

**Fillmore and Piru Basins Groundwater Sustainability Agency  
Board of Directors Meeting**

**August 28, 2017 - 6:00 p.m.**

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

**MINUTES**

**Directors in Attendance**

Director Carrie Broggie  
Director Gordon Kimball  
Director Kelly Long, Chair  
Director Ed McFadden  
Director Candice Meneghin  
Director Glen Pace

**Staff Present:**

Kris Sofley, Interim Executive Director

**Public Present:**

Ken King, SMMWCO  
Rachael Kimball Laenen, Fillmore & Piru Pumpers  
Bill Lindsay, Beans/Snab/RWC  
Dick Marshall, Marshall Ranches  
Tim Moore, United Water Conservation District  
Tony Morgan, United Water Conservation District  
Bram Sercu, United Water Conservation District  
Glen Shephard, Ventura County Public Works Agency/Watershed Prot District

**1. Call to Order 6p.m.**

**2. Pledge of Allegiance**

Led by Director McFadden

**3. Public Comments**

Director Long asked if there were any public comments, none were offered.

**4. Approval of Agenda**

**Motion**

Continues...

Interim Executive Director advised the Board that, in order to correct an error in compiling the agenda packet for this meet, the staff report for item 17 had been replaced.

Motion to approve the agenda with the modification of the staff report for item 17, Director McFadden; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin, and Pace); none opposed. Agenda is approved with the noted modification.

**5. Director Announcements/Board Communications**

**Information Item**

Director Long acknowledged that documents received at her office for the FPBGSA had been forwarded to Interim Executive Director Kris Sofley and reported that the County Supervisors were dark in August. Director Pace reported on his participation at the annual Fillmore Piru Pumpers meeting and his completion of the online ethics training as required. Director Kimball also participated in the association's board meeting on August 8 and attended a United Water Conservation District special board meeting on August 24. Director Meneghin completed online ethics training as required, also.

**6. Interim Executive Director Update**

**Information Item**

Since the July 26 meeting, the Interim Executive Director reported that the FPBGSA had received an Employer Identification Number from the IRS, which could be used to open a checking account and identify the GSA on other types of documents. Ms. Sofley stated that Directors Long and McFadden had Form 700s on file with the County, but that Directors Broggie, Kimball, Meneghin and Pace would need to complete the Form 700 so that these documents could be filed with the County when the FPBGSA submitted its Conflict of Interest Code for approval. Ms. Sofley also reported that since launching the FPBGSA Facebook page, it has received 21 Likes, is being followed by 24 people and that the posting of the agenda for the August 28 Board meeting received 470 views and 25 click throughs. Ms. Sofley has also confirmed Brian Palmer, Clerk of the Board for the Ventura County Board of Supervisors for the FPBGSA meeting in October. Mr. Palmer will present information on the Brown Act, Conflict of Interests, and other important information to insure that the Board and its members are in compliance with appropriate rules and regulations.



**7. Article 21 Water and Santa Felicia Dam Release**

**Information Item**

UWCD's Tony Morgan and Bram Sercu presented a powerpoint (attached to Minutes) to the Board regarding the impact of UWCD's recent Lake Piru stored water release and Article 21 Water purchase and release. As Mr. Morgan explained, the heavy rainfall and snow melt in Northern California resulted in more water being available than could be stored, so the CA Department of Water Resources (DWR) contacted the City of Ventura and Casitas, who passed on the water purchase. UWCD initially purchased 5,000 AF of Article 21 Water for what is basically the costs associated with conveyance, and the following week, accepted another 5,000 AF of Article 21 Water for a total purchase of 10,000 AF. The purchased water, plus an additional 5,000AF that had been stored at Castaic Lake, were released in June, along with 10,000 AF of water released from stored water from Lake Piru. Mr. Sercu explained that although the water was released in large volume to be more beneficial to recharge at the Freeman Diversion, more water percolated into the watershed than anticipated, but that percolation resulted in higher water tables and lower Chloride and TDS levels in area wells, so it was still a benefit. Mr. Morgan said that, in six or seven years down the road, the GSA might want to think about developing a "reserve" fund for future Article 21 and/or Table A water purchases from the Department of Water Resources. Director Long commented that it was an opportunity that should be explored.

**8. Other Water Exchange PGMS - MWD, CLWA**

**Information Item**

Mr. Morgan reported on UWCD staff's efforts to establish water exchange agreements with other entities, such as Castaic Lake Water Agency and Metropolitan Water District. Mr. Morgan explained that entities can "exchange" water with other entities and then ask for it back at some future date. When you repay the water (return it to its original owner) that dictates the rate you will pay for the water. Typically the exchange represents 20 percent of the state allocation and is repaid at a 2 to 1 exchange rate. DWR approval is required, but approval isn't stringent, it's more "parental." Mr. Morgan also said the exchange of water is common for DWR and State Water Contractors. Director Long asked what was the least amount of water released and Mr. Morgan answered that at Lake Piru, it would be less than 10,000 AF and between 15,000 and 20,000 AF from Castaic. Director Long then asked if a higher rate would apply later, and Mr. Morgan answered that if you can coordinate the logistics as well as money and exchange rate it is less expensive than moving Table A allocated water, usually \$150-\$170 less per acre foot. Ed McFadden then asked how long it typically takes to "square up" between the time you give/take the water and the time it's repaid, and Mr. Morgan responded usually about ten years. Director Broggie stated that it sounds like a bookkeeping nightmare, to which Mr. Morgan replied, "yes."



Mr. Morgan said that Metropolitan, for example, has lots of excess water, about 100 to 200,000 AF that it needs to park NOW. The challenge is in how to get the water into the District, how to get the water back to Metropolitan, less the 15 percent "leave back" and that the stumbling block is how to get the water back, as there is no mechanism in place for that currently. UWCD has plenty of room for the water, the problem is the conveyance going back to Metropolitan. Director Long asked if Calleguas could help and Mr. Morgan stated that the City of Ventura, Calleguas, Casitas and UWCD were working to get a mechanism of State Water into the County. A pipeline is one way, Calleguas as the back door but its drinkable water vs. raw water down river which costs more. Director McFadden asked about the difference in price and Mr. Morgan said that raw water is typically \$425 to \$450 per acre foot and that Calleguas Tier 2 water is \$1,100 to \$1,300 AF (but that's drinkable ready to go water).

## **CONSENT CALENDAR**

### **9. Approval of Minutes**

Directors Kimball and Pace asked that the identification of "Association" after their groups be changed to Stakeholders (Fillmore Basin Pumper Stakeholders/Piru Basin Pumper Stakeholders) in both the attendance list and in item 9 of the minutes. Director Meneghin also requested that item 9 be changed to read "Stakeholder Director nominated by"...instead of "representing" as each represents numerous constituents and not all are members of a specific associations. Director McFadden requested a correction to the affiliation for Tyler Cobb which should be listed as Simpatico, not Rancho Simpatico.

Approval of the minutes from the Regular Board Meeting of July 26, 2017, with modifications as reviewed, Director Broggie; Second, Director McFadden. Roll call vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin and Pace); none opposed. Minutes approved.

## **ACTION ITEMS**

### **10. Adoption of Conflict of Interest Code**

#### **Motion**

Director Long suggested we revise the Mound Basin Conflict of Interest Code for use by the Fillmore and Piru Basins Groundwater Sustainability Agency. Director McFadden asked is it was okay as is, or if it needed attorney review of changes; and if it could stand as an interim policy and be revised at later dates. Director Broggie said she assumed it was reviewed by the City of Ventura's counsel. Director Kimball suggested we revised the text based on the Mound Basin Conflict of Interest Code, have everything all in one place, spelled out and bring it back to the Board at the next Board meeting for approval.



Director Long asked for the Board's agreement to make the modifications to the Mound Basin Conflict of Interest Code and conduct a background review of the modifications and readdress the motion at the next board meeting. The Board agreed to readdress the adoption of the Conflict of Interest Code at the Board Meeting on September 18, 2017.

## **11. Adoption of an Operating Budget**

### **Motion**

Mr. Morgan presented a draft Operating Budget and asked the Board if they were prepared to decide on the period for its fiscal year and whether or not they wished to form an ad hoc committee to review, amend and make recommendations to the Board.

After some discussion, Director McFadden suggested that, based on the desire of all of the Board members to participate in developing and approving the initial Operating Budget, a Special Board meeting be organized to deal with the issues regarding approving an initial Operating Budget for the July through December 2017 period as well as address funding issues.

After polling the Directors, the date of September 6, 2017 was selected for the Special Board Meeting address the GSA's Operating Budget for July 1 through December 31, 2017.

Motion to establish the FPBGSA's fiscal year as running from July 1 through June 30; Director McFadden; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin and Pace); none opposed. Motion carries unanimously.

## **12. Funding Sources**

### **Motion**

The Board was to consider possible funding sources that are permissible under the Sustainable Groundwater Management Act (SGMA), the Agency's Joint Powers Agreement, and the powers of the individual member entities. However, again after some discussion, it was agreed to discuss funding mechanisms in greater detail at the Special Board Meeting

## **13. Submission of Grant Applications**

### **Motion**

The Board shall consider submitting a Proposition 1 grant application to assist with Groundwater Sustainability Plan development. During the Board's discussion, Mr. Morgan mentioned that economically disadvantaged communities could often have the matching funds portion of the Grant award reduced. Director Broggie stated that Fillmore and Piru may be considered economically disadvantaged.

Motion to begin preparation of a grant application for submission to the Proposition 1 (Prop 1) Grant Program to offset a portion of the Groundwater Sustainability Plan, Director Meneghin; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin and Pace), none opposed. Motion carries unanimously.

#### **14. Development of a Request for Proposal for Legal Services**

##### **Motion**

The Board considered the development and distribution of a Request for Proposal for Legal Services to various legal firms.

Board members discussed the type of legal services that would be required by the FPBGSA, from general counsel at Board meetings to help with writing the GSA's bylaws, establishing policies and more. There was also discussion as to which law firms would be eligible without having to provide conflict of interest waivers and whether or not the GSA should consider going outside of Ventura County for legal services; whether to go with a large firm that has a deep bench of experts in various fields of law; or contract with one lawyer and call in legal experts on an 'as needed' basis. The board agreed that it needed to prepare a request for proposals but more consideration of specifics was required.

Motion to develop and distribute a Request for Proposal for legal services to be distributed to various legal firms, Director Broggie; Second Director McFadden. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin and Pace); none opposed. Motion carries unanimously.

#### **15. Formation of Standing Committees**

##### **Motion**

The Board considered whether to form Standing Committees (e.g., Executive and Finance), commonly used in many governmental agencies to provide additional opportunities for the Board to consider important issues, and the Board consensus was to table this discussion until the need for Standing Committees arose.

#### **16. Formation of Ad Hoc Committees – Legal Counsel, Bylaws, Policies**

##### **Motion**

The Board considered the need to form Ad Hoc Committees (e.g., Legal Counsel, Bylaws, Policies, Allocation) that can be used to facilitate additional stakeholder engagement on various topics, and again concurred that the discussion could be tabled until a need arose.

#### **17. Basin Boundary Modifications**

##### **NOI – Workshop**

##### **Motion**

The Board considered filing the preliminary notification with California Department of Water Resources (DWR) that the Agency is considering a basin boundary



modification, (b) convene a workshop to discuss the technical basis for the boundary modification and solicit stakeholder input, and (c) begin the preparation of the basin boundary modification documentation required by CA DWR.

During the discussion, Mr. Morgan explained that using high resolution aerial photography, geology and hydrology, modifications to the GSA's boundaries could be more exact to geology mapping "cleaning up boundaries" and making the geology more accurate. Director McFadden expressed concerns about property owners being in or out of the GSA and Director Long said stakeholders have to be shown the proposed boundary changes. Mr. Morgan agreed and said that Town Hall and Stakeholder meetings prior to the CA DWR filing in January 2018 was a must. Again, Director Long stressed the importance of stakeholder outreach. Director Broggie asked if the DWR has to accept or approve the boundary modifications and Mr. Morgan said there was a public comment period required as part of the formal boundary modification process.

Mr. Morgan suggested that the GSA file a notice with CA DWR now, then have outreach meetings now to show the intent of the proposed boundary modifications. He also suggested that the focus be on the grant submission now and as the deadline for boundary modifications got closer (January 2018) and the GSA had some money to pay for outreach and stakeholder educational meetings, then the GSA could schedule the boundary meetings.

Director Kimball said the space between Fillmore and Santa Paula needs to be corrected and this is a perfect chance to start stakeholder outreach, especially with something that is not controversial. Director Long reiterated that stakeholder participation and support is vital.

Motion to authorize Mr. Morgan to file the preliminary notification with the California Department of Water Resources, notifying that entity of the Agency's intent to modify its boundary and to convene workshops to discuss the technical basis for the boundary modification and solicit stakeholder input in the preparation of the basin boundary modification documentation as required by CA DWR, Director Kimball; Second, Director Broggie. Voice vote: six ayes (Broggie, Kimball, Long, McFadden, Meneghin and Pace); none opposed. Motion carries unanimously.

**ADJOURNMENT 8:38p.m.**

The Board adjourned to the next **Regular Board Meeting on September 18, 2017** or call of the Chair.

FPBGSA Regular Board of Directors Meeting

August 28, 2017 MINUTES

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I certify that the above are a true and correct copy of the minutes of the Board of Directors meeting of August 28, 2017.

ATTEST:

  
\_\_\_\_\_  
Director Kelly Long, Chair

ATTEST:

  
\_\_\_\_\_  
Kris Sofley, Interim Executive Director



**FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY  
INAUGURAL BOARD OF DIRECTORS MEETING**

**ATTENDANCE SHEET/CONTACT INFORMATION**

MEETING DATE: August 28, 2017

Name: Dick Marshall Name: ARAM SOROC  
Organization: Marshall Ranches Organization: VWCD  
Phone: 805-524-4624 Phone: \_\_\_\_\_  
E-mail: Dickmarshall@QOLCA.org E-mail: \_\_\_\_\_

Name: Glenn Shepherd Name: BILL LINDSAY  
Organization: VC PWA WPD Organization: BEANS/SNABE/RAZ.  
Phone: 805 640 2040 Phone: 805-625 1144  
E-mail: Glenn.Shepherd@vbarlow.org E-mail: wmg1indsay@gmail.com

Name: RACHAEL LAENEN Name: \_\_\_\_\_  
Organization: FILLMORE + PIRU PUMPERS Organization: \_\_\_\_\_  
Phone: N/A Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

Name: KEN KING Name: \_\_\_\_\_  
Organization: JMMWCO. Organization: \_\_\_\_\_  
Phone: 233-4226 Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_ E-mail: \_\_\_\_\_

## **Fillmore & Piru Basins Groundwater Sustainability Agency Board of Directors Meeting – August 28, 2017**

### **AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Public Comments
4. Approval of Agenda
5. Director Announcements/Board Communications
6. Interim Executive Director Update
7. Article 21 Water & Santa Felicia Dam Release
8. Other Water Exchange Programs

### **CONSENT CALENDAR**

9. Approval of Minutes

### **ACTION ITEMS**

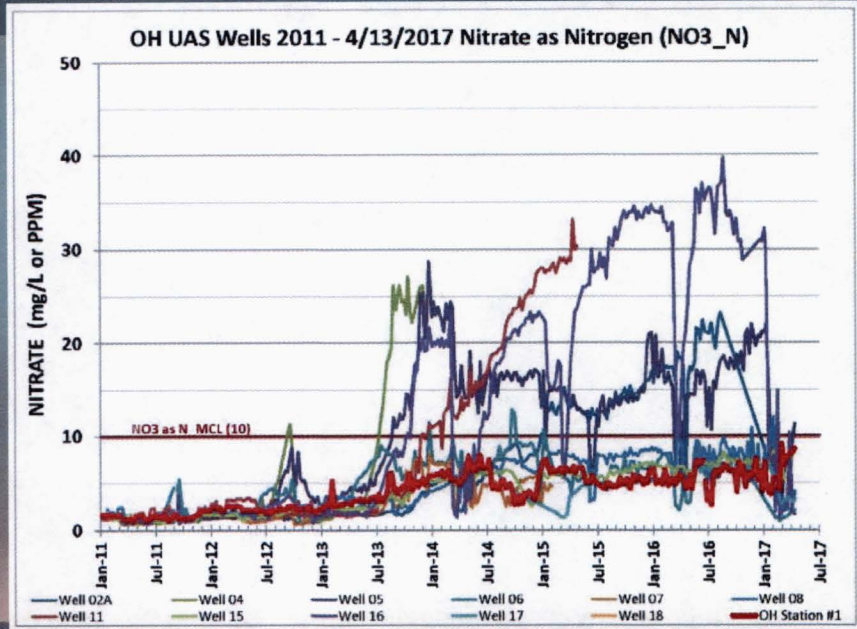
10. Adoption of Conflict of Interest Code
11. Adoption of Operating Budget
12. Funding Sources
13. Submission of Grant Applications
14. Development of RFP for Legal Services
15. Formation of Standing Committees
16. Formation of Ad Hoc Committees
17. Basin Boundary Modifications

## **7. Article 21 Water & Santa Felicia Dam Release**

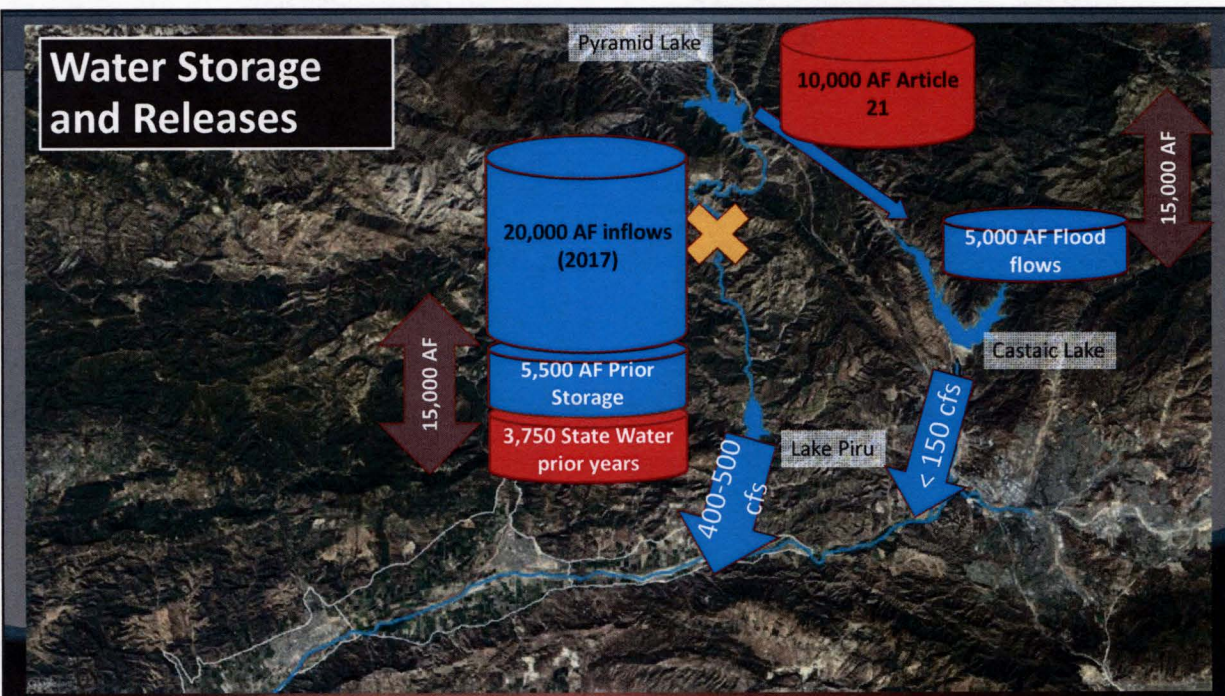
- Article 21 Waters = excess waters after Table A allocations are satisfied
- Table A water available this spring
- Ventura County Table A allocation = 20,000 AF
  - City of Ventura - 10,000 AF
  - Casitas Municipal Water District – 5,000 AF
  - UWCD – 5,000 AF
- Dr. Bram Sercu – coordinated getting the Article 21 Water and SFD releases



## Water Quality El Rio Wellfield



## Water Storage and Releases





## Final hurdles cleared...

Castaic cone valve repair  
 Survey Arroyo Toad negative  
 Release committee meeting  
 Quagga control plans  
 Improvements + monitoring plan Newhall crossings  
 Improvements Camulos Ranch diversion

5/17 Start Castaic Release  
 5/28 Start SFD Release



## Newhall Crossings

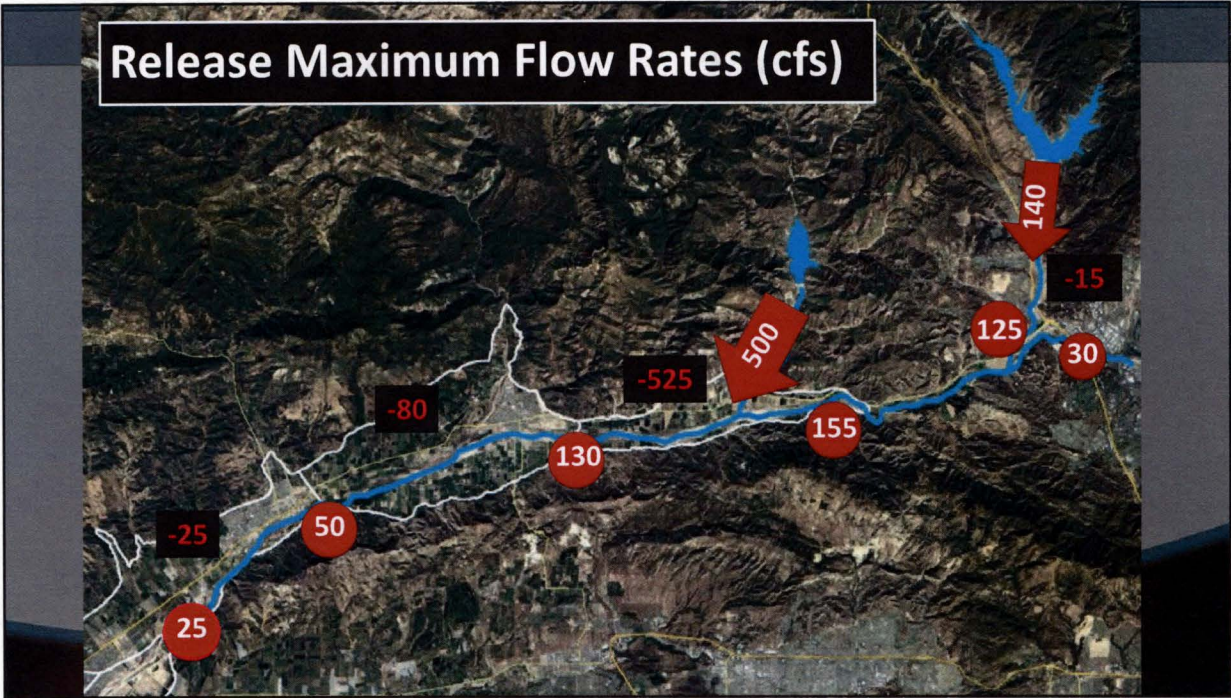
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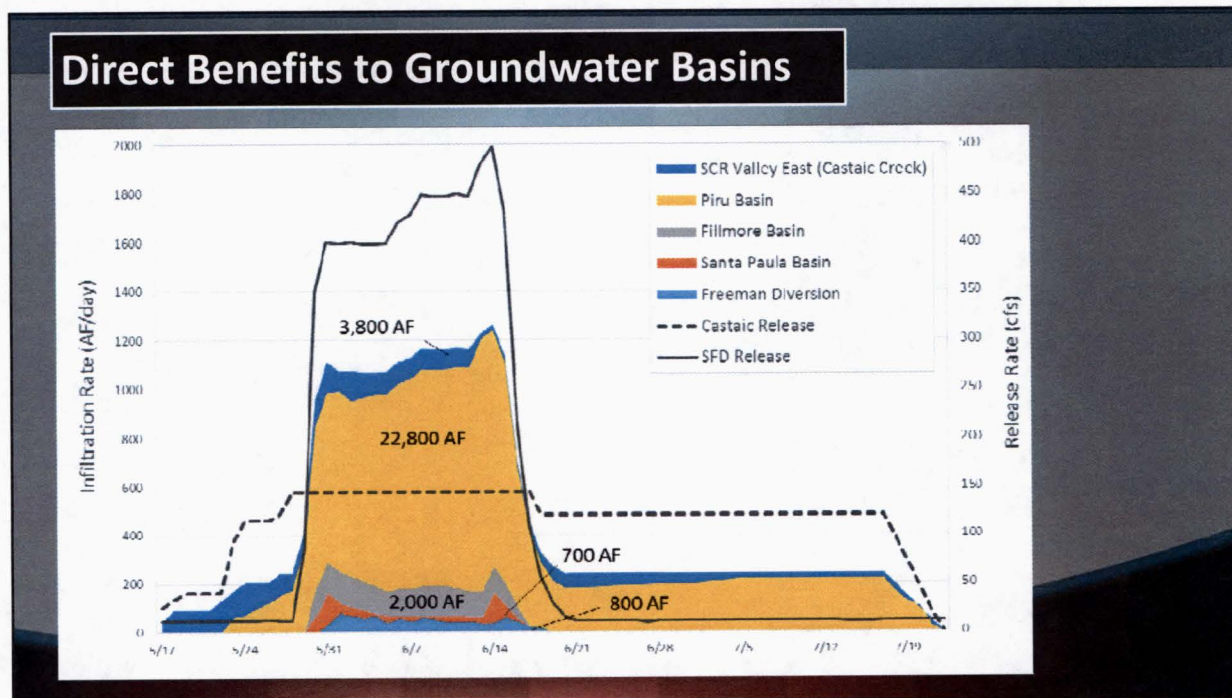
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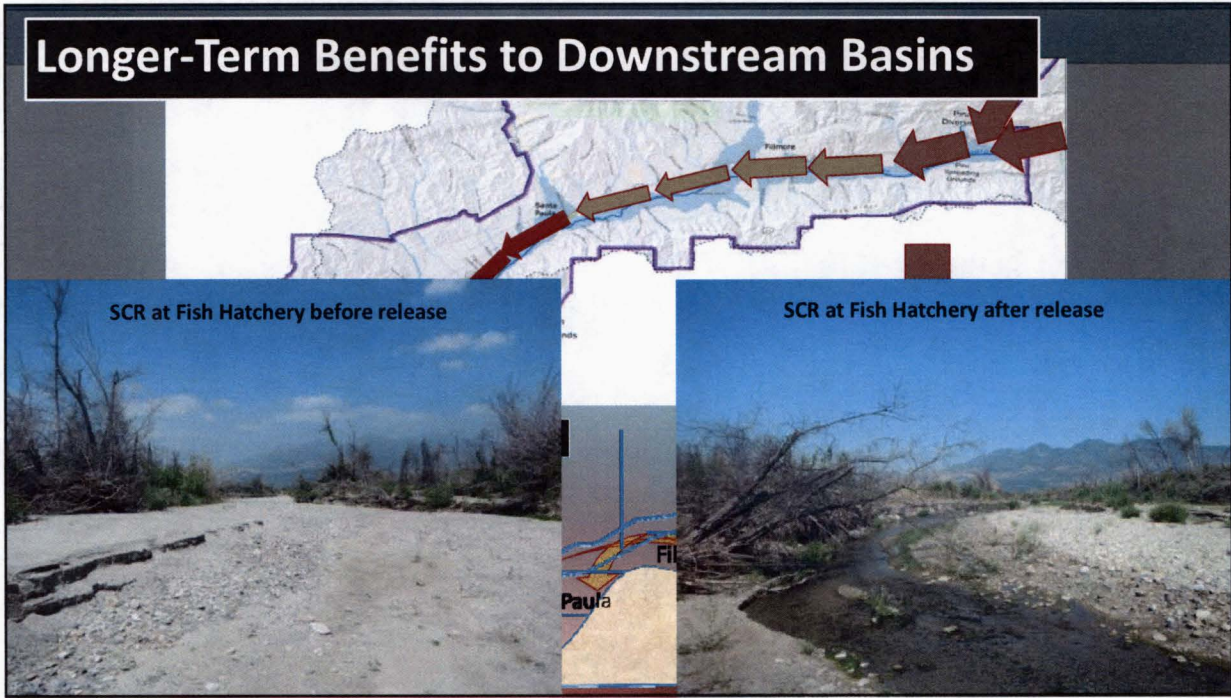
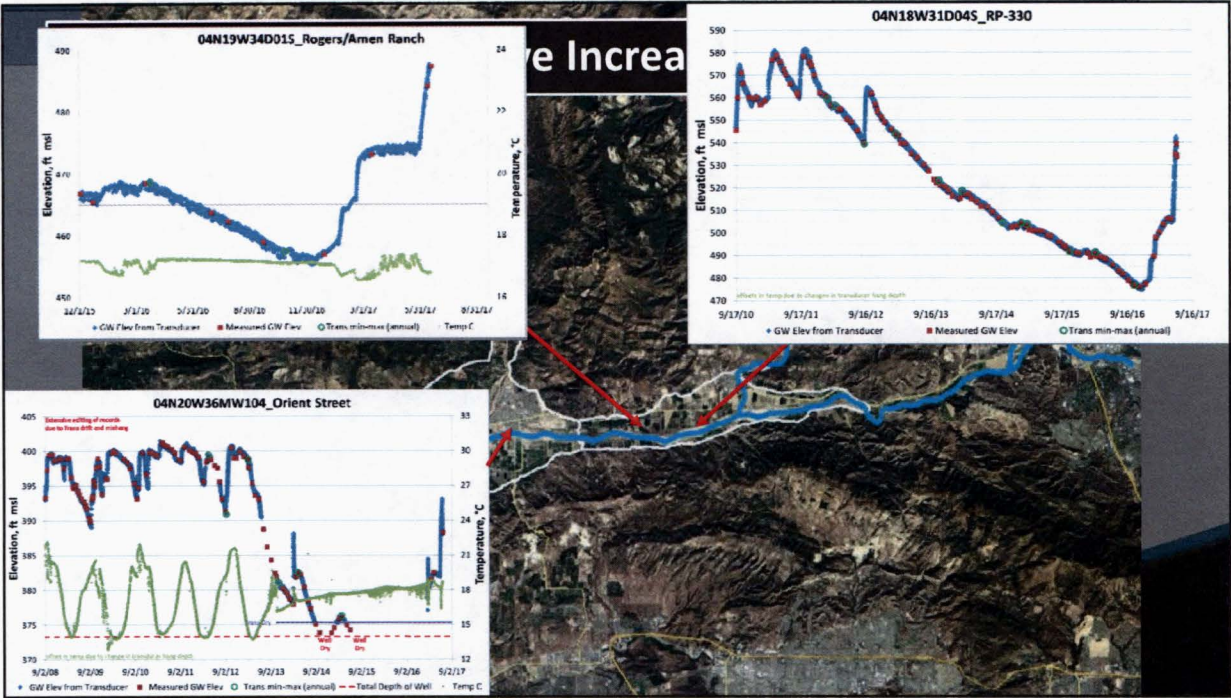




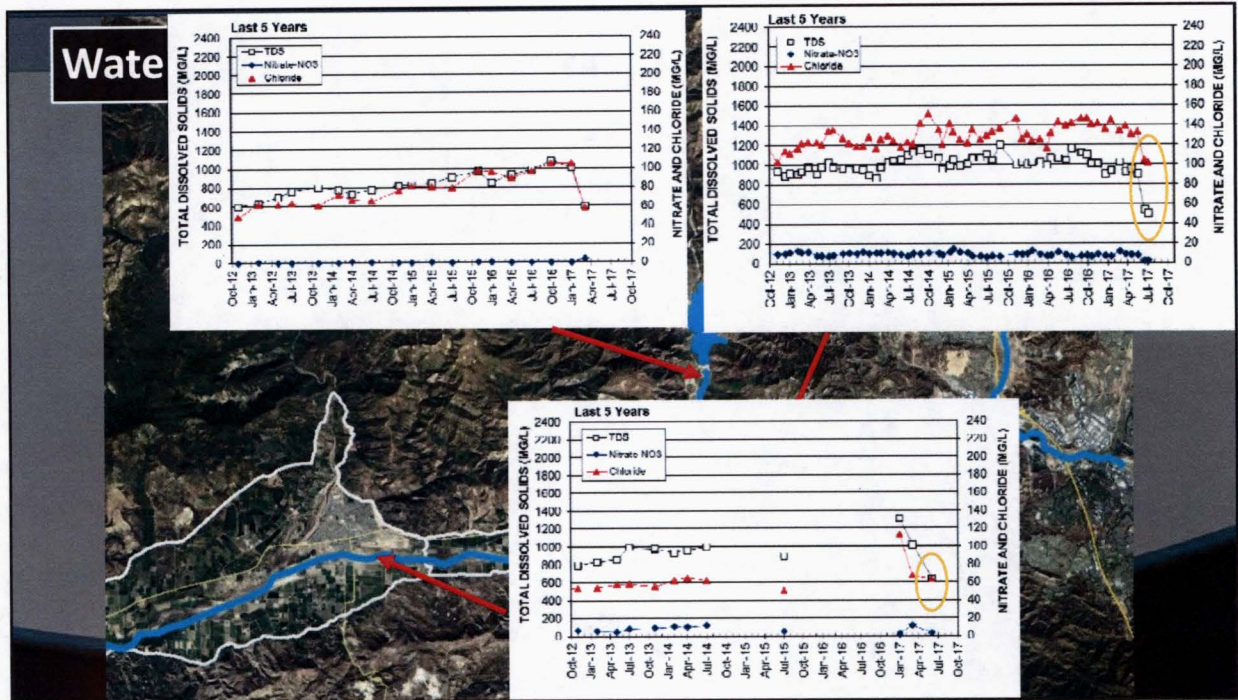














## 8. Other Water Exchange Programs

UWCD staff exploring *Water Exchange Programs* with other entities

- Castaic Lake Water Agency
- Metropolitan Water District

Repayment of water in the future / Variable exchange rates

Storage / Banking of water – held for the benefit of the depositing entity

“Hold Back” amount (e.g., 10%, 15%)

## 10. Adoption of Conflict of Interest Code

- Conflict of Interest Code required
- Example of COI Code in Board packet



## 11. Adoption of an Operating Budget

- Budget due per JPA by September 24, 2017
- DRAFT budget framework included with staff report
- DRAFT budget for July-December 2017
- Select a fiscal year (e.g., calendar year, July 1 – June 30, water year [Oct 1 – Sept 30])

## 11. Adoption of an Operating Budget

- Quantities and unit rates are examples guided by UVRGSA and staff experience
- Ad Hoc Committee?
- Review and discuss further at Sept 18 BOD meeting?

