



Resolution No. 97-08

**RESOLUTION RESTRUCTURING THE
BUTTE COUNTY WATER COMMISSION**

BE IT RESOLVED, that the Board of Supervisors of the County of Butte hereby establishes the Butte County Water Commission as follows:

Purpose: The purpose of the Butte County Water Commission is to provide advice to the Board of Supervisors on water matters, assist in the development of water policies, and perform all tasks delegated to the Commission pursuant to that ordinance titled: "An Ordinance to Protect the Groundwater Resources in Butte County".

Responsibilities: The Commission shall monitor state and federal legislation and water policy and inform the Board of Supervisors regarding the same by way of summary reports. The Commission shall review the concerns of the water industry and water users in Butte County, define problems relating to water issues and recommend solutions to the Board of Supervisors. The Commission may act as a liaison between local water agencies and the Board of Supervisors. The Commission shall be responsible for collecting and disseminating technical information and for creating and maintaining a library of water documents which shall be available to the public.

Organization: The Commission shall consist of nine members. Five members shall each represent a supervisorial district and be nominated for appointment by the county supervisor duly elected to represent that district, two members shall be landowners served by district water, and two members shall be landowners served by private wells.

Terms of appointment for commissioners appointed by the Board of Supervisors shall be the same as the terms of the county supervisors nominating that commissioner for appointment; provided, however, that each such member of the Commission shall serve until his or her successor is appointed. The term of appointment for the at-large members shall be for four years expiring March 1 of the fourth year, except for the initial term. Initial appointments for two of the at-large members, one member served by district water and one member served by private wells, shall be for two years. Initial term for the remaining two at-large members shall be for four years.

Officers: The officers of this Commission shall be a Chair and Vice Chair to be elected by the Commission at its first meeting of each calendar year. The Chief Administrative Officer shall provide administrative and secretarial services for the Commission.

Meetings: The commission shall meet as necessary. Meetings shall be public and minutes shall be maintained of all meetings.

General: This resolution supersedes Board Resolution 91-63, adopted June 4, 1991, in its entirety.

PASSED AND ADOPTED by the Butte County Board of Supervisors on this 28th day of January 1997 by the following vote:

AYES: Supervisors Beeler, Dolan, Houx, Josiassen and Chair Davis

NOES: None

ABSENT: None

NOT VOTING: None



Fred C. Davis, Chair
Butte County Board of Supervisors

ATTEST:

JOHN S. BLACKLOCK, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: 

Revised 1/28/97

BYLAWS OF THE BUTTE COUNTY WATER COMMISSION

ART. I NAME AND PURPOSE

Sec. 1 - The name of this Commission shall be the Butte County Water Commission.

Sec. 2 - The purposes of this Commission shall be to:

First: Provide advice to the Board of Supervisors on water matters and to assist in the development of water policies.

Second: Monitor state and federal legislation and water policy and inform the Board of Supervisors regarding the same by way of summary reports.

Third: Review the concerns of the water industry and water users in Butte County. Define problems relating to water issues and recommend solutions to the Board of Supervisors. The Commission may act as a liaison between local water agencies and the Board of Supervisors.

Fourth: Create and maintain a library of water documents which shall be available to the public.

Fifth: Perform all tasks delegated to the Water Commission pursuant to that ordinance titled: "An Ordinance to Protect the Groundwater Resources in Butte County".

ART. II COMMISSION

Sec. 1 - The Commission shall consist of nine members appointed by the Board of Supervisors. Five members shall each represent a supervisorial district and be nominated for appointment by the county supervisor duly elected to represent that district, two

members shall be landowners served by district water, and two members shall be landowners served by private wells.

Sec. 2 - The five commissioners appointed by the Board of Supervisors shall serve a term which coincides with the elected term of the county supervisor nominating that commissioner for appointment; provided, however, that each such member of the Commission shall serve until his or her successor is appointed. The term of appointment for at-large members shall be for four years expiring March 1 of the fourth year, except for the initial term. Initial appointments for two of the at-large members, one member served by district water and one member served by private wells, shall be for two years. Initial term for the remaining two at-large members shall be for four years.

Sec. 3 - Commission members may be removed from service for cause by the Board of Supervisors. A Commission member who misses three consecutive regular meetings without good cause may be removed from the Commission by the Board of Supervisors.

Sec. 4 - Five members shall constitute a quorum for meetings of the Commission.

ART. III OFFICERS AND TERMS OF OFFICE

Sec. 1 - The officers of this Commission shall be a Chair and Vice Chair to be elected by the Commission at its first meeting of each calendar year.

Sec. 2 - Officers shall assume office immediately upon election and serve until the following January.

