

CDFA BIPOC Producer Advisory Committee Bylaws

DRAFT for Committee Review

I. Purpose

The California Black, Indigenous, and People of Color (BIPOC) Producer Advisory Committee shall advise the Secretary on matters pertaining to the implementation of the Farmer Equity Act, and recommendations contained within the Farmer Equity Report, including but not limited to all efforts to ensure socially disadvantaged producers and ranchers are better served through CDFA's programs, policies, and communications.

II. Membership, Roles, and Responsibilities

Section A: Membership

1. The BIPOC Producer Advisory Committee shall be comprised of 12 members.
2. All members will be self-identified BIPOC individuals.
3. At least 1 of the 10 members will be a member of a Federal or CA State Recognized Tribe or at least one member will be a representative of a Tribal organization.
4. 2 members of a non-profit organization representing or serving primarily BIPOC producers in California.
5. 2 members of a university or community college focused on research related to small-scale BIPOC producers.
6. 1 member of an organization providing technical assistance to small-scale and BIPOC producers.
7. 6 of the committee members will be BIPOC producers. Prior members of the ad-hoc advisory committee and/or affiliation with AB 1348 the Farmer Equity Act / CA Producer Justice Collaborative Governance Committee will be given priority consideration, but all are encouraged to apply.
8. Committee members shall serve a 4-year term.

Section B: Elections of Chairperson

1. The Chair of the committee shall be an appointed member of the committee.

2. The Committee members will nominate other members or may nominate themselves for Chair at the first meeting and Secretary of CDFA will review and make the selection before the second meeting of the committee
3. The Chair shall be elected from among the appointed members by a quorum (51% of all voting members present) and shall serve a four-year term.
4. The Chair's term shall commence upon their election.
5. If the Chair knows they will be absent from a Committee meeting, the Chair may designate another member to preside over the meeting.

Section C: Duties of Chairperson

The Chair shall:

1. Take primary responsibility for serving as the liaison for communication between the Committee members and CDFA support staff.
2. Solicit agenda items for Committee meetings from its members and coordinate with support staff to share recommended agenda items.
3. Consult with CDFA support staff to develop meeting agendas.
4. Consult with support staff regarding meeting dates, times, and locations.
5. Appoint subcommittees in consultation with CDFA BIPOC Producer advisory committee members.
6. Provide leadership so that committee members are aware of their obligations and 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: Committee Member Roles and Responsibilities

The roles and responsibilities of Committee members are to:

1. Cooperate with the Chair and Committee members in preserving order and decorum. Act to enhance respect, mutual understanding, and trust among all members.
2. Be familiar with and follow the mandates of the Bagley-Keene Open Meeting Act of 2004 (Gov. Code, § 11120-11133).
3. If a member chooses to vacate their position, they shall advise CDFA by electronic or postal mail.
4. Replacement members will be appointed in the same manner as original appointments.
5. Members will 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 committee meetings. 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 Committee may discuss appropriate responses to excessive absences by members.
6. **Conflict of Interest** – The Committee members, while entitled to their professional opinion, shall review, evaluate, and vote in a manner as to reduce the risk of perceived or real conflict of interest. Committee members shall abstain from the voting procedures if there is a conflict of interest
7. **CDFA Department Requirements-** Each member shall complete the annual “Ethics Training for State Officials” and complete the Form 700 - Statement of Economic Interests and satisfy any other Department requirements that promote impartiality.

Section E: CDFA BIPOC Advisory Committee: Subcommittees

1. The CDFA BIPOC Advisory Committee 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 shall be explicitly stated in the meeting summary.

4. Subcommittees shall be purely advisory in nature and must report back to the full Committee, who may then opt to take formal action on the matter.
5. Outside experts or non-Committee members may be invited to contribute to or participate in subcommittee meetings as advisors (including staff from other agencies or departments or subject-matter experts).
6. In conformance with applicable Bagley Keene Act (Gov. Code, § 11120-11133) requirements, at least one CDFA 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 Committee.
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 CDFA BIPOC Producer Advisory Committee quarterly meetings and subcommittee meetings in accordance with the California Department of Human Resources and California State Administrative Manual Travel Reimbursement Requirements.

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 Committee members. In the absence of a quorum, no official business may be conducted by the Committee. The Committee 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.

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.

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

Section C: Motions

1. All actions of the Committee shall be expressed in the form of a motion and/or resolution.
2. When a motion has been made, the Committee 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:
 - a. "Recuse" shall be defined as the act of not voting on or participating in the discussion of a matter before the Committee 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 Committee members shall have the following effects on meeting proceedings:
 - i. Committee 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 Committee;

- ii. Committee members who are present but abstain are counted toward a quorum;
 - iii. Committee members who abstain are deemed to acquiesce in the resolution reached by Committee provided that the Committee may not act without support from at least a simple majority of the Committee's quorum.
4. All motions and resolutions shall be recorded in the summaries.

Section D: Manner of Voting

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

Section E: Meeting Logistics

1. With the exception of authorized closed sessions, all meetings of the CDFA BIPOC Producer Advisory Committee shall be open to the public.
2. All meetings of the Committee will be held in accessible locations, and materials relating to the Committee will be made available in accessible formats upon request.
3. The CDFA shall send or publicly post written notice of the place, date, time, telephone access information, and agenda of each meeting to each member addressed as shown on the records.
4. The CDFA support staff will draft the agenda for each meeting with input from the members and Chairperson. Members may propose agenda items during open session, through communication with the Chair, or to CDFA support staff. Submissions for agenda items will be invited at least twenty (20) days before each scheduled meeting. If proposing an agenda item, members will not engage in any substantive discussion about the item prior to the public meeting.
5. Committee 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.

Date Presented:

02/15/24

Date Approved:

02/15/24