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. on Thursday, May 17, 2018

at Room 223 (Santa Cruz), Ventura City Hall, 501 Poli Street, California 93001

MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS

AGENDA

Thursday, May 17, 2018

- 1. CALL TO ORDER
- 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 <u>not</u> 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 April 19, 2018 Regular Meeting

6. ACTION ITEMS

a. Accounting and Administrative Services

The Board will consider entering into an agreement with United Water Conservation District to provide interim accounting and administrative services for the Agency.

b. Agency Bank Account

The Board will consider authorizing the chair to open a bank account on behalf of the Mound Basin GSA at the Bank of the Sierra.

c. Liability Insurance

The Board will consider authorizing the chair to purchase liability insurance.

d. Website Development

The Board will consider requesting a proposal from the County of Ventura to develop and maintain a website for the Agency.

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

e. Budget Discussion

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

f. 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 funding options for the Agency.

g. Meeting to Consider Imposition of Groundwater Extraction Fee

The Board will discuss and consider scheduling a meeting to discuss the Agency's budget and a potential groundwater extraction fee under Water Code section 10730 to fund the Mound Basin GSA.

h. Initial Notification to DWR of Development of a Groundwater Sustainability Plan (GSP)

The Board will consider authorizing staff to submit the attached information to DWR through its GSP Initial Notification web portal.

i. Conflict of Interest Code Discussion

The Board will review the comments from County Counsel on the Conflict of Interest Code, consider adopting Resolution 2018-2, the Conflict of Interest Code, (attached) to supersede Resolution 2018-1, and submit the revised code to the County of Ventura for approval.

j. Basin Boundary Modification

The ad hoc basin boundary modifications committee will provide the Board with an update and the Board will consider authorizing the Chair to request letters of support for the Basin Boundary Modification from the Santa Paul Basin TAC, the FCGMA, and the County of Ventura Board of Supervisors.

7. EXECUTIVE DIRECTOR'S REPORT

- a. Recap of DWR SGMA Workshop
- b. Change to October meeting date/location

8. 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 5/14/18 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 5/15/18, 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 APRIL 19, 2018

Directors present were: Kevin Brown, Mike Mobley, Jim Chambers, and Conner Everts. Also present was: Interim Executive Director Jennifer Tribo. Public present were Tina Rivera and Dan Detmer.

- 1. CALL TO ORDER Chair Mobley called the meeting to order at 2:30 P.M.
- 2. PLEDGE OF ALLEGIANCE NA
- 3. **DIRECTOR ANNOUNCEMENTS** Director Brown noted that the City is continuing work on the State Water Project interconnection and potable reuse in the Santa Clara River watershed. The water from potable reuse will likely be injected into Mound Basin via Aquifer Storage and Recovery (ASR) wells. Chair Mobley announced that he has received official notice of grant award. Director Everts announced that there is a DWR SGMA workshop scheduled at the Saticoy Operations Yard on April 25th.
- 4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA None

5. CONSENT ITEMS

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

Director Everts moved to approve the minutes. Seconded by Director Brown. Chair Mobley called a voice vote. Four ayes. None opposed.

6. ACTION ITEMS

a. Contract for Legal Services

Chair Mobley stated that he contacted the references provided by Joe Hughes, Klein DeNatale Goldner. Two of the three returned his calls and provided glowing recommendations. Joe Hughes provided the draft contract that was included in the amended agenda. Director Everts moved to authorize the Chair to execute a contract with Joe Hughes. Seconded by Director Brown. Chair Mobley called a voice vote. Four ayes. None opposed. Mr. Hughes will attend the next meeting.

b. Interim Accounting Services

Tina Rivera, UWCD provided the Board with a draft agreement and led a discussion of the details. The Fillmore-Piru GSA is considering a similar agreement at its meeting tonight. UWCD will purchase a QuickBooks license for the Agency and set up the customer database from UWCD's records. Invoices would be sent twice per year following UWCD's billing. UWCD will not be providing collections services. The Mound GSA will need to establish a bank account. Ms. Rivera recommended Bank of the Sierra because that is where UWCD's accounts are held. Time estimates on the last page are conservative. The Board was in general agreement to move forward with this arrangement. Next month the Board will consider authorizing an agreement with UWCD for interim accounting services. Chair Mobley added that an agreement for administrative service may also be ready at that time. Ms. Rivera stated that both agreements could be integrated into one.

c. Budget Discussion

Jennifer Tribo provided a brief comparison of the FY 2017-2018 budget and actual expenses. It is estimated that the Agency will have only spent about half of the funds budgeted for the year. Ms. Tribo will provide a more detailed analysis at the next meeting. Authorization to open a bank account should be agendized for the May meeting. A draft budget will be presented at the May meeting.

d. Long-term Funding Options Discussion

The ad hoc committee for long-term funding options has not met since the April meeting. Ms. Rivera suggested setting the rate to cover 110% of the budget to account for changes in pumping. UWCD has provided the ten year average pumping data. Dan Detmer stated that he can provide annual pumping data since 2011. The Board decided to postpone the April 26th rate workshop until after the May meeting. Chair Mobley will confer with Joe Hughes about preparing for and scheduling the workshop.

7. COMMITTEE REPORTS

a. Report from Ad hoc Committee for Basin Boundary Modification

The Ad hoc Committee for Basin Boundary Modification is scheduled to meet next week. The TAG for the FCGMA did not have any issues with the proposed modifications. Requests for letters of support need to be sent to the Santa Paula Basin TAC, FCGMA, and the County BOS.

8. 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.

9. ADJOURNMENT – 3:23 P.M.

Item No. 6(a)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Accounting and Administrative 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 accounting and administrative services. The attached draft agreement for accounting services was presented at the April 19, 2018 meeting. A final agreement including administrative services will be provided at the May 17, 2018 meeting.

RECOMMENDED ACTION

The Board will consider entering into an agreement with United Water Conservation District to provide interim accounting and administrative 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.

