RESOLUTION - ACTION REQUESTED 2017-36

MEETING: January 24, 2017

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: AB939 Task Force By-Laws Revision

RECOMMENDATION AND JUSTIFICATION:
Approve Revisions to the AB939 Task Force By-Laws to Clarify the Role of Alternates and Incorporate Other Minor Recommendations from County Counsel and the Task Force Secretary. These revisions were approved by the AB939 Task Force during their meeting on December 1, 2016. The recommended revisions to the By-Laws are noted in red.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has typically concurred with the recommendation of Task Forces, Committees and County Counsel regarding revisions to By-laws.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
The Board could chose to direct additional revisions. Should no action be taken, the AB939 Task Force would continue to use the By-laws currently in place, which do not fully clarify the roles of Alternate Members.

ATTACHMENTS:
DRAFT - AB939 - BY-LAWS with proposed revisions to BOS 1.17.17  (DOCX)
Public Resources Code 40950  (DOCX)

CAO RECOMMENDATION
Requested Action Recommended

Dallin Kimble
Dallin Kimble, Interim CAO  1/18/2017
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Menetrey, Smallcombe, Jones, Long, Cann
MARIPOSA COUNTY SOLID WASTE
AB939 LOCAL TASK FORCE

BY – LAWS

Article I
Name of Organization

Section 1: The name of this organization shall be the Mariposa County Solid Waste Local Task Force, (hereinafter referred to as “Task Force”), as authorized by Resolution No. 03-116.

Article II
Purposes of the Task Force

Section 1: The Task Force has the following purposes:
(a) to review and comment on the planning documents regarding the five-year County Integrated Waste Management Plan (CIWMP) and to provide solid waste programs in accordance with CCR Title 14, Section 18788; and
(b) to ensure a coordinated and cost-effective regional recycling system, the task force shall do all of the following:
(i) identify solid waste management issues of countywide or regional concern;
(ii) determine the need for solid waste collection and transfer systems, processing facilities, and marketing strategies that can serve more than one local jurisdiction within the region;
(iii) facilitate the development of multi-jurisdictional arrangements for the marketing of recyclable materials;
(iv) to the extent possible, facilitate resolution of conflicts and inconsistencies between or among city and county source reduction and recycling elements;
(v) develop goals, policies, and procedures which are consistent with guidelines and regulations adopted by the Board of Supervisors, to guide the development of the siting element of the countywide integrated waste management plan.

Article III
Members

Section 1: Membership on the Task Force shall consist of nine (9) voting members and two members of the Board of Supervisors, who shall be non-voting members, for a total of (11) eleven members, which shall be comprised as follows:
(a) Two members of the Board of Supervisors who shall be non-voting members
(b) One National Park Representative or designated alternate
(c) One Yosemite Concessionaire Representative or designated alternate
(d) One Solid Waste Contractor or designated alternate
(e) One County Health Department Representative or designated alternate
(f) Two Public Works Representatives or designated alternate
(g) Two Public Members – One member will serve a four-year term; the second member will serve a two-year term
(h) One Mariposa Unified School District Representative or designated alternate

Section 2: Designated alternates shall have full voting rights only in the absence of the appointed member. If both the member and designated alternate attend the same meeting, only the member shall
have voting rights; the designated alternate shall then provide input as a member of the public. Meeting
minutes and/or meeting notes shall reflect the absence of the regular member and the presence of the
alternate.

Section 3: Task Force members shall be appointed to a continuous term (Public Members shall serve
2 year/4year terms. See Article III, Section 1, g.)

Section 4: Task Force members shall provide advance notice to the Chairperson if they are unable to
attend a meeting. If a member fails to attend two consecutive meeting without a valid excuse for those
absences, the Chairperson shall refer to the matter to the two County Supervisors on the Task Force with
a recommendation as to whether the member should remain on the Task Force. The Chairperson shall
determine if the absence is excused or un-excused.

Section 5: Committee members shall be appointed by majority vote of the Board of Supervisors. The
Board of Supervisors may remove any member at any time without cause.

Section 6: For any vacancy of the Committee, recruitment shall be done in accordance with the
requirements of the Maddy Act.

Section 7: Anyone wishing to resign can do so at any time; a letter or email of resignation to the Task
Force secretary is suggested.

