



November 12, 2021

Agenda Item: 2.e.i

To: Executive Committee, Santa Monica Bay Restoration Commission
From: Marissa Caringella, Chief Administrative Director
Caitlin Gray, Environmental Scientist

Re: Election of Governing Board Representatives

Action Requested of the Executive Committee

Schedule the election of seven Governing Board representatives for the December 14, 2021 Governing Board meeting and approve the proposed nomination and election procedures ([Attachment 1](#)).

Background

The [Memorandum of Understanding](#) of the Santa Monica Bay Restoration Commission stipulates that the voting Governing Board members shall nominate and elect seven entities to serve as voting members of the Governing Board for two-year terms:

- Two representatives of environmental/public interest organizations;
- Two business community/economic interests in the watershed (one of which participates in the coastal tourism industry); and
- Three at-large representatives.

Six of the current representatives were elected on December 12, 2019 for two-year terms. On June 18, 2020, the current coastal tourism representative was elected with their term expiring in December 2021 to be in sync with the other representatives. Therefore, an election is needed at the December 14, 2021 Governing Board meeting when the terms of the seven current elected representatives expire. Staff recommend that the nomination period open Monday, November 22, 2021 and close Friday, December 10, 2021. As with past elections, floor nominations will also be permitted on the day of the Governing Board meeting before the election takes place. [Attachment 1](#) is the draft nomination and election procedures that will be distributed to Governing Board members and interested parties and posted on the Commission's website when the nomination period opens.

Attachments

[Attachment 1](#) Draft Nomination and Election Procedures for the Governing Board Representatives



The Santa Monica Bay Restoration Commission's mission is to restore and enhance Santa Monica Bay through actions and partnerships that improve water quality, conserve and rehabilitate natural resources, mitigate the impacts of climate change and sea level rise, and protect Santa Monica Bay's benefits and values.

-DRAFT-

NOMINATION AND ELECTION PROCEDURES FOR THE GOVERNING BOARD REPRESENTATIVES

Who nominates entities to serve on the Governing Board?

The [Memorandum of Understanding](#) (MOU) of the Santa Monica Bay Restoration Commission (Commission) stipulates that the voting Governing Board members (or their designated alternate) shall nominate and elect seven entities to serve as voting members of the Governing Board (section III.A, page 5). [Appendix A](#) lists the Governing Board seats and the type of membership consistent with the MOU.

What is the term and role of the seven elected Governing Board members?

The term for the seven elected members is two years. The Governing Board is the key decision-making authority of the Commission. Section III.A of the MOU (pages 5-6) outlines membership and the roles and functions of the Governing Board.

When is the nomination period open?

The nomination period for the seven elected Governing Board seats opens **Monday, November 22, 2021** and closes **Friday, December 10, 2021**, two business days prior to the Governing Board meeting when the election will take place (December 14, 2021). Floor nominations will also be opened at the December 14, 2021 Governing Board meeting before the election takes place.

Who is eligible for nomination?

The current elected Governing Board members may serve consecutive terms upon re-election. The eligibility criteria for the seven elected representatives is outlined below and in section III.A of the MOU (page 5).

Two environmental/public interest organizations representatives: Representatives of environmental/public interest organizations that operate entirely or partially within the Santa Monica Bay watershed that are in good standing pursuant to Internal Revenue Code section 501(c)(3).

Two business community/economic interest representatives: Representatives of the business community/economic interests in the watershed, one of which participates in the coastal tourism industry, that operate entirely or partially within the Santa Monica Bay watershed.

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Three at-large representatives: At-large representatives who meet one of the following criteria:

- A federal, state, or local agency active in the Santa Monica Bay watershed;
- An incorporated city entirely or partially within the Santa Monica Bay watershed;
- A county entirely or partially within the Santa Monica Bay watershed;
- A for-profit business that operates entirely or partially within the Santa Monica Bay watershed; or
- A nonprofit organization that operates entirely or partially within the Santa Monica Bay watershed that is in good standing pursuant to Internal Revenue Code section 501(c)(3).

Who votes for these seats?

The MOU authorizes the voting Governing Board members or their designated alternate to vote for these seats.

When and how will the election take place?

The election will take place at the next regularly scheduled meeting of the Governing Board (December 14, 2021). The meeting agenda will be posted on the Commission's website (https://www.smbrc.ca.gov/about_us/agendas/#2021) at least 10 days prior to the meeting.

