

EXECUTIVE OFFICER SUMMARY REPORT  
November 10, 2010

- ITEM: 14
- SUBJECT: Acting Chair at the December 2010 San Diego Water Board meeting.
- PURPOSE: The San Diego Water Board will consider affirming Grant Destache to serve as acting chair at the December 2010 San Diego Water Board meeting. Alternatively, the San Diego Water Board may elect chair and vice chair to serve at the December meeting.
- PUBLIC NOTICE: Publication of the agenda for the November 10, 2010, in compliance with the Bagley-Keene Open Meeting Act meeting satisfies legal public notice requirements for this item.
- DISCUSSION: Among a regional water board's responsibilities, it must select a chair. (Wat. Code, § 13220, subd. (b).) Specifically, "[e]ach regional board shall . . . [s]elect one of its members as chairman at the first regular meeting held each year." (Ibid.) There is no provision for a regional water board to select a vice chair. However, all the regional water boards have a custom of selecting a vice chair at the same time they select a chair. The appointment to the San Diego Water Board of board member Strawn to the Recreation and Wildlife seat formerly held by David King, has the result of creating an opening for the title of board "chair." There is no law or regulation compelling a particular method of determining who becomes chair upon replacement of a prior chair with a new board member. Although the vice chair will ordinarily conduct a meeting in the chair's absence, the vice chair does not automatically succeed the chair upon an opening for the title.
- San Diego Water Board member Grant Destache, who has served as vice chair during 2010, is prepared to conduct the November 2010 meeting as acting chair and has also indicated a willingness to conduct the December meeting, prior to the board's election for chair and vice chair to be

held at the first regular meeting in 2011. The San Diego Water Board may, by consensus, affirm its desire that Vice Chair Destache conduct the December 2010 meeting as acting chair. Alternatively, the San Diego Water Board may elect a new Chair and Vice Chair to conduct the December 2010 meeting.

LEGAL CONCERNS: None

SUPPORTING DOCUMENTS: None

RECOMMENDATION(S): Consider a motion to affirm that Grant Destache will serve as Acting Chair to conduct the December 2010 San Diego Water Board meeting.