



Board of Directors Meeting
Thursday, February 17, 2022
5 p.m.
MINUTES

Directors Present

Director Kelly Long, chair
Director Ed McFadden, vice chair/secretary/treasurer director
Director Gordon Kimball
Director Candice Meneghin
Director Glen Pace
Director Christina Villaseñor

Staff Present

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

Public Present

Lisa Ballin, DBS&A, consultant
Dan Detmer, UWCD
Carole Fornoff
Zachary Hanson, UWCD
Logan Hardison
Rachel Laenen, FBPA and PBPA
Heather Merenda, City of Santa Clarita
Tony Morgan, DBS&A, consultant
James Thurber
Gus Tolley, DBS&A, consultant
Steve Zimmer, Five Points

1. CALL TO ORDER 5:00pm

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

1A Pledge of Allegiance

Executive Director Anthony Emmert asked everyone to join him in reciting the Pledge of Allegiance.

1B Directors Roll Call

Chair Long asked the clerk to conduct roll call. Directors Kimball, Chair Long, Vice Chair McFadden, Director Meneghin, Director Pace, and Director Villaseñor were present.

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, Director McFadden; Second, Director Villaseñor. Roll call vote: six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

2. UPDATES

**2A Director Announcements/Board Communications:
Information Item**

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Kimball stated the Fillmore Pumpers Associations Board of Directors had its monthly board meeting on February 8, and the big topic of discussion was when will the GSA go to quarterly meeting, and what is the next step for the GSA. He then said he would have Director Pace fill-in on other items that were discussed

Piru Pumpers Association Stakeholder Director Update

Director Pace reported on behalf of the Piru Basin Pumpers Association, by stating the group is interested in learning what is next now that the GSA has gone over the first hurdle of submitting the GSPs and what does that mean to the GSA? What will the GSA be doing going forward and, how may the pumpers support that and what will be needed. He reiterated the pumpers' desire to reduce the number of GSA meetings.

Environmental Stakeholder Director Update

Director Meneghin stated Friends of the Santa Clara River participated in the next round of Water Talks on February 1, with a webinar for disadvantage community engagement, and mentioned the group has been asked to submit a grant to help support capacity building. She also mentioned Friends of the Santa Clara River spoke in favor of the CalTrout petition to list southern California steelhead as endangered under the California Endangered Species Act (CESA). Director Meneghin also mentioned on February 19, there will be a tree planting volunteer day at the Fillmore Fish Hatchery, and on March 6, there will be another tree planting event at Hedrick Ranch, and an opportunity to do some hands-on restoration for the community.

City of Fillmore Member Director Update

Director Villaseñor stated the City Council now meets on the second and fourth

Tuesday of every month and said the City received Federal funding of a little under \$4 million dollars and listed a few of the improvements City of Fillmore plans for the funding.

United Water Conservation District Member Director Update

Vice Chair McFadden had nothing to report.

County of Ventura Member Director Update

Chair Long stated that the County of Ventura mask mandate for indoors has now been lifted as of February 15. She also mentioned grant applications are in progress and thanked everyone for all the hard work in preparing these grant applications.

2B Executive Director Update

Information Item

Executive Director Emmert reported the GSA has received notice from Department of Water Resources that its GSPs are now posted on the SGMA portal and are available for public review and comment for 75 days. He also stated the GSA has submitted grant progress report 11 and invoice 11 to DWR, on February 15. He also provided an update on past due receivables, with a total of approximately \$166,000. He said statements for groundwater pumping during the period of July through December 2021 are currently being prepared and will be mailed in late February or early March 2022. Mr. Emmert also said the County of Ventura has sent a letter informing the agency that the County ordinance code Section 4826.1 no longer prohibits the construction of new wells in the Fillmore and Piru basins, as the agency has adopted and submitted its GSPs to DWR. Staff has recommended the agency develop well construction requirements and permitting process in line with its GSPs. To finalize his update, he reminded all required members to file their CFPPC Form 700, and said he hopes we can soon celebrate the submittal of the agency's GSPs, after the Omicron wave passes.

Tony Morgan raised his hand and stated that with regard to the well ordinance, there have been some recent lawsuits about what parts of well ordinances are ministerial and which are not. If the GSA makes decisions on well permitting, it can easily cross the legal threshold into something where CEQA is now involved. He suggested that the GSA work with its legal team to ensure the GSA does not have any issues. Legal Counsel Steve O'Neill stated he will look into the Agency's authorities in this area and report back at a future meeting.

2C Legal Counsel Update

Information Item

Legal Counsel Steve O'Neill stated he prepared continuation for AB361, reviewed, and executed agreement for DBS&A and reminded all to complete their Form 700s.

2D GSP Consultant Update
Information Item

Mr. Tony Morgan said the annual reports are underway, the latest pumping and water quality data has been uploaded to the Agency's database, and a template has been created for the GSA's annual reports, based upon what DBS&A thinks DWR wants. He also stated the GSPs are upload to DWRs website and the GSA's website and are now in the comment period. He stated he will be delivering hardcopies of the final GSPs on Monday to Directors, Legal Counsel, and libraries.

