

# MINUTES

# Owens Valley Groundwater Authority

## Board Members:

<b>SIERRA HIGHLANDS</b>	John Camphouse	<b>COUNTY OF MONO</b>	Fred Stump
<b>EASTERN SIERRA CSD</b>	Walt Pachuki	<b>CITY OF BISHOP</b>	Joe Pecschi
<b>INDIAN CREEK-WESTRIDGE CSD</b>	Luis Elias	<b>COUNTY OF INYO</b>	Dan Totheroh
<b>WHEELER CREST CSD</b>	Glenn Inouye	<b>BIG PINE CSD</b>	Bryanna Vaughan
<b>TRI VALLEY GWMD</b>	Dave Doonan	<b>KEELER CSD</b>	John Dukes
		<b>STARLITE CSD</b>	Daniel Cutshall

February 8, 2018

The Owens Valley Groundwater Authority meeting was called to order at 2:00 p.m. at the Bishop Fire Training Center, Bishop, CA.

The Chairperson led the pledge of allegiance.

### **1. Public Comment**

The Chairperson opened the public comment period and there was no one wishing to address the Board.

### **2. Introductions**

The Board introduced themselves with two alternates in attendance, Ron Stone – Eastern Sierra CSD, and John Beischel – Sierra Highlands CSD.

### **3. Reports from staff**

Dr. Harrington announced that the Ca Dept. of Water Resources has recommended grant funding in the amount of \$713,155; this is a reimbursable grant; an RFP for a consultant for a Groundwater Sustainability Plan will be drafted; the opening of a public comment period on the Draft Funding Recommendations for the grant and requested letters of support be sent to Ca Dept of Water Resources; and if the grant is approved we may see reimbursements in the fall. Mr. Cutshall stated being recommended for the grant is not the same as approved for the grant; Dr. Harrington stated that is correct. Mr. Elias stated congratulations were in order to Dr. Harrington and staff for the 100% score received on the grant proposal. Dr. Harrington thanked the Board for all the letters of support.

David Grah – Mr. Grah asked what the grant funds can and can't be used for such as administration/consultants. Dr. Harrington stated the grant funds are for preparing the plan which tasks are lined out in the budget. He stated some items such as legal services and GSA operational tasks are not provided for in the grant.

Phillip Anaya – Mr. Anaya asked Dr. Harrington what type of public comment should be made to DWR. Dr. Harrington stated support for the grant recommendation.

Terry Tye – Mr. Tye asked Dr. Harrington if he could circulate the address to where we would send the support letter.

### **4. Member GSP Development Budget Funding Contributions**

Dr. Harrington stated this was intended for members of the Board to bring forth each entities funding commitments. The Chairperson stated that with the grant funding would there be changes to the funding levels representatives may have to commit to as this time. Dr. Harrington stated not in this year's budget. He stated grant funding if any, would come after the grant approval; contracts are drawn; expenditures are made; then reimbursement requests are made to the state which will likely move into the later part of the year. He stated each member may feel more assured with the prospect of the grant but it will not affect the funding levels stated in the plan from the December meeting.

Jason Canger - Mr. Canger asked if the budget will be reviewed for the 2018-19 year. Mr. Vallejo stated every year the GSP

development budget is intended to be reviewed which may or may not result in an adjustment up or down.

Mr. Inouye thanked the staff for the hard work completed on the grant. The Board and staff discussed the mechanisms of the contributions, grant funding and reimbursements in detail and at length.

David Tanksley – Mr. Tanksley stated there are other potential groups that may want to buy in which would reduce the financial burden on other entities.

Jason Canger – Mr. Canger stated it would be helpful to the Board to understand how the reimbursements occur in the context of this funding agreement.

A motion by Glenn Inouye and seconded by John Dukes to vote on the development budget contributions of \$22,654 or less per year.

Roll Call:

Sierra Highlands	Yes
Eastern Sierra	Abstention
Indian Creek	Yes
Wheeler Crest	Yes
Tri Valley	Yes
Mono County	Yes
City of Bishop	Yes
Inyo County	Yes
Big Pine	Yes
Keeler	Yes
Starlite	No

Motion passed, 9 Yes, 1 Abstention, 1 No.

The Chairperson stated the next vote will be to determine each districts status on the Board, a fully funding member (4 votes) or non-funding member (2 votes) for a three year term.

Roll Call:

Sierra Highlands	full funding (4 votes)
Eastern Sierra	non funding (2 votes)
Indian Creek	full funding (4 votes)
Wheeler Crest	full funding (4 votes)
Tri Valley	full funding (4 votes) if grant funding received contribution will be reduced
Mono County	full funding (4 votes) with option to acquire additional votes
City of Bishop	full funding (4 votes) up to \$373,792
Inyo County	full funding (4 votes) fund up to 50%- \$124,000 per year with the contingency decision is made today
Big Pine	full funding (4 votes)
Keeler	non funding (2 votes)
Starlite	non funding (2 votes)

8 votes for full funding, 3 non funding.

Mr. Vallejo stated there is a remainder of \$67,962 with three agencies indicating their willingness to fund the shortfall, Mono County, City of Bishop, and Inyo County. Mono County, City of Bishop and Inyo County each acted to equally contribute to the shortfall.

The Chairperson called a break at 3:45 p.m.

The Chairperson reconvened the meeting at 4:00 p.m.