Sec. 3 - If an office, other than the Chair becomes vacant, the same shall be filled by a vote of the Commission and the appointee shall serve the unexpired term.

ART. IV DUTIES OF OFFICERS

Sec. 1 - The Chair shall preside at all regular and special meetings of the Commission and shall appoint all committees unless otherwise

provided for by these bylaws.

Sec. 2 - The Vice Chair shall assume the powers and duties of the Chair in his or her absence, and shall succeed as Chair when a vacancy occurs in that office.

ART. V MEETINGS

Sec. 1 - Meetings shall be held as necessary. Written notice and an agenda of such meetings shall be sent to the Commission not less than four days prior to the meeting. Meetings shall comply with the policies and procedures set forth in Appendix I.

Sec. 2 - Meetings shall be public and minutes shall be maintained of all meetings.

ART. VI EXPENSES

Sec. 1 - Members of the Water Commission will be provided reimbursement of normal and necessary expenses, which expenses shall be chargeable to the budget of the Butte County Board of Supervisors.

Sec. 2 - Commission members will be eligible for reimbursement of transportation related expenses at the rate per mile authorized to county employees and officials. Commission members, in order to receive reimbursement, will need to show proof of valid insurance coverage according to county standards.

Sec. 3 - All other incurred expenses are subject to approval by the Board of Supervisors prior to incurring such expense.

ART. VII AMENDMENTS

Sec. 1 - The Bylaws may be amended by proposals submitted in writing to the Chair who shall notify each member of the proposed amendment not less than 30 days before the date of the meeting at which the said amendment will be voted upon.

Sec. 2 - Unless otherwise stipulated, all amendments to the Bylaws shall become effective immediately following approval by the Commission and ratified by the Board of Supervisors.

ART. VIII RULES OF ORDER

Sec. 1 - Roberts Rules of Order will be used only as a general guideline, subject to need and at the discretion of the Chair.

ART. IX CONFLICTS IN TERMS AND PROVISIONS

Sec. 1 - In the event a conflict develops between the terms and conditions of that ordinance titled "An Ordinance to Protect the Groundwater Resources in Butte County" and these Bylaws, the terms and conditions of the Ordinance shall prevail.

**APPROVED BY BUTTE COUNTY
BOARD OF SUPERVISORS**

By: *Fred C. Davis*
Fred C. Davis, Chair **JAN 28 1997**

ATTEST:

**JOHN S. BLACKLOCK, Chief Administrative
Officer and Clerk of the Board**

BY: *John S. Blacklock*

Appendix I

Water Commission Meeting Policies and Procedures

The following policies and procedures have been adopted by the Butte County Water Commission in order to comply with the "Brown Act" - open meeting requirement.

Meetings and Agenda

Regular meetings of the Water Commission are held the third Tuesday of each month at either the County Administrative Office, 25 County Center Drive, Oroville, or the Chico Public Health Conference Room, 695 Oleander Avenue, Chico. Special meetings of the Commission will be held at times and place determined by the Chair.

At least 72 hours prior to the Commission's regularly scheduled meeting, an agenda for that meeting will be posted on the window next to the east entrance to the County Administration Building, 25 County Center Drive, Oroville. Agendas for each special meeting will be posted at the same location at least 24 hours prior to the special meeting. The Commission's agenda will be sent to the news media and individuals who have asked to be placed on the Commission's mailing list.

By law, the Commission can only discuss and take action on items posted on the agenda. Items or subjects not posted on the agenda may be presented to the Commission, but the Commission may not discuss or act upon these items unless there is a determination, by at least a two-thirds vote of the Commission, that the need to take action on the item arose after the agenda was posted or that an emergency situation exists. It is the policy of the Commission that if a party had knowledge that actions would be required by the Commission, and that knowledge or need existed prior to the deadline for posting of the agenda, the Commission will not take action, but the Chair may refer the item to the secretary for placement on the next regularly scheduled Commission meeting. It shall also be the policy of the Commission that the "need" for any late additions to the agenda be substantiated in writing and filed with the Commission. The Chair may refer procedural matters to staff for action (i.e. Items to be placed on subsequent agendas, investigative reports, etc.)

Items for the Water Commission agenda shall be submitted to the County Administrative Office, 25 County Center Drive, Oroville, on or before the Tuesday preceding the commission's next regularly scheduled meeting.

The Commission encourages members of the public to attend their meetings and to participate in the discussion of agenda items. Accordingly, it shall be the policy of the Commission to request public input on each item listed on the agenda, prior to the Commission taking an action on that item. Individuals desiring to address the Commission on items not posted on the agenda will be allowed to do so after the Commission has finished with the agenda.

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