



Goundwater Sustainability Agency Board Agenda Report

From: Christopher Alakel, Utilities Director

Subject: Appointment of a Primary and Alternate Representative to the Paso Robles Groundwater Basin JPA Board of Directors and Authorizing Certain Administrative Actions in Connection with the Formation of the Authority

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Date: April 1, 2025

Facts

1. The Sustainable Groundwater Management Act (SGMA) requires the creation of Groundwater Sustainable Agencies (GSA) and Groundwater Sustainability Plans (GSP) to manage groundwater in basins that are classified as medium or high priority by the California Department of Water Resources.
2. The Paso Robles Area Groundwater Sub-basin is classified as a high priority basin.
3. On August 15, 2017, the City approved a Memorandum of Agreement (MOA) that provides for the City of Paso Robles GSA to participate with the other GSAs in the SLO county portion of the Paso Robles Basin in preparing a GSP, identifies a schedule for the parties to share costs, creates a Cooperative Committee (PBCC) to manage the GSP development process, and establishes weighted voting percentages.
4. On March 4, 2025, the City Council acting as GSA, approved a Joint Powers Agreement (JPA). The JPA provides for the City GSA to participate with the other Basin GSAs in implementing the GSP. The JPA replaces the PBCC MOA. The JPA agreement establishes a framework for Paso sub-basin management, creates a Board of Directors to manage the JPA, creates the shared legal authority between the signatory GSAs, minus San Miguel Community Services District, for Paso Robles Area Groundwater Basin Management. The fully executed JPA is attached to this Report.
5. Joint Powers Agreement Section 6.1 calls for each member agency to appoint an elected official as primary representative. Section 6.2 calls for another elected official to act as an alternate representative to the Board of Directors.
6. Although there is no length of term clause within the JPA, the City Council, through the Mayor, typically reviews, updates (if necessary) and approves appointments to regional bodies, commission liaisons, and ad hoc committees after each regular municipal election every two years. The JPA meeting schedule has not yet been set. There is no stipend for serving on the Board of Directors.
7. The first meeting for the Board of Directors for the JPA will likely take place in early April. As this will be the first meeting, the JPA will not yet have any staff or officer to provide Brown Act notice for the first meeting or to perform other necessary administrative actions in connection with the formation of the JPA.

Options

1. Take no action;
2. Appoint Mayor John Hamon as the City's Representative, and Councilmember Kris Beal as the City's Alternate Representative on the JPA; and authorize the County to take necessary administrative actions in connection with the formation of the JPA, including calling the first meeting of the JPA, as authorized by the members of the JPA.
3. Appoint other elected officials to these positions; and authorize the County to take necessary administrative actions in connection with the formation of the JPA, including calling the first meeting of the JPA, as authorized by the members of the JPA

Analysis and Conclusions

Option 1 – The approved JPA agreement calls for the GSA to make appointments to the JPA. Those appointments should be made before the first meeting, which is expected to be early April. Since there may not be another City Council meeting before the first JPA meeting, this is not a recommended option.

Option 2 – Mayor Hamon and Councilmember Beal are currently appointed to the PBCC and are familiar with the GSP and needs of the City GSA. The recommended appointment to the Paso Robles Basin JPA will help with consistency and provide a smooth transition from the PBCC as the JPA becomes operational. As the JPA will not have any staff or officers before the first meeting, the staff recommends authorizing the County to take necessary administrative actions in connection with the formation of the JPA, including calling the first meeting of the JPA and providing the appropriate Brown Act notice of such meeting, as authorized by the JPA and until the JPA appoints staff and officers. Although there is no length of term clause within the JPA, the City Council, through the Mayor, typically reviews, updates (if necessary) and approves appointments to regional bodies, commission liaisons, and ad hoc committees after each regular municipal election every two years. Staff recommends the City Council follow this established protocol should this option be selected.

Option 3 – The City Council acting as the GSA may appoint any of the other Councilmembers to the Paso Robles Basin JPA. Staff recommends authorizing the County to take necessary administrative actions in connection with the formation of the JPA, including calling the first meeting of the JPA and providing the appropriate Brown Act notice of such meeting, as authorized by the JPA and until the JPA appoints staff and officers. Although there is no length of term clause within the JPA, the City Council, through the Mayor, typically reviews, updates (if necessary) and approves appointments to regional bodies, commission liaisons, and ad hoc committees after each regular municipal election every two years. Staff recommends the City Council follow this established protocol should this option be selected.

Administrative Transition Tasks

As the JPA does not yet have any staff, the County is taking the lead on handling certain administrative functions to properly establish the JPA and address other matters until the JPA can perform all necessary actions and obligations. These transition tasks will include, but may not be limited to:

- Confirming plan for submission of the Annual Report (due April 1)
- Determining the Effective Date of the JPA, coordinating signatures, and other tasks to finalize the JPA Agreement
- Providing the Notice of the Agreement
 - Within 30 days of the Effective Date, on behalf of the JPA, the County will cause the Notice of Agreement to be prepared and filed with the Secretary of State.

- Within 30 days of the Effective Date, on behalf of the JPA, the County will cause the statement of information required by Government Code Section 53051 to be filed.

Fiscal Impact

There are no specific fiscal impacts of the appointment process for the JPA Board of Directors. The City is currently paying a 15% share of the costs for implementing the GSP. The new JPA will significantly reduce the City's cost share percentage down to around 2%, which represents the City's current share of basin groundwater usage. This is significantly less than the impact would be if we had not agreed to work with the other parties and share these costs through a JPA.

CEQA

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Recommendation

It is recommended that City Council approve the following:

1. Appoint Mayor John Hamon as the City's representative to the JPA Board of Directors and appoint Councilmember Kris Beal as the City's Alternate to the JPA Board of Directors.
2. Authorize the County to take necessary administrative actions in connection with the formation of the JPA, including but not limited to the administrative tasks identified in this Report, calling the first meeting of the JPA and providing the appropriate Brown Act notice of such meeting, until the JPA appoints staff and officers.

Attachments

01 - Fully Executed JPA