

# REQUEST FOR COUNCIL ACTION



CITY COUNCIL MEETING DATE:

DECEMBER 15, 2020

TITLE:

## BIENNIAL REVIEW AND APPOINTMENT OF REGIONAL BOARD REPRESENTATIVES

CLERK OF COUNCIL USE ONLY:

APPROVED

- ☐ As Recommended
- ☐ As Amended
- ☐ Ordinance on 1<sup>st</sup> Reading
- ☐ Ordinance on 2<sup>nd</sup> Reading
- ☐ Implementing Resolution
- ☐ Set Public Hearing For \_\_\_\_\_

CONTINUED TO \_\_\_\_\_

FILE NUMBER \_\_\_\_\_

/s/ Kristine Ridge

CITY MANAGER

## RECOMMENDED ACTION

1. Review the regional board appointment list and appoint members and alternates to serve as representatives to various outside agencies through December 2022 (or specific term where noted); and,
2. Adopt a resolution designating and appointing a representative to the Orange County Fire Authority's Board of Directors, if necessary; and,
3. Direct the Clerk of the Council to update and post the Fair Political Practices Commission (FPPC) Form 806 (Agency Report of Public Official Appointments) on the City's website.

## DISCUSSION

The Mayor and City Council represent the City's interest in regional issues by serving on a number of regional boards which make public policy decisions in the areas of transportation, water resources, fire services, and government facilities.

The City Council reviews regional board appointees on an annual basis and can make necessary changes. Attached is a list of current representatives, meeting dates, compensation and other pertinent information on each board (Exhibit 1). For discussion purposes, the following is a list of regional boards and appointing authority.

### ▪ **Metropolitan Water District:**

The Metropolitan Water District of Southern California is a regional wholesaler that delivers water to 26 member public agencies – 14 cities, 11 municipal water districts, one county water authority – which in turn provides water to more than 19 million people in Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura counties. Metropolitan is governed by a 38-member board of directors who represent their respective member agencies ensuring each member agency is part of the



governance of Metropolitan. A board member is appointed by the majority of the City Council (member does not have to be elected official).

Councilmember Thai Viet Phan has expressed an interest to serve.

- **Newport Bay Watershed Executive Committee:**

The Newport Bay Watershed Executive Committee (Executive Committee is the successor to the Upper Newport Bay Sediment Control Executive Committee established through a cooperative agreement in the early 1980s. The Executive Committee was formed by amendment of the cooperative agreement in 1999, and now includes in its interests the impairments of Newport Bay caused by nutrients, toxics, and pathogens in addition to sediment, as well as related environmental enhancements. Members of the Executive Committee are elected, appointed, or executive level managers, with one member from each of the signatories to the agreement (the County member, however, represents both the County and the Orange County Flood Control District). The Executive Committee provides strategic direction for environmental enhancement programs in the watershed, advocacy of these programs to the elected/appointed boards of the member organizations, and a forum for discussion of watershed environmental issues.

Current representative is Executive Director of Public Works, Nabil Saba.

- **Orange County Fire Authority (OCFA):**

The Orange County Fire Authority Board of Directors has twenty-five members and sets policy according to its adopted Rules of Procedures. Twenty-three of the members represent partner cities, and two members represent the county unincorporated area. A board member is appointed by the majority of the City Council. Selection must be authorized by resolution.

Councilmembers Johnathan Ryan Hernandez and Jessie Lopez have expressed their interest to serve.

- **Orange County Sanitation District (OCSD) Board:**

The Orange County Sanitation District is a wastewater treatment facility that serves Orange County, California. It consists of two operating plants, referred to as Plant No. 1 located in Fountain Valley and Plant No. 2 located in Huntington Beach. It is the third largest wastewater treatment facility west of the Mississippi River. OCSD and the Orange County Water District were awarded the Stockholm Industry Water Award in 2008 for pioneering work to develop with Trojan Technologies the Groundwater Replenishment System, the world's largest water purification plant for groundwater recharge. A board member and alternate are appointed by the majority of the City Council.

Current Councilmember Nelida Mendoza and Mayor Pro Tem David Penaloza are respectively serving as the representative and alternate. Councilmember Nelida Mendoza has expressed an interest in continuing to serve as the representative.



- **Orange County Vector Control:**

The Orange County Vector Control Board is an independent special district dedicated to controlling rats, mosquitoes, and other disease carrying and public health pests. Activities also include surveillance of vectors and vector-borne diseases, public education services and identification of public health pests. Each Trustee is appointed by the city they represent to serve a two or four-year term.

