

BYLAWS

STATE WATER SUBCONTRACTORS ADVISORY COMMITTEE

SAN LUIS OBISPO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Adopted November 2019; Approved by the Board of Supervisors February 4, 2020

1. NAME

The name of the advisory committee described herein shall be the State Water Subcontractors Advisory Committee ("Committee").

2. BACKGROUND

The San Luis Obispo County Flood Control and Water Conservation District ("District") entered into an agreement with the State of California ("State") pursuant to which the State furnishes a water supply ("State Water") to the District. The District subsequently entered into subcontracts ("Water Supply Agreements") with various water suppliers ("Subcontractors") pursuant to which the District furnishes State Water to the Subcontractors. Article 31 of the Water Supply Agreements provides for the formation of an advisory group as more specifically described below.

3. PURPOSE, RESPONSIBILITY, AND AUTHORITY

- a. **Purpose:** Pursuant to Article 31 of the Water Supply Agreements, the purpose of the Committee is *"to monitor all aspects of [the Water Supply Agreements] [...] and to advise the governing bodies of District and [Subcontractors] on the functioning of [the Water Supply Agreements] [...], and to recommend to the governing bodies of District and [Subcontractors] any modifications to said agreements that may, from time to time, be appropriate."*
- b. **Authority and Limitations:** The Committee's authority is that of an advisory committee to the San Luis Obispo County Board of Supervisors in its capacity as the San Luis Obispo County Flood Control and Water Conservation District Board of Supervisors ("District Board of Supervisors") regarding the needs and desires of the Subcontractors.
- c. **Role of the District Board of Supervisors:** The District Board of Supervisors may approve, alter, or return any recommendation of the Committee.
- d. **Brown Act Compliance:** The Committee shall comply with all applicable laws, including, but not limited to, the Ralph M. Brown Act (Government Code §§ 54950 et seq.).

4. MEMBERS AND TERMS OF MEMBERSHIP

General Membership: Membership on the Committee shall be available to representatives from all Subcontractors and the District. The Committee shall consist of one member (and one alternate member) representing each Subcontractor and one non-voting member (and one non-voting alternate member) representing the District. The alternate member representing each Subcontractor and the District is only authorized to participate as a member on the Committee in the absence of the member.

- a. **Appointment of Members:** Each Subcontractor may nominate a member and an alternate member to represent them on the Committee subject to confirmation by the District Board of Supervisors. Said members shall serve at the pleasure of the governing board of the respective Subcontractor and may be removed at any time by either the District Board of Supervisors or the Subcontractor's governing body, provided that the District Board of Supervisors shall have no authority to replace a removed member with an individual who has not been nominated by the relevant Subcontractor. The member and alternate member representing the District and County Subcontractors shall be County staff from the Public Works Department appointed by and serving at the pleasure of the San Luis Obispo County Director of Public Works.
- b. **Subcontractors:** Committee membership is available to the following District Subcontractors:
 - i. County Service Area No.16 (Improvement District No. 1, Shandon)
 - ii. State of California Department of Corrections (California Men's Colony, San Luis Obispo)
 - iii. County of San Luis Obispo (County Operations Center and El Chorro Regional Park)
 - iv. San Luis Obispo County Community College District (Cuesta College Campus, San Luis Obispo)
 - v. City of Morro Bay
 - vi. City of Pismo Beach
 - vii. Oceano Community Services District
 - viii. San Miguelito Mutual Water Company
 - ix. Avila Beach Community Services District
 - x. Avila Valley Mutual Water Company
 - xi. San Luis Coastal Unified School District
- c. **Vacancies:** Should a member resign or leave the Committee, the alternate member shall serve until a new appointment is made.

5. OFFICERS

- a. **Officers:** Officers of the Committee shall consist of a Chair and Vice Chair who shall be elected by the Committee at the first regular meeting of each year.
- b. **Chair Duties:** It shall be the duty of the Committee Chair to (1) preside over all meetings of the Committee, (2) call special meetings of the Committee when necessary consistent with all legal requirements, and (3) appoint subcommittees subject to the confirmation of the Committee.
- c. **Vice Chair Duties:** It shall be the role of the Vice Chair to fulfill the duties of the Chair in his or her absence, and then the Vice Chair shall become the Chair in the following year.
- d. **Committee Administrative Duties:** The administrative duties that are of a secretarial nature shall be handled by District Staff, including keeping meeting minutes, agenda preparation, and correspondence.
- e. **Term:** No elected officer of the Committee shall serve more than two (2) consecutive full one-year terms in the same office.
- f. **Vacancies:** The Vice Chair shall assume the role of Chair in the absence or resignation of the Chair. Vacated officer positions shall be filled by election of the Committee at the next meeting.

6. SUBCOMMITTEES

- a. **Purpose:** Subcommittees shall be formed for the limited purpose of providing in-depth knowledge on specific issues related to the interest of the Subcontractors.
- b. **Formation:** Subcommittees shall be formed, and its members appointed by the Chair, subject to the confirmation of the Committee.

7. MEETING CONDUCT AND ADMINISTRATION

- a. **Notice of Meetings:** Meetings shall be noticed and conducted in accordance with all applicable laws, including but not limited to the Ralph M. Brown Act (Government Code §§ 54950 et seq.).

- b. **Preferred Meeting Dates, Duration and Location:** Regular meetings of the Committee shall be held on a schedule established by the Committee at the first meeting of each year.
- c. **Frequency:** Meetings of the Committee shall meet at least four times per year. Additional meetings may be scheduled as agreed upon by a majority vote of the Committee.
- d. **Presiding Officer:** If both the Chair and the Vice Chair are unable to preside, District Staff shall assume the role of Chair for the Committee meeting.
- e. **Minutes and Other Records of Business:** District Staff shall keep written notes and an audio recording of each Committee meeting, and shall also be responsible for correspondence, files, and general administration of the Committee. Audio recordings will be kept on file in the San Luis Obispo County Public Works Department office until meeting minutes have been approved by the Committee.
- f. **Special Meetings:** Special meetings of the Committee may be called at any time by the Chair or a majority of the Committee members subject to satisfaction of all legal requirements.
- g. **Quorum:** A quorum of the Committee shall consist of 5 members.
- h. **Voting:** With the exception of the District, each member of the Committee shall be entitled to one (1) vote on all matters before the Committee and any decision (i.e. election of Chair and Vice Chair) or recommendation to the District Board of Supervisors shall be supported by a majority vote.
- i. **Alternate Notification:** It shall be the responsibility of a Committee member who will be absent to contact said member's alternate to attend the meeting in his or her place.
- j. **Member Updates:** Members are encouraged to provide an update on water resource issues relevant to his or her agency at least once per year.

8. BYLAW REVISIONS

Bylaws shall be reviewed every two (2) years for recommended updates, or more often if requested by the Committee.