



CITY COUNCIL & GVMID BOARD AGENDA REPORT

Meeting Date: June 6, 2019

From: City Manager/District Manager

Subject: Bay Area Water Supply & Conservation Agency (BAWSCA) and Bay Area Regional Water System Financing Authority (RFA) Appointments

Community Goal/Result

Safe Community

Purpose

To appoint representatives for the City and GVMID water systems to BAWSCA and RFA.

Recommendation

1. City Council identify an individual to represent the City of Brisbane as a member of the BAWSCA and RFA Boards of Directors for a four-year term (7/1/19 - 6/30/23).
2. GVMID Board identify an individual to represent the Guadalupe Valley Municipal Improvement District (GVMID) as a member of the BAWSCA and RFA Boards of Directors for a four-year term (7/1/19 - 6/30/23).
3. Direct the City Clerk to provide the BAWSCA office with a record of the council action making the appointments.

Background

The attached letters addressed to Mayor Davis identify the issues associated with the recommended actions.

Former Councilmember Richardson (now, Ms. Wood), was appointed to represent the City of Brisbane in 2012 when Councilmember Bologoff's term on the Council ended. Ms. Wood has indicated her desire and willingness to continue representing the City on these Boards.

The City's Director of Public Works/City Engineer Randy Breault has represented GVMID on both BAWSCA and RFA Boards since the establishment of these agencies in 2003. Mr. Breault was the 2015-2016 Chair for both BAWSCA and the RFA.

Fiscal Impact

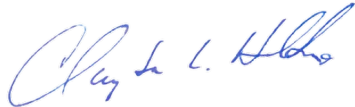
None as a direct result of the actions recommended herein.

Measure of Success

Continued representation on the BAWSCA and RFA Boards, which strive to ensure the following three goals are met with regards to their member agencies' drinking water; a reliable supply, high quality water, and a fair price for the water.

Attachments

BAWSCA 1/24/19 letters (2) addressed to Mayor Davis



Clayton L. Holstine
Brisbane City Manager
GVMID District Manager



January 24, 2019

The Hon. Madison Davis, Mayor
City of Brisbane
50 Park Place
Brisbane, CA 94005

Subject: Appointment of a Director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority

Dear Mayor Davis,

The four-year term of Sepi Richardson on the board of directors of the Bay Area Water Supply & Conservation Agency (BAWSCA) will end on June 30, 2019, as will her term on the Bay Area Regional Water System Financing Authority (RFA). Action by your Council must be taken promptly.

The enabling acts for both agencies allow the city to reappoint its director for an unlimited number of terms or to appoint a new director at the end of each term. The appointment will be for a four-year term. Hence, whoever is appointed will have a term that ends on June 30, 2023.

The enabling acts for both agencies require that a vacancy on their boards be filled no later than 90 days from the date the vacancy occurs. As applied, the statutes require action by your Council no later than September 30, 2019.

However, we encourage your agency to make the appointments before June 30, effective July 1, 2019, so that a quorum of both boards can be ensured and so that your agency is continuously represented.

Statutory qualifications:

- The appointee must be a resident of, and a registered voter in, the City.
- He or she may, but need not, be a member of your City Council.

Mechanics of the appointment process:

- The appointments must be made at a public meeting of the City Council and be properly agendized.
- The appointments must be made by action of the full City Council, rather than by unilateral action of the Mayor.
- The appointments do not need to be memorialized in a resolution; a motion duly passed and recorded in the minutes of the meeting is sufficient.

- A copy of the record of the council actions making the appointment should be sent to BAWSCA. The oaths of office must be administered prior to the appointee's first meeting as a director on the BAWSCA and RFA Boards.

The two questions most frequently asked about an appointment are:

- Should the appointee be an elected member of the appointing agency's governing board?
- Should the same person be appointed to the boards of both agencies?

Both of these are matters of policy left entirely to the discretion of your council. I offer the following observations, based on BAWSCA's experience over the past fourteen years, for whatever use they may be.

- The great majority of cities and districts which are participants in BAWSCA and the RFA do select a member of their city council or governing board to serve on the BAWSCA and RFA boards.

One advantage of appointing a currently serving or former elected member of your council to the board is the stature that his or her presence gives BAWSCA in its dealings with San Francisco, regulatory agencies and legislators. Another is the familiarity and experience he or she already has in addressing policy matters for the City. The governing body of each individual agency is, of course, in the best position to evaluate these, and other relevant considerations.

- With no exceptions, cities and districts have appointed the same individual to both the BAWSCA and RFA boards.

Appointing one person to represent the City on both boards offers an advantage because, although the two agencies have distinct roles, they are closely related. The familiarity with the issues gained through service on one board will be useful in participating on the other. Additionally, having the same person appointed to both boards assures greater continuity in presenting your agency's perspective.

Please see that your council places this matter on an agenda for action by the end of June 30, 2019. I may be reached at (650) 349-3000 if you have any questions.

Sincerely,



Nicole Sandkulla

Chief Executive Officer/General Manager

cc: Sepi Richardson, BAWSCA Board Member, City of Brisbane
Jerry Flanagan, BAWSCA Water Management Representative



January 24, 2019

The Hon. Madison Davis, Mayor
Guadalupe Valley Municipal
Improvement District (GVMID)
50 Park Place
Brisbane, CA 94005

Subject: Appointment of a Director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority

Dear Mayor Davis,

The four-year term of Randy Breault on the board of directors of the Bay Area Water Supply & Conservation Agency (BAWSCA) will end on June 30, 2019, as will his term on the Bay Area Regional Water System Financing Authority (RFA). Action by your agency must be taken promptly.

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- He or she may, but need not, be a member of your Board of Directors.

Mechanics of the appointment process:

- The appointments must be made at a public meeting of the Board of Directors and be properly agendaized.
- The appointments must be made by action of the full board, rather than by unilateral action of the board president.
- The appointments do not need to be memorialized in a resolution; a motion duly passed and recorded in the minutes of the meeting is sufficient.
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Sincerely,



Nicole Sandkulla

Chief Executive Officer/General Manager

cc: Randy Breault, BAWSCA Board Member
Jerry Flanagan, BAWSCA Water Management Representative