Tina Rivera, CFO for UWCD, attended the April 19, 2018 Board meeting and provided the directors with a draft agreement and cost estimate for providing accounting and billing services for the Agency. The Board requested that she bring a final agreement including administrative services to the May 17, 2018 meeting for Board consideration.

FISCAL SUMMARY

The FY2017-18 budget includes \$4,000 for accounting services. The costs associated with this agreement will be reflected in the FY2018-19 budget that is under development.

Action:					
Motion:		2 nd :			
K. Brown	M.Moblev	G.Shephard	J. Chambers	C.Everts	

CONSULTING AGREEMENT

This Consulting Agreement ("Agree Water Conservation District ("Con ("Client" or "Agency"). Consultant at	sultant" or "Dis nd Client may inc	trict") and Mound Basin G	Groundwater Sustainability Agency
The above Parties agree as follows	:		
Client retains the Consultant to pro-	vide the services	s ("Services") described in A	Attachment B in connection with the
following Project:			
Project Title:	Accounting/Bil	ling Services	
UWCD Project No:	TBD		
Client Project Contact:			
Billing and Notice Address:			
Telephone & FAX Number:		/ 805-525-2661 fax	
Estimated Start Date:	April 20, 2018		
Estimated Completion Date:	Ongoing, with	annual renewals	
Attachment B – Scope of Work Attachment C – Estimated Sched Attachment D - Estimated Cost	lule		
United Water Conservation Distri	ct:	Mound Basin Groundwater Susta	inability Agency:
Ву:		Ву:	
Title:		Title:	
Date:		Date:	

ATTACHMENT A - TERMS AND CONDITIONS

- 1. INVOICES: Invoices will be submitted to Client once a month with payment due within thirty (30) days of the date of the invoice. A late charge at the rate of one and one-half percent (1 ½%) per month, or the highest rate allowed by applicable law, whichever is lowest, will be added to all amounts outstanding after said thirty (30) days. Client shall continue to be responsible for payment of Consultant's charges, along with Client's other obligations hereunder, even if Client requests the invoices to be sent to a third party. Client agrees to pay any and all attorney's fees and court costs should attorneys be utilized or court proceedings initiated to collect any past due amounts arising out of this Agreement.
- 2. PERFORMANCE. Consultant will exercise reasonable skill and judgment in providing the Services. No other warranties (express or implied) or representations of performance are given. Consultant does not warrant any specific results of any kind. Consultant does not warrant that the Services (or any reports or data based thereon, hereinafter referred to as "Work Product") will be sufficient in form or substance to satisfy any required or desired regulatory agency approval. All Services and resulting Work Product are provided as-is.
- 3. REQUIRED COURT PROCEEDINGS. Client is responsible for payment of all costs and expenses resulting from Consultant's required attendance at any depositions, judicial or administrative proceedings, meetings, and/or response to subpoenas issued by any Party, third party or court orders in connection with Consultant's provision of the Services hereunder. Charges will be determined in the manner set forth in Attachment D, at the rates in effect at the time the subpoena is served. This Section shall survive the expiration or termination of this Agreement.
- 4. CLIENT OBLIGATIONS; DISCLAIMER. It is recognized that Client has superior knowledge of the Project and Client is obligated to advise Consultant of all or any of the conditions that may affect Consultant's performance hereunder. Client agrees to provide Consultant with such specifications, plans, studies, documents or other information on surface and subsurface conditions as will be reasonably required by Consultant for proper and timely performance of the Services. Consultant may rely upon information supplied by Client or its contractors or consultants, or information available from generally accepted reputable sources, without independent verification, and assumes no responsibility for the accuracy thereof. Client understands that any geophysical findings provided hereunder will not replace in-situ measurements, and that the identification of subsurface features is contingent on geophysical data being acquired directly over a feature and reasonable assumptions as to depth and site geology, and the interpretation of geophysical data may be to some degree subjective. Consultant shall not be held responsible for any determinations of the structural integrity of the soil or underlying strata or, because of dynamic geologic conditions and construction/development, for any change in subsurface conditions.
- **5. CONFIDENTIALITY**. Client shall not provide Consultant with any confidential information, unless such information is clearly marked. Consultant may disclose confidential information when required by law after giving reasonable notice to the Client, such notice to be reasonably sufficient under the circumstances to give the Client the opportunity to seek confidential treatment, a protective order or similar remedies or relief prior to disclosure. It is understood that Consultant is subject to the California Public Records Act (Gov. Code § 6250 *et seq.*). If Client fails to obtain a court order enjoining disclosure, Consultant will release the requested information on the date required under the California Public Records Act.
- **6. INDEMNIFICATION AND LIMITATION OF LIABILITY.** Client shall indemnify, defend and hold Consultant harmless from all damage, liability, cost, expense, liens, personal injury, property damage, loss or other claim ("collectively "Claims") that may arise from or in connection with the Services and/or the Work Product, except to the extent such Claims arise out of the sole negligence or willful misconduct of Consultant. Consultant shall not be liable for any special, incidental or consequential damages, such as loss of use, loss of profits or revenue, claims of customers of Client, etc., whether based on contract or tort, including negligence or strict liability. This Section shall survive the expiration or termination of this Agreement.

