



Board of Directors Meeting
Thursday
August 23, 2018 – 6:00 p.m.
City of Fillmore City Hall, City Council Chambers
250 Central Avenue, Fillmore, CA 93015

MINUTES

Directors Present

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

Staff Present

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

Public Present

Frank Brommenschenkel, Frank B & Associates
Emilio Cervantes, Jr., Newhall Land and Farming
Ryan Kristensen, GHD
John Lindquist, UWCD
Tim Moore, UWCD
Tony Morgan, Daniel B. Stephens & Associates
Steve Zimmer

1. Call to Order 6:02 p.m.

Chair Long called the meeting to order at 6:02p.m.

2. Pledge of Allegiance

Director Broggie led the group in the pledge of Allegiance

3. Public Comments

Chair Long asked if there were any public comments or questions for the Board of Directors. Tim Moore of UWCD asked to address the Board, then stated that he had resigned from his position with UWCD and would no longer be serving as the Agency’s technical services provider and representative. He stated that he had taken a position with Daniel B Stephens & Associates and thanked the Board for the opportunity to work for them over the past 14 months. Chair Long congratulated Mr. Moore and said she had really liked working with him and

appreciated all of the time and energy he provided to the formation of the GSA. Vice Chair McFadden echoed similar sentiments.

Tony Morgan of Daniel B Stephens & Associates presented a comment card regarding Motion item 8A, which Chair Long accepted.

Vice Chair McFadden then asked for item 7B Approval of Warrants to be pulled from the Consent Calendar for a separate discussion.

Chair Long asked if there were any other comments or questions from the public. None were offered.

4. Approval of Agenda

Motion

Motion to approve the agenda with the amendment of removing 7B from the Consent Calendar for separate discussion, Director Broggie; Second Vice Chair McFadden. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Agenda is approved unanimously 6/0/0.

5. Director Announcements/Board Communications

None were offered

6. Executive Director Update

Information Item

The Executive Director reported to the Board that the primary focus of staff over the last month was to move toward issuance of the Agency's Request for Qualifications-Request for Proposals for a consultant to assist the district with preparation of the Groundwater Sustainability Plans as soon as possible.

He stated that he and Mr. Moore had also recently met with the Department of Water Resources grant manager regarding completion of the Groundwater Sustainability Planning grant agreement, and that staff would work to bring the completed grant agreement to the Board in the very near future.

Chair Long asked Mr. Emmert to be sure to change the contact information with the Department of Water Resources and other agencies in light of Mr. Moore's departure. Mr. Emmert said he would change the contacts.

Mr. Emmert addressed Consent Calendar item 7B stating that he understood that there had been prior Board discussion about potentially considering waiving the Agency's late penalties (ten percent late penalty and one percent interest per month on the outstanding balance of the account), considering that this is the first time the Agency has sent out invoices. He stated that the Agency's bylaws allow the Board to waive late fees. He asked for direction from the Board on whether staff

should agendaize this for a future meeting. There was discussion about the Board being able to act on this during the current meeting or whether it would need to be agendaized for a future meeting. Chair Long asked the Clerk to add this motion item to the agenda for the next Board meeting.

7. CONSENT CALENDAR

7A Approval of Minutes

The Board will consider approving the Minutes from the Board Meeting of July 17, 2018

7C Approval of Amended Service Agreement with UWCD

The Board will consider approving the amended Service Agreement with United Water Conservation District (UWCD) resulting from the Board's approved motion to hire Anthony Emmert as the FPB GSA's Executive Director.

Motion to approve Consent Calendar items 7A and 7C, Vice Chair McFadden; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Items 7A and 7C approved unanimously 6/0/0.

The Board then addressed item 7B, with Vice Chair McFadden stating that he was asked by United staff for Board direction regarding the its policy and flexibility regarding late payments.

7B Approval of Warrants

The Board will consider approving invoices for the following payments:

Somers Ranches refund of duplicate payment \$518.59

Somers Ranches, refund of duplicate payment \$6.89

Somers Ranches, refund of duplicate payment \$9.69

Petit Ranch Inc., refund of overpayment \$72.00

OMLO July Legal Services \$610.50

Legal Counsel stated that according to the Agency's Bylaws, the Board may elect to refund incidental overpayments at the payee's requests and also has the power to waive interest and penalties on overdue fees; however, the Board cannot act on that during the meeting because the agendaized action item is the approval of warrants, not the waiving of fees.

Chair Long stated that some people were consistently late in paying their bills. Vice Chair McFadden said that 25 payees had paid in full but had paid late incurring a total of \$1400 in penalties and he suggests waiving the first round, which was the suggestion of UWCD finance staff. Director Broggie said there are still outstanding fees that are not paid, and asked whether the Board should waive the fees for those people? Vice Chair McFadden said there was \$41,000 outstanding from one payee, and said he could contact the pumper to see what was going on. Director Kimball

said that the Board could broadly assume that money was not in their budget. Legal Counsel said there are other accounts on the aging list in addition to those who paid, but paid late. Clerk of the Board stated that the financial documents the Board is referencing are not included in the public's Board packet, and that the aging report is only made available to the Directors due to the sensitive nature of the information provided. Legal Counsel said that since the information is not available to the public, the Board will have to come back to discuss the waiving of late fees and penalties. Chair Long asked that a profit and loss statement be added to the agenda under Treasurer's Report on future Board agendas. She also asked for a list on contacts for the late payees by the next Board meeting and that she and Vice Chair McFadden would follow-up with those people.

