

## **MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY**

### **NOTICE OF MEETING\***

**NOTICE IS HEREBY GIVEN** that the Mound Basin Groundwater Sustainability Agency (“Agency”) Board of Directors (“Board”) will hold a **Board Meeting** at **1:00 P.M.\*** (Note the meeting will be called to order at 2:30 P.M.) on **Thursday, April 19, 2018** at **Room 211 (Anacapa)**, Ventura City Hall, 501 Poli Street, California 93001

### **MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS**

#### **AGENDA**

**Thursday, April 19, 2018**

- 1. CALL TO ORDER\* Meeting will begin at 2:30 P.M.**
- 2. PLEDGE OF ALLEGIANCE**
- 3. DIRECTOR ANNOUNCEMENTS**
- 4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion or take any action on any items presented during public comments. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

- 5. CONSENT ITEMS**

- a. Approve Minutes from March 15, 2018 Regular Meeting**

- 6. ACTION ITEMS**

- a. Contract for Legal Services**

The Board will consider authorizing the chair to execute a contract with Klein-DeNatale-Goldner (Joe Hughes) to provide legal services for the Agency.

- b. Interim Accounting Services**

The Board will discuss entering into an agreement with United Water Conservation District to perform interim accounting services for the Agency.

- c. Budget Discussion**

The Board will review the FY2017-2018 Budget and discuss developing a draft budget for FY2018-2019.

*\* In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals so they may attend and participate in meetings.*

**d. Long-term Budget and Funding Options Discussion**

The ad hoc committee for long-term funding options will lead the Board in a discussion of the long-term budget and planning for a public meeting on April 26, 2018 regarding a potential groundwater fee that could be used to fund the Mound Basin GSA.

**7. COMMITTEE REPORTS**

**a. Report from Ad hoc Committee for Basin Boundary Modification**

**8. EXECUTIVE DIRECTOR'S REPORT**

**a. Liability Insurance Update**

**b. Conflict of Interest Code Update**

**c. Change to October meeting date/location.**

**9. ADJOURNMENT**

Administrative Reports relating to this agenda are available in the City of Ventura City Clerk's Office, 501 Poli St., Room 204, Ventura, during normal business hours as well as on the City of Ventura's Web Site (<https://www.cityofventura.ca.gov/1075/Water-Sources>). Materials related to an agenda item submitted to the Agency after distribution of the agenda packet are available for public review at the City Clerk's Office.

This agenda was posted before 4/16/18 at 1:00 p.m. on the City of Ventura City Hall Public Notices Board and on the Internet.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the Ventura Water Office at (805) 652-4587 or the California Relay Service at (866) 735-2929. Notification by 4/17/18, at 12:00 p.m. will enable the Agency to make reasonable arrangements for accessibility to this meeting.

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY  
DRAFT MINUTES OF REGULAR MEETING MARCH 15, 2018**

Directors present were: Kevin Brown, Glenn Shephard, Mike Mobley, Jim Chambers, and Conner Everts. Also present was: Interim Executive Director Jennifer Tribo. Public present were Burt Handy, Tony Morgan, Mary McGrath, Nick Franek, Lynn Jensen, and Dan Crotty.

1. **CALL TO ORDER** – Chair Mobley called the meeting to order at 1:01 P.M.
2. **PLEDGE OF ALLEGIANCE** – Led by Chair Mobley.
3. **DIRECTOR ANNOUNCEMENTS** – Director Chambers announced that MBAWG held a membership meeting following the Basin Boundary Modification workshop on March 13<sup>th</sup>, so several of the members are attending today’s meeting.
4. **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**  
None
5. **CONSENT ITEMS**
  - a. **Approve Minutes from February 15, 2018 Regular Meeting.**  
Chair Mobley pointed out that he did attend and lead the February 15, 2018 meeting, so item 1 should be edited to reflect that he called the meeting to order. Director Everts moved to approve the minutes as amended. Seconded by Director Shephard. Chair Mobley called a voice vote. Five ayes. None opposed. A copy of the amended minutes is attached.

**6. ACTION ITEMS**

**a. Interim Accounting Services**  
Jennifer Tribo summarized the staff report. Tony Morgan, UWCD, stated that UWCD is still finalizing the draft accounting services agreement with the Fillmore-Piru GSA. Once that agreement is complete, then a similar agreement will be drafted for the Mound Basin GSA Board to consider. No Action.

**b. Report from Ad hoc Committee for Legal Services**  
Chair Mobley provided an overview of the ad hoc legal services committee’s review process of the RFPs for legal services received. Chair Mobley and Director Everts both received copies of all 8 proposals. Chair Mobley stated that he eliminated firms with obvious and potential conflicts of interest. The ad hoc committee interviewed three firms. Each interview lasted 1 hour. One firm stood out from the other two. The ad hoc committee recommends hiring Joe Hughes of Klein-DeNatale-Goldner. The firm is very familiar with SGMA. His fee is \$270 per hour plus travel time. Mr. Hughes is involved with other GSAs. Director Chambers added that he was impressed with Mr. Hughes’ experience and approach. Director Shephard added that the Cuyama Basin GSA has also hired Mr. Hughes as legal counsel. Chair Mobley added that he would like to contact references before executing a contract. The Board could approve the contract in April. Director Shephard moved to accept the ad committee’s recommendation and authorize

the Chair to move forward with bringing a contract to the Board in April. Seconded by Director Everts. Chair Mobley called a voice vote. Five ayes. None opposed.

**c. Report from Ad hoc Committee for Long-term Funding Options**

The ad hoc committee for long-term funding options met on Monday March 12, 2018. Chair Mobley stated that he received historic pumping information from UWCD. The ten year average (2007-2016) is 6,500 AF per year. Dividing the FY2017-18 budget by the pumping would equal a pumping fee of about \$16 per acre foot which is higher than expected. Director Chambers asked about the ag/M&I split. Director Brown stated that the City plans to pump 4,000 AFY. Director Chambers stated that actual recent pumping was more like 60 percent of the total pumping. Tony Morgan, UWCD, added that any invoices will be for pumping in the last 6 months and GSP activities will not be reimbursed by the DWR grant for another 6 months to a year. The Board should look closer at the budget to make sure that the proposed pumping fee will cover expenses. Lynn Jensen, Ventura County CoLAB expressed a concern about the City drilling two new wells prior to the completion of the GSP. She asked how the pumping would be allocated in the basin. Director Brown responded that the wells are replacement wells in order to allow the City to pump its historic average of 4,000 AFY. Director Mobley added that there are no allocations in the Mound Basin yet, as that will be part of the GSP process. Ms. Jensen further expressed a concern about the economic impact of pumping fees on agriculture. Chair Mobley asked if all wells are metered. Tony Morgan responded that not all wells are metered, but he is not sure how many. All wells report whether they are metered or not. Chair Mobley stated that the GSA can require meters.

Director Shephard added that the Board needs to approve a new budget before July 1, 2018. Chair Mobley stated that he would like to hold a public meeting to discuss the budget and proposed pumping fees. Director Shephard suggested holding the public meeting after the next Board meeting, so the Board can have a more robust budget discussion at its April meeting. A tentative workshop date of April 26, 2018 at the Saticoy Yard was set. The ad hoc Committee for Long-term Funding Options will meet before the April meeting. The County and the City need to be invoiced this fiscal year.

**d. Basin Boundary Modification Discussion**

Following the March 13, 2018 basin boundary modification workshop, the Board needs to write letters to the Santa Paula TAC, Ventura County Board of Supervisors, and the FCGMA Board. This item will also need to be added to agendas for the County BOS and FCGMA. Director Everts moved to establish an ad hoc committee for basin boundary modifications comprised of Director Shephard and Director Chambers. The committee will sunset after the basin boundary modification is submitted to DWR. Seconded by Director Brown. Chair Mobley called a voice vote. Five ayes. None opposed.

**7. EXECUTIVE DIRECTOR'S REPORT**

**a. Liability Insurance Update**

The quote provided at the last meeting is valid until July 1, 2018.

**b. Conflict of Interest Code Update**

Additional comments have been received from the County. Jennifer Tribo will follow-up with the County and bring back another Conflict of Interest Code to the Board at a future meeting.

**c. Change to October meeting date/location.**

The October meeting will need to be rescheduled or relocated. More information will be provided in the next few months.

**8. ADJOURNMENT – 2:21 P.M.**

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY  
DRAFT MINUTES OF REGULAR MEETING FEBRUARY 15, 2018**

Directors present were: Glenn Shephard, Mike Mobley, Jim Chambers, and Conner Everts. Also present was: Interim Executive Director Jennifer Tribo. Public present were Debra Martinez, Tony Morgan and Neal Maguire.

- 1. CALL TO ORDER** – Chair Mobley called the meeting to order at 1:07 P.M.
- 2. PLEDGE OF ALLEGIANCE** – Led by Chair Mobley.
- 3. DIRECTOR ANNOUNCEMENTS** – None.
- 4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Tony Morgan, United Water Conservation District (UWCD), suggested that the Board move ahead with website development. The Fillmore-Piru GSA was able to utilize County IT to develop an inexpensive website. SGMA requires GSA's to report groundwater extraction by water year, but current reporting to United is by calendar year. This issue should be discussed on a future agenda.
- 5. CONSENT ITEMS**
  - a. Approve Minutes from November 16, 2017 Regular Meeting.**

Director Everts moved to approve the minutes from the November 16, 2017 meeting. Seconded by Director Shephard. Chair Mobley called a voice vote. Four ayes. None opposed.
  - b. Approve Minutes from December 21, 2017 Regular Meeting**

Director Chambers moved to approve the minutes from the December 21, 2017 meeting. Seconded by Director Shephard. Chair Mobley called a voice vote. 3 ayes. None opposed. Director Everts abstained because he was absent at the December meeting.
- 6. ACTION ITEMS**
  - a. Interim Accounting Services**

Jennifer Tribo summarized the staff report. Tony Morgan, UWCD, stated that he wanted to receive more feedback from the Agency before moving ahead with drafting an agreement. The Board agreed that it made sense to set up a Quickbooks like system for the GSA outside of UWCD's accounting software. Director Shephard requested that approval of an agreement be agendized for the next meeting.
  - b. Liability Insurance**

Jennifer Tribo presented a quote of \$2,700 per year from Golden State Risk Management Authority (GSRMA) for Mound Basin Groundwater Sustainability Agency's general liability coverage and risk management program. The Directors reviewed the proposal. Chair Mobley stated that the Agency could not buy a policy until funds are available. Director Shephard added that this quote is consistent with what other GSAs are paying.

The Board directed staff to find out when this quote expires and to explore other insurance options. No action taken on this item.

**c. Conflict of Interest Code**

Jennifer Tribo summarized the staff report. Director Chambers asked for clarification on the boundaries for category 4.

Director Everts moved to accept the Conflict of Interest Code as revised. Seconded by Director Chambers. Chair Mobley called a voice vote. Four ayes. None opposed. One absent.

**d. Update on Request for Proposal and Qualifications for Legal Services**

Jennifer Tribo summarized the staff report. Director Mobley and Director Chambers expressed an interest in serving on the ad hoc selection committee. Director Everts moved to establish an ad hoc legal services committee composed of Directors Mobley and Chambers to review applications, interview finalists, and make a recommendation to the Board. The committee will sunset after the Board selects a legal services provider. Seconded by Director Shephard. Chair Mobley called a voice vote. Four ayes. None opposed. One absent.

**e. Board Workshop for Basin Boundary Modification**

Tony Morgan, UWCD, led the Board through a discussion of the proposed basin boundary modifications for Mound Basin. The Board will need to coordinate with the Fox Canyon GMA and the Santa Paula Basin TAC and hold a public workshop to solicit public comments. Neal Maguire, MBAWG, suggested that the workshop should target the affected well owners. MBAWG and the County will coordinate on sending notices to the well owners within the Mound Basin and in the affected areas.

Director Everts moved to hold a public workshop to discuss basin boundary modifications on March 13, 2018 at the County Public Works building in Saticoy. Seconded by Director Chambers. Chair Mobley called a voice vote. Four ayes. None opposed. One absent.

**7. COMMITTEE REPORTS**

**a. Report from Ad hoc Committee for Long-term Funding Options**

Chair Mobley reported that the Committee will meet before the next Board meeting, so this issue can be discussed in March.

**8. EXECUTIVE DIRECTOR'S REPORT**

**a. Meeting Schedule for Calendar Year 2018**

Directors confirmed availability for the schedule approved at the December 2017 meeting.

**b. GSP Grant Funding Request Update**

DWR has recommended that the Mound Basin GSA receive its full grant request.

**9. ADJOURNMENT – 2:21 P.M.**

# MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY

## Item No. 6(a)

**DATE:** April 19, 2018  
**TO:** Board of Directors  
**FROM:** Jennifer Tribo, Interim Executive Director  
**SUBJECT:** Contract for Legal Services

### **SUMMARY**

The Joint Powers Agreement (“JPA Agreement”) provides that the Agency may contract with a Member or other public agency or private entity for various services. The Agency may require the services of legal counsel for routine operations or compliance with the Sustainable Groundwater Management Act of 2014 (“SGMA”). On March 15, the Board accepted the recommendation of the ad hoc committee for legal services to hire Joe Hughes of Klein-DeNatale-Goldner to serve as legal counsel for the Agency.

### **RECOMMENDED ACTION**

The Board will consider authorizing the chair to execute a contract with Klein-DeNatale-Goldner (Joe Hughes) to provide legal services for the Agency.

### **BACKGROUND**

The JPA Agreement provides that the Agency may contract with a Member or other public agency or private entity for various services, including without limitation, those related to the Authority’s finance, purchasing, risk management, information technology and human resources. A written agreement shall be entered between the Authority and the Member or other public agency or private entity contracting to provide such service, and that agreement shall specify the terms on which such services shall be provided, including without limitation, the compensation, if any, that shall be made for the provision of such services.

On December 21, 2017 the Board authorized staff to release a revised RFP for general legal services for the Agency. A Request for Proposals (RFP) for legal services for the Mound Basin GSA was sent to 23 law firms on January 10, 2018. The closing date for the receipt of the Proposals and Qualifications was February 9, 2018 by 5:00pm. Eight proposals were received.

On February 15, 2018, the Board established an ad hoc legal services committee (Mobley and Chambers) to review applications, interview finalists, and make a recommendation to the Board. The ad hoc committee interviewed three law firms on February 2, 2018 and March 5, 2018. On March 15, the Board accepted the recommendation of the ad hoc committee for legal services to hire Joe Hughes of Klein-DeNatale-Goldner to serve as legal counsel for the Agency.

### **FISCAL SUMMARY**

The fiscal impact associated with this item is dependent on the firm selected. The approved budget includes \$15,000 for legal services.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

K. Brown \_\_\_ M. Mobley \_\_\_ G. Shephard \_\_\_ J. Chambers \_\_\_ C. Everts \_\_\_

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**Item No. 6(b)**

**DATE:** April 19, 2018  
**TO:** Board of Directors  
**FROM:** Jennifer Tribo, Interim Executive Director  
**SUBJECT:** Interim Accounting Services

**SUMMARY**

In order for the Mound Basin GSA (“Agency”) to pay for legal, technical, and consultant services received before the appointment of a Treasurer and permanent Executive Director, the Board may consider entering into an agreement with United Water Conservation District to perform interim accounting services.

**RECOMMENDED ACTION**

The Board will discuss entering into an agreement with United Water Conservation District to perform interim accounting services for the Agency.

**BACKGROUND**

At its October 19, 2017 meeting, the Board authorized the Chair to execute an MOU with the City of Ventura (pending member agency approval) to perform interim accounting functions. At its November 16, 2017 meeting, the Board was informed that the City of Ventura was unable to perform accounting functions on behalf of the Agency. The Board discussed the possibility of United Water Conservation District providing interim accounting services and directed staff to provide additional information at the December 21, 2017 meeting. The item was deferred to February, and the Board suggested that a draft agreement be considered at the March meeting. At the March meeting, UWCD stated that an agreement would be brought to the Board after the Fillmore-Piru GSA had considered a similar agreement.

**FISCAL SUMMARY**

Accounting services provided by United Water Conservation District would be reimbursable in kind services and the budget would be amended accordingly.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

K. Brown \_\_\_ M.Mobley\_\_\_ G.Shephard\_\_\_ J. Chambers\_\_\_ C.Everts\_\_\_

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**Item No. 6(c)**

**DATE:** April 19, 2018  
**TO:** Board of Directors  
**FROM:** Jennifer Tribo, Interim Executive Director  
**SUBJECT:** Budget Discussion

**SUMMARY**

The Joint Exercise of Powers Agreement (“JPA Agreement”) requires that the Agency adopt a budget for the ensuing fiscal year within one hundred and twenty (120) days after the first meeting and thereafter prior to the commencement of each fiscal year. The Board approved a budget for fiscal year 2017-2018 on October 19, 2017. The Board will need to approve a budget for fiscal year 2018 -2019 prior to July 1, 2018.

**RECOMMENDED ACTION**

The Board will review the FY2017-2018 Budget (attached) and discuss developing a draft budget for FY2018-2019.

**BACKGROUND**

Section 14.1 of the JPA Agreement requires the Board of Directors to adopt a budget for the Agency for the ensuing fiscal year within one hundred and twenty (120) days after the first meeting and thereafter prior to the commencement of each fiscal year. The Board approved a budget for fiscal year 2017-2018 on October 19, 2017.

At its December 21, 2017 meeting, the Board established an ad hoc committee for long-term funding options. As part of its scope of work, the ad hoc committee will draft short term and long-term budgets for Board review, input, and approval.

**FISCAL SUMMARY**

No fiscal impact.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

K. Brown \_\_\_ M.Mobley\_\_\_ G.Shephard\_\_\_ J. Chambers\_\_\_ C.Everts\_\_\_

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY  
FISCAL YEAR BUDGET  
July 1, 2017 - June 30, 2018**

**APPROVED BUDGET 10/19/2017**

**REVENUES**

ACCOUNT NUMBER	REVENUES	BUDGET 2017/2018	Comments
1	Contributions from Member Agencies		
2	Ventura County Watershed Protection District Funding		
<b>TOTAL INCOME</b>		<b>\$0</b>	

**OPERATING EXPENSES**

ACCOUNT NUMBER	OPERATING EXPENSE	BUDGET 2017/2018	Comments
<b>Administrative Costs</b>			Provided as in-kind services by the City of Ventura.
1	Labor	\$15,000	Exec director (\$40/hr; 30 hours per month for 12 months)
2	Overhead (phone, printing, computer, etc.)	\$2,250	Assumes 15% overhead rate.
3	Website Development	\$0	Use City of Ventura Website for year 1.
4	Website maintenance	\$0	None for FY18
<b>Total Administrative Cost:</b>		<b>\$17,250</b>	
<b>Professional Services:</b>			
5	Audits	\$3,500	Estimate
6	CPA/Treasurer	\$4,000	Estimate (assumes a fee of \$100/hr)
7	Public Outreach/218 publications		
8	Liability Insurance	\$2,500	Estimate
9	Routine Legal Counsel	\$15,000	\$400/hr - Agenda review and attend meetings as necessary - 6hrs per month for January 2018 - June 2018.
10	Annual Report	\$1,000	
11	Hydrogeologist	\$20,000	Advisory to Board/conduct special studies. (Equals 80-115 hours based on rates \$175-\$245/hr.)
12	Advertising fees for GSA	\$277	VC Star Ads for June 2017 meeting (paid by City of Ventura)
13	DWR filing fees/etc.	\$500	
14	Consulting Services to assist in GSP preparation	\$35,000	May include grant preparation or other technical work needed to prepare for GSP development.
15	Basin Boundary Modification Preparation	\$5,000	May be a combination of consulting services and member agency staff contributions.
16	Funding for Reserves		
<b>Total Professional Services Cost:</b>		<b>\$86,777</b>	

<b>Total In-kind services</b>	<b>\$17,250</b>	City of Ventura may be reimbursed at a later date.	
<b>Total expenses to be funded by revenue</b>	<b>\$86,777</b>	Equates to a member agency contribution of Member Agency of (may be reimbursed or offset by future funding sources identified.)	<b>\$28,925.73</b>
<b>TOTAL EXPENSES</b>	<b>\$104,027</b>		

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**Item No. 6(d)**

**DATE:** April 19, 2018  
**TO:** Board of Directors  
**FROM:** Jennifer Tribo, Interim Executive Director  
**SUBJECT:** Long-term Budget and Funding Options Discussion

**SUMMARY**

On December 21, 2017, the Board established an ad hoc committee to develop a framework for Agency funding options. Directors Mobley and Brown were selected to serve on the committee.

**RECOMMENDED ACTION**

The ad hoc committee for long-term funding options will lead the Board in a discussion of the long-term budget and planning for a public meeting on April 26, 2018 regarding a potential groundwater fee that could be used to fund the Mound Basin GSA.

**BACKGROUND**

At its November 16, 2017 meeting, the Board discussed funding options for the Mound Basin GSA under SGMA. On December 21, 2017, the Board established an ad hoc committee for long-term funding options. The ad hoc committee met on March 12, 2017. At the March 15, 2018 Board meeting, the ad hoc committee presented information on the amount of pumping in the basin and discussed a potential fee that would support the Agency’s annual budget during development of the GSP. The Board scheduled a public meeting for April 26, 2018 and directed the ad hoc committee to bring additional information to the April meeting in order to facilitate a robust discussion of the long-term budget and funding options.

**FISCAL SUMMARY**

Depending on the direction of the Board, there could be a fiscal impact associated with this item.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

K. Brown \_\_\_ M. Mobley \_\_\_ G. Shephard \_\_\_ J. Chambers \_\_\_ C. Everts \_\_\_

**MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**Item No. 8**

**DATE:** April 19, 2018  
**TO:** Board of Directors  
**SUBJECT:** Executive Director's Report

- a) Liability Insurance Update**
- b) Conflict of Interest Code Update**
- c) Change to October meeting date/location.**