- 7. **DELAYS.** Consultant shall have no liability towards Client, or its contractors or consultants, for delays in the performance of the Services, or any part of the Services, caused by actions or occurrences beyond Consultant's reasonable control. The time of Consultant's performance under this Agreement shall be extended to reflect such delays.
- **8. USE OF WORK PRODUCT.** Client may use any final reports, or other work performed or prepared by Consultant under this Agreement only in connection with the Project. Client shall obtain prior written consent from Consultant for any other use of such Work Product.
- **9. TERMINATION**. Either Party may terminate this Agreement upon thirty (30) days advance written notice. All outstanding fees shall be due within thirty (30) days of termination. After thirty (30 days from the date of termination or expiration of this Agreement, Consultant will dispose of any client data unless prior to that date the Client requests in writing that the data be returned.
- 10. MISCELLANEOUS. The Agreement constitutes the entire understanding of the Parties relating to the Services. Previous proposals, offers, and other communications relative to the Services, oral or written, are hereby superseded, except to the extent that they have been expressly incorporated herein. Any modifications or revision of any provisions hereof or any additional provisions contained in any purchase order, acknowledgement, or other form of the Client is hereby expressly objected to by Consultant and shall not operate to modify this Agreement. This Agreement may not be changed except in writing executed by both Parties. Client may not assign this Agreement without the written consent of the Consultant. This Agreement shall be governed by and the rights, duties and obligations of the Parties shall be determined and enforced in accordance with the laws of the State of California, with venue in Ventura County, California. If any legal action is necessary to enforce any of the terms or conditions of this Agreement, each Party shall bear their own attorneys' fees. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document. This Agreement may be executed and transmitted to any other Party by PDF, which PDF shall be deemed to be, and utilized in all respects as, an original, wet-inked document.

ATTACHMENT B – SCOPE OF WORK

The Agency requested that the District explore how it could use its existing resources to provide **accounting/billing services** to the Agency;

The services desired by the Agency include the following:

- 1) District staff will print and mail biannual (2X/year) invoices to groundwater extractors ("pumpers"). The Mound GSA will provide the District staff with the required information (e.g., groundwater extraction fee[s], list of groundwater extractors subject to those fees). The first invoice is expected to be generated within 60 days after contract execution.
- 2) District staff will function as Treasurer to provide accounting controls.
- 3) District will establish an accounting system using readily available, off-the-shelf software (e.g., Quickbooks). All accounting functions for the Agency will be separate from the District's accounting system.
- 4) The Agency will establish a commercial checking account for the agency, to which District staff will make periodic deposits of the payments received from extractors.
- 5) District staff will provide the Clerk of the Board with lists of payments received, bank deposits, bank statements, and outstanding invoices for transmittal to the Agency Treasurer. Bank statements will be provided to the Clerk of the Board, as well. The Agency Treasurer (or their designee) will oversee the reconciliation of the bank statements and preparation of checks to satisfy Agency accounts payable obligations.
- 6) At no time will District staff or legal counsel be responsible for any collection activities deemed necessary for delinquent accounts.

ATTACHMENT C - ESTIMATED SCHEDULE

This agreement will continue indefinitely unless terminated by either Party as described in Attachment A Terms and Conditions, Item 9.

Accounting/Billing Services are as-needed services that will have varying scopes of work and short-term (e.g., monthly) deliverable timelines.

ATTACHMENT D - ESTIMATED COST

The estimated cost to perform the proposed Services is shown below. Most of the assumptions upon which the cost estimate is made are indicated in Attachment B or as footnotes to the cost estimate. The District intends to work very closely with the Agency to complete the Services efficiently and effectively. The District will not exceed the amounts shown below without written approval from the Client.

The Agency agrees that the services in Attachment B would be performed by the District on a cost reimbursable basis. The District would invoice the Agency quarterly on a time-and-expense basis for services performed.

The Agency would be invoiced at the unit labor rates currently in use for the period of time when the services were performed. Adjustments to the rates are expected to occur in the future, but would be reviewed with the Agency prior to their implementation. The labor rates shown in the attached table are applicable for July 1, 2017-June 30, 2018. The labor rates include salaries and benefits.

If the Clerk of the Board position is filled by existing District personnel, it is likely that periodically the sum of the hours worked for the District and the Agency will exceed 40 hours per week. All overtime hours earned by the Clerk of the Board will be billed at an overtime rate to the Agency, up to the number of hours devoted to Agency business in that given week.

Other direct costs (e.g., software purchases/leases, postage, photocopies, mileage) will be invoiced at cost.

The costs incurred by the District in support of the Agency will be reimbursed to the District no later than 15 days after the check for signing is presented at the monthly Board of Directors meeting.

The attached sheets to this attachment shown the labor rates and the estimated budget.

United Water Conservation District FY 17-18 Step Five

Position	Hourly Rate
Accountant I	60.61
Accounting Technician III	54.65
Administrative Assistant	49.41
Assistant Engineer	80.39
Assistant Hydrogeologist	80.05
Associate Ecologist	93.59
Associate Engineer	93.59
Asst. Ecologist	65.93
Chief Financial Officer	140.84
Chief Operations Officer	140.64
Chief Water Treatment Operator	89.62
Controller	111.44
Dam Operator	76.99
Deputy General Manager	165.72
Deputy GWGW & Water Resources	141.81
District Safety Officen/Rong O&M WII	78.32
Engineering Manager	124.58
Engineering Technician	58.50
Env. Planning & Conservation Mgr	127.30
Executive Assistant	63.19
Executive Coordinator	110.31
Facilities Maintenance Worker	47.48
General Manager	198.79
HR Administrator	70.29
Hydrologist	80.30
Instrument & Elect. Tech	83.60
IT Administrator	82.04
Lead Recharge O&M Worker	78.67
Park Services Officer	69.18
Recharge O&M Worker I	61.91
Recharge O&M Worker II	70.23
Senior Accountant	75.26
Senior Ecologist	102.01
Senior Engineer	106.37
Senior Hydrogeologist	106.4 5
Senior Hydrologist	101.92
Senior Park Services Officer	95.65
Senior Payroll Accounting Analyst	64.55
Senior Water Treatment Operator	81.79
Sr. Environmental Scientist	93.59
Sr. Hydrogeologist/Modeler	106.37

