



August 14, 2020

Bernice E. Seidel
Clerk to the Board of Supervisors
2281 Tulare Street, #301
Hall of Records
Fresno, CA 93721-2198

Dear Ms. Seidel:

There are currently two directors on the Broadview Water District Board. The Broadview Water District Board has fallen below a quorum. Per Government Code Section 1780 (h), the District is requesting the Board of Supervisors to appoint a director to fill one vacancy on the Broadview Water District Board. This action will fill enough vacancies to provide the Broadview Water District Board with a quorum.

Westlands Water District, as majority landowner in the Broadview Water District, has approved a designated representative to serve on the Broadview Water District Board. Mr. Bill Pierce has been designated as a Westlands Water District representative. The District is recommending his appointment. A copy of Westlands Water District agenda item and Board minutes of December 18, 2019 are attached. Also, a copy of Mr. Pierce's application is attached.

Please notify the District once this matter has been calendared on the Board of Supervisors' agenda. If you should have any questions regarding this request, please contact me at (559) 241-6203. Thank you for your assistance in this matter.

Sincerely,

Bobbie Ormonde
Director

P.O. Box 6056, Fresno, California 93703
Phone: (559) 224-1523 Fax (559) 241-6277

WESTLANDS WATER DISTRICT BOARD OF DIRECTORS

SPECIAL MEETING OF DECEMBER 18, 2019

ITEM 2

SUBJECT:

Consider Designation of Landowner Representative for Purpose of Appointment or Election to the Broadview Water District Board of Directors

DISCUSSION:

The Broadview Water District Board of Directors is now comprised of two members, which is below the minimum number necessary to constitute a quorum. Accordingly, it is recommended that an additional staff member from the District, Bill Pierce, be designated as the District's landowner representative, pursuant to Water Code section 34700(c), for the purpose of appointment or election to the Broadview board of directors. As with the Board's previous designations of staff, rather than one of its members of the Board, this action will avoid potential conflicts in exercising the respective duties of the two boards. Staff will draft a letter to the Fresno County Board of Supervisors recommending the appointment of Bill Pierce as the District's landowner representative.

RECOMMENDATION:

Designate Bill Pierce as Westlands Water District's landowner representative for the purpose of appointment or election to the Broadview Water District board of directors.

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF
WESTLANDS WATER DISTRICT

December 18, 2019

A hearing and special meeting of the Board of Directors of Westlands Water District was called to order by President Peracchi at the District's Fresno Office, 3130 N. Fresno Street, Fresno, California at 9:00 a.m.

Directors present:

Don Peracchi, President
William Bourdeau
Frank Coelho
Larry Enos
Dan Errotabere
Ryan Ferguson
Todd Neves
Stan Nunn

Staff present:

Jon Rubin, General Counsel
Jose Gutierrez, Chief Operating Officer
Shelley Ostrowski, Associate General Manager – Water Policy (video conference)
Bobbie Ormonde, District Secretary and Deputy General Manager – Finance & Administration
Russ Freeman, Deputy General Manager – Resources
Kiti Campbell, Supervisor of Resources
Antonio Solorio, Resources Engineer
Kathryn Boren, Special Advisor to the General Manager
Diana Giraldo, Public Affairs Representative
Karen Clark, Assistant District Secretary and Executive Assistant

Others present:

Scott Slater, Brownstein, Hyatt, Farber & Schreck
Amy Steinfeld, Brownstein, Hyatt, Farber & Schreck (by video conference)
Will Halligan, Luhdorff & Scalmanini (by video conference)
Newcomb, Luhdorff & Scalmanini (by video conference)

CALL TO ORDER

President Peracchi called the meeting to order.

CONSIDER DESIGNATION OF LANDOWNER REPRESENTATIVE FOR PURPOSE OF APPOINTMENT OR ELECTION TO THE BROADVIEW WATER DISTRICT BOARD OF DIRECTORS

Ms. Ormonde reported the Broadview Water District Board of Directors was now comprised of two members, which was below the minimum number necessary to constitute a quorum. Accordingly, it is recommended that an additional staff member from the District, Bill Pierce, be designated as the District's landowner representative, pursuant to Water Code section 34700(c), for the purpose of appointment or election to the Broadview Board of Directors. As with the Board's previous designations of staff, rather than one of its members of the Board, this action will avoid potential conflicts in exercising the respective duties of the two boards. Staff will draft a letter to the Fresno County Board

issues with neighboring groundwater sustainability agencies (GSAs) and their impact on sustainably managing groundwater supply.