Floor nominations will be opened at the December 14, 2021 Governing Board meeting before the election takes place. If there are more nominations than open seats, nominees will be given a few minutes to state the basis for their interest in the position. Thereafter, an election will take place by vote of the voting Governing Board members or their designated alternate. In order to be elected, a nominee must receive a majority of votes by a quorum of voting Governing Board members. If there are more nominees than open seats, the nominees that meet this threshold and receive the greatest number of votes will be elected.

The newly elected Governing Board members' terms shall be effective immediately after the election. Pursuant to section VI of the MOU (page 14), all voting members of the Governing Board are obliged to avoid any conflict of interest and must disclose to the Governing Board any real or potential conflict of interest in any transaction or project under consideration by the Commission. In addition, voting members of the Governing Board are subject to the Political Reform Act (commencing with Gov. Code, section § 81000).

If you have questions, please contact Marissa Caringella at marissa.caringella@waterboards.ca.gov or Caitlin Gray at caitlin.gray@waterboards.ca.gov.

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**Appendix A:
Santa Monica Bay Restoration Commission
Governing Board Members**

Voting Member	Type of Membership (Ex officio, Appointed, or Elected)
Secretary for the California Environmental Protection Agency	Ex officio
Secretary for the California Natural Resources Agency	Ex officio
Chief Deputy Director, State Water Resources Control Board	Ex officio
Member, California Regional Water Quality Control Board – Los Angeles	Appointed by the Governor
Member, California Coastal Commission	Appointed by the Governor and California Legislature
Member, California State Coastal Conservancy	Appointed by the Governor and California Legislature
Supervisor, County of Los Angeles (Districts 3 or 4)	Appointed by the Board of Supervisors
Mayor or Councilmember, City of Los Angeles (SM Bay watershed district)	Appointed by the Mayor, with approval of the City Council
Councilmember for District 11, City of Los Angeles	Ex officio
Mayor or Councilmember, South Bay cities	Appointed by the appropriate Council of Governments (COG) from the following eligible members within the watershed: El Segundo, Manhattan Beach, Hermosa Beach, Inglewood, Redondo Beach, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills Estates, Rolling Hills, Torrance
Mayor or Councilmember, Malibu Creek watershed cities	Appointed by the appropriate COG from the following eligible members within the watershed: Agoura Hills, Calabasas, Malibu, Hidden Hills, Westlake Village
Mayor or Councilmember, Ballona Creek watershed cities	Appointed by the appropriate COG from the following eligible members within the watershed: Beverly Hills, Culver City, Santa Monica, West Hollywood

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Voting Member	Type of Membership (Ex officio, Appointed, or Elected)
General Manager, Los Angeles County Sanitation Districts	Ex officio
Director, Public Works Department, City of LA	Ex officio
Director, County of Los Angeles, Department of Public Works	Ex officio
Director, CA Department of Fish and Wildlife	Ex officio
Director, CA Department of Parks and Recreation	Ex officio
Director, Santa Monica Mountains Conservancy	Ex officio
Director, Los Angeles County Dept. of Beaches and Harbors	Ex officio
Officer, Las Virgenes Municipal Water District	Ex officio
Chief, Los Angeles County Fire Department, Lifeguard Division	Ex officio
Public member, environmental/public interest	Elected by the Governing Board from representatives of environmental/public interest organizations pursuant to the criteria in Section III.A
Public member, environmental/public interest	Elected by the Governing Board from representatives of environmental/public interest organizations pursuant to the criteria in Section III.A
Public member, business/economic interest	Elected by the Governing Board from representatives of business community/economic interests pursuant to the criteria in Section III.A
Public member, coastal tourism industry	Elected by the Governing Board from representatives of the coastal tourism industry pursuant to the criteria in Section III.A
Public member, at-large representative	Elected by the Governing Board from at-large representatives pursuant to the criteria in Section III.A

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Voting Member	Type of Membership (Ex officio, Appointed, or Elected)
Public member, at-large representative	Elected by the Governing Board from the at-large representatives pursuant to the criteria in Section III.A
Public member, at-large representative	Elected by the Governing Board from the at-large representatives pursuant to the criteria in Section III.A

Non-voting Member	Type of Membership (Ex officio, Appointed, or Elected)
Regional Administrator, US EPA Region 9	Ex officio
Santa Monica Bay NEP Director	Ex officio
Director, NOAA-NMFS Southwest Division	Ex officio
State Senator, 26th District	Ex officio
State Senator, 27th District	Ex officio
State Assemblymember, 50th District	Ex officio
State Assemblymember, 62nd District	Ex officio
State Assemblymember, 66th District	Ex officio
Chair, Technical Advisory Committee	Ex officio
President, Santa Monica Bay Restoration Foundation Board	Ex officio