Monterey County Mental Health Commission  
Summary of Review & Recommendations by County Counsel  
Proposed Revisions to Bylaws

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| 1    | 5      | A vacancy occurs if member is absent from 2 meetings per year without providing advance notification; and if absent a total of 4 meetings per year. | CC recommends discussion regarding whether this needs clarification. Would this include “excused absences”, i.e. those instances when the Member provides prior notification under Section 3.01(a)(6) or in the case of an approved leave request? I am assuming that the answer is no. One possible revision could be:  
5) When a member is absent for at least four (4) meetings in a calendar year, except that this provision shall not apply in the following cases: (i) where the four (4) absences were due to a leave of absence obtained pursuant to Section 3.03, or (ii) where, in the case of the member’s absence from two (2) of the four (4) meetings, the member provided the prior notification required by Section 3.01 (a)(6); |
| 2    | 5      | County Counsel recommends this section be re-ordered and revised as follows:  
Section 3.01 Vacancies and Replacements  
ad) A vacancy shall exist when the Mental Health Commission declares that a vacancy exists based on the occurrence of any of the following:  
1) When a member’s term has expired; |
2) When a member submits a written resignation to the Mental Behavioral Health Commission Chairperson and the appointing Supervisor accepts the resignation in writing;

3) When a member’s death prevents him/her from completing a term;

4) When a member no longer resides in the County, or otherwise does not meet the qualifications of appointment;

5) When a member fails to attend is absent a total of four (4) meetings in a calendar year;

5)6) When a member is absent from two consecutive regular meetings or three regular meetings in any one calendar year, unless a leave without providing prior notification of each absence has been approved for that member. Exclusion to this would be if to the regular Commission Secretary by noon on the Wednesday before the scheduled meeting date has been changed;