Tasks (e.g., A/P-A	g Services - Routine N/R)	Est Hrs/Month	Rate	Units			
Agency Job Title	District Job Title				I	enggangle di enjlare, se piesar bisa estre entrasse, se in	
Staff	Assistant Hydrogeologist	2	\$ 80.05	/hour	\$	160.10	
Finance	Senior Accountant	4	\$ 75.26	/hour	\$	301.04	
Finance	Chief Financial Officer	2	\$140.84	/hour	\$	281.68	The second secon
				Total	\$	742.82	/month
					100		
Accounting/Billin	g Services - Groundwater nents (2X/year)	Est Hrs/6 months	Rate	Units			
			Rate	Units	<u> </u>		
Extraction Staten	nents (2X/year)		Rate \$ 80.05	Units /hour	\$	160.10	
Extraction Staten Agency Job Title	nents (2X/year) District Job Title	months			\$	160.10 1,505.20	
Extraction Staten Agency Job Title Staff	nents (2X/year) District Job Title Assistant Hydrogeologist	months 2	\$ 80.05	/hour		tierkaan araa sakrindeen tierissä rinden dia valenda kiraa	
Extraction Staten Agency Job Title Staff Finance	nents (2X/year) District Job Title Assistant Hydrogeologist Senior Accountant	months 2 20	\$ 80.05 \$ 75.26	/hour /hour	\$ \$	1,505.20	/6 months
Extraction Staten Agency Job Title Staff Finance	nents (2X/year) District Job Title Assistant Hydrogeologist Senior Accountant	months 2 20	\$ 80.05 \$ 75.26	/hour /hour /hour	\$ \$	1,505.20 1,126.72 2,792.02	/6 months

Item No. 6(b)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Agency Bank Account

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 is considering entering into an agreement with United Water Conservation District (UWCD) to perform interim accounting services. UWCD has requested that the Board set up an account at Bank of the Sierra in order to streamline accounting functions and keep Mound Basin GSA funds separate from UWCD's.

RECOMMENDED ACTION

The Board will consider authorizing the chair to open a bank account on behalf of the Mound Basin GSA at the Bank of the Sierra.

BACKGROUND

None

FISCAL SUMMARY

None.

Action:						
Motion:		2 nd :				
K. Brown	M.Mobley	G.Shephard	J. Chambers	C.Everts		

Item No. 6(c)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Liability Insurance

SUMMARY

The Joint Exercise of Powers Agreement ("JPA Agreement") requires that the Agency obtain liability insurance to cover the activities of the Agency's Directors and staff in the ordinary course of their duties. Staff will review the insurance quotes received to date at the meeting.

RECOMMENDED ACTION

The Board will consider authorizing the chair to purchase liability insurance.

BACKGROUND

Section 15.5 of the JPA Agreement requires the Agency to obtain liability insurance. "The Board of Directors shall obtain, and maintain in effect, appropriate liability insurance to cover the activities of the Authority's Directors and staff in the ordinary course of their duties."

Golden State Risk Management Authority (GSRMA) provided a quote for Mound Basin Groundwater Sustainability Agency's general liability coverage and risk management program. The estimated annual cost is \$2,700 per year. This quote is subject to reunderwriting as the agency develops and implements its Groundwater Sustainability Plan. GSRMA requires participation in all applicable coverage programs, and a three-year membership commitment. This quote expires on July 1, 2018.

FISCAL SUMMARY

The approved budget includes up to \$2,500 for liability insurance.

Action:					
Motion:		2 nd :			
K. Brown	M.Moblev	G.Shephard	J. Chambers	C.Everts	







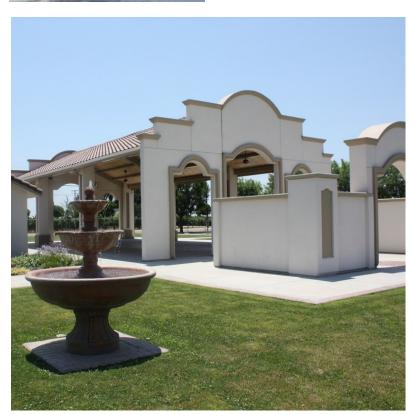














Innovative programs, personalized service

Coverage / Risk Management Proposal for Mound Basin Groundwater Sustainability Agency



January 9, 2018

Jennifer Tribo Mound Basin Groundwater Sustainability Agency 501 Poli Street Ventura, CA 93001

Thank you for the opportunity to provide a quote for Mound Basin Groundwater Sustainability Agency's general liability coverage and risk management program. Golden State Risk Management Authority (GSRMA) is an excellent option for California Groundwater Sustainability Agencies.

Based on the information provided, below is the estimated annual cost for the Mound Basin Groundwater Sustainability Agency:

> General Liability \$ 2,700 Total \$ 2.700

This quote is subject to re-underwriting as your agency develops and implements its Groundwater Sustainability Plan.

GSRMA requires participation in all applicable coverage programs, and a three-year membership commitment. This commitment is vital to rate stabilization in risk-sharing pools. GSRMA was formed in 1979, and has provided its members with competitive rates and extremely high limits of coverage. GSRMA currently has 273 member agencies.

GSRMA is very strong financially and *Accredited with Excellence* from the California Association of Joint Power Authorities (CAJPA). The CAJPA accreditation is an extensive third-party examination of an insurance pool's structure, finances and operations. We are proud of this recognition.

GSRMA is diligent in its effort to provide member protection with no "gaps". Coverage such as Director's E&O, Employment Practices Liability, Pollution Liability, and Cyber Liability risks are covered! We look forward to an opportunity to serve your agency. Feel free to call with any questions.

Sincerely,

Jennifer Peters, Assistant Risk Manager

(530) 934-5633



Coverage Summary and Limits

Comprehensive General Liability

\$50,000,000 Per Occurrence Limits Broad Occurrence Coverage Including:

- First-dollar coverage no member retention or deductible for liability losses
- Bodily Injury & Property Damage
- Personal Injury
- Public Officials Errors & Omissions
- Automobile Liability
- Contractual Liability
- Employment Practices Liability
- Pollution Liability
- Crime-Bond Coverage (\$10,000,000 Limits)
- Excess coverage is provided through the CSAC Excess Insurance Authority, one of the largest and most respected public entity insurance programs in the nation

Item No. 6(d)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Website Development

SUMMARY

The Board has previously discussed developing a more comprehensive website for the Agency. Meeting announcements and agendas are currently posted on a Mound Basin GSA page of the City of Ventura's website. Stakeholders and directors have suggested moving forward with developing a stand-alone website that would contain additional background information on the Basin and materials and information related to GSP development.

RECOMMENDED ACTION

The Board will consider requesting a proposal from the County of Ventura to develop and maintain a website for the Agency.

BACKGROUND

The County of Ventura Information Technology Services department offers website development and hosting services. The Fillmore and Piru Basins Groundwater Sustainability Agency contracted with the County to develop its website at a cost of \$1,800. Annual hosting fees are estimated to be \$360 per year.

FISCAL SUMMARY

The fiscal impact will be dependent on the proposal received.

Action:				
Motion:		2 nd :		
K. Brown	M.Mobley	G.Shephard	J. Chambers	C.Everts

Item No. 6(e)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Budget Discussion

SUMMARY

At the April 19, 2018 meeting, the Board discussed the budget and directed staff to conduct a comparison of expenditures to budget for FY2017-18 and to develop a draft budget for FY2018-19 for discussion at the May Board meeting.

RECOMMENDED ACTION

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

BACKGROUND

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 of the Board of Directors, and thereafter prior to the commencement of each fiscal year. In the event that a budget is not so approved, the prior year's budget shall be deemed approved for the ensuing fiscal year, and any groundwater extraction fee or assessment(s) of contributions by Members, or both, approved by the Board during the prior fiscal year shall again be assessed in the same amount and terms for the ensuing fiscal year.

FISCAL SUMMARY

The fiscal impact of this item is the value of the final approved budget.

Action:				
Motion:		2 nd :		
K. Brown	M.Mobley	G.Shephard	J. Chambers	C.Everts

MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY FISCAL YEAR BUDGET

July 1, 2017 - June 30, 2018

Draft Budget/Expense Comparison

REVENUES

ACCOUNT NUMBER	REVENUES	BUDGET 2017/2018	Actual	Comments
1	Contributions from Member Agencies			
2	Ventura County Watershed Protection District Funding			

TOTAL INCOME

\$0

OPERATING EXPENSES

ACCOUNT NUMBER	OPERATING EXPENSE	BUDGET 2017/2018	Expenses projected by 6/30/18	Comments
Administrati	ve Costs			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	\$0	Use City of Ventura Website for year 1.
4	Website maintenance	\$0	\$0	None for FY18
Total Admin	istrative Cost:	\$17,250		
Professiona	l Services:			
5	Audits	\$3,500	\$0	Estimate
6	CPA/Treasurer	\$4,000	\$2,000	Estimate (assumes a fee of \$100/hr)
7	Public Outreach/218 publications		\$0	
8	Liability Insurance	\$2,500	\$2,700	Estimate
9	Routine Legal Counsel	\$15,000	\$3,600	\$400/hr - Agenda review and attend meetings as necessary - 6hrs per month for January 2018 - June 2018.
10	Annual Report	\$1,000	\$0	
11	Hydrogeologist	\$20,000	\$0	Advisory to Board/conduct special studies. (Equals 80-115 hours based on rates \$175-\$245/hr.)
12	Advertising fees for GSA	\$277	\$277	VC Star Ads for June 2017 meeting (paid by City of Ventura)
13	DWR filing fees/etc.	\$500	\$0	
14	Consulting Services to assist in GSP preparation	\$35,000	\$16,585	May include grant preparation or other technical work needed to prepare for GSP develeopment.
15	Basin Boundary Modification Preparation	\$5,000 \$5,000 N		May be a combination of consulting services and member agency staff contributions.
16	Funding for Reserves			
Total Profes	sional Services Cost:	\$86,777		

Total In-kind services	\$17,250	City of Ventura may be	reimbursed at a later date.
Total expenses to be funded by revenue	\$86,777		agency contribution of Member Agency of \$28,925.73 fset by future funding sources identified.)
TOTAL EXPENSES	\$104,027	\$36,262	

Item No. 6(f)

DATE: May 17, 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 funding options for the Agency.

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 ad hoc committee will provide additional information 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:				_
				_
K. Brown	M. Mobley	G. Shephard	J. Chambers	C. Everts

Item No. 6(g)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Schedule Public Meeting to Consider Imposition of Groundwater Extraction

Fees

SUMMARY

The ad hoc committee for long-term funding options was established by the Board on December 21, 2017 and has recommended that the Board assess a groundwater extraction fee on pumpers within the Mound Groundwater Basin. Legal counsel has advised that the Agency schedule a public meeting as required under Water Code section 10730 to allow for oral or written presentations regarding this fee.

RECOMMENDED ACTION

The Board will discuss and consider scheduling a public meeting to discuss the Agency's budget and a potential groundwater extraction fee to fund the Mound Basin GSA's preparation and adoption of a groundwater sustainability plan (GSP) as well as any other purposes allowed under Water Code section 10730.

BACKGROUND

Under SGMA, a GSA is authorized to impose fees to help finance development and implementation of a GSP. Prior to adoption of a GSP, SGMA allows a GSA to impose fees, including permit fees and fees on groundwater extraction "or other regulated activity," to fund the costs of a basin's groundwater sustainability program. (Wat. Code § 10730(a).) Fees may also be assessed to fund the preparation, adoption, or amendment of a GSP, and may also be used to fund investigations, inspection, enforcement, and program administration. (Wat. Code § 10730(a).)

In order to impose fees prior to GSP adoption, the GSA must hold a public meeting, at which interested parties must be able to give oral or written presentations. (Wat. Code § 10730(b)(1).) The GSA must provide notice of the time and place of the meeting pursuant to the requirements of Government Code section 6066. (Wat. Code § 10730(b)(2); see also Gov. Code § 6066 (requiring publication of notice once a week for two successive weeks).) The GSA must also post the notice on its website and mail the notice to all interested parties requesting notice by mail. (Wat. Code § 10730(b)(2).) At least 20 days prior to the meeting, the GSA must make available to the public all data upon which the proposed fee is based. (Wat. Code § 10730(b)(3).) Any action by the GSA to impose or increase fees must be done by ordinance or resolution. (Wat. Code § 10730(c).)

FISCAL SUMMARY

None.

Action:				
Motion:		2 nd :		
K. Brown	M.Mobley	G.Shephard	J.Chambers	C.Everts

Item No. 6(h)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Initial Notification to DWR of Development of a Groundwater Sustainability

Plan (GSP)

SUMMARY

The Agency must notify DWR that it is intending to begin development of its GSP. DWR has created a web portal for this information to be submitted. Staff will review the template with the Board at the meeting and request feedback.

RECOMMENDED ACTION

The Board will consider authorizing staff to submit the required information to DWR through its GSP Initial Notification web portal.

BACKGROUND

GSP regulations section 353.6(a) states, "Each Agency shall notify the Department, in writing, prior to initiating development of a Plan. The notification shall provide general information about the Agency's process for developing the Plan, including the manner in which interested parties may contact the Agency and participate in the development and implementation of the Plan. The Agency shall make the information publicly available by posting relevant information on the Agency's website."

FISCAL SUMMARY

None.

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

Item No. 6(i)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Conflict of Interest Code

SUMMARY

The Joint Exercise of Powers Agreement ("JPA Agreement") requires that the Agency adopt a local conflict of interest code pursuant to the schedule and provisions described below. The Board has twice adopted Resolutions and submitted the Agency's conflict of interest code to the Ventura County Board of Supervisors for review and approval. In March, County Counsel requested additional revisions to the conflict of interest code and suggested the Agency utilize the County's template.

RECOMMENDED ACTION

The Board will review the comments from County Counsel on the Conflict of Interest Code, consider adopting Resolution 2018-2, the Conflict of Interest Code, (attached) to supersede Resolution 2018-1, and submit the revised code to the County of Ventura for approval.

BACKGROUND

Section 8.5 of the JPA Agreement requires the Board of Directors to adopt a local conflict of interest code pursuant to the provisions of the Political Reform Act of 1974 (Government Code sections 81000, et seq.).

At the July 20, 2017 meeting, Director McDermott volunteered to draft a Conflict of Interest Code for the Board's consideration since he had just completed a similar effort for another Groundwater Sustainability Agency. On July 20, 2017, the Interim Executive Director received a letter from the Clerk of the Board of Supervisors for Ventura County notifying the Agency that it must submit a proposed conflict of interest code to the Ventura County Board of Supervisors for review no later than December 6, 2017.

On October 10, 2017, the UVRGA received the comments on its Conflict of Interest Code. At the October 19, 2017 meeting, the Board directed staff to make the suggested edits and bring the Conflict of Interest Code back to the Board for review and approval at its November meeting. On November 16, 2017, the Agency adopted Resolution 2017-3, the Conflict of Interest Code and submitted the code to the County of Ventura for review.

On February 1, 2018, the deputy clerk of the Board for Ventura County forwarded County Counsel's required revisions to the interim Executive Director of the Mound Basin GSA. The amendments are required before the Code can be submitted to the Board of Supervisors for their approval. The attached Resolution 2018-1, the Conflict of Interest

Code, and associated attachments reflect the comments from County Counsel. The Board may decide to approve the Resolution and submit the Agency's Conflict of Interest Code to the County Board of Supervisors for approval.

On March 9, the deputy clerk of the Board for Ventura County forwarded additional comments and revisions from County Counsel to the interim Executive Director of the Mound Basin GSA.

There is no fiscal impact associated with this action.

Action:	ection:			
Motion:		2 nd :		
K. Brown	M.Mobley	G.Shephard	J.Chambers	C.Everts

BOARD OF DIRECTORS

Clerk of the Board

MOUND BASIN GROUNDWATER SUSTAINABILILTY AGENCY

RESOLUTION NO. 2018-1

A RESOLUTION OF THE MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY (AGENCY) ADOPTING A CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code §81000 *et seq.* requires every state and local government agency to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §87300; and,

WHEREAS, the Fair Political Practices Commission ("FPPC") has adopted a regulation which contains terms of a standard model Conflict of Interest Code (2 California Code of Regulations §18730), which is attached hereto as Attachment A, and will be amended to conform to amendments in the Political Reform Act after public notice and hearing conducted by the FPPC; and,

WHEREAS, the standard model Conflict of Interest Code will help ensure compliance by the Agency with the Political Reform Act.

NOW, THEREFORE, the Board of Directors of the Mound Basin Groundwater Sustainability Agency does hereby resolve, find, determine and order as follows:

Section 1: The terms of the standard model Conflict of Interest Code adopted pursuant to 2 California Code of Regulations §18730, a copy of which is attached hereto as Attachment A, and any amendments to it duly adopted by the FPPC is hereby adopted and incorporated by reference as the Conflict of Interest Code for the Agency. This standard model Conflict of Interest Code and Attachments B, C, and D to this Resolution, in which members and employees are designated and disclosure categories are set forth and explained, shall constitute the Conflict of Interest Code of the Agency.

<u>Section 2</u>: Pursuant to this Resolution, all Agency officers and employees designated in Attachment D hereto shall file statements of economic interests (Form 700) with the Clerk of the County of Ventura Board of Supervisors.

<u>Section 3:</u> The Agency shall certify as to the adoption of this Resolution and cause the filing of said Conflict of Interest Code in the manner prescribed by law.

