

REPORT TO THE CITY COUNCIL

City of Salinas, California

DATE: February 21, 2017

FROM: Gary Petersen, Public Works Director

**SUBJECT: A RESOLUTION REGARDING APPOINTMENTS TO THE SALINAS
VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY (“SVBGSA”)**

RECOMMENDATION:

It is recommend that the Salinas City Council approve a resolution appointing the Mayor and an alternate and a California Public Utilities Commission (CPUC) regulated water company representative and alternate to serve as interim board members on the newly formed Joint Powers Authority (JPA) board of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”).

DISCUSSION:

In the fall of 2014, the California legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the “Sustainable Groundwater Management Act” (“SGMA”) that initially became effective on January 1, 2015, and are amended from time-to-time thereafter. The stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary to sustainably manage groundwater.

SGMA requires the designation of Groundwater Sustainability Agencies (“GSAs”) for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans (“GSPs”) for all medium and high priority basins as designated by the California Department of Water Resources. SGMA also requires that basins have a designated GSA by no later than June 30, 2017.

Following extensive negotiations over a fourteen-month period a twenty-five-member stakeholder team developed a JPA agreement and governance model that was agreed to by the City Council on December 13, 2016. In accordance with the JPA agreement the City of Salinas has responsibility for appointing a representative seat and an alternate to represent the City on the JPA Board. The agreement also designates the City of Salinas as the appointing authority for the CPUC regulated water company representative and alternate to serve on the JPA Board. It is important to note that the City of Salinas does not select the CPUC representative as that is accomplished by the water companies themselves.

Staff has worked with the Mayor and City Manager to determine that Mayor Joe Gunter would represent the City on the board, with Councilmember Kimbley Craig serving as the alternate. In terms of the CPUC regulated water companies, the two eligible companies that include California Water

Service Company and Alisal Water Corporation, have requested that the City Council appoint a representative from California Water Service Company as CPUC water company representative and Alisal Water Corporation as the alternate.

ISSUE:

Should the City Council approve a Resolution appointing the Mayor of the City of Salinas as the SVBGSA JPA Board representative with Councilmember Kimbley Craig as alternate, and appoint a representative from California Water Service Company as CPUC water company representative and a representative from Alisal Water Corporation as the alternate?

FISCAL IMPACT:

There are no fiscal impacts associated with these appointments.

TIME CONSIDERATIONS:

Making these appointments will allow the formation of the JPA to take place in a timely manner which is important as a failure to implement a JPA before June 2017, could result in the State of California taking control of the Salinas Ground Water Basin.

ALTERNATIVES/IMPLICATIONS:

The City Council may choose to reject to this request. This is not recommended as it could result in the City abdicating responsibility for its management of groundwater extraction adversely impacting our water supply.

CITY COUNCIL GOALS:

The proposal is consistent with one of the City Council 2013-2016 Five Strategic Goals and Objectives associated with Economic Diversity and Prosperity and excellent infrastructure

CONCLUSIONS:

At its February 21, 2017, meeting, the City Council is being asked to approve a Resolution making appointments to the SVBGSA JPA Board that will support the establishment of the SVBGSA

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Resolution

RESOLUTION APPOINTING THE MAYOR OF SALINAS AND ALTERNATE AND A CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REGULATED WATER COMPANY REPRESENTATIVE AND ALTERNATE TO SERVE AS INTERIM BOARD MEMBERS ON THE SALINAS VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY (“SVBGSA”).

WHEREAS, in the fall of 2014 the California legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the “Sustainable Groundwater Management Act” (“SGMA”), that initially became effective on January 1, 2015, and that has been amended from time-to-time thereafter; and

WHEREAS, the stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary, to sustainably manage groundwater; and

WHEREAS, SGMA requires that the Basin have a designated GSA by no later than June 30, 2017, and an adopted GSP by no later than January 31, 2020, if a high or medium priority basin in critical overdraft, and no later than January 31, 2022, if a high or medium priority basin; and

WHEREAS, the City of Salinas has supported the formation of a GSA by entering into a joint powers agreement as authorized by the Joint Exercise of Powers Act (Chapter 5 of Division 7 of Title 1 of the California Government Code) (“Act”); and

WHEREAS, the City of Salinas in accordance with the JPA has responsibility for appointing a representative seat and an alternate to represent the City on the JPA Board; and

WHEREAS, the agreement also designates the City of Salinas as the appointing authority for the CPUC regulated water company representative and alternate to serve on the JPA Board; and

WHEREAS, the City of Salinas is appointing Mayor Joe Gunter to serve on the JPA Board and Councilmember Kimbley Craig to serve as alternate; and

WHEREAS, the eligible CPUC regulated water companies have requested that the City Council appoint a representative from California Water Service Company as CPUC water company representative and Alisal Water Corporation as the alternate; and

WHEREAS, the City Council finds that it is in the best interest of the City Council of Salinas to make these appointments.

NOW, THEREFORE, BE IT RESOLVED that the Salinas City Council hereby appoints the Mayor of Salinas to the SVBGSA JPA Board to represent the City of Salinas with Councilmember Kimbley Craig to serve as alternate; and

BE IT FURTHER RESOLVED that the Council also appoints a representative from

California Water Service Company as CPUC water company representative to the SVBGSA JPA Board, and a representative of the Alisal Water Corporation as the alternate agreement.

PASSED AND ADOPTED this 21st day of February 2017 by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk