



Update on Proposed Amendment to the Santa Monica Bay Restoration Commission Memorandum of Understanding

Governing Board Meeting

December 12, 2019

Items 2f





Proposed Schedule for Amending the MOU



Milestone	Date
Proposed Amendment to MOU released	Oct. 14, 2019
Public comment period closed	Nov. 7, 2019
Additional direction from GB	Dec. 12, 2019
Staff incorporate public comments and release revised MOU, staff report, and response to comments	~Feb. 10, 2020
Governing Board consideration of approval*	Feb. 20, 2020

*Subject to change if the Governing Board directs staff to make additional substantive revisions or conduct another public comment period.



Summary of Commenters



Commenting Entity	Commenter
Ballona Wetlands Land Trust	Walter Lamb
LA County Department of Beaches & Harbors	Michael Tripp
LA County Sanitation Districts	Martha Tremblay, Shelly Walther, Phil Markle
LA County Public Works	Cung Nguyen
Westside Cities (City of Santa Monica)	Kevin McKeown
USEPA Region 9	Erica Yelensky

Comments received are available on the SMBRC website at:

https://www.smbrc.ca.gov/about_us/agendas/public_comments.shtml



Proposed Schedule for Amending the MOU



Milestone	Date
Proposed Amendment to MOU released	Oct. 14, 2019
Public comment period closed	Nov. 7, 2019
Additional direction/discussion from GB	Dec. 12, 2019
Staff incorporate public comments and release revised MOU, staff report, and response to comments	~Feb. 10, 2020
Governing Board consideration of approval*	Feb. 20, 2020

*Subject to change if the Governing Board directs staff to make additional substantive revisions or conduct another public comment period.

MOU Discussion Topics



How to better define the roles and functions of Governing Board vs. Executive Committee in the MOU

Are there additional revisions to the MOU that would improve the ability for the public to provide input?

Issue 1 Goal: Better characterize the roles and functions of the Governing Board vs. the Executive Committee

- Page 8 “One of the key decision-making authorities”
- 10/14 MOU tried to capture existing roles, but MOU needs additional clarity
- GB- Policy Committee
- EC- Management Committee
 - EC tees up issues for GB decisions
 - EC meets in closed-session discussion of litigation



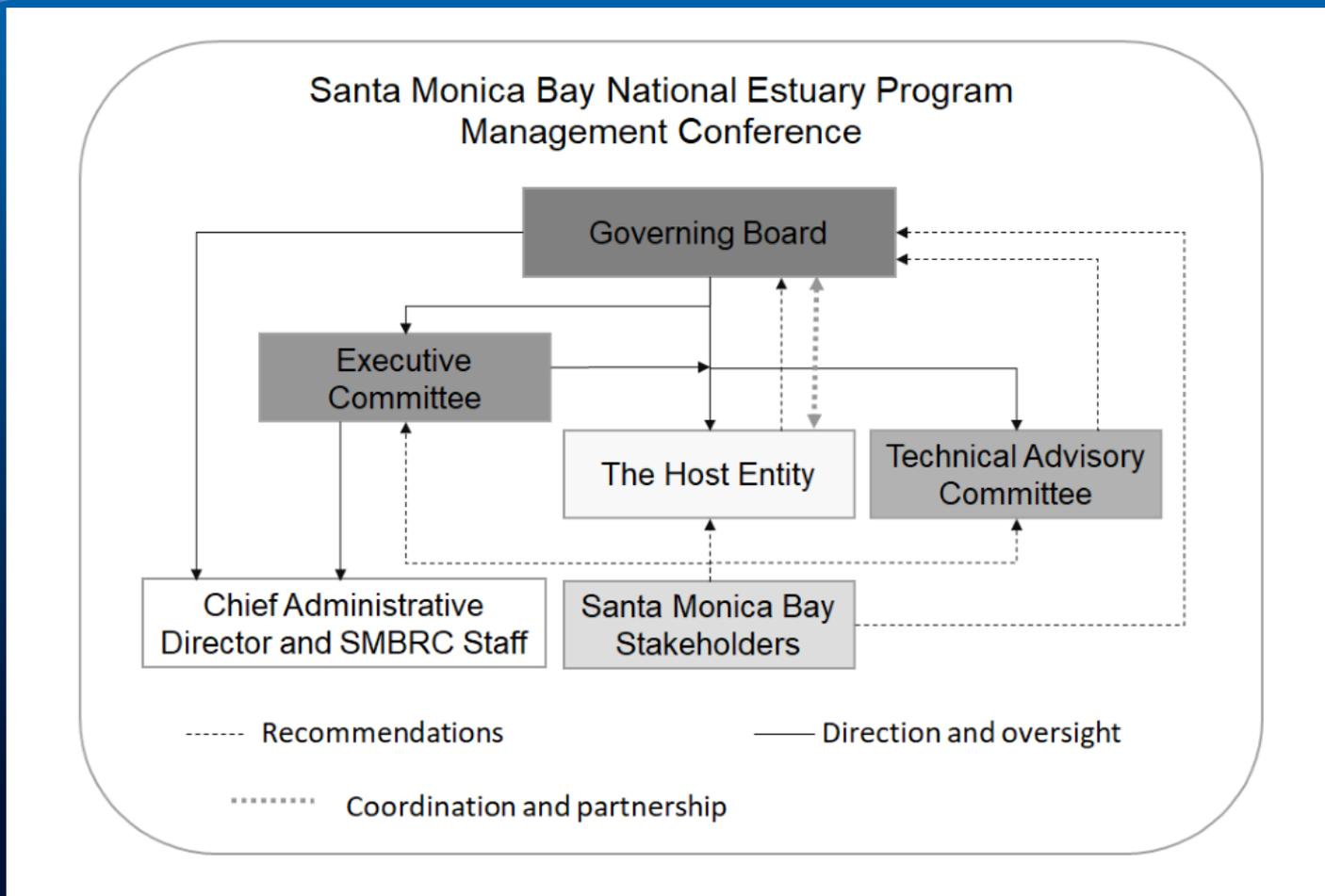


Issue 1: Roles and functions of GB vs. EC

- GB-the ultimate decision-making authority
- EC-currently makes certain decisions (e.g., GB agenda)
- Proposed Revisions:
 - Revisit roles and functions and see if additional clarifications can be made
 - Add State Water Board as an appointed voting member
 - Add US EPA and the Host Entity as *ex-officio* non-voting members on EC, except they do not participate in closed session



Seeking input on how to better characterize the roles and functions of Governing Board vs. Executive Committee in MOU



Issue 2: How can we improve the ability for the public to provide input to SMBRC?



- Current MOU:
 - New annual workshop
 - Chair can set the amount of time for public comment during the regularly-scheduled meetings
 - **What else can we do?**
 - **What else should be added to the MOU?**
- Does the GB want an **elected** stakeholder council or leave it **open** for any and all to participate?