



Fillmore and Piru Basins
Groundwater Sustainability Agency

Board of Directors Meeting
Thursday
August 19, 2021
5:00 p.m.

In accordance with the California Governor's Executive Stay at Home Order and the County of Ventura Health Officer Declared Local Health Emergency and Be Well at Home Order resulting from the novel coronavirus (COVID-19), the Fillmore City Hall is closed to the public. Therefore, the FPB GSA will be holding its Regular Board of Directors meeting virtually using the ZOOM video conferencing application.

If you are new to ZOOM video conferencing, please visit this help page in advance of the meeting date and time:
<https://support.zoom.us/hc/en-us/articles/201362193-How-Do-I-Join-A-Meeting->

To participate in the Board of Directors meeting via Zoom, please access:

<https://us02web.zoom.us/j/82477092074?pwd=SkJoa2hhZk5pUG1wZzJLa3V5dGZsQT09>

Meeting ID: **824 7709 2074**

Password: **FPBGSA**

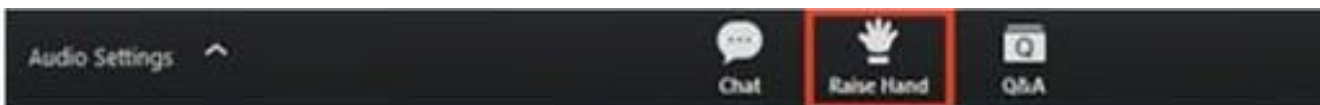
To hear just the audio portion of the meeting, phone into the toll-free number 877 853 5247

Meeting ID: **824 7709 2074**

All participants are asked to join the meeting at least five minutes in advance of the 5pm start time and be aware that all participants will be "muted" until recognized by the host. If your computer has a camera, please enable it so we can ensure better engagement between participants.

If you would like to address the Board with a question or offer a comment, please follow these simple instructions to engage the host (Clerk of the Board):

1. During a meeting, click on the icon labeled "Participants" at the bottom center of your computer screen.
2. At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand."
3. Once you've been recognized by the Chair, please click on "Raise Hand" again to remove the signal.



Similarly, if you have a comment or question for the Board, you can use the "Chat" button to convey your question or comment to the HOST, who will put you in line to address the Board.

The Fillmore and Piru Basins GSA Board of Directors appreciates your participation and patience in using Zoom to conduct its public meeting.

AGENDA

1. CALL TO ORDER

1A Pledge of Allegiance

1B Directors Roll Call

1C Public Comments

Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) will accept public comment concerning agenda items at the time the item is considered and on any non-agenda item within the jurisdiction of the Board during the agendaized Public Comment period. No action will be taken by the Board on any non-agenda item. In accordance with Government Code § 54954.3(b)(1), public comment will be limited to three (3) minutes per speaker per issue.

1D Approval of Agenda Motion

2. UPDATES

2A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Piru Pumpers Association Stakeholder Director Update

Environmental Stakeholder Director Update

City of Fillmore Member Director Update

United Water Conservation District Member Director Update

County of Ventura Member Director Update

2B Executive Director Update

Information Item

The Executive Director will provide an informational update on Agency activities since the previous Board meeting of July 15, 2021.

2C Legal Counsel Update

Information Item

Legal Counsel will provide an informational update on Agency's legal issues and concerns since the previous Board of Directors meeting of July 15, 2021.

2D GSP Consultant Update

Information Item

Representatives from Daniel B Stephens & Associates and UWCD will provide an informational update on Agency's GSP development activities since the previous Board meeting of July 15, 2021.

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 July 15, 2021.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices

- Olivarez Madruga Lemeiux O'Neill LLP \$1,664.00

3C Monthly Financial Report

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

4. MOTION ITEMS

4A Expiration of California Executive Order N-29-20 and Agency Meeting Format

Motion

The Board will hear a presentation from staff regarding the October 1, 2021, expiration of Executive Order N-29-20 that temporarily suspended some Brown Act open meeting requirements during the COVID-19 pandemic period and provide direction to staff regarding board meeting format following the Executive Order's expiration.

FUTURE TOPICS FOR BOARD DISCUSSION

ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting** on Thursday, **September 16, 2021**, or call of the Chair.

Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at UWCD's offices at 1701 N. Lombard Street in Oxnard during normal business hours.

The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the UWCD Office at (805) 525-4431 or the City of Fillmore at (805) 524-1500. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved: 
Board Chair Kelly Long

Posted: (date), August 13, 2021 (time) 4:30 pm (attest) *Eva Ibarra*
At: <https://www.FPBGSA.org>

Posted: (date), August 13, 2021 (time) 4:45 pm (attest) *Eva Ibarra*
At: <https://www.facebook.com/FPBGSA/>

Posted: (date), August 13, 2021 (time) 5:00 pm (attest) *Eva Ibarra*
At: UWCD, 1701 N. Lombard Street, Oxnard CA 93030



Board of Directors Meeting
Thursday, July 15, 2021
MINUTES

Directors Present

Director Kelly Long, Chair
Director Gordon Kimball
Director Candice Meneghin
Director Glen Pace
Director Christina Villaseñor

Directors Absent

Director Ed McFadden, Vice Chair/Secretary

Staff Present

Anthony Emmert, Executive Director
Steve O'Neill, Legal Counsel
Eva Ibarra, Clerk of the Board

Public Present

Lisa Ballin, CSUS/DBS&A
Dan Detmer, UWCD
Carole Fornoff
Emma Griffe
Rachel Laenen, Fillmore Basin Pumpers Association, Piru Basin Pumpers Association
Albert Lambie
Ben Lewis
Tony Morgan, DBS&A
Patrick O'Connell, DBS&A
Steve Slack, CDFW
Leta Spencer
Dr. Jason Sun, UWCD
Richard Tate
James Thuber
Gilead Wurman
Steven Zimmer, FivePoint

1. Call to Order – First Open Session 5:00 pm

Chair Long called the meeting to order at 5:00 pm.

1A. Pledge of Allegiance

Chair Long led participants in the Pledge of Allegiance.

1B. Directors Roll Call

Roll call: (Chair Long, Kimball, Meneghin, Pace, Villaseñor); five Directors present. Vice Chair McFadden absent.

1C. Public Comments

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

1D. Approval of Agenda

Motion

Motion to approve the agenda, Pace; Second, Villaseñor. Roll call vote: five ayes (Chair Long, Kimball, Meneghin, Pace, Villaseñor); none opposed. Vice Chair McFadden absent. Motion carries 5/0/1.

2. UPDATES

2A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Kimball reported the Fillmore Basin Pumpers Association had a joint Board meeting with the Piru Pumpers Association on Tuesday, July 13, where they discussed reviewing the GSP and Stakeholder meetings. He also stated they had other discussions that he will share later as the topics occur on the agenda for this meeting.

Piru Pumpers Association Stakeholder Director Update

Director Pace echoed the same as the Fillmore Pumpers Association with the mention of also sharing the Association's discussions as topics occur on the agenda. Director Pace also stated that he would recommend couple of future agenda item, including clarification of the County Well Moratorium.

Environmental Stakeholder Director Update

Director Meneghin reported that Friends of Santa Clara River has been engaged in the Disadvantaged Community outreach program for the Watershed Coalition of Ventura. She shared that preliminary disadvantaged communities survey results will be presented at the July 22 Santa Clara River Watershed Committee meeting that Laura Shellenbarger coordinates through the County. Director Meneghin also mentioned the Ventura County Watershed Protection District is taking comments for the Environmental Impact Report documents for its Santa Clara River Levee improvement project, and that the comment period will close on July 27. She wanted to highlight Friends of the Santa Clara River comments regarding the FEMA Levee upgrade requirements and said there is an opportunity for multi-benefit projects to collaborate on water replenishment goals. She said she mentioned this mainly for Executive Director Emmert to keep track of

projects as they come available and to provide comments. Director Meneghin also mentioned that on September 9 she will be presenting on the GSAs of Ventura County at the Santa Clara Steelhead Coalition and mentioned this is another opportunity to reach out to environmental stakeholders to encourage and invite comment and provide feedback on the draft GSPs during the 60-day comment period and encourage workshop participation. She also mentioned she circulated a Community Environmental Council Agricultural Resilience paper for Ventura County that calls out water and energy infrastructure needs, which she shared with the Board.

City of Fillmore Member Director Update

Director Villasenor reported that Mountain View apartments are now taking applications for affordable housing. She also reported that the Fillmore Equestrian Center, located at the Santa Clara River and Highway 23, has been undergoing a grading project. The previous operator assumed that the work would begin immediately and brought in a large amount of dirt, and that dirt has worked its way into the riverbed, so the city is now seeking assistance from Ventura County Environmental Health Department to remove it.

County of Ventura Member Director Update

Chair Long reported the County is working with the Governor's Office to get the County included in the Governor's emergency drought declaration, in an effort to gain access to state funding for supplemental water. She also mentioned the \$6 billion dollar broadband bill has passed.

2B Executive Director Update

Information Item

Executive Director Anthony Emmert provide an update on preparation of grant progress report nine and invoice nine, which are due on August 15, 2021. He stated that the Agency is also continuing the research and coordination in preparation for a potential grant agreement amendment. He also mentioned that United's groundwater modeling efforts are ongoing and the documentation for the expanded model domain and future runs for the FPBGSA have been completed. He stated that the report for the update period is in progress, with a draft sent to expert panel members for their review and input. Mr. Emmert also reported he met with California Department of Fish and Wildlife, The Nature Conservancy, and the University of California at Santa Barbara researchers on July 12, 2021, regarding the Fillmore Fish Hatchery and Cienega Springs Restoration Properties. He reported that the group discussed the Agency's proposed new monitoring well locations. He stated that there was agreement on the general locations for the wells. He stated that there was general support for

Agency's proposed partnership for the restoration project and that a good discussion occurred, but a follow-up meeting is pending.

2C Legal Counsel Update

Information Item

Legal Counsel Steve O'Neill reported he has been working with Mr. Emmert on an amendment to the agreement with DBS&A and stated that Governor Newsom issued another executive order concerning telephonic meetings, effective October 1, when the Agency will go back to regular in-person meetings and mentioned the Brown Act restrictions that will apply.

2D GSP Consultant Update

Information Item

Mr. Tony Morgan of DBS&A provided updates on the schedule for the draft GSP document releases, Stakeholder Workshop dates and public review period.

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 considered and approved the Minutes from the Board Meeting of June 10 Special Board Meeting and June 17th, 2021, Board of Directors Meeting.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoices.

- Daniel B. Stephens & Associates \$40,101.98
- United Water Conservation District \$37,510.30
- OMLO \$ 4,217.00
- Anthony A. Emmert. \$ 50.00

3C Monthly Financial Report

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

3D Labor Rates Change for United Water Conservation District Service

Agreement for Fiscal Year 2021-2022

The Board received the United Water Conservation District labor rates document for Fiscal Year 2021-2022.

Motion to approve Consent Calendar items with the addition of the word “mitigation” on page 3 of the June 10 minutes; Villasenor; Second, Pace. Roll call vote: five ayes (Chair Long, Kimball, Meneghin, Pace, Villaseñor); none opposed; Vice Chair McFadden absent. Motion carries 5/0/1. MOTION ITEMS

4A Amendment to Agreement with Daniel B. Stephens and Associates, Inc. for Groundwater Sustainability Planning and Stakeholder Outreach Activities

Motion

The Board considered authorizing Amendment No. 2 to the Agreement with Daniel B. Stephens and Associates, Inc. for additional scope and budget to support groundwater sustainability planning and stakeholder outreach services.

Motion to approve Amendment No. 2 to the DBS&A Agreement, Pace; Second, Villasenor. Roll call vote: five ayes (Chair Long, Kimball, Meneghin, Pace, Villaseñor); none opposed; Vice Chair McFadden absent. Motion carries 5/0/1.

4B Standardized Management of the Fillmore and Piru Basins

Motion

The Board considered adoption of Resolution 2021-05 establishing standardized management of the Fillmore and Piru basins.

Motion to approve adoption of Resolution 2021-05, Kimball; Second, Villasenor. Roll call vote: five ayes (Chair Long, Kimball, Meneghin, Pace, Villaseñor); none opposed; Vice Chair McFadden absent. Motion carries 5/0/1.

4C Groundwater Sustainability Plans Stakeholder Workshop

Motion

The Board considered setting a date for a Stakeholder Workshop to receive comments on and answer questions regarding the public draft Groundwater Sustainability Plans.

Mr. Emmert, Mr. Morgan, Ms. Lisa Ballin and all Directors reviewed the comment letter template to be used for public comment with each providing

their feedback on what they thought worked best for both the public and DBS&A, keeping in mind the need to follow SGMA requirements.

Director Kimball shared a discussion from the Pumpers Association monthly meeting and stated they are suggesting that we have one Stakeholder Workshop in person, to get that personal interaction with everyone, during the day, and another via Zoom, at 5pm, in conjunction with our regular Board of Directors meeting. Director Kimball asked questions regarding availability of printed copies, as the files will be very large. Mr. Steve O'Neill stated we are not required to provide printed copies.

