



WEST BASIN MUNICIPAL WATER DISTRICT
17140 S. Avalon Blvd., Suite 210
Carson, CA 90746

AGENDA NO. 35

MARCH 22, 2010 – Board Meeting

Prepared by: Charlene Jensen
Submitted by: Steve O'Neill
Approved by: Rich Nagel

ACTION CALENDAR

ORDINANCE NO. 10-37

SUMMARY:

At the Water Resources Committee meeting on March 11, 2010, District Counsel was directed to prepare an Ordinance regarding dual office holding as it relates to the Delta Stewardship Council to be presented at the March 22, 2010 Board meeting for consideration.

A question had been raised regarding Director Gray's appointment to the Bay-Delta Stewardship Council and compatibility with her seat on the West Basin Municipal Water District (West Basin) Board of Directors. The Stewardship Council consists of several members – four appointed by the Governor, one each by the Senate and the Assembly, and the seventh is the Chair of the Delta Protection Committee. The Council is charged with developing a Delta Plan to guide state and local actions in the Delta in a manner that furthers the co-equal goals of Delta restoration and water supply reliability. The Council is also charged with developing performance measures for assessing and tracking progress and changes to the health of the Delta's eco system, and its water supply reliability. It is an independent agency of the state and has the power to adopt regulations or guidelines, as needed.

Staff and District Counsel have reviewed the duties of the Council, and have concluded a West Basin Director sitting on the Council is compatible with the Director's duties to West Basin. Accordingly, staff is recommending adoption of the attached Ordinance.

Procedure for Adopting Ordinance

West Basin's historical practice for adopting an Ordinance is as follows:

1. Requires two readings (at least five days apart) with a majority vote to adopt, which has typically occurred at one regular Board meeting and adopted at the next regular Board meeting or a scheduled special Board meeting.
2. Ordinance takes effect thirty days (30) after second reading adoption and if published within ten days of passage.

West Basin has followed this longstanding practice and any deviation could be subject to challenge.

If the Board adopts the first reading of Ordinance 10-37 on March 22, 2010, the seconded reading and adoption can occur at the next regular meeting on April 26, 2010 or at a special Board meeting as soon as March 30, 2010.

STRATEGIC BUSINESS PLAN IMPLEMENTATION:

Goal 1, Water Reliability: West Basin is committed to innovative planning and investments to provide water reliability and drought protection.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Committee on March 11, 2010 and was agendaized to the March 22, 2010 Board meeting for consideration.

RECOMMENDED MOTION:

That the Board considers approving the first reading of Ordinance No. 10-37, "AN ORDINANCE OF THE BOARD OF DIRECTORS OF WEST BASIN MUNICIPAL WATER DISTRICT CONCERNING DUAL OFFICE HOLDING."

LIST OF EXHIBITS:

Exhibit "A" – Ordinance 10-37

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