OPERATING EXPENSES					
Administrative Support Services					
Item	Description	Qty	Units	Amount	SubTotal Category Total
1	Interim Executive Director	6	months	\$ 1,000.00	\$ 6,000.00
2	Communications (Webhook/Website/Email)	6	months	\$ 250.00	\$ 1,500.00
3	Photocopying/Printing	6	months	\$ 100.00	\$ 600.00
4	Office Expense / General	6	months	\$ 100.00	\$ 600.00
5	Office Expense / Telephone/FAX	6	months	\$ -	\$ -
6	Office Expense / Postage	6	months	\$ 100.00	\$ 600.00
7	Publications/Legal Notices	6	months	\$ 100.00	\$ 600.00
8	Rent & Leases / Facility	6	months	\$ -	\$ -
9	Office Expense / Utilities	6	months	\$ -	\$ -
10	Bank Charges	6	months	\$ 25.00	\$ 150.00
11				\$ -	\$ -
12				\$ -	\$ -
13				\$ -	\$ -
					\$ 10,050.00
Professional Services					
Item	Description	Qty	Units	Amount	SubTotal Category Total
14	Accounting / Billing	6	months	\$ 1,000.00	\$ 6,000.00
15	Legal / BOD meetings & other meetings	30	man-hrs	\$ 250.00	\$ 7,500.00
16	Legal / Conflict of interest preparation	1	LS	\$ 5,000.00	\$ 5,000.00
17	Legal / Bylaws preparation	1	LS	\$ 10,000.00	\$ 10,000.00
18	Legal / Routine Legal Counsel	60	man-hrs	\$ 250.00	\$ 15,000.00
19	Public Outreach / Education	1	LS	\$ 10,000.00	\$ 10,000.00
20	Board Participation / Travel (per diem, travel, registration)	1	LS	\$ 5,000.00	\$ 5,000.00
21	Grant Writer / Prop 1	1	LS	\$ 15,000.00	\$ 15,000.00
22	Grant Writer / Other	1	LS	\$ -	\$ -
23	Groundwater Sustainability Plan Development (UWCD Labor)	500	man-hrs	\$ 97.42	\$ 48,710.00
24	Groundwater Sustainability Plan Development (misc. expense)	1	LS	\$ 2,500.00	\$ 2,500.00
25				\$ -	\$ -
26				\$ -	\$ -
27				\$ -	\$ -
					\$ 126,985.00
OPERATING EXPENSES - TOTAL					\$ 137,035.00
REVENUE					
Revenue Sources - Options					
Item	Description	Qty	Units	Amount	SubTotal Category Total
1	Director Entity Assessment	6	ea	\$ 22,839.17	\$ 137,035.00 or
2	Member Director Entity Assessment	3	ea	\$ 46,678.33	\$ 137,035.00 or
3	Groundwater Extraction Fee	30,000	AF (6 mths)	\$ 4.57	\$ 137,035.00
4				\$ -	\$ -
5				\$ -	\$ -
6				\$ -	\$ -
7				\$ -	\$ -
8				\$ -	\$ -
9				\$ -	\$ -



## 12. Funding Sources

### POSSIBLE FUNDING SOURCES

- Director entity assessments (1<sup>st</sup> 6-month period)
- Member director entity assessments (1<sup>st</sup> 6-month period)
- Groundwater Extraction Fee (e.g., \$/AF)
- Similar to municipal Ad Valorem type tax (e.g., \$/Acre)
- Ad Hoc Committee (?) – discuss further at Sept 18 BOD meeting

### 10730.2. ADDITIONAL FEE AUTHORITY FOLLOWING ADOPTION OF A PLAN

(b) Until a groundwater sustainability plan is adopted pursuant to this part, a local agency may impose fees in accordance with the procedures provided in this section for the purposes of Part 2.75 (commencing with Section 10750) as long as a groundwater management plan adopted before January 1, 2015, is in effect for the basin.

## 13. Submission of Grant Applications – Prop 1

- Groundwater Sustainability Plans and Projects (Proposition 1)
- Up to \$1 million/basin
- If Agency applying for more than one basin, 2<sup>nd</sup> basin limit is \$500K
- Local matching funds – 50%
- Matching funds requirement may be able to be reduced based on Disadvantaged Community (DAC) or Severely Disadvantaged Community (SDAC) status
- Project/Plan expenses after May 16, 2016 can be counted towards matching fund requirement
- Applications due to CA DWR in August-October 2017
- Awards in December 2017
- If funds still available, 2<sup>nd</sup> open application period December 2017 – January 2018
- Grant consultant (?) – likely costs \$12,000 - \$15,000



### 13. Submission of Grant Applications – Prop 1

#### Decisions

- Entity preparing the GSP (e.g., UWCD, consultant, ??)
- GSP preparation schedule (e.g., 2 yrs, 3 yrs, 5 yrs)
- Other specialty consultants (e.g., public facilitator?)

### 14. Development of Request for Proposal for Legal Services

#### Agency has need for legal counsel

- Legal counsel from Member or Stakeholder Director Entity
  - ✓ Possible conflict of interest from using legal counsel from a Director's entity?
  - ✓ Many legal firms are actively being engaged by other GSAs and stakeholder groups. More difficult to find legal counsel without conflicts if we delay
- Prepare RFP for legal counsel on behalf of Agency ?



## 15. Formation of Standing Committees

- Many entities have Standing Committees to provide additional guidance to full BOD on specific topics (e.g., Executive, Finance)
- Functions as additional vetting opportunity on important issues
- A Director must serve as Chair for the Committee
- Does not have authority to act on behalf of the Agency

## 16. Formation of Ad Hoc Committees

- Many entities have Ad Hoc Committees to provide additional opportunities for stakeholder engagement on specific topics (e.g., allocations, bylaw preparation, policies)
- A Director must serve as Chair for the Committee
- Functions as additional vetting opportunity on important issues
- Does not have authority to act on behalf of the Agency



## 17. Basin Boundary Modifications

- Local agencies intending to submit a Basin Boundary modification request are required to submit an “Initial Notification” of their intent within 15 days of local agency's decision to explore basin modification.
- **January 1, 2018** – Submission Period opens
- **March 31, 2018** – Submission Period Closes and 30-day Public Comment Period opens
- **April 30, 2018** – Public Comment Period Closes
  - DWR begins boundary modification requests and public comments
- **Approximately July 2018** – Draft Basin Boundary Modifications released
- **Approximately August 2018** – Final Basin Boundary Modifications released

