



Board of Directors Meeting
Thursday, December 16, 2021
5 p.m.
MINUTES

Directors Present

Director Kelly Long, Chair
Director Ed McFadden, Vice Chair/Secretary/Treasurer
Director Gordon Kimball
Director Candice Meneghin
Director Glen Pace
Director Christina Villasenor

Staff Present

Anthony Emmert, executive director
Scott Nave, legal counsel
Eva Ibarra, clerk of the board

Public Present

Lisa Ballin, DBS&A, consultant
Bryan Bondy, Bondy Groundwater, consultant
Christian Braudrick, Stillwater Science, consultant
Dan Detmer, UWCD
Burt Handy
Rachel Laenen, Fillmore Basin Pumpers Association/Piru Basin Pumpers Association
Albert Lambie
Ben Lewis
Tony Morgan, DBS&A
Patrick O'Connell, DBS&A
James Thurber
Gus Tolley
Steve Zimmer, Five Points

1. CALL TO ORDER 5:01pm

Vice Chair McFadden called the meeting to order at 5:01pm

1A Pledge of Allegiance

Vice Chair McFadden asked everyone to join him in reciting the Pledge of Allegiance.

1B Directors Roll Call

Vice Chair McFadden asked the clerk to conduct roll call. Directors Kimball, Chair Long, Vice Chair McFadden, Director Meneghin, Director Pace, and Director Villaseñor were present.

1C Public Comments

Vice Chair McFadden asked if there were any public comments. None were offered.

1D Approval of Agenda

Motion

Motion to approve the agenda, Director Kimball; Second, Director Villaseñor. Roll call vote: six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

2. UPDATES

**2A Director Announcements/Board Communications:
Information Item**

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Kimball stated the Fillmore and Piru Pumpers Associations' Board of Directors were dark for December and therefore had nothing to report. He added that the letter the agency wrote in support of the King and King Ranch Sweep Grant helped, as grant was awarded and approved as requested, and he thanked everyone for their support.

Piru Pumpers Association Stakeholder Director Update

Director Pace echoed the sentiments of Director Kimball and added the Piru water company sale has been set back and looks like it will remain into 2022.

Environmental Stakeholder Director Update

Director Meneghin provided an update and said Friends of the Santa Clara River had their field days at the Fillmore Hatchery and will also have Round 3 of Water Talks, which will include training on how to write grants for water needs through the County of Ventura. She also mentioned the group has submitted its full proposal for the water conservation grant. She also mentioned Lynn Rodriguez sent out an email regarding the opening of the Integrated Water Region Grant (IWR), and now is the time to discuss projects identified in the GSP to see if there's an opportunity to partner with other agencies. Director Meneghin stated California Trout has a petition to the Fish and Wildlife Commission for the listing of endangered steelhead

at the state level, and there will be opportunity for comment at the Commission's meetings on February 15 and 16.

City of Fillmore Member Director Update

Director Villasenor reported municipal well 8 was taken offline in February for emergency reasons, and after repairs, it is now back online. She also said the City has held many events to bring out the public in support of local vendors, and specifically mentioned the Sierra Railroad Operator contract was approved, and therefore the railroad will be operating again through Fillmore and Santa Paula. Director Villaseñor said the City Council will be talking again in January regarding American Resources Public Funds of about \$2 million for community funds, broadband, water, and sewer infrastructure.

United Water Conservation District Member Director Update

Vice Chair McFadden said for all pumpers, United is initiating a voluntary quarterly reporting system to more accurately report numbers to Department of Water Resources to begin by next month. Vice Chair McFadden asked both Executive Director Anthony Emmert and Water Resources Manager Dan Detmer to provide any additional information to ensure it was clear to the pumpers as to the need to provide readings four times a year, instead of the normal two times a year. Both Mr. Emmert and Mr. Detmer provided more explanation.

County of Ventura Member Director Update

Chair Long reported County of Ventura had their 10-year redistricting with selection of all representatives and stated she will continue to serve Fillmore Piru Basin GSA. She also mentioned Ventura County Transportation Systems announced Sierra Northern will be used for railroad services, and the Department of Water Resources has sent out information regarding conservation of water for the coming year due to ongoing and current drought conditions.

2B Executive Director Update

Information Item

Executive Director Anthony Emmert reported the groundwater sustainability planning grant activities are ongoing and mentioned a proposed grant agreement amendment is still in development. He also said staff will be preparing progress report 11 and invoice 11 in January 2022. Mr. Emmert stated dollar amounts for outstanding receivables and DWR grant funding totals, and mentioned one pumper owes over \$22,000. Legal counsel is inquiring with the bankruptcy court regarding filing a claim against this pumper. He said he expects the Sustainable Groundwater Management grant program package to be available in October of 2022 and added DWR will be requesting pumping data every quarter.

Mr. Emmert also discussed the need to have a Special Board Meeting in January to continue the AB361 exemptions. He also reminded all Board members to complete their Form 700s. He finished his update with the mention of a small celebration of the GSP submittal, with a recommendation of a restaurant in Fillmore.

2C Legal Counsel Update

Information Item

Legal Counsel Scott Nave reported he has now emailed delinquent pumpers' bankruptcy attorney so the GSA can be added to the proof of service regarding submitting a claim in the case but has yet to hear back from the attorney. He also mentioned he has been talking with Phebe Chu from Ventura County Counsel's office. She has been working with Mr. Nave on delinquent fee issues and has provided him with a template to be used, that he will present to the Board at the regular Board of Directors meeting in January.

