

## Petaluma Valley GSA Governance Staff Recommendations

### Staff Recommendations on Governing Board

Staff recommend that the groundwater sustainability agency (GSA) be formed via a Joint Exercise of Powers Agreement.

The members of the agency shall be:

- City of Petaluma
- County of Sonoma
- North Bay Water District
- Sonoma County Water Agency
- Sonoma Resource Conservation District

Staff recommend that each member agency have one seat on the GSA board of directors, and that each member's governing body appoint its director.

Staff recommend that when a quorum is present, each member would have one vote. Some issues would require a simple majority, while others would require a super majority (two-thirds) or unanimous vote.

Staff are still discussing the full list of issues that would require a supermajority, but they will include adoption and modification of the Groundwater Sustainability Plan, annual budget, regulations, and fees. Any changes to the Joint Exercise of Powers Agreement would require a unanimous vote. In addition, for supermajority votes the two entities with land-use authority (the County and the City of Petaluma) would be required to vote in the affirmative for approval.

In the first 5 years, many of the issues that will come before the GSA governing board will involve important public policy considerations: the GSA will need to develop and adopt a new Groundwater Sustainability Plan; the GSA will need to decide important matters affecting groundwater management decades into the future; and the GSA will need to ensure that it has the capacity to successfully implement the new plan. Specific decisions could likely consider regulations, such as well metering, groundwater extraction, and new well construction and measures needed to fund the GSA's work, such as fees, assessments, or taxes. The GSA's work and governing board decisions will almost certainly generate significant interest and even controversy among a range of community interests and the general public. Given the nature of these decisions, ensuring that GSA board members are well positioned to make decisions on issues of this nature is a critical question.

Given the nature of these decisions, staff feel that it is best if the board be made up of elected or appointed members of the governing bodies of each agency. Staff recommend that agencies are allowed to an executive-level, at-will staff member as the alternate member for a

jurisdiction, with the requirement that the primary member must attend a majority of meetings.

## Recommendation on Advisory Committee to GSA Governing Board

### Charge

The purpose of the advisory body is to provide input and recommendations to the governing body of the Santa Rosa Plain GSA on groundwater sustainability plan development and implementation and GSA policies. The intent of the body is to provide community perspective and participation in the GSA.

The advisory body will review and/or provide recommendations to the GSA Board on groundwater-related issues that may include:

- Development, adoption or amendment of the GSP
- Sustainability goals and objectives
- Best management practices
- Monitoring programs
- Annual work plans and reports (including mandatory 5-year milestone reports)
- Modeling scenarios
- Inter-basin coordination activities
- Projects and management actions to achieve sustainability
- Community outreach
- Local regulations to implement SGMA
- Fee proposals
- General advisory

The advisory body will not be involved in GSA budgets or day-to-day operations, such as personnel staffing or contracting.

### Membership

Composition of the advisory body is intended to represent the beneficial uses and users of groundwater identified in the Sustainable Groundwater Management Act. Advisory body members may not serve concurrently on the GSA governing board. Members must live or work within the Santa Rosa Plain Groundwater Basin or represent an organization with a presence in Santa Rosa Plain Groundwater Basin, identified by the Department of Water Resources current Bulletin 118. Membership is based on the interest group and member agency designations described below.

Each GSA-eligible agency will appoint a member from staff or the community to the advisory body, for a total of nine members appointed by:

1. Petaluma City Council

2. Board of Supervisors
3. North Bay Water District Board of Directors
4. SCWA Board of Directors
5. Sonoma RCD Board of Directors

The GSA Governing Board will appoint interest-based members:

6. Environmental representative
7. Rural residential well owner
8. Business community representative
9. Agricultural interest
10. At-large community representative

The GSA governing board will appoint members to fill the interest-based seats. Interested individuals from the community or local organizations may apply to the GSA governing board, designating in the application the seat that the applicant would intend to fill. Some of the criteria that will be used to evaluate applications include:

- Entities and individuals within each interest group are encouraged to work together to recommend a single candidate to fill that interest's seat. The governing board will give strong consideration to appointing candidates that have the backing of multiple organizations or individuals within that interest group.
- Experience and familiarity with groundwater and its management.
- Experience working with diverse community-based groups.
- For the at-large community representative, the GSA board will give preference to appointees that can represent the interests of disadvantaged populations or interests that are otherwise under-represented on the advisory body.

### **Application Timeline**

The GSA governing board will establish a timeline and process for appointment of the initial advisory body following GSA formation. In subsequent years, applicants will submit an application and statement of interest for vacant seats to the GSA by October 1 of the year prior to the beginning of the term for that seat. The GSA will post applications on its web site. At-large appointments from GSA-eligible agencies will be due to the GSA governing board by November 15. The GSA governing board will appoint interest-based members at its December meeting. Terms will commence in January of the subsequent year.

### **Member Terms**

The initial advisory body appointments will include seats with three-year terms (interest-based categories) and two-year terms (at-large). Following initial advisory body appointment, all member terms will be two years. Members are not term-limited; however, they must apply for each term. If a vacancy occurs for an interest-based seat before the end of the term, the GSA governing board will appoint a new member to complete the term. At-large vacancies shall be filled by the appointing agency.

The GSA governing board can remove an interest-based member by vote if member is not performing responsibilities. The GSA governing board will appoint alternates if the board deems alternate members necessary. If appointing alternates, the board will request that the appointing body also provide alternates for at-large members.

#### **Decision Making and Governing Board Consideration**

To inform GSA governing board decision-making, the advisory body will provide written recommendations in reports. The recommendations reports will identify areas of agreement and disagreement. The body will strive for consensus when possible, but reaching consensus is not necessary. Consensus means that everyone can at least “live with it.” When unable to reach consensus on recommendations, the advisory body will outline the areas in which it does not agree, providing some explanation to inform governing board decision-making.

The advisory body may request that one or more members present its recommendations to the GSA governing board, including areas of agreement and disagreement, consistent with the advisory body’s deliberations.

Pursuant to GSA governing board direction, GSA staff will develop the annual work plan and schedule for advisory body meetings. The advisory body will adopt a charter and will appoint a chair and vice-chair.

The GSA governing board will consider advisory body recommendations when making decisions. If the governing board does not agree with the recommendations of the advisory body, the governing board shall state the reasons for its decision.

#### **Public Process**

All advisory body meetings are subject to the Brown Act and will be open to the public. The GSA will announce advisory body meetings on its web site and through its regular communication channels.