

STAFF REPORT

To: Coastside County Water District Board of Directors

From: Mary Rogren, General Manager

Agenda: February 11, 2025

Report Date: February 7, 2025

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

Recommendation/Motion:

Appoint a member of the Board of Directors to serve on the Boards of the Bay Area Water Supply & Conservation Agency (BAWSCA) and the Bay Area Regional Water System Financing Authority (RFA).

Background:

The four-year term of Director Chris Mickelsen on the Boards of Directors of BAWSCA and RFA will end on June 30, 2025. The enabling acts for both agencies allow the District to reappoint its Director for an unlimited number of terms or to appoint a new Director at the end of each term. This appointment will be for a four-year term, ending on June 30, 2029 and must be properly agendaized and made at a public meeting of the CCWD Board of Directors. The appointment does not need to be memorialized in a resolution; a motion duly passed and recorded in the meeting minutes is sufficient. BAWSCA is encouraging agencies to make these appointments before June 30, 2025, effective July 1, 2025, so that a quorum of both Boards can be ensured and agencies are continually represented.

Fiscal Impact:

None.



January 22, 2025

The Hon. Glenn Reynolds, President
Coastside County Water District
766 Main St.
Half Moon Bay, CA 94019

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 President Reynolds,

The four-year term of Chris Mickelsen on the board of directors of the Bay Area Water Supply & Conservation Agency (BAWSCA) will end on June 30, 2025, as will his term on the Bay Area Regional Water System Financing Authority (RFA). Action by your board must be taken promptly.

The enabling acts for both special districts allow the district 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. While BAWSCA and RFA are special districts, they are not a Joint Powers Authority (JPA); therefore, the term and duty is independent of the appointee's home agency. Hence, whoever is appointed will have a term that ends on June 30, 2029.

The enabling acts for both special districts require that a vacancy on the boards be filled no later than 90 days from the date the vacancy occurs. However, we encourage your district to make the appointments before June 30, effective July 1, 2025, so that a quorum of both boards can be ensured.

Statutory qualifications:

- The appointee must be a resident of, and a registered voter in, the District.
- The appointee 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 of Directors, 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.

- A copy of the record of the board 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 body?
- 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 board. I offer the following observations, based on BAWSCA's experience.

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

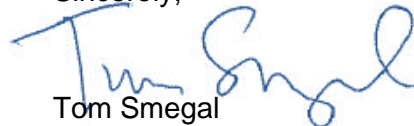
One advantage of appointing a currently serving or former elected member of your council to the board is the stature that their presence gives BAWSCA in its dealings with San Francisco, regulatory agencies and legislators. Another is the familiarity and experience the appointee already has in addressing policy matters for the District. 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 on both boards offers an advantage because, although the two special districts 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 assure greater continuity.

Please see that your board places this matter on an agenda for action by the end of June 30, 2025. I may be reached at (650) 349-3000 or tsmegal@bawasca.org if you have any questions.

Sincerely,



Tom Smegal
Chief Executive Officer/General Manager

TS/le

cc via email:

Chris Mickelsen, BAWSCA Board Member
Mary Rogren, BAWSCA Water Management Representative
Cathleen Brennan, BAWSCA Water Management Representative

OATH OF OFFICE
FOR
MEMBER OF BOARD OF DIRECTORS
BAY AREA WATER SUPPLY AND CONSERVATION AGENCY

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature

* * * * *

Sworn to and subscribed before me this ____ day of _____, 2025.

Signature

Name: _____

Title: _____

OATH OF OFFICE
FOR
MEMBER OF BOARD OF DIRECTORS
SAN FRANCISCO BAY AREA
REGIONAL WATER SYSTEM FINANCING AUTHORITY

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Signature

* * * * *

Sworn to and subscribed before me this _____ day of _____, 2025.

Signature

Name: _____

Title: _____