Current representative, Cecilia Aguinaga, was appointed to a term that will expire on January 2024. Representative may only be removed for cause.

- **Orange County Water District:**

The Orange County Water District manages, replenishes and protects the Orange County Groundwater Basin—Orange County's largest source of drinking water. The 270-square-mile basin provides approximately 75 percent of the water supply to more than 2.5 million residents in north and central Orange County.

A 10-member board of directors governs the District and implements policies that foster sound management of the basin, as well as support the advancement of OCWD's mission to provide an adequate, reliable, high-quality water supply at the lowest reasonable cost in an environmentally responsible manner. Seven board members are elected and three are appointed by Anaheim, Fullerton and Santa Ana city councils.

Current Mayor Vicente Sarmiento is serving as the representative. Councilmembers Johnathan Ryan Hernandez and Nelida Mendoza have expressed their interest to serve.

- **Southern California Association of Governments (SCAG) District #16:**

Pursuant to the SCAG bylaws, each SCAG district in the six-county SCAG region has one Regional Council seat. Regional Council members are elected by a vote of the cities in each SCAG district that are members of SCAG. Elections for Regional Council District Representatives are completed every other year, with elections for odd-numbered districts occurring in odd-numbered years, and elections for even numbered districts occurring in even-numbered years. Each elected SCAG Regional Council member can participate on any policy committee of choice. SCAG bylaws allow for additional Regional Council seats to be assigned to each Board of Supervisors and each county transportation commission member agency. Each SCAG subregion also has an at-large policy committee seat for as many districts that are located in the subregion. These at-large policy committee seats are filled through an appointment by the subregional board and are called Subregional Representatives. A board member and alternate is appointed by the majority of the City Council.

Current Councilmember Phil Bacerra is serving as the representative and has expressed an interest in continuing to serve as the representative. Councilmembers Johnathan Ryan Hernandez and Jessie Lopez also expressed their interest to serve.



- **Orange County Council of Governments (OCCOG):**

The Orange County Council of Governments (OCCOG) is one of twelve subregions in the SCAG region, and comprises the Orange County subregion to SCAG. There are twelve SCAG districts within Orange County, allowing for 12 Subregional Representative seats at-large to serve on SCAG policy committees. To be an eligible nominee for a Subregional Representative seat, the nominee must be an elected official from a SCAG member city. There is no term limit for a Subregional Representative seat, provided the appointee continues to be an elected official from a SCAG member city.

- **Transportation Corridor Agencies (TCA) – Foothill/Eastern:**

Joint Powers Authority formed in 1986 to design, finance, construct and operate the three Orange County toll roads. The Agency is in the process of merging all toll roads under the direction of one board. A board member and alternate are appointed by the majority of the City Council.

Current Mayor Pro Tem David Penaloza is serving as the representative and has expressed an interest in continuing to serve as the representative. Councilmembers Johnathan Ryan Hernandez and Jessie Lopez have also expressed their interest to serve.

- **Transportation System Improvement Authorities - Orange & Tustin (TSIA):**

Formed in 1990, City of Santa Ana approved a joint authority with the Cities of Orange and Tustin to improve areas of mutual interests. A board member and alternate are appointed by the majority of the City Council for each of the two (2) Authorities.

Current Mayor Pro Tem David Penaloza is serving as the representative.

### **FISCAL IMPACT**

There is no fiscal impact associated with this action.

Exhibits:    1. List of Current Regional Board Members  
                  2. Resolution for OCFA Appointment