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 regular Board Meeting of January 17, 2022.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoices:

- Roger, Anderson, Malody & Scott LLP \$ 950.00
- United Water Conservation District \$28,277.90
- DBS&A Consultants \$28,530.28

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 2022-03 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 the Consent Calendar items; Director McFadden; Second, Director Pace. Roll call vote: Six ayes (Kimball, Long, McFadden, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

4. MOTION ITEMS

4A Governmental Advocacy Platform Development

Motion

The Board provided comments and direction to staff on the development of an Agency Governmental Advocacy Platform.

Director Meneghin stated the primary reason for requesting an advocacy platform is to position the agency to influence funding toward projects, for example, projects that would benefit the groundwater dependent ecosystem areas, and multi-benefit projects.

Director McFadden asked if the GSA needed more than the guiding principles that it already has in place.

Chair Long said the County has a legislative platform that includes positions on water issues and is sure United also has some as well. She agreed that the GSA should support funding opportunities and said she just signed a multiple-agency letter prepared by Metropolitan Water requesting state funding for infrastructure to protect against drought, which is something the GSA can also support. She asked if each bill needs to be presented to this Board for approval and asked if the GSA is going to be engaging that much on legislation. She then asked the each of the Directors to share their point of view.

Director Meneghin said the County's legislative platform would be helpful to review especially for the infrastructure funding coming from the federal government. She also stated that the environmental stakeholders group has been contacted from various agencies regarding identifying the GSA's priority projects, and which ones would be eligible for the next one to five year timeframe with regards to restoration efforts. She added, it would be a worthwhile exercise once the GSA starts having project development discussions, and the Board can then look at the projects to see how they fit into the funding that is available and advocate for that.

Chair Long asked the Directors what their sense of advocating is. Director Kimball asked that legal ensure that both the SGMA legislation and the GSA's JPA do not impact what the Board can do with regard to advocating, and make sure the GSA stays within the laws of SGMA and not become a legislative activist.

Legal Counsel O'Neill said he will investigate this and report back to Executive Director Emmert.

Director Pace asked if the Board does not take action, and does not create a document, does that hurt the GSA in any way? He also asked if the Board does take action, then he recommends putting together a document a little more detailed than the guiding principles and use that as a guide for the future. When the Board holds a discussion, it can go back to these guidelines. He asked what the pros or cons would be if the Board did this? As of now, the Board brings up issues and discusses them to determine if the Board needs to take some kind of action. Director Pace asked if there was a benefit or negative of going down the path of developing a platform.

Executive Director Emmert replied stating Director Pace is correct that this is not a requirement. Some agencies have this because they have a legislative advocacy program and may have a lobbyist and/or may have someone in Sacramento or D.C. and they can provide a two-page list of bills to support or oppose. He continued, stating that he does not believe this agency would pay for a lobbyist or legislative advocate, although there are some things the Board can discuss in advance and provided an example. He concluded his comments by saying an advocacy list should be simple and stick with things that are within the GSA's bylaws and SGMA.

Director Meneghin stated that she recommends that the Board discuss and adopt a platform, so that it can respond quickly to meet deadlines in the legislative process or funding without having to have a Board meeting to decide, as an opportunity can pass the agency by.

Executive Director Emmert agreed with Director Meneghin, as funding may have short deadlines and it will be more important when the GSA switches over to bimonthly meetings.

Director McFadden said he is curious to see what Legal Counsel has to say about this and wants the GSA to be careful that it does not go beyond its responsibilities by putting together a platform, as he does not see any issues where the Board cannot talk about an item before the Board has to act. He reiterated that he would not be able to support a platform but would not mind ongoing discussions.

Director Meneghin said she would like to review the County's legislative platform, maybe even the City of Fillmore's platform, since it is such a large member of the Board. She also mentioned having some language about preauthorization through funding.

Chair Long said she would share the County's information with Executive Director Emmert, and he can share with the other Board members. She also mentioned other items she could share that may benefit the Agency.

Director Villaseñor said she likes the idea of a document if there is a need for preauthorization for seeking funding, so as to be ready for a quick turnaround on funding requests, or even give allowance to Executive Director Emmert to represent the best interest of the Board.

Director Kimball asked if United has a legislative platform, and if it does, would Executive Director Emmert share that with the Board as United is so like our agency. Executive Director Emmert said yes, United does have one and he would share along with the County's and the City of Fillmore's platform.

Director Meneghin stated the objective is so the GSA can take advantage of the opportunities to leverage funding when it arises, and that bringing in state or federal government funding avoids raising rates for the pumpers.

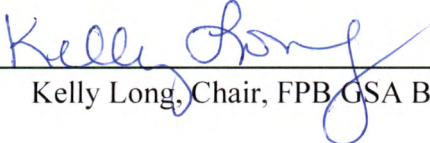
The Board decided to table this motion.

FUTURE TOPICS FOR BOARD DISCUSSION

None mentioned.

ADJOURNMENT 5:48 p.m.

Chair Long adjourned the Board meeting at 5:48pm to the next Regular Board Meeting on Thursday, March 17, 2022, 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 February 17, 2022.

ATTEST: 

Eva Ibarra, Clerk of the Board