2D GSP Consultant Update

Information Item

Mr. Tony Morgan stated they are working on prepping the draft GSP and appendices for submittal to DWR, with the mention of deadlines for the GSP. Mr. Morgan reminded the Board that it had commented to continued negotiations with CDFW regarding the mitigation project to supply supplemental groundwater to the Cienega restoration project area during sustained droughts, and suggested this be done by the first of the year.

3. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)

3A Approval of Minutes

The Board will consider approving the Minutes from the regular Board Meeting of November 18, 2021.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices:

- Ventura County Star \$ 466.04
- Olivarez Madruga Lemeiux O'Neill LLP \$ 1,479.00
- Rogers, Anderson, Malody & Scott, LLC \$ 8,250.00
- Daniel B Stephens & Associates, Inc. \$87,780.63

3C Monthly Financial Report

The Board will receive the Agency's monthly profit and loss statement and balance sheet.

3D Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

The Board will consider adopting Resolution 2021-08 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

Motion to approve the Consent Calendar items; Director Villaseñor; Second, Director Pace. Roll call vote: six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

4. MOTION ITEMS

4A Adoption of Resolution 2021-09 Adopting the Fillmore Basin Groundwater Sustainability Plan.

Public Hearing and Motion

The Board: 1) held a public hearing and received stakeholder comments on the final draft Fillmore Basin Groundwater Sustainability Plan and Technical Appendices, and 2) adopted Resolution 2021-09 Adopting the Fillmore Basin Groundwater Sustainability Plan and Technical Appendices and directing the Executive Director to submit the adopted documents to the California Department of Water Resources, in compliance with the Sustainable Groundwater Management Act.

Motion

Motion to close public hearing, Director Villaseñor; Second, Chair Long. Roll call vote: five ayes (Kimball, Long, McFadden, Meneghin, Villaseñor); none opposed; one abstaining (Director Pace); motion carries unanimously 6/0/1.

Director Meneghin expressed her thoughts on the GSP and requested the addition of a limiting factors study for steelhead. Chair Long and Vice Chair McFadden both stated they did not agree with adding anything to the GSPs this late in the process.

Motion to adopt 2021-09 Resolution, Director Long; Second, Director Kimball. Roll call vote: 4 ayes (Kimball, Long, McFadden, Villaseñor); one opposed (Director Meneghin); one abstaining (Director Pace); motion carries 4/1/1.

4B Adoption of Resolution 2021-10 Adopting Piru Basin Groundwater Sustainability Plan.

Public Hearing and Motion

The Board: 1) held a public hearing and received stakeholder comments on the final draft Piru Basin Groundwater Sustainability Plan and Technical Appendices, and 2) adopted Resolution 2021-09 Adopting the Fillmore Basin Groundwater Sustainability Plan and Technical Appendices and directing the Executive Director to submit the adopted documents to the California Department of Water Resources, in compliance with the Sustainable Groundwater Management Act.

Motion to close public hearing, Director Long; Second, Director Meneghin. Roll call vote: five ayes (Long, McFadden, Meneghin, Pace, Villaseñor); none opposed, one abstaining (Director Kimball); motion carries 5/0/1.

Director Villaseñor expressed her thoughts and appreciation for all the hard work that went into the completion of the GSP.

Director Meneghin expressed her disapproval in the GSP draft, and again requested the addition of a limiting factors study for steelhead.

Director Pace expressed his support for the GSP draft, and added he felt the GSA is too far into the process of the draft GSP to add any items.

Motion

Motion to adopt Resolution 2021-10, Director Long; Second Director Pace. Roll call vote: four ayes (Long, McFadden, Pace, Villaseñor); one opposed (Meneghin); one abstaining (Director Kimball); motion carries 4/1/1.

4C Amendments to Fiscal Year 2021-2022 Budget

Motion

The Board approved the proposed budget modifications for Fiscal Year 2021-2022.

Director Meneghin asked if when the GSA needs the \$100,000 it will not come from the grant. Executive Director said assuming the Agency gets approval from the grant administrator and DWR, it should have enough funds to cover. Director Meneghin asked if the Agency has received any feedback from DWR on the grant. Mr. Emmert stated the original timeline to spend the money was for springtime 2022, with the goal of getting all invoices in by mid-year to wrap up the grant.

Motion to approve the budget modifications, Director Pace; Second Villaseñor.
Roll call vote: six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor);
none opposed; motion carries unanimously 6/0.

4D Amendment to Agreement with Daniel B. Stephens & Associates for Preparation of Annual Reports and Online Database Management
Motion

The Board approved Amendment No. 3 to Professional Services Agreement No. 2019-01-18-DBSA with Daniel B. Stephens & Associates (DBS&A) for preparation of the Agency's Annual Reports for Water Year 2021 and for associated maintenance and updates of the Agency's online data management system.


Motion to approve amendment three to agreement, Director Long; Second Villaseñor.
Roll call vote: six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor);
none opposed; motion carries unanimously 6/0.

FUTURE TOPICS FOR BOARD DISCUSSION

1. Next Year's Calendar
2. Upcoming Elections
3. Legislative Platforms Developed

ADJOURNMENT 6:39p.m.

Vice Chair McFadden adjourned the Board at 6:39 pm to the next Regular Board Meeting on Thursday, January 20, 2022, or call of the Chair.

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 December 16, 2021.

ATTEST: 

Eva Ibarra, Clerk of the Board