



Legislation Details (With Board Report)

File #: RES 19-089 **Name:** Appointment of the Alternate Director for the Public Member Director and two of the Agricultural Director positions on the Board of Directors of the SVBGSA

Type: BoS Resolution **Status:** In Committee

File created: 6/17/2019 **In control:** County Counsel

On agenda: 6/25/2019 **Final action:**

Title: Consider Adopting a Resolution to continue to July of 2019 the appointment of the Alternate Director for the Public Member Director and two of the Agricultural Director positions on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2019, through June 30, 2022, and solicit further interest in the Alternate Public Member position.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. 2019 SVBGSA directors appointment continuance_Resolution, 3. 21. Completed Board Order

Date	Ver.	Action By	Action	Result
6/25/2019	1	Board of Supervisors	continued	

Consider Adopting a Resolution to continue to July of 2019 the appointment of the Alternate Director for the Public Member Director and two of the Agricultural Director positions on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2019, through June 30, 2022, and solicit further interest in the Alternate Public Member position.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Consider Adopting a Resolution to continue to July of 2019 the appointment of the Alternate Director for the Public Member Director position and two of the Agricultural Director positions on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2019, through June 30, 2022, and solicit further interest in the Alternate Public Member position.

SUMMARY:

The County makes appointments to certain Director positions (Primary and Alternate) on the Board of Directors of the SVBGSA. Three of those positions, the Public Member Director and two of the Agricultural Directors, have terms expiring on June 30, 2019; however, the Salinas Basin Agricultural Water Association, which nominates for the Agricultural Director positions, has not yet completed its nominee selection process, and insufficient interest has been expressed in the Alternate Public Member Director position. Accordingly, a continuance of the selection process for those positions is appropriate.

DISCUSSION:

The SVBGSA, a Joint Powers Authority (“JPA”) created by the County, the Water Resources Agency, various cities and other public entities in the Salinas Valley, is governed by an 11-member Board of Directors. Each Director position has a Primary and an Alternate Director, and each represents a different interest or stakeholder group generally as required by the Sustainable Groundwater Management Act. As set forth in the Joint Powers

Authority agreement forming the SVBGSA, various members of JPA make appointments to the Director positions.

The County is responsible for the appointments of a Primary and Alternate for each of 7 Director positions: A) one representing Other GSA Eligible Agencies; B) four representing agricultural interests; C) one representing environmental interests; and D) one Public Member representing interests not otherwise represented on the Board. Generally, the Director positions have three-year terms; however, so that not all Director positions would expire at the same time, a number of the positions were given two-year terms at the start. The permanent Board was appointed in September of 2017; however, those appointments were effective as of July 1, 2017. Three of the Board appointments were given two-year terms, expiring on June 30, 2019. These Directors positions are two Agricultural Directors and the Public Member Director.

The JPA agreement sets forth general qualifications for Directors:

1. General education and/or knowledge, interest in and experience relating to the control, storage, and beneficial use of groundwater;
2. General understanding and knowledge of the Basin and all its beneficial users;
3. Working knowledge and understanding of how to develop strategic plans, policies, programs, and financing/funding mechanisms;
4. Genuine commitment to collaboratively work together to (a) achieve groundwater sustainability through the adoption and implementation of a Groundwater Sustainability Plan for the Salinas Valley Groundwater Basin, and all its beneficial users; and (b) provide for the ongoing sustainable management of the basin;
5. General knowledge and understanding of one or more of the different facets (administration, financial, legal, organizational, personnel, etc.) needed for a successful and productive organization;
6. Ability to commit the time necessary, estimated at a minimum 15 - 20 hours per month, to responsibly fulfill their commitment to the organization. This includes, but is not limited to: (a) Board meetings, (b) Board training, (c) analyzing financial statements and technical reports, (d) reviewing Board documents before Board meetings, (e) attending Board meetings, and (f) serving on committees to which they are assigned; and
7. A permanent resident within the Basin, or a representative of an agency with jurisdiction, or a business or organization with a presence, within the Basin.

Each of the Director positions has specific qualifications; an Agricultural Director must be an individual that i) is engaged in, and derives a majority of gross income or revenue from, commercial agricultural production or operations; or ii) is designated by an entity that is engaged in commercial agricultural production or operations, and the individual derives a majority of gross income or revenue from agricultural production or operations, including as an owner, lessor, lessee, manager, officer, or substantial shareholder of a corporate entity. The Public Member must be: i) a rural residential well owner; ii) an industrial processor; iii) a Local Small or State Small Water System (public water systems with more than 1 but less than 16 connections); or iv) a mutual water company serving residential or agricultural connections, or both.

The Salinas Basin Agricultural Water Association nominates for the two Agricultural Director positions, each of which is identified with a sub-basin within the Salinas Valley Groundwater Basin. The Director positions for which appointments are necessary are for the Upper Valley (formerly including the Paso Robles area) and the

East Side/Langley sub-basins. At this time, the Association has not completed its nomination process for these Director positions; however, pursuant to the JPA agreement, Directors serve until their successor is appointed, so the current Primary Directors Bill Lipe (Upper Valley) and Colby Pereira (East Side/Langley), and the Alternate Directors, Lawrence Hinkle and Kevin Healy, respectively, will continue to serve until their successors have been appointed. As soon as the Association has forwarded nominees, which is expected in July, the matter will be placed on the Board's agenda.

The Public Member position is selected based upon applications to the Board of Supervisors; the application process opened on May 14, 2019 and closed on June 14, 2019. At the close of the nomination process, one application was received for the Primary Public Member position and no applications were received for the Alternate Public Member position. Therefore, staff recommends that the application period be re-opened for the Alternate position until July 15, 2019, or until the position is filled, to allow for further solicitation of qualified applicants.

Accordingly, staff recommends that the selection of the Alternate Director for the Public Member position, and the two Agricultural Director positions, be continued to an appropriate time in July to allow for the Salinas Basin Agricultural Water Association to complete its nomination process, and for further solicitation of qualified applicants for the Alternate Public Member position.

ALTERNATIVES:

One application for the Primary Public Member Director position was received. If the Board wants multiple applicants from which to choose, you may also consider continuing the application period for the Primary Public Member to allow solicitation of additional applicants. If so, the attached resolution should be amended accordingly.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

There is no impact to the General Fund with appointments.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

One or two sentences explaining how this recommendation supports/advances the Board of Supervisors Strategic Initiatives. Reference to any Key Objectives and/or Milestones that are related.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by:

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Approved by:

Charles J. McKee, County Counsel

Attachments:

Resolution