



Board of Directors Meeting

Tuesday, July 17, 2018

6 p.m.

**City Council Chambers, Fillmore City Hall
250 Central Avenue, Fillmore, CA 93015**

MINUTES

Directors Present

Director Ed McFadden, Vice Chair/Secretary/Treasurer
Director Carrie Broggie
Director Gordon Kimball
Director Candice Meneghin
Director Glen Pace

Directors Absent

Director Kelly Long, Chair

Staff Present

Wayne Lemieux, Legal Counsel
Kris Sofley, Clerk of the Board

Public Present

Emilio Cervantes, Jr., Newhall Land and Farming
Anthony Emmert, UWCD
Tim Moore, UWCD
Tony Morgan, Daniel B. Stephens & Associates
George Reid
Steve Zimmer

1. Call to Order 6 p.m.

Vice Chair McFadden called the meeting to order at 6p.m.

2. Pledge of Allegiance

Director Kimball led the group in the Pledge of Allegiance

3. Public Comments

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

Director Broggie suggested a roll call for the meeting. Directors Broggie, Kimball, McFadden, Meneghin, and Pace were all in attendance. Director Long was delayed at a County Supervisors' meeting and would try to join the FPB GSA meeting as soon as possible.

4. Approval of Agenda

Motion

Vice Chair McFadden suggested that the order of motion items be changed to provide the Board with an appropriate chain of decisions, asking that item 8D be followed by 8C, 8A and then 8B. He also advised the Board that while the UWCD invoice in the amount of \$30,136.14 was omitted from the 7B Approval of Warrants motion item under the Consent Calendar, the invoice, supporting documents and check request were included in the full board packet of materials.

Motion to approve the agenda as amended, Director Kimball; Second, Director Broggie. Voice vote: five ayes (Broggie, Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long). Motion carries 5/0/1.

5. Director Announcements/Board Communications

Vice Chair McFadden stated that the FPBGSA's Public Workshop was a very good meeting. Director Broggie agreed, saying that turnout was very good and thanked UWCD staff for their attendance.

Director Meneghin reminded the Board that the Wildlife Conservation Bureau's Stream Flow Enhancement Program's (SFEP) Grant Proposal Solicitation closed September 4. She thought that the FPBGSA's monitoring well project may be appropriate for grant funding, which requires matching funds that the GSA has already budgeted for, and wanted to mention it as an additional source of potential funding.

6. Clerk of the Board Update

Information Item

The Clerk of the Board updated the Board on the Agency's activities since the previous Board meeting of June 19, 2018.

7. CONSENT CALENDAR

7A Approval of Minutes

Motion

Approval of the minutes from the Board Meeting of June 19, 2018.

Director Broggie recused herself from voting on the approval of the Minutes as she was not in attendance at the June 19 Board of Directors meeting.

7B Approval of Warrants

Motion

Approval of check payments to: Herald Printing (\$458.31 – printed envelopes); Olivarez Madruga Lemieux O'Neill, LLP (\$400 – June Legal Services); Fillmore Gazette (\$324. = March Basin Boundary Modification Workshop \$108 and July FY2018-19 Budget Workshop \$216); UWCD (\$30,136.14 – Administrative support and technical support).

Motion to approve the Consent Calendar, Director Pace; Second, Director Meneghin. Voice vote: four ayes (Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long); one recused (Broggie). Motion carries 4/0/1/1.

ACTION ITEMS

8D Clarification of duties and responsibilities of the Executive Director and the Proposed GSP Consultant

Motion

UWCD's Anthony Emmert addressed the Board, explaining how Tim Moore had reviewed the matrix created for the May 2018 Board meeting, separating the UWCD provided services from the Executive Director/Consultant services for the proposed Groundwater Sustainability Plan. Then how Mr. Moore separated the Executive Director's services from the Consultant's services for this meeting, and that by reviewing both documents, the Board would have a full grasp of the division of tasks between UWCD, the proposed Executive Director and the proposed GSP Consultant.

Mr. Emmert continued, explaining that, as he saw it, the Executive Director would be the eyes and ears of the agency, communicating to stakeholders and the community as well as others interested in the Agency's activities. He would also provide administrative support in procuring the consultant for the GSP. He added that the first step was to prepare a Request for Qualifications/Request for Proposals.

Director Meneghin asked Mr. Emmert how he determined the Executive Director's role. He said that he wants to be as engaged as he can be, set goals to match the desires of the stakeholders, support the Board in its desires and in meeting those of the stakeholders as well, establishing measurable objectives while also being mindful of the hours both he and the consultant are investing.

Vice Chair McFadden said that he saw the Executive Director function as part Manager and Director of Projects, utilizing the technical expertise to hold true for every single task of the consultant and being the eyes and ears of the Board. Mr. Emmert said that he, Tim Moore and John Lindquist would all try to be thrifty with the hours spent on the Agency's work, to keep costs down. He added that if the Agency hires the correct consultant, managing time across the areas that are important will not be an issue. But he cautioned the Board that they shouldn't want a lowball price and then have the consultant submit change orders. The scope of work should be good from the start. He said he would review work and report to the Board, that Mr. Moore was familiar with the basins and ready and willing to help with the technical review. He said the Agency is starting with a good base of knowledge and data and that the basins are fairly straight forward.

Director Broggie said that the Agency didn't foresee any problems, but they did have a huge To Do list.

Director Meneghin asked if, in reviewing the matrix of tasks, the Executive Director's column could add oversight to items 3.2, 3.3 and 3.4.

Vice Chair McFadden added that was all part of the RFP. He then asked if there was a motion to approve the July 2018 GSP Task list.