Motion to approve September 17, at 10 am for an in-person Stakeholder Workshop at Fillmore City Hall, and September 23 at 5pm for a Zoom Stakeholder Workshop, Meneghin; Second, Villasenor. Roll call vote: five ayes (Chair Long, Kimball, Meneghin, Pace, Villaseñor); none opposed; Vice Chair McFadden absent. Motion carries 5/0/1.

FUTURE TOPICS FOR BOARD DISCUSSION

Agendize discussion of when/if the existing County well construction moratorium goes away, whether the Agency should develop its own well construction moratorium.

Can the GSA legally provide water directly to a private landowner from a potential new water supply project? Legal counsel to investigate this consideration.

Agendize discussion of future project development and selection - other project consideration.

Agendize discuss of hybrid meetings (both in-person and virtual).

ADJOURNED: 6:50 pm

Chair Long adjourned the meeting at 6:50 p.m. to the next **Regular Board Meeting** on **Thursday, August 19, 2021**, 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 15, 2021**.

ATTEST: _____
Eva Ibarra, Clerk of the Board

Fillmore and Piru Basins GSA
Check Detail
August 1 - 10, 2021

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Original Amount</u>
Bill Pmt -Check	11132	08/10/2021	Olivarez Madruga Lemeiux O'Neill LLP	10000 · Bank of the Sierra	-1,664.00
					<hr/> -1,664.00



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **3C Consent Calendar**

DATE: **August 1, 2021**

TO: **Board of Directors**

SUBJECT: **Monthly Financial Report**

SUMMARY

The Board will receive the monthly financial report for the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency).

BACKGROUND

UWCD accounting staff has prepared financial reports based on the Agency revenue and expenses for the month of July 2021.

FISCAL IMPACT

None

Attachments: July 31, 2021 P/L Budget Performance
 July 31, 2021 Balance Sheet

Fillmore and Piru Basins GSA
Profit & Loss Budget Performance
July 2021 through June 2022

	<u>Jul '21 - Jun 22</u>	<u>Annual Budget</u>	<u>Budget</u>
Income			
40001 · Groundwater Extraction Charge	0.00	540,000.00	0.00%
41000 · Grant Revenue			
41001 · State Grants	0.00	537,970.00	0.00%
Total 41000 · Grant Revenue	0.00	537,970.00	
47000 · Other Revenue			
47001 · Late Fees	0.00	0.00	
47012 · Returned Check Charges	0.00	0.00	
Total 47000 · Other Revenue	0.00	0.00	
Total Income	0.00	1,077,970.00	0.00%
Gross Profit	0.00	1,077,970.00	0.00%
Expense			
52200 · Professional Services			
52240 · Prof Svcs - IT Consulting	0.00	1,700.00	0.00%
52250 · Prof Svcs - Groundwtr/GSP Prep			
52251 · Prof Svcs - UWCD GW Services	0.00	0.00	
52252 · Prof Svcs - GSP Consultant	0.00	280,000.00	0.00%
Total 52250 · Prof Svcs - Groundwtr/GSP Prep	0.00	280,000.00	0.00%
52270 · Prof Svcs - Accounting	0.00	24,200.00	0.00%
52275 · Prof Svcs - Admin/Clerk of Bd	0.00	25,000.00	0.00%
52280 · Prof Svcs - Executive Director	0.00	40,000.00	0.00%
52290 · Prof Svcs - Other	0.00	0.00	
Total 52200 · Professional Services	0.00	370,900.00	0.00%
52500 · Legal Fees			
52501 · Legal Counsel	1,664.00	30,000.00	5.55%
Total 52500 · Legal Fees	1,664.00	30,000.00	5.55%
53000 · Office Expenses			
53010 · Public Information	0.00	1,000.00	0.00%
53020 · Office Supplies	0.00	500.00	0.00%
53026 · Postage & Mailing	0.00	2,000.00	0.00%
53040 · Membership Dues	0.00	0.00	
53060 · Computer Software	0.00	0.00	
53110 · Travel & Training	0.00	4,000.00	0.00%
Total 53000 · Office Expenses	0.00	7,500.00	0.00%
53500 · Insurance			
53510 · Liability Insurance	0.00	2,500.00	0.00%
Total 53500 · Insurance	0.00	2,500.00	0.00%
70130 · Bank Service Charges	0.00	0.00	
81000 · Capital Expenditures	0.00	655,000.00	0.00%
Total Expense	1,664.00	1,065,900.00	0.16%
Net Income	-1,664.00	12,070.00	-13.79%

