

APPENDIX B – PLAN ADMINISTRATION

Appendix B-2

Tehama County Groundwater Management Plan Technical Advisory Committee  
By-laws, Amended April 19, 2011

# **TEHAMA COUNTY GROUNDWATER MANAGEMENT PLAN ADVISORY GROUP BYLAWS**

## **GENERAL PROVISIONS**

- Section 10. The Tehama County Flood Control and Water Conservation District Coordinated AB 3030 Groundwater Management Plan Technical Advisory Committee (Committee”) shall be a groundwater management plan advisory body to the Tehama County Flood Control and Water Conservation District Board of Directors (“Board”).
- Section 20. The purpose of the Committee is to enable Tehama County citizens to have a meaningful say in how the AB 3030 groundwater management plan document is implemented.
- Section 30. The Executive Director of the District shall serve as staff to the Committee, and shall assist the Committee in presenting information and reports to the District Board of Directors..
- Section 40. The Committee will operate on principles of collaboration. Committee members are sought who are committed to work together with other interests for the long-term benefit of Tehama County groundwater resources and the people who rely on these resources.
- Section 50. Specific goals of the Committee shall include, but are not limited to the following:
1. Further refine the data requirements and presentation format required for the annual reports discussed in Section 350 of the plan.
  2. Facilitate coordination between the District and those entities who have agreed to implement the Coordinated Plan in accordance with the Memorandum of Understanding developed between the District and those entities.
  3. Assist the Board and staff in drawing resources from a “technical pool” (see Section 330, below) as the need for this action arises.
  4. Review and evaluate implementation and performance of the Tehama County Flood Control and Water Conservation District Coordinated Groundwater Management Program.
  5. Advise the District Board on policies, goals and operations of the District Groundwater Management Program by way of an annual report.
  6. Encourage support throughout the County for the development and implementation of the Coordinated AB 3030 Groundwater Management Plan.

## **MEMBERSHIP**

Section 60. Membership of the Committee shall consist of ten voting members in the categories listed below:

Section 70. Agriculture

Five water users from the agricultural sector, including two agriculture-related water districts which are participants of the Plan (i.e. not exempt), hereafter referred to as Members AD1, and AD2; and three representing a private pumper or diverter, hereafter referred to as Members AP1, AP2 and AP3. These members shall be appointed by the District Board of Directors.

Section 80. Domestic and Industrial

One person (Member D1) representing, collectively, Gerber, Los Molinos, Rancho Tehama, and the smaller domestic water suppliers (CSD's, Rio Alto, etc). This member shall be appointed by the District Board of Directors.

Section 90. Natural Resources Interests

This position (Member "NR") would represent, as a whole, the environment, water-based recreation industry, and timber interests in Tehama County. This member shall be appointed by the District Board of Directors.

Section 100. Municipal

One person representing the City of Red Bluff, (Member "RB"), one person representing the City of Corning, (Member "C"), and one person representing the City of Tehama, (Member "T"). The city councils of Corning, Red Bluff, and Tehama shall appoint their respective representatives.

## **MEMBERSHIP QUALIFICATIONS AND RESPONSIBILITIES**

Section 110. All Committee members shall have technical expertise in a water-related field, preferably involving local groundwater issues. Members should be residents of Tehama County, and/or be employed in Tehama County, and have an economic interest in preservation, protection and enhancement of the groundwater resources of Tehama County.

Because the functions of the Committee are purely advisory and not part of the governmental functions of the District, and the members of the Committee receive no compensation, voting members and alternates of the Committee shall not be considered public officers by virtue of their appointment to the Committee.

## **NOMINATION CRITERIA FOR MEMBERS APPOINTED BY THE DISTRICT BOARD OF DIRECTORS**

Section 120. The Flood Control and Water Conservation District will call for nominations to the Committee at a Regular Flood Control Board meeting. Nomination forms will be made available through the District Office in Gerber.

Section 130. Individuals can nominate themselves. Nomination forms shall provide:

- Sufficient information relative to application Process
- Address and phone number
- Education and career highlights
- Training or experience
- Knowledge of groundwater issues
- Demonstrated commitment to cooperative solution development
- Area of interest to be represented

Section 140. The nominations will be reviewed and selected by the District Board of Directors. The seven positions appointed by the Board will be nominated and seconded by Board members, and voted upon by the entire Board.

- A. All members appointed to the advisory committee must meet with the approval of at least a majority of the voting Board members.
- B. In making their appointments to the committee, the Board shall strive to appoint a body that reflects geographically balanced representation in the county.
- C. When considering appointments from the agricultural, domestic and industrial applicants, the Board will appoint members who, in the opinion of the Board, best represent the areas of concern.

## **VACANCIES**

Section 150. All vacancies shall be filled pursuant to the Maddy Act (Government Code sections 54970 et seq.).

## **TERM OF SERVICE**

Section 160. Members will serve for three years, with staggered terms as follows: Members AD1, D1 and NR term will expire in one year; Members AD2, A1 and RB term will expire in the next year; and Members AP2, AP3 and C term will expire in the year after that. The above reappointment schedule will be repeated in future years in the 3-year cycle stated above. It is the intention of this Section to maintain the terms of service in effect on the date of the adoption of this Section.

## **MEETINGS AND QUORUM**

Section 170. The Committee shall meet at least quarterly or more frequently as decided by the majority of the Committee. The Executive Director of the District has the authority to call additional meetings as needed.

Section 180. The majority of the total Committee members (or their Temporary Alternates, when granted the privilege of voting under Section 200) shall constitute a quorum.

## **ATTENDANCE**

Section 190. The Chairperson of the Committee shall contact any Member who has exceeded 2 consecutive unexcused absences from regular Committee meetings or missed more than three meetings in an 18-month period due to unexcused absences.

- A. If no response is received from the member within 30 days or if the member states that he/she does not wish to remain a member, the Board of Directors shall be notified to appoint a replacement.
- B. If the member states that he/she wishes to remain with the Committee, he/she shall be considered a member in good standing, unless otherwise provided by the Board of Directors.
- C. If Committee members cannot attend a meeting, they may send a representative to take notes and gather information. The representative may not vote on issues, but may enter into discussions of the Committee.
- D. The representative would not be considered an alternate and the action would still constitute an absence of the missing Committee member.

## **ALTERNATE REPRESENTATIVES**

Section 200. The appointing authority for any Member may appoint an Alternate Representative, who shall serve at the pleasure of the appointing authority. The Alternate Representative shall be a person having a professional affiliation with the Member and must have developed and demonstrated prior interest and knowledge of the Committee by attending prior Committee meetings during the Member's term. The Alternate Representative shall serve and vote in place of the Member only if the Member is absent. Any meeting attended by the Alternate Representative shall not constitute an absence of the Member for purposes of Section 190.

## **ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

Section 210. The Chairperson and Vice Chairperson shall be elected each year at the last quarterly meeting of the Committee and shall assume the duties of such office at the first quarterly meeting of the new year.

Section 220. No member shall hold the office of Chairperson or Vice Chairman for more than two consecutive terms.

Section 230. The Chairperson may be removed from office and relieved of duties by a majority of the membership.

## **DUTIES OF CHAIRPERSON**

Section 240. The Chairperson shall preside at all meetings of the Committee and perform duties consistent with the procedures outlined herein.

Section 250. The Chairperson shall make an annual report to the Tehama County Flood Control and Water Conservation District Board of Directors in December of each year or more often as recommended by the Executive Director of the District.

Section 260. In the absence of the Chairperson, the Vice Chairperson shall execute the duties of Chairperson.

Section 270. The presiding officer shall maintain order and decorum and decide questions of procedure (according to Robert's Rules of Order) subject to the right of the Committee to make the final determination. He/she shall call the meeting to order promptly at the appointed hour and conduct the meeting as prescribed by these procedures and the laws of the State of California.

## **SECRETARIAL ASSISTANCE**

Section 280. The functions of this office will be performed by an assigned Tehama County Flood Control and Water Conservation District employee, designated by the Executive Director of the District.

Section 290. This employee is not a voting member of the Committee. In the event District resources preclude this, the office of Secretary shall be established with the following duties:

Section 300. The Secretary to the Committee will attend all meetings of the Committee, and also any subcommittee meetings when requested.

Section 310. The Secretary shall maintain a record of all sessions and Committee attendance.

Section 320. The agenda for regular and special meetings shall be prepared by the Chairperson and Secretary in conformance with Brown Act requirements and distributed by the Secretary to each Committee member. Copies of the agenda shall be posted in accordance with the Brown Act and made available at each meeting for the public.

## **TECHNICAL RESOURCES**

Section 330. As the need arises, the Committee shall make recommendations to the District Board for the purpose of obtaining and utilizing resources drawn from a “Technical Pool”.

Section 334. The Technical Pool shall consist of a list of individuals or groups employed with local, state and federal resource agencies, consultants, environmental groups, local businesses and industry, and other areas.

Section 338. Any such recommendation that would incur a financial cost to the District must be first approved by the Board of Directors.

Section 340. Technical Pool participants will work with staff and the Committee to provide additional technical support where needed.

Section 345. The Executive Director of the District shall act as the liaison between the Committee and the Technical Pool.

## **COMMITTEES**

Section 350. The Committee may create standing committees. Staff shall serve in an advisory capacity to any such committee. The Chairperson shall appoint standing committee members with the concurrence of the individual appointed. All standing committees and subcommittees shall comply with the Ralph M. Brown Act, set forth in the California Government Code sections 54950-54963, inclusive.

## **MISCELLANEOUS PROVISIONS**

Section 360. The Ralph M. Brown Act, set forth in the California Government Code sections 54950-54963, inclusive, shall govern all meetings of the Committee and its standing committees.

Section 370. All actions and decisions shall be by a majority vote of the members present (or their Temporary Alternates, when granted the privilege of voting under Section

200). If a voting member (or their alternate, when granted the privilege of voting under Section 200) abstains without cause on any matter, their vote shall be counted as concurrence in the action of the majority of the members who do vote on the matter. In the event of a tie vote, Robert's Rules of Order shall govern the outcome.

Section 380. These Bylaws may be altered, amended, suspended, or repealed by the Tehama County Flood Control and Water Conservation District Board of Directors. The Committee may recommend such changes to the Board of Directors for their consideration.

## **INFORMATION SOURCES**

Section 400. The following documents were referenced in the development of these Bylaws:

1. "Interoffice memorandum", Hatch & Parent, Feb. 17, 1995.
2. "BLM Seeks Resource Advisory Council Members" BLM News Release, May 19, 1995.
3. "Mental Health, Drug and Alcohol Board Bylaws", Tehama County Health Agency.
4. "Local Mental Health Board Restructuring" State Department of Mental Health Information Notice No. 92-38, December 17, 1992.
5. "The Community Values of Water and Suggestions on Incorporating Them Into Water Policy" Water Education Foundation, May 12, 1994.
6. Meetings Notes/Correspondence re: Planning Committee for Tehama County Water Resources Advisory Board, University of California Farm Advisory April-May 1994.
7. Robert's Rules of Order, Scott, Foresman and Co., 1981.
8. Chapter 2.20, "Planning Commission", Tehama County Code.
9. Public Health Advisory Board Bylaws (2009 rev.), County of Tehama
10. Community Action Agency Tripartite Board Bylaws (2009 rev.), County of Tehama