

**Appendix 1-D**  
**Petaluma Valley Groundwater Sustainability Agency**  
**Advisory Committee Charter**

# **Petaluma Valley Groundwater Sustainability Agency Advisory Committee Charter**

*Adopted November, 2017*

## **Charge**

The Advisory Committee purpose is to advise the Petaluma Valley Groundwater Sustainability Agency (“PVGSA” or “Agency”) Board of Directors (“Board”) on groundwater sustainability plan development and implementation, and on Agency policies. The intent of the Committee is to provide community perspective and participation to the Agency. The Committee will make recommendations that the PVGSA Board will consider in its decision-making.

The Advisory Committee may review or provide recommendations to the Board on groundwater-related issues:

- Development, adoption, or amendment of the groundwater sustainability plan
- Sustainability goals and objectives
- Technical and reporting standards, including best management practices, data management and reporting
- Monitoring programs
- Annual work plans and reports (including mandatory 5-year milestone reports)
- Modeling scenarios
- Inter-basin coordination activities
- Project and management actions to achieve sustainability
- Grant funding proposals
- Community outreach
- Local regulations to implement SGMA
- Fee proposals
- General advisory in response to Board inquiries

The Advisory Committee will not be involved in Agency budgets or day-to-day operations, such as personnel staffing or contracting.

## **Brown Act, Open Process, and Conflicts of Interest**

All meetings of the Advisory Committee are open to the public. The Agency will announce Committee meetings on its web site and through its regular communication channels.

Advisory Committee meetings are subject to the Brown Act. The Advisory Committee shall adopt a schedule and location for regular meetings, and meeting agendas shall be posted in accordance with the Brown Act.

All Advisory Committee meetings shall provide for public comment in accordance with the Brown Act, including non-agenda public comment and public comment on individual agenda items. Speakers will generally be limited to 2 minutes, but time may be adjusted based upon meeting circumstances. As needed, time limits may be placed on public comments to ensure the Advisory Committee is reasonably able to address all agenda items during the course of the meeting. Special and emergency meetings need not provide for non-agenda public comment, but such comment may be allowed in the Advisory Committee’s discretion. Members of the Advisory Committee are subject to all applicable conflict of

interest laws including Government Code section 1090 and the California Political Reform Act. The Board shall adopt a conflict of interest code for the Advisory Committee.

## **Roles and Responsibilities**

### **Agency Board of Directors**

The Board commits to the value of the Advisory Committee and will consider Advisory Committee recommendations when making its policy decisions.

### **Advisory Committee**

The role and responsibility of the Advisory Committee is to solicit and incorporate community and stakeholder interests into recommendations on SGMA implementation in the Petaluma Valley Groundwater Basin for the Board to consider in its decision-making process.

Advisory Committee members (“members”) reflect the diverse interests of local public agencies and groundwater users. The criteria for Advisory Committee members are to:

- Serve as a strong, effective advocate for the interest group represented
- Work collaboratively with others
- Commit time needed for ongoing discussions
- Collectively reflect diversity of interests

As part of membership, members agree to:

- Arrive at each meeting fully prepared to discuss the issues on the agenda. Preparation may include reviewing meeting summaries, technical information, and draft documents distributed in advance of each meeting.
- Present their constituent members’ views on the issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the group.
- Develop a problem-solving approach in which they consider the interests and viewpoints of all group members, in addition to their own.
- Keep their constituencies informed about the deliberations and actively seek their constituents’ input.

### **Chair**

The Advisory Committee will appoint a chair and vice-chair. The chair for the Advisory Committee agrees to:

- Work with the Agency administrator and facilitator to develop the agenda for all Committee meetings.
- Assist in framing issues so members are able to have a productive conversation and develop recommendations.
- Brief the Board on the nature and progress of the Committee at key milestones, and on recommendations from the Committee.
- Serve as the Advisory Committee media spokesperson in cooperation with the Agency communications lead.

### **Administrator**

- Maintain a current roster of Committee members.
- Work with GSA Board to fill Committee vacancies, as needed.
- In coordination with the Facilitator and Committee Chair, prepare agendas for Advisory

Committee meetings.

- Notice all meetings in accordance with the Brown Act.
- Staff all meetings, record minutes and develop and distribute meeting summaries.
- Work with Committee and GSA Board to develop annual workplan and schedule for Advisory Committee meetings.
- Facilitate the process of incorporating Committee recommendations into Board packets.
- Provide options and ensure records for AC 1234 Ethics Training and Brown Act Training for Advisory Committee members.

### **Facilitator**

As resources allow, a third-party facilitator will provide impartial facilitation services for Advisory Committee meetings. The facilitator's primary responsibility is to ensure an open process where all member interests are heard and thoughtfully considered. To this end, the facilitator works on behalf of the process and the members contributing to Advisory Committee efforts. Specific responsibilities include:

- Support the Agency Administrator and Advisory Committee Chair and/or Vice Chair in developing and distributing Committee agendas and relevant materials.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the deliberations.
- Apply collaborative, interest-based negotiation methods that foster openness and identify areas of preliminary and final consensus agreement for advice and recommendations to the Board.
- In the absence of consensus, help identify areas of agreement and disagreement.
- Check in with members as needed to ensure all issues are identified and explored.
- Coordinate with the Agency administrator and Chair or Vice Chair to ensure accurate, impartial documentation of meetings and agreements (i.e. meeting summaries and recommendation reports).
- Ensure all members uphold the tenets of the charter.

### **Decision-Making**

To inform PVGSA Board decision-making, the Advisory Committee will provide written recommendations in reports that reflect the outcome of Committee discussions. The recommendation reports will identify areas of agreement and disagreement. The Committee may request that one or more Committee members present its recommendations to the Board, including areas of agreement and disagreement, consistent with Committee deliberations. The PVGSA Board will consider Advisory Committee recommendations when making decisions. If the Board does not agree with the recommendations of the Advisory Committee, the Board shall state the reasons for its final decision.

The Advisory Committee will strive for consensus (agreement among all members) in all of its decision-making. Working toward consensus is a fundamental principle. Consensus means that all Advisory Committee members either fully support or can live with a recommendation. In reaching consensus, some Committee members may strongly endorse a particular proposal while others may accept it as "workable." Others may be only able to "live with it." Still others may choose to "stand aside" by verbally noting a disagreement, yet allowing all other members of the group to reach a consensus without them if the recommendation does not affect them or compromise their interests. Any of these actions constitutes consensus.

Any Advisory Committee member or members that disagree with a recommendation should provide an

alternative that attempts to meet his/her interests while also meeting the interests of other members. The Committee will strive for consensus, but shall not limit itself to strict consensus if 100% agreement among all participants cannot be reached after all interests and options have been thoroughly identified, explored, and discussed. Less-than-consensus recommendation-making shall not be undertaken lightly. When unable to reach consensus on advice or recommendations, the Committee will outline the areas in which it does not agree, providing some explanation to inform Board decision-making.

In order to conduct business (e.g. make and advance a recommendation to the Board), a quorum of the Advisory Committee must be present.

Options for how to define a quorum:

A simple majority of the total number of Advisory Committee members constitutes a quorum.

A super-majority of the total number of Advisory Committee members constitutes a quorum. (Advisory Committee to define what constitutes a supermajority)

## **Subcommittees**

The Advisory Committee can form ad hoc subcommittees or workgroups as needed to assist with its work advising the PVGSA Board on groundwater sustainability plan development and implementation, and on Agency policies. Subcommittee composition should be representative of diverse groundwater interests. Subcommittees will develop proposals or recommendations for full Advisory Committee consideration. Any established subcommittee will operate in accordance with the Brown Act.

## **Membership**

Composition of the Advisory Committee is intended to reflect the beneficial uses and users of groundwater in the Petaluma Valley. Established by the Board, the Advisory Committee consists of ten members that represent the following member agency designations and interest groups:

- Five at-large members, one appointed by each PVGSA member agency.
- Five interest-based appointees appointed by the PVGSA Board:
  1. Environmental representative
  2. Rural residential well owner
  3. Business community
  4. Agricultural interest (surface water or groundwater user)
  5. At-large community representative (preference for disadvantaged community interest)

Advisory Committee members may not serve concurrently on the PVGSA governing board.

Members must live or work within or represent an organization with a presence in the Petaluma Valley Groundwater Basin, identified by the Department of Water Resources current Bulletin 118. The Board will determine if alternates are necessary, and if so, the appointment process.

Advisory Committee members serve without compensation.

## **Selection and Appointment Process**

The Board maintains an interested parties list, develops and oversees an application process, and make appointments to the Advisory Committee following member terms outlined below.

### *At-Large Seats*

Each PVGSA member agency's governing body will appoint its at-large seat.

### *Interest-Based Seats*

Interested individuals from the community or local organizations may apply to the Board, designating in the application the seat that the applicant would intend to fill. The PVGSA Board encourages interest groups to work together to recommend a single candidate to fill that interest's seat. The Board will give strong consideration to appointing candidates that have the backing of multiple organizations or individuals within that interest group and familiarity with groundwater and its management. The Board will also give preference to applicants with experience working with diverse community-based groups.

