

AGENDA

SPADRA BASIN GSA EXECUTIVE COMMITTEE MEETING

CITY OF POMONA – CITY HALL
ADMINISTRATIVE BOARD ROOM
505 S. GAREY AVENUE, POMONA, CA 91766
MONDAY, JULY 2, 2018, AT 3:30 P.M.

Each item on the agenda shall be deemed to include any appropriate motion, resolution, or ordinance, to take action on any item.

Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review during regular business hours at the Walnut Valley Water District office, located at 271 S. Brea Canyon Road, Walnut, California.

1. Call to Order and Pledge of Allegiance
2. Roll Call

Party	Representatives	Alternates
City of Pomona	___ Ginna Escobar	___ Rubio Gonzalez
Walnut Valley Water District	___ Allen Wu	___ Ted Ebenkamp

3. Public Comment
(Opportunity for members of the public to address the Executive Committee on any Agenda item at the time the item is considered on the agenda)
4. Adoption of Agenda (by consensus)
5. Approval of Minutes for Meeting Held June 7, 2018
6. Adopt Resolution to Establish Principal Office and Designating the Time and Place for Regular and Special Meetings
7. Adopt Bylaws for Governance and Operations
8. Approve Draft Conflict of Interest Code and Related Notice of Intent to Adopt Conflict of Interest Code
9. Consideration of Letter of Support for DWR Basin Prioritization
10. Review of Future Discussion Items
Spadra Basin GSA Specific Items:
 - a) Establish Budget
 - b) Develop list of Spadra Basin GSA tasks
 - c) Insurance issues
 - d) Discuss Outreach Issues – Design of website and logo
 - e) Develop a Mission Statement
 - f) Other
General Public Agency Items:
 - a) Adopt resolution permitting disclosure of Closed Session discussions to member agencies
 - b) Adopt Expenditure/Procurement Authority Policy
 - c) Other
11. Adjournment to Next Meeting – August 6, 2018

**SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY
EXECUTIVE COMMITTEE MEETING
Monday, June 7, 2018 – 3:30 P.M.**

Draft

City of Pomona – City Hall
Administrative Conference Room
505 S. Garey Avenue
Pomona, CA 91766

MINUTES

PRESENT:

GINNA ESCOBAR, Member
ALLEN WU, Member
TED L. EBENKAMP, Alternate Member

STAFF PRESENT:

ERIK HITCHMAN, Administrative Officer
BRIAN TEUBER, Treasurer
JIM CIAMPA, Legal Counsel

ABSENT:

RUBIO GONZALEZ, Alternate Member

OTHERS IN ATTENDANCE

DAMIAN MARTINEZ
DARRON PAULSEN
DONNA DILAURA
RAUL GARIBAY

ITEM 3: PUBLIC COMMENT

No comments were offered. (Item 3)

ITEM 4: ADOPTION OF AGENDA

- ◆ Agenda was adopted by consensus. (Item 4)

ITEM 5: SGMA OVERVIEW

- ◆ Mr. Ciampa presented an overview of the Spadra Basin Groundwater Sustainability Agency (GSA). (Item 5)

ITEM 6: ELECTION OF OFFICERS

- ◆ The Executive Committee members were asked to elect a President and Vice President.

Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to elect Ms. Escobar as President and Dr. Wu as Vice President. (Item 6)

ITEM 7: APPOINTMENT OF REPRESENTATIVES

- ◆ The Executive Committee was asked to consider the following appointments:
 - a) Administrative Officer - Erik Hitchman
 - b) Legal Counsel - Jim Ciampa (will require a Conflict of Interest waiver)
 - c) Treasurer - Brian Teuber
 - d) Implementation Team – Raul Garibay, Erik Hitchman, Damian Martinez, Darron Paulsen, Sherry Shaw and Brian Teuber

Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to approve the appointments as presented. (Item 7)

Mr. Hitchman facilitated the meeting from this point forward.

ITEM 8: ESTABLISH MEETING SCHEDULE AND DESIGNATE PRINCIPAL OFFICE LOCATION

- ◆ The Executive Committee members were asked to establish a meeting schedule, and principal office location. Following discussion, and by consensus, the meeting schedule and office location was set as follows:
 - Meeting Schedule: Monthly, on the first Monday of each month, at 3:30 p.m., at the City of Pomona, City Hall. (Subject to change at the discretion of the Executive Committee). (Item 8-A)
 - Office Location: Walnut Valley Water District, 271 South Brea Canyon Road, Walnut, CA 91789

A resolution noting the above actions will be presented to the Executive Committee for consideration at the July meeting. (Item 8)

ITEM 9: UPDATE ON DEPARTMENT OF WATER RESOURCES: AWARD NOTIFICATION: PROPOSITION 1: 2017 SUSTAINABLE GROUNDWATER PLANNING GRANT

- ◆ Mr. Hitchman provided a brief update on the planning grant.

ITEM 10: REVIEW OF FUTURE DISCUSSION ITEMS

- ◆ Mr. Hitchman noted the following items for future discussion and possible action:
Spadra Basin GSA Specific Items:
 - a) Establish Budget – August Meeting
 - b) Establish Rules and Regulations/By Laws for governance and operations – July Meeting
 - c) Develop list of Spadra Basin GSA tasks
 - d) Establish and Advisory Committee
 - e) Insurance issues
 - f) Discuss Outreach Issues – Design of website and logo
 - g) Develop a Mission Statement
 - h) Other

General Public Agency Items:

- a) Adopt resolution to establish principal office and designating the time and place for regular meetings – July Meeting
- b) Adopt resolution permitting disclosure of Closed Session discussions to member agencies
- c) Adopt Conflict of Interest Code – July Meeting
- d) Adopt Expenditure/Procurement Authority Policy
- e) Other

ITEM 11: ADJOURNMENT – 4:19 P.M.

Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), the meeting was adjourned. (Item 11)

RESOLUTION NO. 2018-07-01

**A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE
SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY
DESIGNATING THE AGENCY'S PRINCIPAL BUSINESS OFFICE,
AND DESIGNATING THE TIME AND PLACE FOR HOLDING
REGULAR AND SPECIAL MEETINGS OF
THE EXECUTIVE COMMITTEE**

WHEREAS, the Ralph M. Brown Act, at Section 54954 of the Government Code, requires the adoption of a resolution specifying the time and place of regular meetings of the Executive Committee of the Spadra Basin Groundwater Sustainability Agency ("Agency"); and

WHEREAS, it is the intent of the Executive Committee by this Resolution to establish the principal place of business for the Agency; and

WHEREAS, it is the intent of the Executive Committee by this Resolution to specify the time and place of all regular and special meetings of the Executive Committee.

NOW, THEREFORE, the Agency's Executive Committee hereby resolves as follows:

Section 1. The Agency's principal business office is the office of Walnut Valley Water District, 271 South Brea Canyon Road, Walnut, California 91789, with a telephone number of 909-595-1268.

Section 2. The regular meetings of the Executive Committee will ordinarily be held in the Administrative Board Room at Pomona City Hall, 505 South Garey Avenue, Pomona, California 91766, on a monthly basis or as otherwise determined by motion of the Executive Committee, at 3:30 p.m. on the first Monday of each month. Special meetings of the Executive Committee may be held from time-to-time at a place consistent with this Resolution as determined by the Executive Committee, its President, Vice President or the Agency's Administrative Officer.

Section 3. Notwithstanding the foregoing, the Agency's Executive Committee may choose to conduct at least one or more of their regular and any special meetings at the location of one of its member agencies or at any other location within the Agency's jurisdiction. In that case, the notice and agenda for each such meeting shall be posted at both the Agency's principal business office and at the office of the member agency, or other entity, hosting such regular or special meeting. The Agency's member agencies' offices are as follows:

- a. City of Pomona - located at: 505 South Garey Avenue, Pomona, California 91766; and

- b. Walnut Valley Water District - located at: 271 South Brea Canyon Road, Walnut, California 91789.

Section 4. Such regular and special Executive Committee meetings may be adjourned or rescheduled to another date or time to accommodate a holiday, for lack of a quorum or for the convenience of the members of the Executive Committee.

Section 5. Effective Date of Resolution. This Resolution shall take effect from and after the date of its passage and adoption.

ADOPTED, SIGNED, and APPROVED, at a regular meeting of the Agency this 2nd day of July, 2018.

SPADRA BASIN GROUNDWATER
SUSTAINABILITY AGENCY

By: _____
Ginna E. Escobar, President

ATTEST:

By: _____
Erik Hitchman,
Administrative Officer

SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY BYLAWS

INTRODUCTION: These Bylaws are adopted by the Spadra Basin Groundwater Sustainability Agency (the “Agency”) to implement the Memorandum of Agreement to Establish a Groundwater Sustainability Agency for the Spadra Groundwater Basin (the “MOA”), entered into by the City of Pomona (the “City”) and Walnut Valley Water District (the “District”) on February 27, 2017. The City and District are each referred to herein as a “Member Agency.”

