

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT ADVISORY COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

I. COMMITTEE

A. Composition and Qualifications

The Committee shall be composed of 21 members. The committee will be comprised of community representatives, regulatory and funding agency representatives, and other organizations' representatives working on disadvantaged community water and wastewater needs.

B. Selection

The Committee shall be selected as follows:

1. Applicants must complete the general application form available from the County of Tulare Administrative Office. In addition to the usual information requested on the form, applicants must identify the county in which they reside, any disadvantaged community they are affiliated with and the nature of that affiliation.
2. The application period shall end on September 13, 2011. Applications must be received by the County of Tulare Administrative Office before the close of business on September 13, 2011 in order to be considered timely.
3. The County of Tulare Board of Supervisors will appoint the Committee based on the following criteria: Voting members will include: Four (4) county representatives, plus four (4) alternates, one (1) each from each of the following counties- Tulare, Kings, Kern, and Fresno. Eight (8) representatives, plus four (4) alternates of disadvantaged community water or wastewater boards and/or committees, and/or residents two (2), plus one (1) alternate from each county (Tulare, Kings, Kern, and Fresno). Ex-officio members will consist of: Four (4) representatives from different funding sources- i.e. Department of Public Health, State Water Resources Control Board, Department of Water Resources, United States Department of Agriculture, and/or Housing and Urban Development. One (1) member from a Tulare Lake Basin Integrated Regional Water Management Planning group. Four (4) representatives from different non-profit, academic and/or community-based organizations. The County of Tulare Administrative Office will make a recommendation for Committee membership to the Board at the County of Tulare Board of Supervisors meeting on September 20, 2011.
4. The County of Tulare Board of Supervisors shall make the final appointments to the Committee on September 27, 2011.

C. Vacancies

The occurrence of any of the following events shall cause a vacancy in a position on the Committee:

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT ADVISORY COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

1. The member's death.
2. The member's resignation. A resignation shall be in writing and shall be effective when submitted to the Committee or to the Clerk of the County of Tulare Board of Supervisors. A resignation may not be rescinded.
3. The member's ceasing to meet the criteria upon which the member was appointed.
4. The member's failure to attend two (2) consecutive meetings of the Committee, unless good cause for each absence is approved by the Committee. Committee members shall notify staff or the Chair in advance if they are unable to attend a meeting.
5. The member's removal from the position by the County of Tulare Board of Supervisors.

If a position on the Committee becomes vacant, the County of Tulare Board of Supervisors may appoint a replacement as allowed by the Maddy Act (Gov. Code, § 54970 et seq.), or may leave the position vacant.

D. Compensation

Members of the Committee shall not receive a per diem for serving on the Committee, and shall not be entitled to reimbursement for expenses on behalf of the Committee. However, to the extent funding is available, Committee members may receive reimbursement for mileage.

E. Officers and Staff

1. The Committee will be chaired by the representative from the County of Tulare. The Committee shall, at its first meeting or as soon thereafter as convenient, elect a Vice Chair and a Secretary. The Chair shall preside over all meetings, and shall be entitled to vote on all matters. The Vice Chair shall preside in the absence of the Chair. If both the Chair and the Vice Chair are absent, the members present shall elect a Chair pro tem for the meeting. The Secretary shall take and prepare the minutes.
2. The County of Tulare Administrative Officer or designee shall be the staff contact for the Committee. Other County employees and consultants working on the project shall assist the CAO or designee. Staff shall prepare, post, and distribute agendas, minutes, and other materials for meetings.

**COUNTY OF TULARE
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FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

II. MEETINGS OF COMMITTEE

A. Quorum

A quorum shall consist of a majority of current members. Vacant positions shall not be counted for the purpose of determining a quorum.

B. Vote

The following are voting members: The four (4) representatives from Tulare, Kings, Kern, and Fresno counties and the eight (8) representatives from disadvantaged community boards, committees, and/or residents. All actions require a majority of current voting members, not just a majority of the quorum present. Vacant positions shall not be counted for the purpose of determining the number of current members.

C. Conduct of Business

Business shall be conducted in accordance with the usual semi-formal procedures for a committee, with a motion, second, and vote. Members must be present to vote.

D. Brown Act

1. Meetings of the Committee shall be subject to the open meetings law for local legislative bodies, the Ralph M. Brown Act (Gov. Code, § 54950 et seq.).
2. As an advisory committee, the Committee is not required to set the time and place for regular meetings. Even if a meeting is scheduled elsewhere, the agenda shall be posted at the Board of Supervisors building.
3. Meetings of the Committee shall generally be treated as special meetings under the Brown Act. The rules for a special meeting include rules that the agenda must be posted at least 24 hours ahead of time, that items may not be added to the agenda, and that no separate public comment time is included. However, as permitted by the Brown Act, if the Committee posts an agenda at least 72 hours ahead of time, the meeting may be treated as a regular meeting.

E. Recording or broadcasting

Any person attending a meeting of the Committee may record or broadcast the meeting through an audio or video recording, a still or video camera, or other recording or broadcasting device. However, recording or broadcasting of a Committee meeting may be prohibited if the Committee makes a reasonable finding that the recording or broadcasting cannot continue without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings. To this end, the presiding officer, staff, or the Committee may direct a person regarding the manner and/or positioning of recording or

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT ADVISORY COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

broadcasting so as to minimize the impacts of such activity. If a person persists in disrupting a meeting, the presiding officer may order him/her removed from the meeting.

F. Public Comment

1. Time restrictions

- (a) The Committee shall include a separate public comment time on any agenda posted at least 72 hours ahead of time. This time shall be for comments by the public on items not on the agenda but within the Committee's jurisdiction. The public comment item shall be limited to three minutes per speaker and to a total of 15 minutes for the item.
- (b) The Committee shall permit public comment on all agenda items, before any Committee vote on the item. Public comments on individual items shall be limited to three minutes per speaker, and to a total of 15 minutes for the item.
- (c) If it appears that all members of the public desiring to comment cannot be accommodated during the allotted times, the presiding officer may shorten the individual comment time, or may extend the time allotted for the item.

2. Manner of addressing Committee

(a) Individual speakers

Each person addressing the Committee shall stand at the location indicated and shall give his/her name and address for the record in an audible tone of voice. All remarks shall be addressed to the Committee as a body and not to any individual member. No person, other than the Committee, staff, and the person addressing the Committee, shall be permitted to enter into any discussion, either directly or through a member of the Committee, without the permission of the presiding officer. No question shall be asked of a member of the Committee or of staff except through the presiding officer.

(b) Groups

Whenever a group wishes to address the Committee, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group. In addition, the presiding officer may limit the number of persons from a particular group who are allowed to speak, if it appears to the presiding officer that additional data or argument would result in unnecessary repetition.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT ADVISORY COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

G. Decorum

1. By Committee members

While the Committee is in session, the members must preserve order and decorum. A member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Committee. A member shall not disturb any other member, nor refuse to obey the orders of the Committee, or the presiding officer, except as otherwise provided herein.

2. By other persons

No member of the public shall approach the Committee while the Committee is in session, unless specifically allowed to do so by the presiding officer. Any message to be presented to, or contact with, a member of the Committee while the Committee is in session shall be presented through staff or the presiding officer. Unruly conduct, such as undue noise, hissing, profanity, insults, derogatory racial, sexual, ethnic and similar slurs, or physical disturbance, shall not be permitted. The presiding officer may order any person who engages in such conduct removed from the meeting.

3. Communication devices

The ring or other audible features on private electronic communication devices shall be turned off in the meeting room while the Committee is in session. In addition, use of such devices in a manner which is audible or visible to the Committee, Committee staff, or other members of the public in the meeting room while the Committee is in session is prohibited. The presiding officer may order any offender removed from the meeting.

III. DUTIES OF COMMITTEE

The Committee shall have the duty of advising the County of Tulare Board of Supervisors on the selection of pilot project(s) or study and provide input on draft and final recommendations for the Tulare Lake Basin Disadvantaged Community Water Study.

Recommending Criteria for Selecting Pilot Projects and/or Studies

1. Background

On April 26, 2011 the County of Tulare Board of Supervisors passed Resolution 2011-0243 which approved an agreement with the California Department of Water Resources to accept grant funding for the Tulare Lake Basin Disadvantaged Community Water Study Project.

**COUNTY OF TULARE
STAKEHOLDER OVERSIGHT ADVISORY COMMITTEE
FOR THE TULARE LAKE BASIN DISADVANTAGED COMMUNITY
WATER STUDY**

BYLAWS

The Work Plan in the grant agreement requires the formation of a Stakeholder Oversight Committee to provide guidance and feedback for the selection of pilot projects and studies.

2. Committee's Duties

The Committee shall recommend to the County of Tulare Board of Supervisors which pilot project(s) and/or study will be completed for the Tulare Lake Basin Disadvantaged Community Water Study. The Committee will work with the project consultants to identify plan priorities for the Tulare Lake Basin pilot projects, and review and provide input on draft and final recommendations.

3. Deadline for Committee Action

The Committee shall complete this task no later than May 31, 2012, so that the County of Tulare Board of Supervisors may take action on the Committee's recommendations no later than June 26, 2012.

IV. TIMESPAN OF COMMITTEE

While the Committee's formal work will be concluded in May, 2013, Committee members may continue to be involved in the reporting process. In June, 2012 the County of Tulare Board of Supervisors will select the final pilot project(s) and/ or study.

The Committee shall be dissolved effective November 30, 2014, and shall have no power thereafter.