Members of the public made comments that will be included in the response to comments prior to adoption of the GSP.

THE BOARD OF DIRECTORS OF WESTLANDS WATER DISTRICT, SERVING AS THE GROUNDWATER SUSTAINABILITY AGENCY OF THE WESTSIDE SUBBASIN, TO CONSIDER RESOLUTION NO. GSA-102-19, ADOPTING THE WESTSIDE SUBBASIN GROUNDWATER SUSTAINABILITY PLAN AND AUTHORIZING SUBMISSION OF THE WESTSIDE SUBBASIN GROUNDWATER SUSTAINABILITY PLAN TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND RELATED ACTIONS

This item was deferred to a Special Board Meeting with a date to be determined.

PUBLIC COMMENT

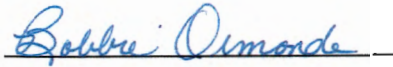
There were no public comments.

CLOSED SESSION

The Board did not meet in closed session.

ADJOURNMENT

The meeting was adjourned at approximately 10:10 a.m.



Bobbie Ormonde, District Secretary

SUPPLEMENTAL APPLICATION FOR LANDOWNER AND ELECTED SPECIAL DISTRICTS

Complete Name of Landowner or Elected Special District: Westlands Water District

List the name of the person who previously held the seat you are interested in: Dan Pope

I meet the statutory requirements to be a board member per the following requirement(s) (Check all applicable requirements):

TYPE OF DISTRICT	QUALIFICATIONS
Community Services District (Water) Conservation District Fire Protection District Health Care District Hospital District Public Utility District Recreation and Park District (County) Water District	<input type="checkbox"/> I am a voter in the District and (if applicable) <input type="checkbox"/> I am a voter in the _____ Division of the District. or <input type="checkbox"/> I am a voter in the _____ Zone of the District.
Drainage District	<input type="checkbox"/> I am: <input type="checkbox"/> A holder of title to land within the District, or <input type="checkbox"/> The legal representative of a holder of title to land within the District; or <input type="checkbox"/> A designated representative of a holder of title to land within the District, if the holder of title to land is not a natural person and the holder has filed with the district written evidence of the designation. or <input type="checkbox"/> I am: <input type="checkbox"/> A holder of title to land within the _____ division of the District, or <input type="checkbox"/> The legal representative of a holder of title to land within the _____ division of the District; or <input type="checkbox"/> A designated representative of a holder of title to land within the _____ division of the District, if the holder of title to land is not a natural person and the holder has filed with the district written evidence of the designation.
Irrigation District	<input type="checkbox"/> I am a landowner in the District and/or <input type="checkbox"/> I am a voter in the District
Memorial District	<input type="checkbox"/> I am a voter in the District and (if applicable) <input type="checkbox"/> I have been honorably discharged from the armed forces of the United States.
Police Protection District	<input type="checkbox"/> I am a resident of the District.
Reclamation District	<input type="checkbox"/> I am a landowner or the legal representative of a landowner in the District.
Resource Conservation District	<input type="checkbox"/> I am a voter in _____ County, California, and: <input type="checkbox"/> I reside within the District and: <input type="checkbox"/> I own real property in the District, or <input type="checkbox"/> I have served, pursuant to the District's rules, for two years or more as an associate director providing advisory or other assistance to the board of directors; or: <input type="checkbox"/> I am a designated agent of a resident landowner within the District.
(California) Water District (Landowner)	<input checked="" type="checkbox"/> I am: <input type="checkbox"/> A holder of title to land within the District; or <input type="checkbox"/> The legal representative of a holder of title to land within the District; or <input checked="" type="checkbox"/> A representative designated by a holder of title to land within the District, if the holder has filed with the District written evidence of that designation.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 14, 2020

Signature: 

Name: Billy L. Pierce



COUNTY OF FRESNO
BOARDS, COMMISSIONS, COMMITTEES APPLICATION FORM

Please be advised that you may be required to file a Form 700 - Statement of Economic Interest

Name of Applicant: Billy L. Pierce
Home Address: [Redacted] City: Fresno Zip: 93723
Current Employer: Westlands Water District
Business Address: 3130 N. Fresno Street City: Fresno Zip: 93703
Home Phone: [Redacted] Work Phone: [Redacted] Supervisorial District No.
E-mail Address: [Redacted]

NOTE: Please check [] above the address and telephone number you would like listed on the roster if you are appointed. The roster information may be released as a public record.