1. Executive Committee. The governing body of each Member Agency shall appoint one (1) representative to the Executive Committee and one (1) or more alternates to serve in the absence of the appointed representative. In the absence of an Executive Committee member, a duly appointed alternate shall assume the duties of appointed member and have full power and authority to act for and in the place of the absent Executive Committee member, and shall be counted for purposes of a quorum in the absence of a member.

Each Executive Committee member or alternate shall receive such compensation for his or her services as shall be determined and paid by the Member Agency appointing him or her.

Executive Committee members and alternates shall serve and be subject to removal and replacement at the pleasure of the Member Agency appointing him or her. On the resignation, removal or incapacity of any Executive Committee member or alternate, the Member Agency that appointed him or her shall within thirty (30) calendar days after such event appoint a replacement. Appointment of Executive Committee members and alternates shall be made by resolution or motion of the governing body of each Member Agency and each Member Agency shall file with the Agency a copy of the resolution or copies of the minutes appointing or approving the appointment of its Executive Committee member and alternate.

2. Executive Committee Officers. At the first regular meeting in a calendar year, the Executive Committee shall elect one of its members President and he or she shall preside at the meetings of the Executive Committee during that calendar year. The Executive Committee also shall annually elect one of its members Vice President who shall preside at meetings and events in the absence of the President.

In the event that each Member Agency’s appointed member should be absent from a meeting, the alternate shall assume the duties of office of the member appointed by the Member Agency.

The term of the President and Vice President shall be one (1) year and a

President or Vice President may not serve two (2) successive terms in the same position. In the event a vacancy occurs in the office of President, the Vice President shall assume that position for the remainder of the unexpired term, which assumption of office shall not be considered in determining successive terms.

3. Executive Committee Meetings. The Executive Committee shall fix a time and place for its regular meetings and shall hold at least one regular meeting each calendar quarter. If at any time a regular meeting falls on a holiday, such regular meeting shall be held on the next business day. Special meetings may be called at any time by either member of the Executive Committee. Notices of all Executive Committee shall be provided in accordance with the Brown Act (Government Code Sections 54950 et seq.).

Except for closed session meetings conducted in accordance with California law, all Executive Committee meetings shall be open to the public. The Executive Committee acting by and through its designated agent shall keep full and complete minutes of all meetings which, except as provided by California law with respect to closed session meetings, shall be public documents and available for inspection at the office of the Administrative Officer.

4. Appointment of Administrative Officer, Treasurer and Implementation Team. The Executive Committee shall by majority vote designate the Agency's Administrative Officer and Treasurer, to carry out the respective duties specified in Sections 5 and 6, below. The Administrative Officer and Treasurer shall serve at the pleasure of the Executive Committee, until such time as the designated officer resigns, is replaced by the Executive Committee or is otherwise not able to continue to serve in his or her position.

The Executive Committee shall also select the members of the Agency's Implementation Team from the Member Agencies' respective staffs to carry out the duties specified in Section 7, below, in accordance with the MOA. The members of the Implementation Team shall serve at the pleasure of the Executive Committee, until such time as such Implementation Team member resigns, is replaced by the Executive Committee or is otherwise not able to continue to serve in that position.

5. Administrative Officer's Duties. The Administrative Officer of the Agency shall be responsible for the day-to-day conduct of the Agency's business and shall:

- a. Report regularly to the Executive Committee at its meetings;
- b. Supervise all personnel and activities in support of the Agency;
- c. Direct the general operation and business affairs of the Agency;
- d. Coordinate with other public agencies any activities that affect operation of the Agency;
- e. Recommend to the Executive Committee any financial and operational

- needs for the effective operation of the Agency;
- f. Prepare the Agency's operating budget, subject to Executive Committee approval and adoption;
- g. Provide an administrative employee to attend Executive Committee meetings and perform secretarial services related thereto;
- h. Prepare Executive Committee documents, including minutes of Executive Committee meetings, notices, reports, agendas and resolutions; and
- i. Maintain the records and files of the Agency.

While providing the above services, the Administrative Officer shall be an employee of his or her Member Agency, and not an employee of the Agency.

