STAFF REPORT

TO: Butte County Water Commission

FROM: Paul Gosselin, Director
Water and Resource Conservation

SUBJECT: Recommendation of the Water Commission to modify the process to evaluate multiple candidates for appointment to the Water Advisory Committee.

DATE: February 10, 2011

BACKGROUND

Chapter 33A of the Butte County Code states that the Board of Supervisors (Board) shall consider all candidates for the Water Advisory Committee (WAC) who meet the requirements of 1) residing, owning property or having their principle place of business within the sub-inventory unit, and 2) have been nominated by the citizens of the sub-inventory unit.

When a vacancy occurs on the WAC, staff will notify the public that a vacancy exists. This usually generates sufficient interest of one or more candidates. Staff will verify that an interested candidate(s) are eligible for the position according to Chapter 33A criteria of residing, owning property or working in the sub-inventory unit and having stakeholder support. Staff will request from all candidates letters of interest, expressed stakeholder support and some description of their historical knowledge of groundwater issues. If there is only one candidate interested in the position, the Water Commission will consider a recommendation to forward that candidate to the Board for appointment. In most cases, Water Advisory Committee vacancies have been filled based on the interest of a single candidate.

When more than one candidate is interested, the Water Commission will evaluate them and will provide the Board with a recommendation for appointment. In 2007 the Water Commission developed a process to evaluate multiple candidates and recommended adoption by the Board. On August 14, 2007, the Board adopted the recommendation of

the Water Commission on the process that the Water Commission would follow to evaluate multiple candidates for appointment to the Water Advisory Committee. The 2007 process includes the following steps:

- Upon receipt of multiple letters of interest, staff will work with stakeholders in the sub-inventory unit to define the criteria necessary for a Representative of the sub-inventory unit, schedule interviews of the interested parties, and determine the best suited candidate.
- Staff will then bring forward the one candidate selected by the stakeholder group to the Water Commission for their support.
- If the stakeholders cannot forward one candidate, the Water Commission will then convene a Sub-Committee to interview the candidates and make a determination. This Sub-Committee will be comprised of three Commissioners; one appointed by the Supervisor representing that geographic area, one representing an overlapping or adjacent geographic area, and one designated at the discretion of the Chair of the Commission.
- The Sub-Committee will present their findings of support for one candidate to the full Commission, who will in turn make a recommendation to the Board of Supervisors.
- Staff will then take the recommendation forward to the Board of Supervisors.

Since the 2007 process was adopted, the first time multiple candidates for appointment to the WAC occurred was in December 2010. Upon review of the 2007 process and in discussions with the Water Commission, the 2007 process was found to be unnecessarily complicated, required staff resources that are unavailable, and lacked transparency. The Water Commission recommended that a modified process be adopted to evaluate multiple candidates in an open and transparent manner.

RECOMMENDATION TO MODIFY THE PROCESS FOR EVALUATING MULTIPLE CANDIDATES

On February 2, 2011, the Water Commission passed a recommendation that the Board of Supervisors modify the process as follows:

“When multiple candidates express interest for a Water Advisory Committee vacancy, the candidates and their supporting letters would be brought forward to the full Water Commission for review and consideration at a Water Commission meeting. Candidates would be afforded the opportunity to attend the Water Commission meeting to present their interest and answer questions from the Water Commission. The Water Commission will have the opportunity to make a recommendation to the Board to fill the vacancy at their meeting.”