



## Legislation Details (With Text)

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**File created:** 3/20/2023      **In control:** Climate Action Committee

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**Title:** Staff requests that the Climate Action Committee (CAC) discuss and consider whether to amend the Bylaws and Joint Powers Agreement to allow for the appointment of Alternate representatives to the CAC by their respective jurisdictions.

**Sponsors:** Board of Supervisors

**Indexes:**

**Code sections:**

**Attachments:** 1. CAC Bylaws Final 07-23-21.pdf, 2. Joint Powers Agreement Funding and Administering CAC program (002).pdf

Date	Ver.	Action By	Action	Result
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**TO:** Napa County Climate Action Committee

**FROM:** David Morrison, Interim County Executive Officer

**REPORT BY:** David Morrison, Interim County Executive Officer

**SUBJECT:** Discussion and Consideration of Amending the Bylaws and Joint Powers Agreement to Allow Alternate Representatives

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### RECOMMENDATION

Staff requests that the Climate Action Committee (CAC) discuss and consider whether to amend the Bylaws and Joint Powers Agreement to allow for the appointment of Alternate representatives to the CAC by their respective jurisdictions.

### EXECUTIVE SUMMARY

Following a request from the Town of Yountville, the CAC is being asked to discuss and consider whether to amend the Bylaws and Joint Powers Agreement to allow for the appointment of Alternate representatives to the CAC by their respective jurisdictions.

### ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

## **BACKGROUND AND DISCUSSION**

As adopted, Section 1.C of the CAC Bylaws currently reads:

Composition. Pursuant to the Agreement, the CAC shall be a standing body consisting of 12 elected officials, with two (2) representatives from each of the Member Agencies, Napa County, American Canyon, Napa, St. Helena, Calistoga, and Yountville, which are appointed by the respective Agencies on an annual basis.

As adopted, Paragraph 4 of the Joint Powers Agreement (JPA) establishing the CAC currently states:

Administration: The Administering Agency will be advised in the implementation of its duties under this Agreement by the CAC, a standing body consisting of 12 elected officials, with two (2) representatives from each of the Member Agencies. The CAC shall adopt by-laws to govern its conduct and shall comply with the Ralph M. Brown Act, Government Code 54950 et seq. The CAC shall act as a community round table or forum for the sharing of information, providing public education, promoting events and grants relevant to climate change, developing a regional greenhouse gas inventory, and identifying mutually agreed upon climate goals and action items for consideration by the individual Member Agencies.

At the February 24, 2023, meeting, representatives from the Town of Yountville requested that the Bylaws be amended to allow for Alternate representatives, which are not currently allowed under the existing Bylaws. An amendment to the JPA may also be required to effect the change.

The Napa County Flood Control and Water Conservation District (District) is a multi-jurisdictional organization that currently allows for alternates. Alternates to the District are only allowed for Board of Supervisor members and the five Mayors. The preamble to their Bylaws reads as follows:

Effective January 1, 1997, the Napa County Flood Control and Water Conservation District Act (“the Act”) was amended by Sections 3 through 6 of Chapter 308 of the Statutes of 1996 to reorganize and expand the governing board of the District from a five-member board of directors comprised of the Napa County Board of Supervisors serving ex-officio to an eleven-member board of directors composed as follows: five directors who are members of the Napa County Board of Supervisors, serving ex-officio and having two votes each; one director who is the mayor of the City of Napa, serving ex-officio and having two votes; four directors who are the mayors of the Cities of Calistoga, St. Helena, and American Canyon, and the Town of Yountville, serving ex-officio and having one vote each; and one director who is a member of the Napa City Council, appointed annually by the Napa City Council and having one vote. Effective January 1, 2003, the Act was further

amended by Chapter 283 of the Statutes of 2002 to provide for alternate members for each mayor and for two floating alternates for the members of the board of supervisors, as well as to increase the flexibility of the District Board in regard to certain administrative matters. These amended Bylaws are adopted to govern the conduct of the District Board as reorganized and expanded by these statutes.

The Watershed Information and Conservation Council (WICC) is another multi-jurisdictional organization that allows alternates, but for all members, as indicated in their Bylaws:

Term of WICC members. Each member of the WICC shall serve for a period of four (4) years. Members serving on the WICC as elected officials and their alternates shall serve the same term as their elected office.