



Board of Directors Meeting
Friday, January 18, 2019
City Council Chambers, Fillmore City Hall
250 Central Avenue, Fillmore, CA 93015

MINUTES

Directors Present

Director Kelly Long, Chair
Director Ed McFadden, Vice Chair/Secretary/Treasurer
Director Lynn Edmonds (arrived late)
Director Gordon Kimball
Director Glen Pace

Directors Absent

Director Candice Meneghin

Staff Present

Anthony Emmert, Executive Director
Steve O'Neill, Legal Counsel
Kris Sofley, Clerk of the Board

Public Present

Dan Detmer, UWCD
Tony Morgan, DBS&A
Tim Moore, DBS&A
Kenneth Rogers, Amen Ranch

1. Call to Order 5:04p.m.

Chair Long called the meeting to order.

2. Pledge of Allegiance

Director Kimball led the group in the Pledge of Allegiance.

3. Directors Roll Call

Directors Kimball, Long, McFadden and Pace were present, Directors Edmonds and Meneghin were not present.

4. Public Comments

Chair Long asked if there were any public comments. None were offered.

5. Approval of Agenda

Motion

Chair Long suggested that since Director Edmonds was not present, the Board skip item 6 and return to it after Director Edmonds arrives.

Motion to approve the agenda, Director McFadden; Second, Director Kimball. Voice vote: four ayes (Kimball, Long, McFadden, Pace); none opposed; two absent (Edmonds, Meneghin). Motion carries 4/0/2.

7. Director Announcements/Board Communications

Director Pace reported that the next joint Fillmore and Piru Pumpers Association meeting would be held on Tuesday, January 29, and that United Water Conservation District's (UWCD) General Manager Mauricio E. Guardado, Jr. would be making a presentation to the associations regarding State Water.

Chair Long reported that she has been involved in the State Budget discussions with Diane Flemings, special advisor to Governor Newsom and State Finance department. Chair Long said that while the Governor's priority is housing, she is encouraging water discussions.

Vice Chair McFadden reported that UWCD appointed Mike Mobley as Director to fill the vacancy in the District's Division 2. The UWCD Board also elected new officers at the last Board meeting (January 16).

8. Executive Director Update

Information Item

Executive Director Emmert reported that the Agency has received the executed Grant Agreement from the California Department of Water Resources (DWR) for financial assistance in developing the groundwater sustainability plans (GSP) for the Fillmore and Piru basins. He reported that DWR has completed the public comment process on the Basin Boundary Modifications and there were no negative comments regarding the proposed Fillmore and Piru basins. Mr. Emmert does not anticipate any additional changes to the current Agency boundaries. He said that staff is working to update its information for the pumpers now included within the Agency's boundaries, and will continue to reach out to them regarding DWR's changes. Regarding the Stakeholder Engagement plan, Mr. Emmert shared that staff is still working to update the master contacts information for the well owners and other stakeholders, and anticipates an update at the next Board meeting.

9. CONSENT CALENDAR

Motion to approve Consent Calendar, Director McFadden; Second, Director Pace. Voice vote: four ayes (Kimball, Long, McFadden, Pace); none opposed; two absent (Edmonds, Meneghin). Motion carries 4/0/2.

Continues...

9A Approval of Minutes

The Board will consider approving the Minutes from the Board Meeting of December 20, 2018.

9B Approval of Warrants

There are no invoices for approval at this time.

9C Monthly Financial Report

The Board will receive a monthly profit and loss statement and balance sheet for the FPBGSA from UWCD's accounting staff.

Chair Long then addressed the Board, explaining that Director Meneghin's maternity leave was addressed with the Environmental consortium. According to the Bylaws, the Environmental consortium would have to appoint a replacement for Director Meneghin and then reappoint her after her return in April; however, the Environmental consortium decided to keep her as their stakeholder director and leave the seat vacant during her leave.

10. ACTION ITEMS

10A Adoption of Consultant Agreement with Daniel B. Stephens & Associates for Groundwater Sustainability Planning
Motion

Mr. Emmert addressed the Board, stating that staff was recommending the Board approve the contract with Daniel B. Stephens & Associates (DBS&A) for groundwater sustainability planning services in the amount of \$795,000. He said that he and UWCD groundwater staff met and negotiated with DBS&A regarding the scope of work and fees and that there were no changes to the contract as presented, with the exception of the start date, which would be now.

Director McFadden asked about public outreach. Mr. Emmert said that during negotiations they really dug into that area. The existing scope of work includes help with the development of a contact list and Directors engagement. He stated that both staff and DBS&A felt that the existing budget is sufficient and he will keep the Board apprised as work goes forward. Outreach to both environmental groups and pumpers will keep the public informed as to the process of developing the GSPs in accordance with the Sustainable Groundwater Management Act (SGMA).

Chair Long asked if billing, as it comes through, is then invoiced to the CA Department of Water Resources (DWR).

Mr. Emmert said that the Agency has to pay first, document that the work was done and then invoice the State. He said the budget is in good shape now and this project is funded, but that it will be important to be timely in seeking reimbursement from the State.

Chair Long asked to include future invoicing reports on the agenda so the Board is aware of what is being spent and what is being reimbursed as the GSP development proceeds.

Mr. Emmert replied that it is a painstaking process, arranging the budget to avoid cash flow issues and that it is intended that the match, per category, be met as soon as possible, and then documenting that the match has been met so the Agency can then invoice for reimbursement.

Director Kimball asked if Proposition 1 was bond money and Mr. Emmert said yes, it was fairly secure.

Motion to approve the consultant services agreement with Daniel B. Stephens and Associates, Director Pace; Second, Director McFadden. Voice vote: four ayes (Kimball, Long, McFadden, Page); none opposed; two absent (Edmonds, Meneghin). Motion carries 4/0/2.

Chair Long then welcomed Tony Morgan and Tim Moore to the team. Director Pace asked that a monthly update, perhaps as part of the Executive Director's report, providing the Board with a progress report on GSP activities be included in agendas going forward. Director McFadden agreed that a monthly agenda item would be beneficial.

Director Pace stated that on behalf of the Pumpers Associations, it is important that the public be made aware of the process in progress rather than after the fact. By advising the public of what is coming up, it gives them an opportunity to get involved. He added that the Pumpers Associations meetings are held on the second Tuesday of the month.

Director Kimball added that the Executive Director can provide the monthly progress report as the Board doesn't want to pay Tony Morgan to come to meetings just to provide an update.

Chair Long reported that she had texted Director Edmonds, but has not received a response yet.

11. INFORMATION ITEMS

11A Update on Status of Fillmore and Piru Basins GSA Boundary Modification

Information Item

UWCD's Supervising Hydrogeologist Dan Detmer addressed the Board on the status of the Fillmore and Piru Basins GSA Boundary Modifications with DWR. He reminded the Board of the scramble staff made to meet modifications and that, working under DWR's direction, the new Fillmore and Piru basin boundaries will include about 14 additional wells. He said that he checked with the County of Ventura regarding the status codes on the well files and about half of those 14 wells are either abandoned or are unable to be located. Seven are considered active by the County, three of which are in Holser Canyon, which is outside of UWCD's boundaries; and the other four are not reporting pumping to UWCD. UWCD staff mailed letters out to the well owners of record, two of which were returned marked not at this address, unable to forward. Of the other letters that were mailed out, the District has not had any response from well owners to date.

Updating the Board on DWR activities, Mr. Detmer said that the public comment period ended and there were no public comments on the Fillmore or Piru Basins. DWR had already recommended approval of the boundary modifications and, with no public opposition to the changes, Mr. Detmer expects finalization of the proposed boundary modifications shortly. Once DWR approves the modifications, basin prioritization will be reconsidered by DWR, but since Fillmore and Piru are already considered "high" priority basins, he doesn't expect any further changes. There is a public meeting in late February or early March to address the basins' priority rankings, with the public comment period ending in April and the final prioritization published in May. Mr. Detmer said that, functionally, however, he thinks the process is completed.

Chair Long asked if a letter was sent to DWR regarding the erroneous citing of subsidence and seawater intrusion in the "high" priority ranking. Tim Moore replied that yes, a letter was sent to DWR addressing those issues and Mr. Detmer added that the letter was sent in spring 2018.

Director McFadden asked of the four wells newly added to the GSA, if there was any way to determine if they were large pumpers or little domestic wells. Mr. Detmer said there were no pumping records available for these wells, but that they are not adjacent to extensive agricultural use areas. Mr. Detmer asked if there were any other questions from the Board.

Chair Long asked about reaching out to the "new" wells, and Mr. Detmer said other than the letters that were mailed out, no other outreach had been done, to date.

Continues...

Director Pace suggested waiting until the boundary modifications had been approved before sending out invoices for the new wells. Mr. Detmer said that it was unclear to him, if the public comment period ended in January, when the final modification would be announced by DWR. Director Pace said they should be invoiced in the next round of billing. Legal counsel Mr. O'Neill interjected, stating that the date of basin boundaries modifications approval by DWR would indicate when Agency billing should begin.

Director Pace said UWCD's billing cycle is from January through June, and Mr. O'Neill said the invoice could be pro-rated.

Mr. Moore said that DWR has not snapped the agency's boundaries to the recent boundary modification. Chair Long asked if the Board needs to agendaize a motion of the Board to accept the DWR's final basin boundary modifications.

Mr. O'Neill said it may require a modification to the joint powers authority agreement (JPAA), as the geographic area of the GSA was defined in that agreement. Director Kimball asked if that would have to go back to the County Board of Supervisors, Fillmore City Council and United Board as the three parties of the JPAA. Director Pace said that if basins' boundaries change and the GSA oversees the basins, wouldn't the area of authority evolve with the basins. Mr. O'Neill said he would review the language in the JPAA and come back to the Board with his legal recommendation in February.

FUTURE TOPICS FOR BOARD DISCUSSION

Chair Long asked for a report on open invoices and an update from the ad hoc committee on stakeholder engagement at the February Board meeting; Director McFadden asked that the agenda add an update from Legal Counsel; and Chair Long asked for a line item Update from Consultant.

Director Lynn Edmonds arrived at 5:33p.m.

6. City of Fillmore Representative to FPB GSA Board of Directors

Information Item

Chair Long welcomed Fillmore City Councilmember Lynn Edmonds, the new member Director of the Agency Board of Directors. Chair Long then asked to go around the council chambers and have each person introduce themselves to Director Edmonds and include a brief description of their role with the GSA.

Director Pace said he represented the Piru Pumpers Association as its president; Director Kimball said he represented the Fillmore Basin pumpers; Chair Long said she is a County Supervisor for the area and is representing Ventura County as a member Director on the board; Director McFadden said he was a member Director representing United Water

Continues...

Conservation District; Chair Long explained that the environmental stakeholder director Candice Meneghin was on maternity leave; Steve O'Neill introduced himself as the GSA's legal counsel; Anthony Emmert said he was the Agency's Executive Director and his daytime job was assistant general manager with UWCD; Kris Sofley indentified herself as Clerk of the Board and Director Edmonds thanked her for her phone call. Dan Detmer identified himself as the supervising hydrologist with UWCD; Tony Morgan introduced himself as the newly appointed consultant, working with Daniel B. Stephens & Associates; Tim Moore also identified himself as part of the consultant team from DBS&A. Chair Long explained that the Board had just approved the contract with DBS&A, who would handle the preparation of the Groundwater Sustainability Plans for the basins and that United provided data and technical assistance. Chair Long suggested that Director Edmonds meet with Anthony Emmert regarding a better understanding of what a GSA is and what the role of the GSA is for the Fillmore and Piru basins. Director Edmonds said she ran out without any business cards.

Chair Long then asked the Board if 5pm was a good meeting time, or if they preferred to go back to 6pm or, meet earlier as Director McFadden has suggested. Chair Long said that she thought the 5pm time would be an easier transition for United staff. Director Pace said he had no preference; Director Kimball said earlier would be difficult for the public, especially those who work. Director Edmonds said she preferred Thursday, but anytime was good for her; and Director McFadden said he was flexible. The Board discussed meeting at 5pm or 6pm and then agreed that 5pm was the time for now.

Mr. Emmert then added that next month, in addition to ongoing progress reports, Mr. Detmer would provide an update on the UWCD groundwater model, as he felt it was more appropriate to wait until the new Board member was seated and to provide more time for additional progress with the model.

Chair Long asked what the next step was for the GSP and stated that she would like to know how the coordination between DBS&A and UWCD would work. Mr. Emmert said that at last month's discussion, stakeholder engagement - how to get people engaged and involved - was a priority as SGMA lives and dies on stakeholder engagement.

Mr. Detmer then asked for clarification, as the development of the groundwater flow model was still a year out but that the team could get started on the plan in advance of the model's readiness.

Director Edmonds then asked if she could explain who she was and what she brings to the Board. She explained that she is a well-known educator and school principal in the area; that she started a youth program. She also stated that when she was in high school, she took an aptitude test that said she was suited to geology, environmental science and she is excited to be exercising that aptitude now by serving on the air pollution and groundwater sustainability boards for the City. She added that Carrie Broggie did a wonderful job in her time on the Board and she was excited to serve on the FPB GSA.

Continues...

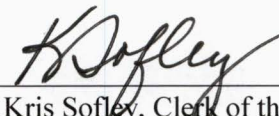
Director McFadden added that he was just thinking about how the GSA has taken some time in getting organized, collecting funds and now it was time for the rubber to hit the road and that he is looking forward to the next step in making things happen.

ADJOURNMENT 5:44p.m.

ATTEST: 

Kelly Long, Chair, FPB GSA Board of Directors

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of January 18, 2019.

ATTEST: 

Kris Sofley, Clerk of the Board