Motion to approve the warrants listed in item 7B, Vice Chair McFadden; Second, Director Pace. Voice vote: six ayes (Broogie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Item 7B approved unanimously 6/0/0.

8. ACTION ITEMS

8A Draft Request for Qualifications/Request for Proposals (RFP) for Groundwater Sustainability Plan Consultant and Distribute to Groundwater Consultants

Motion

Mr. Emmert reported that staff had provided a draft of the RFQ-RFP for solicitation of consultants to prepare the Groundwater Sustainability Plans for the Fillmore and Piru Basins to the Board for review and comment. He said it was pretty close to being complete, and that staff had broken out the tasks that United would tackle and what tasks the Executive Director would be responsible for, as well as what tasks the consultant would be asked to perform. He said staff had prepared a very comprehensive list of possible consultants, including firms that were familiar with groundwater dependent ecosystems. He said that if these documents are acceptable to the Board, the RFQ-RFP would go out next week.

Mr. Emmert said consultants would have about a month to prepare and submit their statements of qualifications and proposals. He said that staff would review the packages for completeness, and then review the statements of qualifications to prepare a list of qualified proposers. He said that next step would be to rate and rank the proposers and come up with a short list as quickly as possible. Directors suggested that the RFQ-RFP be posted on the Agency's website and promoted through various trade magazines. Mr. Emmert said he thought that the Groundwater Resources Association (GRA) may also offer RFPs postings on its website or through a listserve.

Chair Long asked if there were any questions. Vice Chair McFadden asked if staff had considered other sources such as environmental or other groundwater groups for possible

consultants. Mr. Emmert said staff had included several, but would check for other potential environmental consultants.

Director Pace brought up issues with Page 13 regarding how many GSPs consultants had been involved in putting together and Page 10 relating to the tight timeline. Mr. Emmert agreed that GSP consultants will likely be very busy during this period. Director Pace said that with the news of Mr. Moore leaving and the impact this will have on United's portion of the GSP, he was concerned. Mr. Emmert said that the District is developing a plan to meet the needs of the GSA. Chair Long said she would like Mr. Emmert to talk about United's plan on handling/completing tasks for the GSP with the reduction in staff at the next Board meeting.

Chair Long asked about the award of agreement on page 15, listed as October 15, and questioned the timing of that deadline. She also suggested the Board form an ad hoc committee comprised of two Directors to review and provide suggestions, possibly picking out the top two or three RFPs for the full Board's review. Director Broggie said that process went well with the Board's selection of legal counsel. Director Pace said it made sense for Board involvement and he liked the idea of a couple of Board members sitting down with United staff to narrow the field, although he would probably have to recuse himself from that process.

Chair Long asked Mr. Emmert if he thought the week of October 12 through 19 would be appropriate for proposal review. Director Kimball said he agreed with Director Pace about the Board involvement in the selection process as it was the Board that was contracting with the consultant and they needed to identify the best and most efficient.

Chair Long suggested the formation of an ad hoc committee comprised of two Board members to meet with United staff to review proposals the week of October 12-19 and compile a list of the top candidates for Board review.

Tony Morgan, with Daniel B. Stephens and Associates, then addressed the Board. He said he would like clarification on page 2, the September 9 timeline; asked if the two GSPS would be prepared separately or as a hybrid form; he asked that the Agency's budget and timeline be included as part of the RFP; and asked for clarification as to the primary funding grant, whether United was paid by the grant and the balance available to the consultant. He also asked about stakeholder meetings and again asked about the portion of the budget allocated to United.

Chair Long said the budget and timeline are on the Agency's website. Mr. Morgan replied that the scope of work and timeline are all tied together and depend on the work being performed by United. Mr. Morgan also stated that understanding the funding available from the grant would be important to proposers, so that consultants know what's available as the first line of funding. Mr. Morgan also suggested that there be a 50 page limit to the proposals and that resumes or brief

bios be appendices to the proposal and not considered as part of the 50 page limit. Director Kimball also raised questions about the timeline and shifting responsibility from United to the consultant as to when consultant requires information. Mr. Morgan said that it will require a cooperative relationship and a realistic schedule. Director Pace said costs and schedules provided are sufficient to get RFP out, and that the RFP is a good start. Director Kimball said that consultants can't use information that is proprietary and asked about public information available. He thought the grant work plan, Tim Moore's worksheet, the District's Biennial Basins Report and the GSP timeline should all be included in the RFP and United's work time line. Mr. Emmert said it was reasonable to ask for more detail, but it will take longer to prepare and distribute the RFP. Mr. Morgan said the timeline could be submitted and can always change. Director Kimball said United's schedule for deliverables which the consultant will need to complete tasks should be made available. Chair Long asked Mr. Emmert to include scope of work, grant timeline, grant budget, United's timeline, Tim's worksheet and United's Biennial Basins Report in the RFP.