Article IV
Officers

Section 1: Officers of the Task Force shall consist of the Chairperson and the Vice-Chairperson.
Officers shall serve one year terms or until the successor of each is appointed and qualified.

Section 2: The Chairperson shall preside at all meetings of the Task Force and shall perform all duties
necessary or incidental to the office, including approval of the agenda topics for all meetings.

Section 3: The Chairperson or his/her designee shall represent the Task Force at other public meetings
and community events. The Chairperson shall only provide such representation based upon action taken
by the Task Force at a regularly scheduled or special meeting of the Task Force in which a quorum was
present.

Section 4: The Vice-Chairperson shall serve as Chairperson in the absence or inability of the
Chairperson to act.

Section 5: The Public Works Director (or the Public Works Director’s designee) is responsible for
recording the meeting and the archival storage of the meeting tapes.

Section 6: At the first scheduled meeting of each year, the Task Force shall elect officers. Members will
assume office immediately at that time.
Article V
Ad-Hoc Study Committees

Section 1: At its discretion, and by a majority vote, the Task Force may appoint members of the Task Force to study specific items as determined by the Task Force. The membership of any ad-hoc study committee may not comprise a quorum of the Task Force.

Section 2: Ad-Hoc Study Committees may make recommendations and submit them to the Task Force for review and possible action.

Section 3: Ad-Hoc Study Committees may include participants who are not Task Force members, but whose participation is deemed valuable to the subject being studied.

Article VI
Meetings

Section 1: All meetings of the Task Force are open to the public. Members of the public may bring matters to the attention of the Task Force, express opinions and request action. No action will be taken on items not on the agenda. Meetings of the Task Force shall be subject to the provisions of the California Open Meeting Law (Brown Act) and shall be conducted in accordance with Robert’s Rules of Order.

Section 2: Regular meetings shall be held at the call of the Chairperson or at the request of the majority of the Task Force members. The Task Force shall consider an annual schedule of meetings for the coming year at its final meeting of the calendar year.

Section 3: Notice of Task Force meetings shall be posted and published not less than seven days prior to the date of the meeting at the following locations:
   a) The Mariposa County Government Center
   b) A centralized posting location within the area served by the Task Force
   c) The meeting location

Section 4: An agenda shall be posted at the meeting location at least 72 hours prior to any regular meeting.

Section 5: A quorum for a duly held meeting shall consist of a majority of the voting Task Force members.

Section 6: The Chairperson may call a special (not regularly scheduled) meeting after proper notification of Task Force members and with proper advance posting notification.

Section 7: At the discretion of the Chairperson, public input on matters being considered by the Task Force may be time-limited in order to allow for participation from all members of the public present who would like to speak, or for adequate deliberation by the Task Force before making a decision.

Section 8: Every act or decision performed or made by a majority of the members present at a duly held meeting, at which a quorum is present, shall be regarded as an act of the entire Task Force.

Section 9: An item on the agenda maybe continued to the next scheduled or to a subsequent regular or special (not regularly scheduled) meeting of the Task Force, the date, time, and location to be specified.
A regular or special (not regularly scheduled) meeting will be adjourned when all of the agenda items have been discussed.

**Article VII**

**Correspondence**

**Section 1:** All correspondence received by any Task Force member regarding matters being considered by the Task Force shall be forwarded to the Chairperson.

**Section 2:** Upon receipt of any correspondence directed to the activities or responsibilities of the Task Force, the Chairperson shall place the correspondence on the agenda of the next regularly scheduled meeting, time permitting, for discussion by the Task Force.

**Section 3:** The Chairperson or his/her designee shall reply to any correspondence, or refer the correspondence to the Mariposa County Board of Supervisors, based upon action taken by the Task Force at a meeting in which a quorum is present.

**Article VIII**

**Amendments**

**Section 1:** These by-laws and any amendments to these by-laws may be approved only at a regular meeting of the Task Force by the two-thirds majority approval of the appointed voting members of the Task Force, provided that the proposed amendments have been previously presented at a meeting of the Task Force for consideration.

**Section 2:** These by-laws and any amendment approved by the Task Force will be submitted to the Board of Supervisors for review and final approval.