47	PASSED, APPROVED, AND ADOPTED this 15th day of February, 2018.
48 49	
50	Act Mas
51	Mapal problem
52	Michael Mobley, Board Chair
53	
54	ATTEST:
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56	
57	your ne take
58	Jennifer Tribo
59	Interim Executive Director
60	
9	

ATTACHMENT A

CONFLICT OF INTEREST CODE MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY

TITLE 2. ADMINISTRATION DIVISION 6. FAIR POLITICAL PRACTICES COMMISSION CHAPTER 7. CONFLICTS OF INTEREST

ARTICLE 2. DISCLOSURE

2 CCR §18730

§18730. Provisions of Conflict of Interest Codes

- (a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Attachments referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section §87300 or the amendment of a conflict of interest code within the meaning of Government Code Section §87307 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections §81000, *et seq.* The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section §87100, and to other state or local laws pertaining to conflicts of interest.
- (b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:
 - (1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. of Regs. Sections §18110, *et seq.*), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in Attachment D are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section §87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections §87200, *et seq.*

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- (B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code section §87200; and
- (C) The filing officer is the same for both agencies.¹
 Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Attachment C specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Attachment D. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.
- (4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

- (5) Section 5. Statements of Economic Interests: Time of Filing.
 - (A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.
 - (B) Assuming Office Statements. All persons assuming designated positions after the

- effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- (C) Annual Statements. All designated employees shall file statements no later than April 1.
- (D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.
- (E) Reports for military service as defined in the Service member's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.
- (5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

- (A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:
 - (1) File a written resignation with the appointing power; and
 - (2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.
- (6) Section 6. Contents of and Period Covered by Statements of Economic Interests.
 - (A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements.

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

- 1. A statement of the nature of the investment or interest;
- 2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- 3. The address or other precise location of the real property;

- 4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).
- (B) Personal Income Disclosure. When personal income is required to be reported, 5 the statement shall contain:
 - 1. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
 - 2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000);
 - 3. A description of the consideration, if any, for which the income was received;
 - 4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
 - 5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.
- (C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:
 - 1. The name, address, and a general description of the business activity of the business entity;
 - 2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).
- (D) Business Position Disclosure.

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the

business entity is engaged, and the designated employee's position with the business entity.

- (E) Acquisition or Disposal during Reporting Period.

 In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.
- (8) Section 8. Prohibition on Receipt of Honoraria.
 - (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section §89501 shall apply to the prohibitions in this section.

This Section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section §89506.

- (8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$290.
 - (A) No member of a state board or commission, and no designated employee of the state or local government agency, shall accept gifts with a total value of more than \$290 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code Section §89503 shall apply to the prohibitions in this Section.

- (8.2) Section 8.2. Loans to Public Officials.
 - (A) No elected officer of a state or local government agency shall, from this date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member or consultant of the state or local government agency in which the elected officer holds office over which the elected officer's agency has direction and control.

- (B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
- (D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
- (E) This section shall not apply to the following:
 - 1. Loans made to the campaign committee of an elected officer or candidate for elective office.
 - 2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
 - 3. Loans from a person which, in the aggregate, do not exceed two hundred fifty dollars (\$250) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

- (A) Except as set forth in subdivision (B) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.
- (B) This section shall not apply to the following types of loans:
 - 1. Loans made to the campaign committee of the elected officer.
 - 2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
 - 3. Loans made, or offered in writing, before January 1, 1998.
- (C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

- (A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:
 - 1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
 - 2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of \$100 or more was made on the loan.

- c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty (\$250) during the previous 12 months.
- (B) This section shall not apply to the following types of loans:
 - 1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
 - 2. A loan that would otherwise not be a gift as defined in this title.
 - 3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
 - 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
 - 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.
- (C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.
- (9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth one thousand dollars (\$1,000) or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars \$250 or more in value provided to, received by or

promised to the designated employee within 12 months prior to the time when the decision is made;

- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$290 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Manner of Disqualification.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of

other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections §81000-§91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code Section §87100 or §87450 has occurred may be set aside as void pursuant to Government Code Section §91003. A violation of this Code may result in discipline under the Authority's Personnel Rules. Such discipline may include discharge.

ENDNOTES

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section §81004.

² See Government Code Section §81010 and 2 Cal. Code of Regs. Section §18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

Note: Authority cited: Government Code Section §83112. Reference: Sections §87103(e), §87300-§87302, §89501, §89502 and §89503, Government Code.

HISTORY

- 1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14). Certificate of Compliance included.
- 2. Editorial correction (Register 80, No. 29).
- 3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
- 4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
- 5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
- 6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
- 7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
- 8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
- 9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
- 10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
- 11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
- 12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
- 13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
- 14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
- 15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

- 16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
- 17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
- 18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
- 19. Editorial correction of subsection (a) (Register 98, No. 47).
- 20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
- 21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
- 22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
- 23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).
- 24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).
- 25. Editorial correction of History 24 (Register 2003, No. 12).
- 26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).
- 27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).
- 28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).
- 29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).
- 30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative

Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

- 31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).
- 32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).
- 33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

 34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

This database is current through 3/10/17 Register 2017, No. 10 2 CCR § 18730, 2 CA ADC § 18730

ATTACHMENT B

CONSULTANTS

Commission Regulation §18700 defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the Agency's Conflict of Interest Code.

Consultant*

Consultant shall be included in the list of designated employees and shall disclose pursuant to the broadcast disclosure category in the code subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the section. Such written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.



GENERAL PROVISIONS

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure category as indicated. Disclosure categories pertain to investments, real property, business positions and sources of income, including loans, gifts and travel payments from sources located in or doing business within the jurisdiction of the Mound Basin Groundwater Sustainability Agency ("Agency").

DISCLOSURE CATEGORIES

Category 1:

A designated employee in this category must report all interests in real property as well as investments, business positions, sources of income, and gifts from any source in, or doing business in, the jurisdiction of the Agency, and all other interests, which are subject to the regulation or supervision of the Agency.