**CITY OF SANTA ANA  
2020 REGIONAL BOARD MEMBERS**

**Exhibit 1**

BOARD	CURRENT MEMBER	POSITION	MEETINGS	COMPENSATION / REMUNERATION	TERM EXPIRES
<b>Metropolitan Water District Board (MWD)</b>	<del>Jose Solorio</del>	Rep.	Board Mtgs 2nd Tues of mo. @ 12:30 with Cmte mtgs at 8 a.m.; Cmte Mtgs 4th Tues all day	Mileage reimbursement from MWD	
<b>Newport Bay Watershed Executive Committee</b>	Nabil Saba, Executive Director, Public Works	Rep.	Quarterly the 3 <sup>rd</sup> Wednesday from 1:30-3:00 at Irvine Ranch Water District, 15600 Sand Canyon Ave, Irvine, 92618	None	
<b>Orange County Fire Authority (OFCA) *</b>	<del>Juan Villegas</del>	Rep.	Every Month at 6:30 p.m.	\$100 per mtg.; max \$300	Requires Resolution
<b>OC Sanitation District *</b>	Nelida Mendoza	Rep.	Meets once a month on the 4th Wednesday at 6 p.m.	\$212.50/Mtg. Max 6/Mo. Plus mileage	
<b>OC Sanitation District *</b>	<del>David Penalzoa</del>	Alt.	Meets once a month on the 4th Wed. at 6 p.m.	\$212.50/Mtg. Max 6/Mo. Plus mileage	
<b>OC Vector Control District</b>	Cecilia Aguinaga	Rep.	Meets on 3 <sup>rd</sup> Thursday at 3 pm.	\$100/Mtg.	1/2024
<b>Orange County Water District*</b>	<del>Vicente Sarmiento</del>	Rep.	1st & 3rd Wednesday at 5:30 p.m., 18700 Ward St., Fountain Valley, CA – Committees at various times / dates	\$221.12/ Day Max 10 mtgs./Mo. Plus mileage \$0.50	
<b>Southern California Association of Governments (SCAG) *</b>	Phil Bacerra	Rep.	District 16 - Meets 1st Thursday of each month, 10 a.m. – 1:30 p.m.	\$120/Mtg. Max 6/Mo. Plus mileage from City Hall	
<b>Orange County Council of Governments Board of Directors (OCCOG) *</b>	Phil Bacerra	Rep.	Meets once a month on the 4th Thurs. at 11 a.m.	None	
<b>Orange County Council of Governments Board of Directors (OCCOG) *</b>	<del>Jose Solorio</del>	Alt.	Meets once a month on the 4th Thurs. at 11 a.m.		
<b>Transportation Corridor Agencies (TCA) *</b>	David Penalzoa	Rep.	Meets on the 2nd Thursday at 9:30 am	\$120/Mtg. Max 6/Mo.; Ad Hoc Cmts \$120 plus Mileage	
<b>Transportation Corridor Agencies (TCA) *</b>	<del>Vacant</del>	Alt.	Meets on the 2nd Thursday at 9:30 am	\$120/Mtg. Max 6/Mo.; Ad Hoc Cmts \$120 plus Mileage	
<b>S.A./ Orange T.S.I.A.</b>	<del>David Penalzoa</del>	Rep.	As needed.	None	
<b>S.A./ Orange T.S.I.A.</b>	<del>Vacant</del>	Alt.	As needed.	None	
<b>S.A./ Tustin T.S.I.A.</b>	<del>David Penalzoa</del>	Rep.	Meets quarterly, 4th Thurs. at 4 p.m.	None	
<b>S.A./ Tustin T.S.I.A.</b>	<del>Vacant</del>	Alt.	Meets quarterly, 4th Thurs. at 4 p.m.	None	



LS 12.15.20

## RESOLUTION NO. 2020-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SANTA ANA, CALIFORNIA, DESIGNATING AND  
APPOINTING ITS REPRESENTATIVE TO THE ORANGE  
COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS

WHEREAS, the City of Santa Ana ("City"), as a "member" of the Orange County Fire Authority Joint Powers Authority ("JPA") is entitled to appoint a representative director ("Director") to the Orange County Fire Authority's Board of Directors, and

WHEREAS, each member agency, by resolution of its governing body, shall designate and appoint one (1) representative to act as its Director on the Authority Board of Directors, except the County whose Board of Supervisors shall appoint two (2) representatives to act as its Directors, and

WHEREAS, each Director shall be a current elected member of the governing body, and

WHEREAS, each Director shall hold office until the selection of a successor by the appointing body, and

WHEREAS, each Director is to serve at the pleasure of his or her appointing body and may be removed at any time, with or without cause, at the sole discretion of that appointing body, and

WHEREAS, any vacancy shall be filled in the same manner as the original appointment of a Director.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby designate and appoint Council Member \_\_\_\_\_ as a Director to the Orange County Fire Authority Board of Directors.

SECTION 2. The City Council hereby directs the Clerk of the Council to transmit a copy of the executed resolution to the Clerk of the Authority of the Orange County Fire Authority prior to their next regularly scheduled board meeting.

SECTION 3. This Resolution shall take effect immediately upon its adoption by the City Council and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.



ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

\_\_\_\_\_  
Vicente Sarmiento  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

By:   
Lisa E. Storck  
Assistant City Attorney

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSTAIN: Councilmembers:  
NOT PRESENT: Councilmembers:

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Council  
City of Santa Ana