6. Treasurer's Duties. The Treasurer of the Agency shall have the following duties and be responsible:

- a. To receive monies for deposit in the Agency's accounts;
- b. To invest surplus funds as permitted by California Law;
- c. To transfer funds into the Agency's checking account as necessary to pay warrants;
- d. To accurately maintain the Agency's accounting books, records and financial files;
- e. To post monthly financial activity to ledgers and journals;
- f. To maintain accounts payable, accounts receivable and financial files;
- g. To provide information for the annual audit on or before August 1 each year;
- h. To prepare financial statements as directed by the Administrative Officer;
- i. To prepare and send any billings to any person or entity;
- j. To assist the Administrative Officer in preparation of the Agency's operating budget; and
- k. To attend meetings of the Executive Committee and prepare such reports in connection therewith as may be appropriate or as directed by the Executive Committee or the Administrative Officer.

While providing the above services, the Treasurer shall be considered an employee of his or her Member Agency, and not an employee of the Agency.

7. Implementation Team's Duties. The Implementation Team shall oversee and coordinate the development of the Groundwater Sustainability Plan for the Spadra Basin (the "GSP"), and shall coordinate the stakeholder participation plan in connection with the development of the GSP. The Implementation Team shall meet at least quarterly. Further details regarding the Implementation Team are set forth in Section 4(B), 4(C) and 5(F) of the MOA, which are incorporated herein by this reference.

8. Budget. On or before June 30 of each year, the Executive Committee shall approve and adopt an annual budget for the Agency for the coming July 1-June 30 fiscal year. The Treasurer shall oversee the preparation of the budget for the Executive Committee's review and approval.

9. Amendments. These bylaws may be amended at any time, and from time to time, by the unanimous vote of the Executive Committee's members.

SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY

DATE: July 2, 2018

TO: Executive Committee

FROM: Erik Hitchman, Administrative Officer

RE: Establishment of Conflict of Interest Code

ACTION: Approve draft Conflict of Interest Code and Related Notice of Intent to Adopt Conflict of Interest Code

SUMMARY: Pursuant to Government Code 87300, public agencies must adopt and promulgate a Conflict of Interest Code (COIC). Such a code must be adopted after a 45 day public comment period. We have set the public comment period to start July 2, 2018 and run through August 15, 2018. We would anticipate the Executive Committee taking action to approve the COIC at its September meeting.

The proposed COIC is attached for the Executive Committee's review, as is the Notice of Intent to Adopt the COIC. That notice can be posted on the City's and District's respective websites. Once the COIC is approved by the Executive Committee, it must be sent to the Los Angeles County Board of Supervisors for its approval.

SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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) that 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 Spadra Basin Groundwater Sustainability Agency (GSA) 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 GSA. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Filing Officer specified for that position in Exhibit A.

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 ____ day of September, 2018.

Signed: _____

Printed Name: Ginna E. Escobar

Title: President

EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

# of POSITIONS	POSITION TITLE	DISCLOSURE CATEGORIES	FILING OFFICER
4	Executive Committee Members and Alternates	1	Agency Clerk
1	Administrative Officer	1	Agency Clerk
1	Treasurer	1	Agency Clerk
1	Water and Wastewater Operations Director, City of Pomona	1	Agency Clerk

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 POSITIONS	POSITION TITLE	DISCLOSURE CATEGORIES	FILING OFFICER
4	Executive Committee Members and Alternates	1	Agency Clerk
1	Administrative Officer	1	Agency Clerk
1	Treasurer	1	Agency Clerk
1	Water and Wastewater Operations Director, City of Pomona	1	Agency Clerk

NOTICE OF INTENTION TO ADOPT THE CONFLICT OF INTEREST CODE OF THE SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY

NOTICE IS HEREBY GIVEN that the Spadra Basin Groundwater Sustainability Agency, pursuant to the authority vested in it by section 87306 of the Government Code, proposes adoption of its conflict of interest code. A comment period has been established commencing on July 2, 2018 and closing on August 15, 2018. All inquiries should be directed to the contact listed below.

The Spadra Basin Groundwater Sustainability Agency proposes to adopt its conflict of interest code to include positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The code carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

The proposed code and further explanation regarding its purposes can be obtained from the Agency's contact set forth below.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than August 15, 2018, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than August 1, 2018.

The Spadra Basin Groundwater Sustainability Agency has determined that the code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning the proposed code and any communication required by this notice should be directed to: James Ciampa, General Counsel, by telephone at (626) 793-9400, or by e-mail at jciampa@lagerlof.com.