COMPLETE NAME of Board/Committee/Commission(s) you are interested in serving on as well as the position for which you are qualified (if necessary). If you are applying for the Behavioral Health Board, Fresno Child Care & Development Local Planning Council, In-Home Supportive Services Advisory Committee, or Children and Families Commission, please also complete the supplemental application. If you are applying for the Workforce Investment Board, please note a different application form is required.

Broadview Water District Board Member

List past or present County appointments, as well as any other public service appointments, or elected positions held (please list dates served):

Foreperson of Criminal Grand Jury

What experience or special knowledge can you bring to your area(s) of interest?

I have over 40 years of experience in the agricultural water field with a focus on distribution system maintenance and operations.

List community organizations to which you belong:

Active participant and member of Cornelia Avenue Southern Baptist Church

Convictions and Penalties - Have you ever been convicted of a felony? If yes, give dates(s), location(s) and penalties. (Convictions are evaluated for each position and are not necessarily disqualifying).

None

List any affiliation you or your spouse has with public service agencies:

None

I HAVE READ THE "FRESNO COUNTY BOARD OF SUPERVISORS' ADMINISTRATIVE POLICY NO. 35" REGARDING CONFLICT OF INTEREST FOR BOARD APPOINTEES AND AGREE TO ABIDE BY THE POLICIES AND PROCEDURES AT ALL TIMES WHILE AN APPOINTED MEMBER OF THE INTERESTED NAMED COMMITTEE. AT PRESENT, TO THE BEST OF MY KNOWLEDGE, NO CONFLICT OF INTEREST EXISTS IN MY SERVING ON THIS COMMITTEE

[Redacted Signature]
(Signature)

August 14, 2020
(Date)

PLEASE RETURN COMPLETED FORM TO:
Clerk, Board of Supervisors
Hall of Records, Room 301
2281 Tulare Street, Fresno, CA 93721
Telephone: (559) 600-3529, Option 4
Fax: (559) 600-1608

APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR.
Please re-file after that time if you are still interested in serving on a Board, Commission or Committee

**FRESNO COUNTY BOARD OF SUPERVISORS
ADMINISTRATIVE POLICY
NO. 35**

SUBJECT: CONFLICT OF INTEREST - BOARD APPOINTEES

POLICY STATEMENT

In addition to any Federal or State conflict of interest requirements which may apply, no member of any board, commission or committee shall make, participate in making or in any way attempt to use their position to influence a decision in which he or she knows or has reason to know that he or she or their spouse has a financial interest. In all such cases, the affected member shall disclose their interests in the records of the board, commission or committee and shall refrain from participating in all discussions and votes concerning the matter in which they or their spouse has a financial interest.

The purpose of this policy is not only to avoid actual improprieties, but also the appearance of possible improprieties. Therefore, it is the policy of the Board of Supervisors that any doubts as to whether a member shall refrain from participating in a particular matter should be resolved in favor of non-participation.

While recognizing that state law and regulations may specify categories of memberships on certain board, commission and committees, to the extent possible, no one shall be appointed to a board, commission or committee which recommends funding allocations to community based organizations, who is or whose spouse is a director or officer of an agency or organization which competes in the funding process before that board, commission or committee.

MANAGEMENT RESPONSIBILITY

The County Administrative Officer shall provide all nominees to County boards, commission and committees with copies of the Board's Conflict of Interest policy. Additionally, the County's staff to each board, commission, and committee shall be provided with a copy of the application of each appointee so as to be able to assist in monitoring compliance with the conflict of interest policy. Monitoring shall include annual review of appointee circumstances as they may change during each appointee's term of office.

APPLICANT/NOMINEE RESPONSIBILITY

All applicants shall state on their application for appointment what affiliation, if any, they or their spouse has with public service agencies. Additionally, all applicants shall certify prior to their participation as a voting representative of the Board of Supervisors that they have read this policy and can serve free of any conflict of interest. The certification will be made by an applicant/nominee by signing the application for their appointment. Further, should any conflict of interest arise during the appointee's term of office, the appointee shall so declare and abstain from participation on the proceeding and business as it relates to the area of conflict.

For those boards, commissions and committees which recommend funding allocations to the Board of Supervisors, no member shall participate in any discussions or decisions related to an agency of which the member or the member's spouse is a director or officer. Additionally, unless state law or regulation require otherwise, any such member shall also refrain from participation in discussions or decisions related to proposals which are in direct competition with a proposal submitted by the agency of which the member or member's spouse is a director or officer.