Chapter 2.104 to comply with WIC Section 5604 and to reflect recommendations that resulted from the MHAB's restructuring discussions;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz hereby ordains as follows:

**SECTION I**

The title of Chapter 2.104 of the Santa Cruz County Code is hereby amended to read:

Behavioral Health Advisory Board

**SECTION II**

Section 2.104.010 of the Santa Cruz County Code is hereby amended to read:

**2.104.010 Established – Statutory authority.**

The Behavioral Health Advisory Board is established under the authority of Welfare and Institutions Code Section 5604.

### SECTION III

Section 2.104.020 of the Santa Cruz County Code is hereby amended to read:

#### **2.104.020 Membership.**

The Board shall consist of 13 members who are residents of the County, appointed as follows:

(A) Each Supervisor shall nominate two persons who may reside within the Supervisor's district. Two (2) Transitional Age Youth shall also be appointed by the Board of Supervisors. Of the 12 persons so appointed by the Board of Supervisors, the appointed board membership shall consist of the following:

(1) At least seven (7) shall be consumers, or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received behavioral health services;

(2) At least three (3) of the members appointed shall be consumers who are receiving or have received behavioral health services;

(3) At least three (3) of the members appointed shall be a parent, spouse, sibling, or adult child of consumers who are receiving or have received behavioral health services;

(4) At least one (1) member so appointed shall also be an employee of a local education agency;

(5) At least one (1) member so appointed shall also be a veteran or veteran advocate; and

(6) The remaining members appointed by the Board of Supervisors shall be persons with experience and knowledge of the behavioral health system.

(B) One member of the Board shall be a member of the Board of Supervisors.

(C) (1) Except as provided in subsection (C)(2) of this section, no member of the Behavioral Health Advisory Board, or the spouse of that person, shall be a full-time or part-time employee of a County behavioral health service facility, an employee of the State Department of Health Care Services, or an employee of, or a paid member of, the governing body of a Bronzan-McCorquodale contract facility.



(2) A consumer of behavioral health services who has obtained employment with an employer described in subsection (C)(1) of this section and who holds a position in which that person does not have any interest, influence, or authority over any financial or contractual matter concerning the employer may be appointed to the Behavioral Health Advisory Board. The member shall abstain from voting on any financial or contractual issue concerning that member's employer that may come before the Behavioral Health Advisory Board.

(D) The composition of the Board should reflect the ethnic diversity of the client population in the county to the extent possible.

#### **SECTION IV**

Subsection (A) of Section 2.104.040 of the Santa Cruz County Code is hereby amended to read:

(A) General Organization. The Board shall comply in all respects with SCCC 2.38.110 through 2.38.280 unless otherwise provided herein.

#### **SECTION V**

Section 2.104.050 of the Santa Cruz County Code is hereby amended to read:

##### **2.104.050 Powers and duties.**

The Board shall exercise the following responsibilities pursuant to Welfare and Institutions Code Section 5604.2 in its efforts to obtain the highest quality and most effective behavioral health services and substance use disorder treatment system for the County:

(A) Review and evaluate the community's public behavioral health needs, services, facilities, and special problems in any facility within the County where mental health or substance use disorder evaluations or services are being provided, including, but not limited to, schools, emergency departments, and psychiatric facilities.

(B) Review the County agreements entered into pursuant to Welfare and Institutions Code Section 5650.

(1) The Board may make recommendations to the Board of Supervisors regarding concerns identified within these agreements.

(C) Advise the Board of Supervisors and the local behavioral health director as to any aspect of the local behavioral health program.

(1) The Board may request assistance from the local patients'

rights advocates when reviewing and advising on mental health or substance use disorder evaluations or services provided in public facilities with limited access.

(D) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.

(1) Involvement shall include individuals with lived experience of mental illness, substance use disorder, or both, and their families, community members, advocacy organizations, and behavioral health professionals. It shall also include other professionals who interact with individuals living with mental illnesses or substance use disorders on a daily basis, such as education, emergency services, employment, health care, housing, public safety, local business owners, social services, older adults, transportation, and veterans.

(E) Submit an annual report to the Board of Supervisors on the needs and performance of the County's behavioral health system.

(F) Review and make recommendations on applications for the appointment of a local director of behavioral health services. The Board shall be included in the selection process prior to the vote of the Board of Supervisors.

(G) Review and comment on the County's performance outcome data and communicate its findings to the California Behavioral Health Planning Council.

(H) Assess the impact of the realignment of services from the State to the County on services delivered to clients and on the local community.

## **SECTION VI**

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

## **SECTION VII**

This ordinance shall take effect on the 31<sup>st</sup> day after final adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_ day of \_\_\_\_, 2025, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Felipe Hernandez  
Chair of the Board of Supervisors

ATTEST: \_\_\_\_\_  
Juliette Rezzato  
Clerk of the Board

Approved as to Form:

DocuSigned by:  
 3/3/2025  
For of D 163D764B1 ...

John B. Nguyen  
Office of the County Counsel

## Certificate Of Completion

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## Signer Events

John Nguyen  
John.Nguyen@santacruzcountyca.gov  
Lead Assistant County County Counsel  
Security Level: Email, Account Authentication (None)

## Signature

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## In Person Signer Events

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## Editor Delivery Events

## Status

## Timestamp

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Certified Delivered	Security Checked	3/3/2025 6:34:49 AM
Signing Complete	Security Checked	3/3/2025 1:42:22 PM
Completed	Security Checked	3/3/2025 1:42:22 PM

## Payment Events

## Status

## Timestamps

## Electronic Record and Signature Disclosure

**PUBLIC NOTICE  
PROPOSED ORDINANCE  
(SUMMARY)**

Board of Supervisors Information (for Clerk Use only):

Approved in Concept: 3/25/2025

AMS Item: 25-1286

Scheduled for Second Reading & Final Adoption: 4/8/2025

Ordinance Title:

ORDINANCE AMENDING CHAPTER 2.104 OF THE SANTA CRUZ COUNTY CODE  
REGARDING THE COUNTY OF SANTA CRUZ MENTAL HEALTH ADVISORY BOARD

Ordinance Summary:

The proposed Ordinance amends the existing Santa Cruz County Code Chapter 2.104 to bring County provisions into conformance with California Welfare & Institutions Code Section 5604 due to approval of Proposition 1 and California Senate Bill 326.

Amendments include the changing of the name of the Mental Health Advisory Board to the Behavioral Health Advisory Board, and changing the composition of the Board to consist of 13 members including two Transitional Age Youth to be appointed by the Board of Supervisors, persons who are receiving or have received substance use disorder services; an employee of a local education agency; and a veteran or a veteran advocate.

The full text of this ordinance is available for public review at the Office of the Clerk of the Board, Room 520, Governmental Center Building, 701 Ocean Street, 5th Floor, Santa Cruz, California 95060; and on the Internet at:

<https://santacruzcountyca.igam2.com>

For Clerk Use Only:

By: Click or tap here to enter text.

Dated: Click or tap to enter a date.