



**Board of Directors Meeting**  
**Thursday, November 17, 2022**  
**5:00 p.m.**  
**MINUTES**

**Directors in Attendance**

Chair Kelly Long  
Director Carole Fornoff (joined at 5:10pm)  
Director Debbie Jackson  
Director Gordon Kimball  
Director Candice Meneghin  
Director Christina Villaseñor

**Staff in Attendance**

Anthony Emmert, executive director  
Steve O'Neill, legal counsel  
Eva Ibarra, clerk of the Board

**Public in Attendance**

Eric Elliott, UWCD  
Dan Detmer, UWCD  
Burt Handy  
Zachary Hanson, UWCD  
Rachel Laenen, Kimball Ranches  
Tony Morgan, DBS&A  
Robert Morris

**1. Call to Order 5:00pm**

Director Kimball called the Board Meeting to order at 5:00 p.m.

**1A Pledge of Allegiance**

Director Jackson led everyone in reciting the Pledge of Allegiance.

**1B Directors Roll Call**

The clerk called roll. Five Directors were present (Jackson, Kimball, Long, Meneghin, Villaseñor). Director Fornoff was absent.

**1C Public Comments**

Director Kimball asked if there were any public comments. None were offered.

**1D Approval of Agenda**

**Motion**

Motion to approve agenda with reordering of items starting with item 4, per Executive Director Tony Emmert, Director Jackson; Second, Director Meneghin. Roll call vote: five ayes (Jackson, Kimball, Long, Meneghin, Villaseñor); none opposed; one absent (Fornoff) motion carries unanimously 5/0/1. Director Carole Fornoff joined the meeting at 5:10pm)

**4. MOTION ITEMS**

**4A Sustainable Groundwater Management Grant Program SGMA Implementation Grant**

**Motion**

The Board adopted Resolution 2022-17 directing and authorizing the Agency to prepare and submit an application to the California Department of Water Resources for a 2021 Sustainable Groundwater Management Grant Program SGMA Implementation grant and authorizing the Chair or designee to execute the funding agreement and all associated documents.

Director Fornoff asked if the agency needs to match the grant money? Tony Morgan from DBS&A said no, this is grant money the state gives out that does not require a match, although we can match if we want for extra points, but not required.

Director Jackson asked what if the agency puts money as a match? Mr. Morgan said no, only if you do not want to be reimbursed for that money, then you put in a match.

Mr. Emmert asked Mr. Morgan if he is aware of any other agencies that are presenting a match of funds? Mr. Morgan said no, he is not aware of any agencies providing a match.

Director Meneghin asked Mr. Morgan if he was able to provide the feedback and recommendations that Fox Canyon had received from DWR regarding southern California steelhead to include tasks if called for? Mr. Morgan said he was unable to complete the requested task before the meeting. Director Meneghin asked if he could provide the requested information by the upcoming Special Board meeting in December? Mr. Morgan said yes, he would have the requested information ready by December's Board Meeting.

Director Kimball asked Mr. Morgan if he felt that DWR was satisfied with the Agency's existing technology that monitors subsidence? Mr. Morgan said the plan is suggesting what all other agencies are using, and will not change it, only if there is a problem, in which case he will request the Board regroup and come up with another plan.

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

Mr. Emmert suggested the Board hold a special Board meeting on December 8 at 5pm to review the final application before submission. The Board agreed.

#### **4B Preparation of Annual Reports and Update of Online Database**

##### **Motion**

The Board approved Task Order 2022-03 with Daniel B. Stephens & Associates for the preparation and submittal of annual reports for the Fillmore basin and the Piru basin for Water Year 2022 and updating of the Agency's Online Database.

Director Jackson asked if this was part of the budget? Mr. Emmert said yes, this was already included.

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

#### **4C Monitoring Wells Project Change Order Ratification**

##### **Motion**

The Board approved ratifying Change Order 1 to the Agreement with BC2 Environmental, LLC for the Monitoring Wells Project, specifically for the addition of a fourth nested well on the East Grove site.

Mr. Morgan asked if the Board would be interested in a press release for the significant milestone of the installation of the monitoring well? Directors expressed their thoughts on the idea. Mr. Morgan will look into options.

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

#### **4D Meetings Calendar for 2023**

##### **Motion**

The Board approved setting its regular meetings for calendar year 2023.

Director Jackson asked if the meetings can be held at an earlier time? Director Kimball asked if Director Jackson was suggesting the Board meetings start at 4:00 pm? Director Jackson said yes.

Director Long asked if there is anything that can be done when no items are to be discussed for the following Board meeting, can the meeting be canceled? Legal Counsel, Steve O'Neill said the reason for monthly meetings is for bills to get paid on a monthly basis. Director Kimball asked if there were any objections to canceling meetings when no items are to be discussed, no

objections were made.

Motion to approve the calendar with time change to 4:00 pm with dates listed, Director Meneghin; Second, Director Jackson. Roll call vote: six ayes (Fornoff, Jackson, Kimball, Long, Meneghin, Villaseñor); none opposed; motion carries unanimously 6/0.

Mr. Morgan asked if the 4:00 pm start time would begin in January 2023? Mr. O'Neill said yes.

## INFORMATIONAL ITEMS

### **5A Summary of Current California Requirements for Remote Meetings** **Information Item**

The Board received a presentation from Legal Counsel regarding California's requirements for remote meetings, including the Brown Act, Executive Order N-29-20, AB 361, and AB 2449.

Director Long asked for clarification for the statement of out for business? Mr. O'Neill said it means if you are traveling for the County of Ventura, it would be considered a just cause.

Director Jackson asked, once the Agency goes back to in-person meetings, does the Agency have the ability to allow public to come to the meetings, and wondered if the Agency can use some of the money from the grant to purchase good technology? Mr. Emmert said the agency had previously looked into upgrading the technology some time ago, although it was very costly at \$50,000 plus or minus, and a long lead item. He also said he has been working with United's IT personal on the project idea and has been in contact with the City of Fillmore to see if UWCD can assist, and perhaps with the Fillmore Unified School District, that also uses that facility, together the groups can make the technology improvements for that facility. He also said the Agency now has a meeting scheduled with the City Manager the first week of December to discuss this project and he liked the idea of using grant funds for the needed technology improvements. He said he will report back once the meeting with the City manager occurs.

## UPDATES

### **2A Director Announcements/Board Communications:**

Oral Reports from the Board

#### **Fillmore Pumpers Association Stakeholder Director Update**

Director Jackson reported the Fillmore Pumpers Association Stakeholders met last week, when they approved the budget and BD calendar for the upcoming year, and mentioned the association is doing a lot of housekeeping items and have been talking to Mr. Morgan on conducting a survey of the members regarding future plans and working with the questions that should be asked in the pumpers

survey.

### **Piru Pumpers Association Stakeholder Director Update**

Director Fornoff reported the Piru Pumpers Association Stakeholders are thinking of conducting a flat rate assessment, instead of pumping assessments, and have retained what they have been doing in the past few years, under advice from counsel and moving forward with that.

### **Environmental Stakeholder Director Update**

Director Meneghin had nothing to report and mentioned she visited the GSA's monitoring well going in near the Hedrick Farm Nature Area and was very excited to see it.

### **City of Fillmore Member Director Update**

Director Villaseñor reported the City of Fillmore now has three new council members to be sworn in on the second week of December and awaiting committee placements in January. She also mentioned the City submitted its housing element to the State and will keep the Agency posted on the progress.

### **United Water Conservation District Member Director Update**

Director Kimball had no updates.

### **County of Ventura Member Director Update**

Director Long had no updates.

## **2B Executive Director Update Information Item**

The Executive Director provided an informational update on Agency activities since the previous Board meeting of October 20.

Mr. Emmert reported drilling had been completed at both sites for the monitoring wells project, and Eric Elliot will provide a presentation at the upcoming December 8 Special Board meeting. He also said groundwater charges payments were due on October 15, 2022, and Groundwater Sustainability Planning Grant for 14th quarter of GSP grant concluded on September 30, 2022, and staff submitted progress report and invoice 14 on November 8, 2022. He stated that the 15<sup>th</sup> quarter of the grant will end on December 31, 2022, and this will be the final quarter for billable activities for the grant. He said round two of Sustainable Groundwater Management Grant Program applications are due by December 16, 2022, and agency staff and consultants are working to refine the scope, schedule, budget, and cash flow. Mr. Emmert supported a Special Board Meeting to review the final grant project for December 8, 2022.

Director Meneghin asked when will the Board hear about the next grant cycle that is being submitted in December? Mr. Emmert said his impression is DWR worked hard to get this GSM round two grant out, and there may be several hundred basins

eligible to submit for this grant, which means it will be a while before the Agency hears from DWR. Mr. Morgan said there are 80 to 100 applicants, as most basins are eligible for this grant. Mr. Emmert said he estimates that the Agency will not hear from DWR on the recommended awards of this grant until summertime of 2023, as there will likely be many applications for DWR to review, and the Round 2 is a competitive one.

## **2C Legal Counsel Update**

### **Information Item**

Legal Counsel provided an informational update on Agency's legal issues and concerns since the Board meeting of October 20.

Steve O'Neill, with Aleshire and Wynder, reported he worked on the remote meeting summary, Proposition 218 requirements of SGMA, and worked with both Mr. Emmert and Mr. Morgan concerning the pumpers' association letter received regarding the Executive Order. He also said they revisited the agency's draft procedures regarding implementation of the Executive Order to see how it is going to work in coordination with the County of Ventura and shared what their findings have been so far.

Director Kimball asked Mr. O'Neill if there is any guidance from Sacramento, or any effort to help us out with the order? Mr. O'Neill said there are no regulations to assist in the implementation of this Executive Order and he is not aware of any other guidance documents.

Director Jackson asked if the permitting agency is responsible, and suggested if it were, the Board should sit back and wait for them to talk to us about it. Mr. O'Neill said yes, the County of Ventura is the permitting agency, and has overall responsibility for the process, including CEQA reviews, if needed.

## **2D GSP Consultant Update**

### **Information Item**

Representatives from Daniel B Stephens & Associates provided an informational update on Agency's Groundwater Sustainability Planning and reporting activities since the Board meeting of October 20, 2022.

Director Meneghin asked if the subsidence report is going to be part of the annual report? Mr. Morgan said yes, that will be part of the report to January's Board meeting.

## **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 approved the Minutes from the Board Meeting of October 20.

**3B Approval of Warrants**

The Board approved payment of outstanding vendor invoice

Aleshire & Wynder LLP	\$ 9,918.00
Daniel B. Stephens & Associates, Inc.	\$ 16,883.00

**3C Monthly Financial Report**

The Board received 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 adopted Resolution 2022-14 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 Consent Calendar items, Director Long; Second, Director Jackson. Roll call vote: six ayes (Fornoff, Jackson, Kimball, Long, Meneghin, Villaseñor); none opposed; motion carries unanimously 6/0.

**FUTURE TOPICS FOR BOARD DISCUSSION**

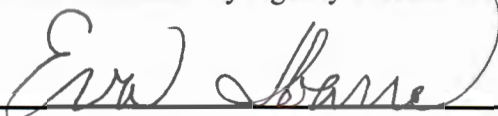
Annual report from DBS&A

**ADJOURNMENT 6:26 p.m.**

Director Kimball adjourned the Board meeting at 6:26p.m. to the next **Special Board Meeting** on Thursday, **December 8, 2022**, or call of the Chair.

ATTEST:   
**Director Kimball, 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 November 17, 2022.

ATTEST:   
**Eva Ibarra, Clerk of the Board**