Category 2:

A designated employee in this category must report all interests in real property located within the Agency. Investments, business positions in business entities and income, gifts, loans and travel payments, from sources in, or doing business within the Agency which:

- 1. Engages in the appraisal, acquisition, disposal, development of real property, or rehabilitation or construction of improvements on real property including architects, contractors, and subcontractors.
- 2. Provides services, supplies, materials, machinery, or equipment of any type utilized by the Agency to which the employee is assigned.
- 3. Are of the type which is subject to the regulation or supervision of the Agency.

Category 3:

A designated employee in this category must report all interests in real property located within the Agency. Investments, business positions in business entities and income, gifts, loans and travel payments from sources in, or doing business within the Agency which:

- 1. Provide services, supplies, materials, machinery or equipment of any type utilized by designated filers in the Agency.
- 2. Are of the type which is subject to the regulation or supervision of the Agency.

Category 4:

A designated employee in this category must report all interests in: real property located within the Agency; investments, business positions in business entities, income, and gifts from sources in, or doing business within the Agency; and, all other interests which are subject to the regulation or supervision of the Agency.



POSITIONS TITLES	DISCLOSURE
	CATEGORY
Alternate Directors	1
Assistant General Counsel	4
Assistant Executive Director	4
Assistant Secretary	1
Consultants that will make or participate in making governmental decisions on behalf of the Agency	4*
Executive Director	1
General Counsel	1
Members of the Board of Directors	1
Secretary	1
Treasurer	1

^{*}Disclosure Category 4 shall generally apply; however, the Executive Director, after consultation with the Agency General Counsel, shall designate the disclosure category for each consultant subject to this Code. If a consultant is performing duties the same as an "employee" the consultant will be assigned the same reporting category. See Attachment B for the consultant definition.

BOARD OF DIRECTORS

MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY

REVISED RESOLUTION 2018-2

A RESOLUTION OF THE MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY (AGENCY) ADOPTING A CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., § 18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the **Mound Basin Groundwater Sustainability Agency**, and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the **Mound Basin Groundwater Sustainability Agency**. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Clerk of the Ventura County Board of Supervisors' Office which shall be the Filing Officer.

IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.

APPROVED AND ADOPTED this da	y of, 2018:
	By:
	Print Name: Mike Mobley
	Title: Chair of the Mound Basin GSA Board

EXHIBIT A – DESIGNATED POSITIONS

# of	POSITION TITLE	DISCLOSURE
POSITIONS		CATEGORIES
		(From Exhibit B)
5	Members of the Board of Directors	1
5	Alternate Directors	1
1	General Counsel	1
1	Assistant General Counsel	2, 4
1	Executive Director	1
1	Assistant Executive Director	2, 4
1	Secretary	1
1	Assistant Secretary	
1	Treasurer	1
Consultants ¹		

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¹ The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

EXHIBIT B – DISCLOSURE CATEGORIES

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

Category 1 – BROADEST DISCLOSURE

[SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income*, *gifts*, *loans* and *travel payments*;
- (2) All interests in real property; and
- (3) All investments and business positions in business entities.

Category 2 – REAL PROPERTY

[SEE FORM 700 SCHEDULE B]

All *interests in real property*, including *interests in real property* held by *business entities* and trusts in which the public official holds a business position or has an *investment* or other financial interest.

Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments*, *business positions* and sources of *income*, *gifts*, *loans* and *travel payments*, from sources which engage in land development, construction, or real property acquisition or sale.

Category 4 – PROCUREMENT

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments*, *business positions* and sources of *income*, *gifts*, *loans* and *travel payments*, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

Category 5 – REGULATION AND PERMITTING

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments*, *business positions* and sources of *income*, *gifts*, *loans* and *travel payments*, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

Category 6 – FUNDING

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All *investments*, *business positions* and sources of *income*, *gifts*, *loans* and *travel payments*, from sources which receive grants or other funding from or through the designated position's agency or department.

APPENDIX - DESIGNATING OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all "other officials who manage public investments," are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as "other officials who manage public investments," designates the agency's positions which qualify as such, and states the Filing Officer for each designated position.

APPLICABLE DEFINITIONS

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

- (1) "Other public officials who manage public investments" means:
- (A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;
- (B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and
- (C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.
- (2) "Public investments" means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.
- (3) "Public moneys" means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.
- (4) "Management of public investments" means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

DESIGNATED POSITIONS AND FILING OFFICERS

Based on the foregoing, the following agency positions and/or consultants qualify as "other officials who manage public investments" and shall file Statements of Economic Interests (Form 700) pursuant to Government Code section 87200 et seq. with the below-designated Filing Officers:

# of	POSITION TITLE/CONSULTANT	FILING OFFICER
POSITIONS		(Designate County Clerk of
		Board [COB] or Local Agency's
		Clerk [AC])

MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY

Item No. 6(j)

DATE: May 17, 2018

TO: Board of Directors

FROM: Jennifer Tribo, Interim Executive Director

SUBJECT: Basin Boundary Modification Discussion

SUMMARY

The Ad hoc Committee for Basin Boundary Modification will provide the Board with an update on the process and schedule for submitting the basin boundary modification request to DWR.

RECOMMENDED ACTION

The Board will consider authorizing the Chair to request letters of support for the Basin Boundary Modification from the Santa Paul Basin TAC, the FCGMA, and the County of Ventura Board of Supervisors.

BACKGROUND

On September 21, 2017, the Board voted to file a notice of intent with DWR of the Agency's expectation to submit a Basin Boundary Modification Application. An Initial Notification of Potential Basin Boundary Modification Request was submitted to DWR on October 4, 2017. The Board held a public workshop on March 13, 2018 and on Macy 15, 2018 established an ad hoc basin boundary modifications committee to work with United and FCGMA staff to prepare the necessary documents for submittal to DWR.

All information to support a boundary modification must be submitted through DWR's basin boundary modification web portal before the submission period closes on June 30, 2018.

FISCAL SUMMARY

There is no fiscal impact associated with this action.

Action:				
		2 nd :		
K.Brown	M.Mobley	G.Shephard	J. Chambers	C.Everts