



Board of Directors Meeting
Thursday, August 19, 2021
MINUTES

Directors Present

Director Ed McFadden, Vice Chair/Secretary
Director Gordon Kimball
Director Candice Meneghin
Director Glen Pace
Director Christina Villaseñor

Directors Absent

Director Kelly Long, Chair

Staff Present

Anthony Emmert, Executive Director
Scott Nave, Legal Counsel
Eva Ibarra, Clerk of the Board

Public Present

Lisa Ballin, CSUS/DBS&A
Dan Detmer, UWCD
Carole Fornoff
Burt Handy
Debbie Jackson
Albert Lambie
Ben Lewis
Tony Morgan, DBS&A
Patrick O'Connell, DBS&A
Steve Slack, CDFW
James Thuber
Gilead Wurman

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

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

1A. Pledge of Allegiance

Vice Chair McFadden led participants in the Pledge of Allegiance.

1B. Directors Roll Call

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

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, Villasenor; Second, Meneghin. Roll call vote: five ayes (Vice Chair McFadden, Kimball, Meneghin, Pace, Villasenor); none opposed. Chair Long 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 was dark last month and mentioned they have a members meeting tentatively set for September 2, which is planned as an in-person meeting, although he felt that due to the surge in Covid cases, it will most likely be conducted via zoom and possibly moved to another date further out. He also mentioned the Association will have Brian Bondy review the Fillmore and Piru GSPs and will discuss with the Association prior to the GSA Board meeting in September and will relay members comments at the workshop.

Piru Pumpers Association Stakeholder Director Update

Director Pace echoed the statements of the Fillmore Pumpers Association.

Environmental Stakeholder Director Update

Director Meneghin reported all of the environmental representatives have been invited to provide feedback to the Santa Clara River Steelhead Coalition on September 9, and that she will help coordinate that effort. She also stated she will be sharing two letters from the Environmental Law Foundation and Department of Fish and Wildlife. Where ELF stresses the importance of GSAs considering public trust resources adequately in preparation of GPSs and reinforced the need for this Board to be aware of the concerns of the environmental community. CDFW's letter, has comments on the Mound Basins GSP, which may be helpful in identifying some of CDFW's concerns in the Fillmore and Piru basins, as all three basins are very similar.

City of Fillmore Member Director Update

Director Villasenor reported she shared the news of the GSP draft release and mentioned it is available at the City of Fillmore's library. She also shared that the City will be posting the links to the draft GSPs on the City's social media page.

Director Villasenor also stated Fillmore City Council will be meeting once a month until the end of the year, every second Wednesday of each month.

United Water Conservation District Member Director Update

Vice Chair McFadden had no update.

County of Ventura Member Director Update

Chair Long was absent.

2B Executive Director Update

Information Item

Executive Director Anthony Emmert provided an update on grant report number nine and invoice nine and mentioned he has been in communication with the grant manager and may be able to obtain a short time extension to afford the GSA with more time, especially with regard to the monitoring wells, with the goal of construction in early 2022. He will advise the Board of the grant managers approval. Mr. Emmert also mentioned comments have been received from the expert panel on the groundwater model validation documentation, and staff at United are working to address those comments and finish a technical memo, and then expect to receive a final memo from the expert panel. He also provided an update on billing, receivables, and collection of groundwater invoices, adding that new invoices will be going out in September. He also mentioned there is a receivable balance of a bit under \$80,000 and that it may be time to consider legal action for some of the groundwater pumpers. With the help of the GSA's legal department, the goal is to lower that outstanding amount. He added that United has taken legal action with some customers, and the GSA will be working with United to do what works best to collect amounts owed to the GSA as well. Mr. Emmert also mentioned staff is developing a schedule for projects to begin immediately after the adoption of GSPs in December, and to add those projects to the budget for fiscal year 2022-23. Mr. Emmert also mentioned the GSA's first annual report will be due in April 2022 for both basins and recommended the Agency obtain a scope and fee estimate from DBS&A to draft that report. Mr. Emmert finished his update by providing an explanation of the Ventura County wells permitting ordinance to the Board.

Vice Chair McFadden asked Mr. Emmert if he needed any formal Board direction for moving forward with discussions with DBS&A regarding assistance with preparing the future reporting. Mr. Emmert stated that the updates agenda item did not allow for action by the Board, but that he will assume it is okay to proceed and bring the contract amendment to the Board for approval at a future meeting.

2C Legal Counsel Update
Information Item

Legal Counsel Scott Nave had nothing to report.

2D GSP Consultant Update
Information Item

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

Director Meneghin asked if the appendices are identical for both basins, and Mr. Morgan stated yes, they are identical, and physical copies are available in both the Fillmore library and Piru Community Center for review.

Director Villaseñor asked to please refresh her memory on the comment submittal process. Mr. Morgan asked Mrs. Lisa Ballin to reiterate the process of submitting comments.

Mrs. Lisa Ballin asked the Board what they felt would be best as the surge in Covid cases may affect the participation for the GSA's in-person Stakeholder Workshops set for September 17. Vice Chair McFadden and Director Pace both suggested both meetings be held via zoom, and the other Directors agreed.

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 July 15th, 2021, Board of Directors Meeting.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoices.

- OMLO \$ 1,664.00

3C Monthly Financial Report

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

Motion to approve Consent Calendar items, Kimball; Second, Villasenor. Roll call vote: Five ayes (Vice Chair McFadden, Kimball, Meneghin, Pace, Villaseñor); none opposed. Chair Long was absent. Motion carries 5/0/1.

4. MOTION ITEMS

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

Motion

The Board heard a verbal explanation 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 provided direction to staff regarding the format for Board meetings following the Executive Order's expiration.

Executive Director Emmert provided a verbal review of the State Executive order and reported that the current City Hall technology would not allow hybrid meetings (in-person plus Zoom). He suggested the GSA consider either purchasing electronic equipment for Board meetings or working with the City of Fillmore to upgrade its City Hall equipment to facilitate hybrid meetings.

Vice Chair McFadden stated the price for electronic equipment is quite steep, and feels it is valuable to have hybrid meetings available.

Mr. Emmert asked Director Villaseñor if the City of Fillmore was meeting in person. Director Villaseñor stated they are meeting in person and awaiting to see if they will be going back to virtual meetings.

Director Pace asked Mr. Emmert if the GSA is expected to conduct in person meetings, how will that be controlled? Mr. Emmert said he thinks the Agency will most likely follow the current guidelines at the time of the meetings.

Director Kimball expressed his thoughts on the need for hybrid meetings – he said he thought they had been very valuable toward stakeholder participation. He stated he hopes staff finds a solution to the problem of not having the proper equipment to conduct hybrid meetings from the City of Fillmore's Council room.

Director Meneghin stated she feels the Agency should invest in helping the City of

hardware at City of Fillmore, not just from the GSA, but other agencies that use the facility, and stated she will bring it up at the next Council meeting.

FUTURE TOPICS FOR BOARD DISCUSSION

None were mentioned

ADJOURNED: 5:57pm

Vice Chair McFadden adjourned the meeting at 5:57 p.m. to the next **Regular Board Meeting on Thursday, September 23, 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 **August 19, 2021**.

ATTEST:



Eva Ibarra, Clerk of the Board