For the at-large community representatives, the Board will give strong preference to representatives who live or work within a Disadvantaged Community (as defined in SGMA) and will in any case give preference to appointees that can represent the interests of disadvantaged populations or interests that are otherwise under-represented on the Advisory Committee.

The Board may modify by supermajority vote the composition and number of Advisory Committee members. The Board can remove an interest-based committee member by majority vote if the member is not performing his or her responsibilities.

### *Terms*

The initial Advisory Committee appointments will include five seats with three-year terms (interest-based categories) ending in December 2020 and five two-year terms (at-large) ending in December 2019. Following initial Committee appointment, all terms will be two years and end in December. Appointees are not term-limited; however, members must apply for each term. If a vacancy occurs for an interest-based seat before the end of the term, the Board will appoint a new individual to complete the term. The appointing Member shall fill at-large vacancies.

## **Process Agreements and Ground Rules**

To conduct a successful collaborative process, the facilitator and all Advisory Committee members will work together to create a constructive, problem solving environment. To this end, all members agree to the following process agreements which the Committee will use, and to ground rules which will guide individual and group behavior.

### *Process Agreements*

- ✓ **Everyone agrees to negotiate in good faith.** All participants agree to participate in decision making, to act in good faith in all aspects of this effort and to communicate their interests during meetings. Good faith also requires that members not make commitments they do not intend to follow through with, and that members act consistently in the meetings and in other forums where the issues under discussion in these meetings are also being discussed.
- ✓ **Everyone agrees to address the issues and concerns of the participants.** Everyone who is joining in the Advisory Committee is doing so because s/he has a stake in the issue at hand. For the process to be successful, all the members agree to validate the issues and concerns of the other members and strive to reach an agreement that takes all the issues under consideration. Disagreements will be viewed as problems to be solved, rather than battles to be won.

- ✓ **Everyone agrees to inform and seek input from their constituents about the outcome of the facilitated discussions.** To the extent possible, scheduling will allow for members to inform and seek input from their constituents, scientific advisors, and others about discussions.
- ✓ **Everyone agrees that members can meet with other organizational or interest group members.** Advisory Committee members may find it helpful to meet with other organizations or interest group members and to consult with constituents outside of the meeting so the member is better able to communicate community concerns on the issues at hand.
- ✓ **Everyone agrees to attend all the meetings to the extent possible.** Continuity of the conversations and building trust are critical to the success of the Advisory Committee. Members are encouraged to turn off cell phones and focus on the issue at hand. Agency staff or the facilitator will coordinate the meeting schedule.

### *Ground Rules*

#### **Use Common Conversational Courtesies**

Treat each other with mutual respect as you discuss and deliberate groundwater issues.

#### **All Ideas and Points of View Have Value**

All ideas have value in this setting. We are looking for innovative ideas. The goal is to achieve understanding. Simply listen, you do not have to agree. If you hear something you do not agree with or you think is "silly" or "wrong," please remember that the purpose of the forum is to share ideas.

#### **Be Honest, Fair, and as Candid as Possible**

Put your interests forward, help others understand you and listen actively in order to understand others.

#### **Avoid Editorials**

It will be tempting to analyze the motives of others or offer editorial comments. Please talk about *your own* ideas and thoughts. Avoid commenting on why you believe another participant thinks something.

#### **Honor Time, Be Concise and Share the Air**

Help ensure an inclusive discussion by being cognizant of time constraints, stating your views clearly and concisely, and sharing the air so others can participate as well.

#### **Think Innovatively and Welcome New Ideas**

Creative thinking and problem solving are essential to success. "Climb out of the box" and attempt to think about the problem in a new way.

#### **Invite Humor and Good Will**

Don't hesitate to bring levity and humor to the process when warranted, as this often helps collaborative discussions.

#### **Be Comfortable**

Please feel help yourself to refreshments or take personal breaks. If you have other needs please inform the facilitator.

## **Communication**

### **Media**

Members are asked to speak only for their organization or themselves when asked by external parties, including the media, about the Advisory Committee's progress, unless there has been a formal adoption of a statement, concepts, or recommendations by the Advisory Committee. Members will refer media inquiries to the Agency communications lead and reserve freedom to express their own opinions to media representatives. Members should be careful to present only their own views and not those of other participants. The temptation to discuss someone else's statements or position should be avoided. The Agency communications lead may refer media to the Advisory Committee Chair to speak on behalf of the Committee as needed.

## **Amendments**

**The Advisory Committee can recommend future changes to the charter. The Board may amend the charter when needed using its decision-making procedure.**