

# California Agricultural Land Equity Task Force Bylaws

DRAFT 10.30.2023 \*In Meeting Edits

## I. Purpose

Per AB 179 (Ting, Chapter 249, 2022), the California Agricultural Land Equity Task Force (Task Force) is established to develop recommendations on how to equitably increase access to agricultural land for food production and traditional tribal agricultural uses.

## II. Membership, Roles, and Responsibilities

### Section A: Membership

1. Members shall be appointed by the California Strategic Growth Council (SGC) in consultation with the California Department of Food and Agriculture (CDFA) Farm Equity Advisor and the California Truth and Healing Council.
2. Pursuant to AB 179 (Ting, Chapter 249, 2022), the Task Force shall consist of a regionally diverse group of individuals of up to 13 members including native and tribal liaisons, a land trust representative, individuals with expertise in issues affecting socially disadvantaged farmers or ranchers, an individual with expertise in agricultural land acquisition and finance, State Board of Food and Agriculture member, a farmworker representative, a beginning farmer, the CDFA Farm Equity Advisor, and an individual from the CDFA Black, Indigenous, People of Color (BIPOC) Producer Advisory Committee (formerly known as the BIPOC Farmer Task Force).
3. If a member chooses to vacate their position, they shall advise SGC by electronic or postal mail.
4. Replacement members will be appointed in the same manner as for the original appointment.
5. Members are expected to attend all meetings. An expected absence shall be noted to support staff in advance of a scheduled meeting. Appointed

members may not send a designee to meetings of the Task Force. Any member missing two meetings during a one-year period will be identified to the appointing authority and may be required to justify absences. The Task Force may discuss appropriate responses to excessive absences by members.

6. Members of the Task Force are considered to be state officials and, as such, must complete the Attorney General's Office and the Fair Practices Commission's Ethics Training Course within six months of their appointment and every two years thereafter. The training course is located at <http://oag.ca.gov/ethics/course>.
7. As state officials, members of the Task Force must adhere to state laws and regulations regarding conflicts of interest, self-dealing, and contracting. They must notify SGC of any potential or actual conflicts of interest arising from their work on the Task Force.

## **Section B: Elections of Officers and Duties**

1. The Chair and Vice Chair of the Task Force shall each be a representative from a non-state entity.
2. The Task Force shall elect a Chair and Vice Chair from its membership at its first meeting.
3. The Chair and Vice Chair shall be elected from among the appointed members by a quorum (51% of all voting members present) and shall serve for the duration of the Task Force.
4. The Chair's and Vice Chair's terms shall commence upon their election.
5. If both the Chair and Vice Chair are absent from a Task Force meeting, the Chair may designate another member of the Task Force to preside over the meeting.

## **Section C: Duties of Officers**

The Chair, and in the absence of the Chair, the Vice Chair, shall:

1. Take primary responsibility for serving as the liaison for communication between the Task Force and support staff.
2. Solicit agenda items for Task Force meetings from its members and coordinate with support staff to share recommended agenda items.
3. Consult with support staff to develop meeting agendas.

## *California Agricultural Land Equity Task Force Bylaws*

4. Consult with support staff regarding meeting dates, times, and locations.
5. Appoint subcommittees in consultation with Task Force members.
6. Provide leadership so that Task Force members are aware of their obligations and that the Task Force complies with its responsibilities.
7. Provide leadership so that discussions on agenda items are on-topic, productive, and professional.
8. Collaborate with support staff to ensure meeting summary notes are complete and accurate, retained, posted on the website, and included and reviewed at the next meeting.
9. Be familiar with and follow the mandates of the Bagley-Keene Open Meeting Act (Gov. Code, § 11120-11133).

### **Section D: Task Force Member Roles and Responsibilities**

The roles and responsibilities of Task Force members are to:

1. Attend all Task Force meetings and the meetings of all subcommittee meetings on which they serve and provide expertise and advice to assist in developing recommendations.
2. Cooperate with the Chair/Vice Chair and the Task Force in preserving order and decorum to meet the charge of the Task Force. Act to enhance respect, mutual understanding, and trust among all members.
3. Be familiar with and follow the mandates of the Bagley-Keene Open Meeting Act of 2004 (Gov. Code, § 11120-11133).

### **Section E: California Agricultural Land Equity Task Force Subcommittees**

1. The Task Force Chair, or in their absence, the Vice Chair, may establish subcommittees as needed.
2. Subcommittees consisting of three or more members shall adhere to the provisions of the Bagley-Keene Open Meeting Act (Gov. Code, § 11120-11133).
3. The purpose and desired tasks/outcomes of any subcommittee of the Task Force shall be explicitly stated in the meeting summary.
4. Subcommittees shall be purely advisory in nature and must report back to the full Task Force, who may then opt to take formal action on the matter.

## *California Agricultural Land Equity Task Force Bylaws*

5. Outside experts or non-Task Force members may be invited to contribute to or participate in subcommittee meetings as advisors (including staff from other offices or departments and other interested individuals).
6. In conformance with applicable Bagley Keene Act (Gov. Code, § 11120-11133) requirements, at least one support staff member shall be physically or telephonically present for all subcommittee meetings.
7. Subcommittees shall work with support staff to ensure completion of tasks associated with each subcommittee's purpose.
8. Each subcommittee shall provide written summaries of meeting outcomes and recommendations to support staff for distribution to the full Task Force.
9. Each subcommittee will disband when it completes its tasks/outcomes.

### **Section F: Reimbursement of Expenses**

1. Members serve on a voluntary basis and shall not receive compensation.
2. Members may be reimbursed for authorized travel and per diem expenses for attendance at Task Force and subcommittee meetings in accordance with the California Department of Human Resources and California State Administrative Manual Travel Reimbursement Requirements.
3. Pursuant to Gov. Code 11009, except as otherwise expressly provided by law, the members of State boards and commissions, including this Task Force, shall serve without compensation, but shall be allowed necessary expenses incurred in the performance of duty. \*NOTE: Need definition on what is considered necessary expenses

### **Section G: Authority**

The Task Force shall operate in coordination with the California Strategic Growth Council. The Task Force, per its statutory authorization, shall be advisory in nature to assist the State to develop recommendations on how to equitably increase access to agricultural land for food production and traditional tribal agricultural uses.

### **III. Operational Procedures**

#### **Section A: Quorum**

All issues submitted for determination must be made by a quorum of members. A quorum is defined as a simple majority of all appointed Task Force members. In the absence of a quorum, no official business may be conducted by the Task Force. The Task Force may discuss issues and deal with administrative matters in the absence of a quorum, but it may not take official actions during a meeting unless a quorum has been established first. The Task Force may entertain a motion to adjourn without a quorum.

#### **Section B: Public Comment Periods**

Pursuant to the provisions of the Bagley-Keene Open Meeting Act of 2004 (Gov. Code, § 11120-11133), the Task Force shall provide an opportunity for members of the public to directly address the state body on each agenda item before or during the agency's discussion or consideration of the item. Public comment may be oral or submitted in writing.

If the Task Force wishes to establish a standing rule that discussion of agenda items will be given a specified amount of time or that public comment will be limited to a certain amount of time, the Task Force may do that by adopting an administrative regulation.

The Task Force will not prohibit public criticism of its policies, programs, or services or the acts or omissions of the agency (Cal. Gov. Code § 11125.7©).

#### **Section C: Motions**

1. All actions of the Task Force shall be expressed in the form of a motion and/or resolution.
2. When a motion has been made, the Task Force shall strive to reach a consensus (i.e., unanimity). However, if a consensus cannot be reached, a vote will be called.
3. Voting when there is a Recusal or Abstention:

## *California Agricultural Land Equity Task Force Bylaws*

- a. "Recuse" shall be defined as the act of not voting on or participating in the discussion of a matter before the Task Force to avoid a conflict of interest or to comply with a disqualification by law.
- b. "Abstain" shall be defined as the act of not voting when present and entitled to vote for any reason not indicated in subsection (a), including, but not limited to, not voting for personal reasons.
- c. Abstentions and recusals by Task Force members shall have the following effects on meeting proceedings:
  - i. Task Force members who recuse themselves may not be counted toward a quorum, and their recusal may not be interpreted as support for, acquiescence in, or opposition to any actions taken by the Task Force;
  - ii. Task Force members who are present but abstain are counted toward a quorum;
  - iii. Task Force members who abstain are deemed to acquiesce in the resolution reached by Task Force provided that the Task Force may not act without support from at least a simple majority of Task Force's quorum.
4. All motions and resolutions shall be recorded in the summaries.

### **Section D: Manner of Voting**

All votes on matters before the Task Force shall be by roll call.

### **Section E: Meeting Logistics**

1. With the exception of statutorily authorized closed sessions, all meetings of the Task Force shall be open to the public.
2. All meetings of the Task Force will be held in accessible locations, and materials relating to the Task Force will be made available in accessible formats upon request.
3. The SGC shall send written notice of the place, date, time, telephone access information, and agenda of each meeting of the Task Force to each member addressed as shown on the records maintained by the SGC.
4. The facilitator will draft the agenda for each Task Force meeting with input from the members. Task Force members may propose agenda items during open session or through communication with the Chair and Vice Chair, who

will share the proposal with support staff. Where the Chair or Vice Chair is unavailable, members may communicate proposed agenda items to support staff. Submissions for agenda items will be invited at least twenty (20) days before each scheduled meeting.

5. Task Force meeting agendas shall be published online with location and telephone access information for the public at least 10 calendar days prior to the meeting. The agenda shall provide a brief description of the items of business to be transacted or discussed. No item shall be added to the agenda after the agenda is posted.

## **Section F: Amendment to Bylaws**

These bylaws may be adopted, amended or repealed upon approval by 51% of all voting members present at a duly constituted public meeting.

In the event of a statutory or regulatory change modifying the functions, composition, or other aspects of the Task Force, the changes will be incorporated into these bylaws by SGC staff and presented to the Task Force at the next meeting or within a reasonable time period.

## **Section G: Invited Guests and Participants**

The Task Force may recommend inviting individuals to present information for consideration on matters under discussion by the Task Force. Presenters may respond to questions and participate in discussions relevant to their presentation at the discretion of the Chair/Vice Chair or by a 51% vote of all Task Force voting members present.

## **Section H: Meeting Summaries and Agendas**

A record shall be made by support staff of the attendance of Task Force members and actions taken during each Task Force and subcommittee meeting. The draft staff meeting summaries are considered staff notes only and are not official summaries unless later approved by the Task Force at an open meeting. After each meeting, for the purpose of clarification, the staff notes can be made available upon request. These staff notes will contain the following caption: "These are notes of the meeting taken by support staff and do not constitute formal approved summaries

*California Agricultural Land Equity Task Force Bylaws*

of the meeting." Once approved by the Task Force, the summaries shall be posted online within 30 days following adoption and shall be a public record.

**Section I: Administration**

The California Agricultural Land Equity Task Force is administered by the Strategic Growth Council and support staff.

**Date Presented:** October 30, 2023

**Date Approved:**