## **5. Consideration of terms and authorization for entry into funding agreements between Members and the OVGAs Pursuant to Article IV Section 1.1 of the JPA Agreement**

Mr. Vallejo provided an overview in detail of the preliminary funding agreement which the JPA will need to agree on. He stated this document was drafted to be in the best interest of the groundwater authority. Mr. Dukes stated he did not like the word “fails” in paragraph two and would like it to be something else. Mr. Dukes made a motion to change the word with a second from the Chairperson.

Roll call vote:

Sierra Highlands	No
Eastern Sierra	No

Indian Creek	No
Wheeler Crest	No
Tri Valley	No
Mono County	No
City of Bishop	No
Inyo County	No
Big Pine	No
Keeler	Yes
Starlite	No

Motion failed 10 No, 1 Yes.

The Board and staff discussed a potential to include reimbursement language in the funding agreement change to this agreement in detail.

Wendy Sugimura – Ms. Sugimura stated she would like some language clarification on Article IV Section 1 because it does say “anybody providing resources other than members shall reduce the contribution of the member prorated to their funding commitment of said budget”. She said it reduces invoices but doesn’t actually reimburse the funds and does that need to be clarified. Mr. Vallejo stated there is not a specific to address if the budget is overfunded and what to do with that overfunding. He stated if the Board wished a section in the funding agreement addressing the reimbursement that could be done.

Mr. Doonan stated the extra funding needs to be returned to the entities that contributed those excess funds. Mr. Vallejo advised the Board should address the details of the issue in the by-laws but that language could be added to the draft agreement.

The Chairperson stated there is a motion to add language consistent with Article IV Section one of the JPA for reimbursement/refund, seconded by Ms. Vaughan.

Roll call vote:

Sierra Highlands	Yes
Eastern Sierra	Yes
Indian Creek	Yes
Wheeler Crest	Yes
Tri Valley	Yes
Mono County	Yes
City of Bishop	Yes
Inyo County	Yes
Big Pine	Yes
Keeler	Yes
Starlite	Yes

Motion passed unanimously.

Phillip Anaya – Mr. Anaya asked Mr. Harrington if there is a minimal operating budget amount that would need to be maintained. Dr. Harrington couldn’t state a specific amount at this time. He stated, how much does it take to run a groundwater sustainability agency, that is an unknown.

Earl Wilson – Mr. Wilson stated there could be a clause with an option to rollover or be paid.

April Zrelak – Ms. Zrelak asked if the County could invoice the state the expenses already incurred up front for this year’s work. Dr. Harrington stated the grant has not been approved yet, only recommended, and the County has agreed to provide the current services at no charge so then we would be going against what we told the Board we would do.

Mr. Peci asked if it will be this Board approving any expenditure from the account. Dr. Harrington stated yes.

The Chairperson called a break at 4:06 p.m.

The Chairperson reconvened the meeting at 4:12 p.m.

Mr. Peci made a motion to allow legal staff from the various entities on the Board work on the draft language of this agreement and bring it back to the next Board meeting. Mr. Vallejo stated it might facilitate moving things along if instead of delaying to a future meeting that direction is given to staff to create language consistent with your direction this Board could authorize the Chairperson to enter into that agreement with the new language. Mr. Peci rescinded his previous motion.

Mr. Doonan made a motion with a second by Mr. Pecsí to direct staff to finalize the reimbursement language in the funding agreement; allow the Chairperson to review and approve the funding agreement on behalf of the Board which will then be forwarded to the various agencies to make their commitments.

Roll call vote:

Sierra Highlands	Yes
Eastern Sierra	Yes
Indian Creek	Yes
Wheeler Crest	Yes
Tri Valley	Yes
Mono County	Yes
City of Bishop	Yes
Inyo County	Yes
Big Pine	Yes
Keeler	Yes
Starlite	Yes

Motion passed unanimously.

## **6. Comments from Members of the Board of Directors**

The Board members thanked staff and the Board for all the hard work on the funding agreement and the need to; make a decision next meeting for future staff; create by-laws; remain collaborative; remain in compliance with laws of the state; provide a funding matrix to explain the process of funding in/funding out; and approve the past meeting minutes.

The Board asked to have approval of minutes on future meeting agenda's and election of officers. Mr. Vallejo stated the election of officers is a by-law issue. Mr. Cutshall stated this basin is the most studied ground on earth for groundwater and any consultant we get will not be starting from scratch with thousands of pages of USGS reports and others based on this basin. He stated this would create substantial savings. Mr. Totheroh stated it needs to be determined at the next meeting who will have the staff roll moving forward. Mr. Pecsí stated he believes that will change.

Dave Tanksley – Mr. Tanksley thanked staff for all their hard work. He stated if he was on the Board he would he would want to have brought before him the process involved to charge a fee to every parcel that's in the affected area. He said there are no systems that are fully funded for capital improvements. Mr. Tanksley asked when will the Board address mutual water companies joining the JPA. Dr. Harrington stated SGMA has several mechanisms to raise funds; none of which are available to this authority until it becomes a GSA.

Ryan Smith – Mr. Smith stated he would like to see on the next agenda maybe a schedule of when the Board can start considering the associate members and interested parties to be brought into the JPA. Dr. Harrington stated part of the grant application is a schedule which states first quarter of 2018 form a GSA and bring in associates and interested parties.

Jason Canger – Mr. Canger asked if it is a good idea for everyone to submit public comment on the grant application while there is an opportunity to do so. Dr. Harrington stated yes.

The Board stated the next meeting will be on March 8, 2018 at 2pm and would like it again at the Bishop Fire Training Center if possible.

## **7. Adjourn**

The Chairperson adjourned the meeting at 4:57 p.m.