Director Kimball said these items were critical to the success of the consultant and the GSPs, even if it means a delay in getting the RFP out. Vice Chair McFadden said what United has committed to do must be clear, and what the consultant must commit to do must be clear, so that there is no claim that United is holding up the process. Director Broggie said the September 7 issue date for RFP, week of October 26 through November 2 for review and award professional consultant contract at the November Board meeting would work. Director Meneghin said the Board could also call a Special Board meeting if it needed to address issues sooner. Mr. Emmert asked if the Board wanted to see the final RFP prior to distribution. Chair Long said the Board would want to be copied on the distribution.

Motion to approve the proposed draft of the RFQ-RFP soliciting for a consultant(s) to devise and prepare the Agency's Groundwater Sustainability Plan and the distribution list of possible Groundwater Consultants for consideration with amendments and additional documents as attachments as discussed, Vice Chair McFadden; Second Director Broggie.

Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Item 8A approved unanimously 6/0/0.

8B Board approval for Director Attendance at GRA's First Annual Western Groundwater Congress

Motion

Director Meneghin mentioned that at the last Board meeting, she had said she would be interested in attending the GRA Western Groundwater Congress in Sacramento in September. She stated that The Nature Conservancy was hosting a workshop that she felt would be beneficial to the development of the Agency's GSPs and could also provide some budgetary funding opportunities. Chair Long

said her attendance at the Regional GRA meeting was very beneficial and she too was attending the Nature Conservancy's GDE workshop.

Chair Long asked about developing protocols for Directors' travel, specifically cash advances or reimbursements. Director Broggie said that a cash advance of \$1,950 was in keeping with the City's level of advances and then just have Director Meneghin submit receipts to validate expenses. Vice Chair McFadden said he supported Director Meneghin's attending the GRA Congress and supports the cash advance as long as receipts are submitted at the conclusion of the trip.

Chair Long suggested developing a protocol or travel policy for Board members' travel and accommodations, as well as registration fees to participate in educational conferences or other beneficial gatherings or workshops. Chair Long also asked the Clerk of the Board to get information on GRA membership fees.

Motion to approve a cash advance in the amount of \$1,950 to cover registration, travel, hotel accommodation and ground transportation expenses for Environmental Stakeholder Director Candice Meneghin to attend the GRA First Annual Western Groundwater Congress in Sacramento on September 25-27, 2018, Director Broggie; Second, Vice Chair McFadden. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Items 7A and 7C approved unanimously 6/0/0.

8C Approve Letter of Support to Friends of the Santa Clara for a Grant Proposal Submission for FPB GSA Monitoring Well Construction and Groundwater Dependent Ecosystem (GDE) Assessment Funding
MOTION

Director Meneghin provided background information on the Integrated Regional Water Management (IRWM) Prop 1 Grant funding and Wildlife Conservation Board's (WCB) Proposition 1 - Stream Flow Enhancement Program, both of which could provide the Agency with grant funding on a match basis. She also stated that the Friends of the Santa Clara organization will cover the costs of submitting the grant requests. Chair Long asked if the grant match could be from a different grant, to which Director Meneghin replied that federal funds can match state funds, and that DWR funding amount can be matched with in-kind contributions.

The Board discussed various funding opportunities and what could be used for matching funds. Director Pace said that the Board could offer a letter of support and always move NOT to accept the grant award if there were some hidden pitfalls. Vice Chair McFadden asked Mr. Emmert for his thoughts. Mr. Emmert said it doesn't hurt to ask and he thought the submission to IRWM could help in monitoring as there may be a data gap at present.

monitoring well and some GDE analysis to support the development of the FPBGSA's Groundwater Sustainability Plans, Vice Chair McFadden; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, Pace), none opposed. Item 8C approved unanimously 6/0/0.

9. FUTURE TOPICS FOR BOARD DISCUSSION

Board consideration of waiver of fees and penalties for certain customers; present aging report of delinquent accounts for Board consideration; United staffing plan to address Tim Moore's departure; Board consideration of creating ad hoc committee to review and recommend consultant proposals for GSPs; Board consideration of travel policy for Director travel to conference; Board consideration of GRA membership.

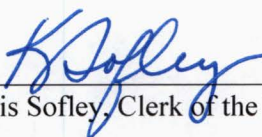
ADJOURNMENT 7:21p.m.

The Board will adjourn to the next **Regular Board Meeting** on Thursday, **September 27, 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 August 23, 2018.

ATTEST: 

Kris Sofley, Clerk of the Board



BOARD MEETING

August 23, 2018 @ 6:00pm

City Council Chambers, Fillmore City Hall

250 Central Avenue, Fillmore, CA 93015

Name: Steve Zimmer
Organization: self
Phone: _____
E-mail: _____

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Name: Emilio Cervantes Jr
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