Motion to approve the July 2018 version of the GSP Task list, Director Broggie; Second, Director Kimball. Voice vote: five ayes (Broggie, Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long). Motion carries 5/0/1.

8C Amendment to UWCD Service Contract

Motion

Vice Chair McFadden reminded the Board of Mr. Emmerts presentation at the previous Board meeting regarding amending the UWCD Service Contract to include the services of Anthony Emmert as Executive Director of the Fillmore Piru Basins Groundwater Sustainability Agency, and asked if the Board had any questions.

Director Broggie asked why there were estimated hours for the administrative support and non-GSP technical support, but no estimate of hours for the GSP support. Mr. Emmert responded that it depends on the division of tasks, as outlined in item 8D. He said his goal was to provide the minimum hours essential to completing the project and to be careful to stick with providing technical support from Tim Moore and John Lindquist and saw his role as being more oversight of the project.

Director Kimball asked if the additional fees were included in the proposed FY 2018-19 budget. Vice Chair McFadden said that, if you looked at the second column of the proposed budget, it included costs for Mr. Emmert as Executive Director, the first column showed costs without his services, and that the costs were a 'best estimate.'

Ms. Sofley interrupted and said that, as with legal counsel, the Executive Director could report to the Board monthly, monitoring hours and adjust hours going forward at the direction of the Board. Vice Chair McFadden said that made sense to him and called for a motion.

Motion to approve an amendment to the UWCD Service Agreement to include Anthony Emmert as Executive Director for the FPB GSA, encompassing administrative support services, technical support services for routine tasks and technical support services for GSP preparation as outlined in the staff report at a minimum increase in costs of \$2,411.50 per month, Director Broggie; Second, Director Meneghin. Voice vote: five ayes (Broggie, Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long). Motion carries 5/0/1.

8A Adoption of Resolution 2018-04 Approving and Adopting the Proposed FY 2018-19 Budget

Motion

Vice Chair McFadden summarized the Board's efforts in presenting the proposed FY 2018-19 Budget for approval, stating that there had been two well attended public workshops, public comments and several months of discussion and changes.

Motion to adopt Resolution 2018-04 approving and adopting the proposed FY 2018-19 Budget, which covers the fiscal period of July 1, 2018 through June 30, 2019, Director Broggie; Second, Director Kimball. Voice vote: five ayes (Broggie, Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long). Motion carries 5/0/1.

8B Amendment to the Bylaws concerning collection practices, write offs, and over collection of fees

Motion

Wayne Lemieux introduced himself to the Board, taking the place of Steve O'Neill who was on vacation. Mr. Lemieux directed the Board's attention to the red line version of the proposed changes to Article 10 Fee Enforcement of the Agency's Adopted Bylaws.

Director Broggie asked if there needed to be a public hearing for amending the Bylaws and Mr. Lemieux said that the amendment to the bylaws had been noticed and the discussion was open to the public all in accordance with the Brown Act. She also asked if the proposed amendment was similar to United's policy.

Ms. Sofley said that United's policy was to apply overpayments as credit to future statements and it was her understanding that the Board had wanted to refund overpayments rather than carry them on the Agency's books.

Mr. Lemieux said that the Board could amend the language to apply a credit for overpayment or refund an amount over \$100, for example.

Mr. Moore added that there were typically a few overpayments per billing period based on bad meter reads of using the wrong multiplier when computing groundwater statements.

Director Pace said he remembered the Board wanting to make refunds available on request.

Mr. Lemieux said that item 10.1 (b) would be rewritten to state "In the event of an overpayment of groundwater fees or charges by the Owner or Operator, unless the payer requests a refund, the Agency shall apply the overpaid amount to the Owner or Operator's next billing statement or payment cycle."

Vice Chair McFadden asked if there were any further comments or questions. Director Pace said the change satisfied his concerns.

Motion to approve and adopt the amendment to the FPB GSA Bylaws clarifying collection practices, write offs and process regarding over collection of fees as amended, Director Meneghin; Second, Director Pace. Voice vote: five ayes (Broggie, Kimball, McFadden, Meneghin, Pace); none opposed; one absent (Long). Motion carries 5/0/1.

9. INFORMATION ITEMS

9A Discussion and Direction re Industry Event Participation

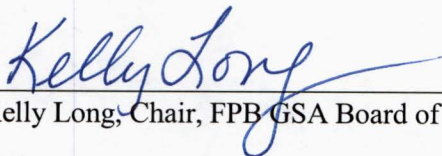
Information Item

The Board discussed attendance at various Industry Events, with Director Meneghin expressing interest in attending the GRA's First Annual Western Groundwater Congress being held September 25 through 27 in Sacramento and Director Broggie expressed interest in attending the UC Cooperative Extension Groundwater Hydrology Program's Introduction to Groundwater, Watersheds and the Nuts and Bolts of Sustainable Groundwater Plans being held February 5 and 6, 2018 in Davis, CA. Ms. Sofley said she would prepare registration materials for their review and the Board's approval at the next Board meeting.

ADJOURNMENT 6:42p.m.

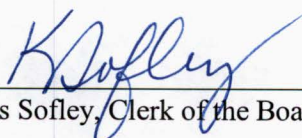
The Board adjourned at 6:42 p.m. to the next Regular Board Meeting on Thursday, August 23, 2018 or call of the Chair.

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 July 17, 2018.

ATTEST:


Kris Sofley, Clerk of the Board



Fillmore and Piru Basins
Groundwater Sustainability Agency

BOARD MEETING

July 17, 2018 @ 6:00pm

City Council Chambers, Fillmore City Hall

250 Central Avenue, Fillmore, CA 93015

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