

LAKE COUNTY CLEAN WATER PROGRAM

Lake County
Clean Water Program

ADVISORY COUNCIL BYLAWS

Approved

August 4,

2005

December 1, 2014

Excerpted from Lake County Clean Water Program FY 2008-2009 Annual Report

<http://www.co.lake.ca.us/Assets/CDD/Stormwater+Mgt/Clean+Water+PDFs/Final+2008.09+Annual+Report.pdf> (PDF Pages 120-125)

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Lake County Clean Water Program

Advisory
Council
BYLAWS

TABLE OF CONTENTS PAGE

ARTICLE I - ADVISORY COUNCIL 1

100	Name of Council	1
110	Voting Membership of the Advisory Council	1
120	Office of the Advisory Council	1
130	Meeting of the Advisory Council	1
132	Chair/Nice Chair of the Advisory Council	2
133	Written Record of Meeting	2
134	Matters for Agenda	2
135	Voting	3
136	Representation of Program	3
137	Review and Revision of Bylaws and Policies	3

ARTICLE 11 BUDGET 200

Review of Cost Share Allocation 210

Regional Funding 220 Budget

Reconciliation

ATTACHMENT I Office of Stormwater Program Advisory Council

**BYLAWS OF THE
LAKE COUNTY CLEAN WATER PROGRAM
ADVISORY COUNCIL**

ARTICLE I ADVISORY COUNCIL

Section 100 Name of Council

The management and oversight body of the Lake County Clean Water Program (“Program”), as established by Agreement Providing for Implementation of the Lake County Clean Water Program (“Agreement”), shall be known and referred to in these Bylaws as the Lake County Clean Water Program Advisory Council (“Advisory Council”).

Section 110 Voting Membership of Advisory Council

110.1 The voting membership of the ADVISORY COUNCIL shall consist of four (4) individuals as follows: **■** one (1) voting representative from the Lake County Watershed Protection

■ District (DISTRICT), **■** one (1) voting representative from the County of Lake, **■** one (1) voting representative from the City of Lakeport, and **■** one (1) voting representative from the City of Clearlake.

110.2 An alternative voting representative for each of the PARTIES voting representatives as provided in Section 110.1 shall be appointed by each PARTY and submitted to the Advisory Council in February of each year.

110.3 A quorum of the ADVISORY COUNCIL shall be achieved when at least three (3) of the voting representatives are present at any ADVISORY COUNCIL meeting.

Section 120 Office of the Advisory Council

120.1 The official office and mailing address of the Advisory Council shall be as shown on Attachment I.

120.2 Copies of all correspondence to the Program shall be provided to the Chair of the Advisory Council.

Section 130 Meeting of the Advisory Council

The Advisory Council shall hold regularly scheduled quarterly meetings to discuss Program business, and special meetings as necessary, each third Thursday of February, May, August and November. In the case of a cancellation, the Program Manager will post notice and inform each Advisory Council representative of the cancellation one week prior to the regular meeting date. Except as otherwise may be provided by co-permittees, the regular meeting time and place of the Advisory Council shall be:

Third Thursday of February, May, August, November
8:30 a.m. - 10:30 a.m.
Lake County Courthouse, Conference Room C
255 North Forbes Street
Lakeport, California 95453

Section 131 Conduct of Meetings

131.1 The elected Chair shall preside over Advisory Council Meetings. In the event the Chair is unable to attend the meeting, the order of substitution shall be first, the Vice-Chair, and second, the Program Manager.

131.2 The latest edition of Robert's Rules of Order may be consulted to provide guidance to the Advisory Council in the event a question is raised regarding procedural matters.

131.3 Public participation in Advisory Council meetings is encouraged and shall be recognized in general accordance with applicable Brown Act provisions.

Section 132 Chair/Vice Chair of the Advisory Council

The Chair and Vice Chair of the Advisory Council shall be selected at the first meeting each calendar year from among any of the voting representatives. The Chair and Vice Chair shall be nominated and voted for annually at the first meeting of the calendar year in separate motions by the Advisory Council.

Section 133 Written Record of Meeting

The Program Manager shall keep a written record of all Advisory Council proceedings and votes ("Minutes"). Minutes shall be approved by the Advisory Council.

Section 134 Matters for Agenda

134.1 Proposed action items shall be directed to the Program Manager as early as possible and at least two weeks prior to the Advisory Council meeting at which action will be requested, except for urgency or emergency matters, as defined under Government Code Sections 54954.2(b) and 54954.5 (the Brown Act).

134.2 Notification of Advisory Council agendas shall be provided in accordance with the Brown Act. Agendas shall be posted by the Program Manager at the regularly scheduled meeting venue.

134.3 At each Advisory Council meeting, the regular order of business shall be conducted in accordance with the Agenda. The Advisory Council, by majority vote, may rearrange the order of the items listed on the agenda at any meeting.

Section 135 Voting

All voting by the Advisory Council shall be by “Ayes” and “Noes,” and shall be entered into official minutes of Advisory Council proceedings. Upon request of any member of the Advisory Council, a roll call vote shall be taken on any matter upon which a vote is called.

Section 136 Representation of Program

The Advisory Council may designate the Program Manager or any of the PARTIES to represent the Program at meetings or organizations as needed. The designated PARTY shall be responsible for making the necessary reports to the Advisory Council.

Section 137 Review and Revision of Bylaws and Policies

Bylaws and Policies may be reviewed, revised and/or modified by the Advisory Council upon request by any PARTY or recommendation of the Program Manager.

ARTICLE II BUDGET

Section 200 Review of Cost Share Allocation

200.1 The Advisory Council shall review the proportionate PARTY cost share allocation upon formal written request by any PARTY no more frequently than once annually. The written request must be delivered to the Advisory Council by November of any given year and any modification to the cost share allocation shall be effective no earlier than the following fiscal year at the February meeting.

200.2 The formal written request shall also include an analysis of alternative cost share allocation formulas with a recommendation and rationale for the recommendation. The requesting PARTY(S) is/are also responsible for providing staff liaison and a proposed process and time schedule for review and analysis of the cost share allocation.

Section 210 Regional Funding

Funding of Program tasks shall be provided by PARTIES and shared in accordance with previously defined participation rates found in the Agreement Providing for Implementation of the Lake County Clean Water Program. Budget expenditures shall not exceed projected PARTY assessment revenues.

Section 220 Budget Reconciliation

The Program Manager shall reconcile the budget at least twice a year.

ATTACHMENT I

Office of Stormwater Program Advisory Council

Lake County Clean Water Program
do Program Manager
Lake County Watershed Protection District
255 North Forbes Street, Room 309
Lakeport, CA 95453

December 1, 2014 - Editorial Review of Lake County Clean Water Program Bylaws (above):

The following corrections need to be made to the document, in locations where text is highlighted:

1. Table of Contents: All of ARTICLE II, including title (replace integers with Roman numerals, use bold face); page numbers missing; format inconsistent with Article I; as highlighted in yellow.
2. Page 1, Section 110.1: Composition/layout correction highlighted in yellow.
3. Page 1, Section 110.1: Remove extraneous characters/symbols highlighted in red
4. Page 4, Attachment I: Remove “do” before “Program Manager (or correct if what was intended was “c/o”), as highlighted in yellow.

Content questions are as follows:

1. Page 1, Section 110.2: Who notifies the PARTY(S) of this when new City Council and Board of Supervisor committee assignments are delegated by the legislative bodies, at the beginning of each year?
2. Page 1, Section 130: Regular meetings (February, May, August, and November) beginning with November 2013, have not been held, but no notice of cancellation has been issued by the Program Manager to inform the public or co-permittees and Clean Water Program staff.
3. Page 2, Section 132: Annual elections of Chair and Vice Chair in regular February meetings is required; review minutes to see if this has occurred; see item 1, above, about notifying the co-permittee agencies for required participation by voting members of each jurisdiction.
4. Page 2, Section 133: Who maintains the posting to the website page for Council documents? (Several of these pages are out of date and confusingly organized; provide content change list for next Advisory Council meeting, request agenda item for the discussion of Bylaws and “written record of meeting.”
5. Page 3, Section 220: “Budget Reconciliation” completely absent from Program management and compliance with WQO 2013-0001-DWQ. [In other words, “What Budget?” If included in County Budget -- Unit 8109, for example -- not presented to Council and reconciled with cost-sharing agreement and permit fees or compliance costs of co-permittees staff services.]