Fillmore and Piru Basins GSA
Balance Sheet
As of July 31, 2021

	July 31, 21
ASSETS	
Current Assets	
Checking/Savings	
10000 · Bank of the Sierra	531,530.64
Total Checking/Savings	531,530.64
Accounts Receivable	
11000 · Accounts Receivable	181,275.69
Total Accounts Receivable	181,275.69
Total Current Assets	712,806.33
TOTAL ASSETS	712,806.33
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	1,664.00
Total Accounts Payable	1,664.00
Total Current Liabilities	1,664.00
Total Liabilities	1,664.00
Equity	
32000 · Retained Earnings	712,806.33
Net Income	-1,664.00
Total Equity	711,142.33
TOTAL LIABILITIES & EQUITY	712,806.33



Item No. **4A Motion**

DATE: August 11, 2021 (for August 19, 2021 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Expiration of California Executive Order N-29-20 and Agency Meeting Format**

RECOMMENDED ACTION

The Board will hear a presentation from staff regarding the October 1, 2021, expiration of Executive Order N-29-20 that temporarily suspended some Brown Act open meeting requirements during the COVID-19 pandemic period and provide direction to staff regarding board meeting format following the Executive Order’s expiration.

DISCUSSION

In response to the COVID-19 pandemic, on March 12, 2020, the California Governor issued Executive Order N-25-20, which among other things, suspended some of the public meeting requirements of the Bagley-Keen Act and the Brown Act regarding state or local bodies, such as the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency). Of note in Order N-25-20 was the requirement that the body “. . . must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting.” On March 17, 2020, the Governor issued Executive Order N-29-20, which modified Order N-25-20 by suspending the requirement to provide the publicly accessible location. It also suspended the requirement that a majority of the board members be physically present within the jurisdictional boundaries of the body and that the locations of the board members be posted. These changes facilitated the teleconference (Zoom) format meetings that the Agency has been using since its April 16, 2020, board meeting. On June 11, 2021, the Governor issued Executive Order N-08-21, which established a schedule for reopening the State, including lifting the portions of Orders N-25-20 and N-29-20 that had suspended certain requirements for public meetings, effective after September 30, 2021. This means that the Agency will need to comply with all the requirements of the Bagley-Keen Act and Brown Act for any public meetings that it holds on or after October 1, 2021. Agency staff is preparing for its October 21, 2021 Board meeting to be in compliance, and to be held at the Agency’s normal location, the City of Fillmore City Hall, City Council Chambers.

During its July 15, 2021 meeting, the Board of Directors noted that the Zoom format that the Agency has been utilizing has facilitated a greater stakeholder participation than did the previous City Council Chambers only format, and requested that staff explore a “hybrid” meetings approach that would be in full compliance with the Bagley-Keen Act and Brown Act requirements but still facilitate Zoom participation by stakeholders.

Currently, the City of Fillmore City Hall Council Chambers is not set-up to accommodate a hybrid Zoom meeting. The Council Chambers does accommodate recording of the meeting for later website posting. Agency staff will work with City staff to explore whether a hybrid meeting could be accommodated in the Council Chambers in the future for Agency Board meetings and stakeholder workshops. To date, staff has been unable to identify another meeting venue within the Agency's jurisdictional boundaries that currently has capability to accommodate hybrid Zoom Board and stakeholder workshops meetings.

Staff has also begun researching portable equipment that the Agency could purchase that could be set-up in the City of Fillmore City Hall (or other meeting venue) to facilitate hybrid Zoom meetings. Equipment need would likely include wireless hotspot, laptop computer, mixer board, microphones, speakers, cameras, projector, and projection screen. A budgetary cost estimate is not available as of the preparation of this report.

Staff will continue to work with City of Fillmore staff to explore potential changes that could be made to building systems to accommodate future hybrid meetings and will also continue to develop a plan and cost estimate for portable equipment that could be purchased by the Agency.

FISCAL IMPACT

No fiscal impacts.

ATTACHMENTS

None

Proposed Motion: Provide comments and direction regarding the proposed edits to the Agency Bylaws.

1st: Director _____ 2nd: Director _____
Voice/Roll call vote: Director Kimball: Director Long: Director McFadden:
Director Meneghin: Director Pace: Director Villasenor: