

Charter for the Safe and Affordable Fund for Equity and Resiliency (SAFER) Drinking Water Advisory Group

I. Purpose

This document provides the protocols and guidelines for the administration of the Safe and Affordable Fund for Equity and Resiliency (SAFER) Drinking Water Advisory Group (Group).

II. Background

The Safe and Affordable Drinking Water Fund (Fund) was created in 2019 to fund projects to help water systems provide an adequate and affordable supply of safe drinking water (see Health and Safety Code section 116766). The Fund is administered by the State Water Resources Control Board (Board). The Board is required to develop and adopt a Fund Expenditure Plan (Plan) each year. The Board is required to consult with the Group to aid in meeting the purposes of the Plan. The Group must be composed of representatives from public water systems; technical assistance providers; local agencies; nongovernmental organizations; residents served by community water systems in disadvantaged communities, state small water systems, and domestic wells; and the public. Board Resolution No. 2019-0060 authorized the Executive Director of the Board, or her designee, to perform all acts necessary or convenient to form the Group, including, but not limited to, the creation of a charter and the appointment of Group members (Members).

III. Relationship of the Group to the Board

The Group is a consultative body that advises the Board on the development of the Plan, and other key analyses and policies as needed. The Group is not authorized to approve any of these documents or make policy decisions respecting them. The Group will not evaluate individual applications for funding. It is the role and sole prerogative of the Board to approve and adopt the Plan each year.

IV. Membership

a. Composition: The Group consists of up to 19 Members. Members are appointed by the Executive Director, or her designee. Membership distribution is as follows:

- (A) Public water systems, four seats
- (B) Technical assistance providers, two seats
- (C) Local agencies, two seats
- (D) Nongovernmental organizations, two seats
- (E) Residents served by community water systems in disadvantaged communities, state small water systems, and domestic wells, seven seats
- (F) The public, three seats

To the extent possible, the Executive Director, or her designee, will ensure that appointments provide geographic balance throughout the State.

To the extent possible the Executive Director, or her designee, will ensure that a representative from a California Native American tribe is appointed to the Group.

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- b. Appointment and Term: Members are appointed by the Executive Director of the Board or her designee. Members serve staggered two-year terms, except in the first year of the Group when half of the initial Members are appointed to serve one-year terms. A person will not continue as a Member if that person ceases to qualify for the category to which they were appointed. In that event, the person shall notify the Executive Director, or her designee, and the person's membership in the Group shall automatically terminate.
- c. Compensation and Expenses: Members who are not currently receiving any type of compensation from the Board, such as grants or contracts, are eligible for reimbursement of travel expenses to attend meetings. A Member seeking reimbursement of travel expenses must provide their social security number to Board staff. The Member's name and the amount of the reimbursement will be listed on a public website. Any reimbursement for necessary travel and per diem shall be at rates not to exceed those set by the California Department of Human Resources at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx> as of the date costs are incurred by the Member.
- d. Member Responsibilities:
 - (A) Members are expected to attend all Group meetings and are encouraged to contact the Board staff lead if an absence is expected. Member alternates and proxies are not allowed.
 - (B) Members who can no longer actively participate in group activities must inform the Executive Director, or her designee, and their membership in the group will be terminated.
 - (C) Members may resign at any time by submitting a written notification to the Executive Director or her designee.
 - (D) Members shall maintain compliance with applicable ethics and conflicts laws, including AB 1013.
 - (E) Members shall be terminated from the Group due to excessive absences, considered more than two absences from Group meetings in a calendar year. Exceptions may be made on a case-by-case basis due to serious illness or other circumstances as deemed acceptable by the Executive Director or her designee. Terminations under this section are at the discretion of the Executive Director or her designee.

V. Procedural Rules

- a. Meetings: The Group meets up to four times per year at locations around the state. All meetings of the Group are subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). The Board staff will publicly notice each meeting of the Group in accordance with the Bagley-Keene Open Meeting Act. Members must abide by the provisions of the Bagley-Keene Open Meeting Act,

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including refraining from meeting to discuss any matter within the Group's advisory role outside of the Group's scheduled and publicly noticed meetings.

- b. Meeting Materials: Board staff prepare meeting agendas and associated meeting materials.
- c. Meeting Locations: Group meetings are held at locations around the state, which are accessible to the public and have Americans with Disabilities Act accommodations. Meeting locations and times will be determined in consultation with the Group.
- d. Facilitation: Board staff facilitate Group meetings.
- e. Quorum: A quorum consists of a simple majority of Members. Absent a quorum, the Group cannot conduct business.

VI. Meeting Protocol

- a. Meeting Guidelines: The following meeting guidelines encourage productive deliberation:
 - (A) Listen actively and do not interrupt.
 - (B) Speak briefly and allow everyone to participate.
 - (C) Respect each other and disagree without being disagreeable.
 - (D) Prepare for each meeting.
 - (E) Attend each meeting and get up to speed if unable to attend.
 - (F) Honor the agenda and support meeting start and end times.

Members will do their best to follow the guidelines and give Board staff the authority to enforce the guidelines; act in good faith in all aspects of Group deliberations; and conduct themselves in a manner that promotes joint problem-solving, collaboration, and consideration of the input and viewpoints of other participants.

- b. Group Comments: Members provide constructive advice and feedback on the Plan, and other key analyses and policies as determined by the State Water Board. The Group does not develop consensus recommendations or majority opinions. Board staff gather and review all comments from Members and the public and document areas of agreement and disagreement in the meeting minutes. Group comments are advisory to the Board for implementation at the Board's discretion.
- c. Public Comment: Meetings include opportunities for public comment on agenda items.
- d. Minutes: Minutes of each meeting are kept by Board staff. Copies are electronically mailed to Board members and Group membership and posted to the Board's public website generally within three weeks after a meeting.