

# AGENDA

## SPADRA BASIN GSA - EXECUTIVE COMMITTEE MEETING

CITY OF POMONA – CITY HALL  
ADMINISTRATIVE BOARD ROOM  
505 S. GAREY AVENUE, POMONA, CA 91766  
MONDAY, AUGUST 6, 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 July 2, 2018
6. Establish Budget – Review and Consider Approval of Fiscal Year 2018-19 Operating Budget
7. Adopt Resolution No. 2018-08-02 Permitting Disclosure of Closed Session Discussions to Member Agencies
8. Consider Adoption of Organizational Chart for Fiscal Year 2018-19
9. Consider Adoption of Revised Conflict of Interest Code to Incorporate County of Los Angeles' Required Changes
10. Review of Future Discussion Items  
Spadra Basin GSA Specific Items:
  - a) Adoption of Expenditure/Procurement Authority Policy
  - 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) Other
11. Adjournment to Next Meeting – Tuesday, September 4, 2018  
(Remaining 2018 meeting dates are: October 1, November 5 and December 3)

**SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY  
EXECUTIVE COMMITTEE MEETING  
Monday, July 2, 2018 – 3:30 P.M.**

**Draft**

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

**MINUTES**

**PRESENT:**

GINNA ESCOBAR, Member  
ALLEN WU, Vice Member  
TED L. EBENKAMP, Alternate Member  
RUBIO GONZALEZ, Alternate Member

**STAFF PRESENT:**

ERIK HITCHMAN, Administrative Officer  
ANDY TURNER, Legal Counsel

**ABSENT:**

All present

**OTHERS IN ATTENDANCE**

DONNA DILAURA  
RAUL GARIBAY  
DAMIAN MARTINEZ  
DARRON POULSEN  
DAVE WARREN

**ITEM 3: PUBLIC COMMENT**

No comments were offered. (Item 3)

**ITEM 4: ADOPTION OF AGENDA**

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

**ITEM 5: APPROVAL OF MINUTES FOR MEETING HELD JUNE 7, 2018**

- ◆ The Executive Committee was asked to approve the minutes for the Executive Committee meeting held on June 7, 2018.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to approve the minutes of the June 7, 2018 Executive Committee meeting as presented. (Item 5)***

**ITEM 6: ADOPT RESOLUTION TO ESTABLISH PRINCIPAL OFFICE AND DESIGNATING THE TIME AND PLACE FOR REGULAR AND SPECIAL MEETINGS**

- ◆ The Executive Committee was asked to consider adoption of Resolution No. 2018-07-01, establishing principal office of the Spadra Basin Groundwater Sustainability Agency, and designating the time and place for regular and special meetings.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to adopt Resolution No. 2018-07-01 establishing principal office of the Spadra Basin Groundwater Sustainability Agency, and designating the time and place for regular and special meetings. (Item 6)***

#### **ITEM 7: ADOPT BYLAWS FOR GOVERNANCE AND OPERATIONS**

- ◆ The Executive Committee was asked to consider adoption of the proposed bylaws as prepared by Legal Counsel.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to adopt the proposed bylaws as prepared by Legal Counsel. (Item 7)***

#### **ITEM 8: APPROVE DRAFT CONFLICT OF INTEREST CODE AND RELATED NOTICE OF INTENT TO ADOPT CONFLICT OF INTEREST CODE**

- ◆ The Executive Committee was asked to approve the draft Conflict of Interest Code and related Notice of Intent to Adopt Conflict of Interest Code. Mr. Poulsen requested that his title be changed to Water Resources Director throughout the document. Mr. Hitchman noted that the Public Comment period is from July 2, 2018 to August 15, 2018.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to adopt the proposed Conflict of Interest Code and related Notice of Intent to Adopt Conflict of Interest Code. (Item 8)***

#### **ITEM 9: CONSIDERATION OF LETTER OF SUPPORT FOR DWR BASIN PRIORITIZATION**

- ◆ The Executive Committee was asked to consider preparation of a letter of support for DWR Basin prioritization, and authorize the President and/or the Administrative Officer to sign the letter. Following a brief discussion, staff suggested asking Six Basins to add the Spadra Basin GSA as a signatory to its letter of support.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to join Six Basins as a signatory, and authorize the President and/or Administrative Officer to sign the letter. (Item 9)***

#### **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) 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:

- b) Adopt resolution permitting disclosure of Closed Session discussions to member agencies
- c) Adopt Expenditure/Procurement Authority Policy
- d) Other

#### **ITEM 11: ADJOURNMENT – 3:53 P.M.**

***Upon consideration thereof, and by consensus, the meeting was adjourned to the next meeting on August 6, 2018. (Item 11)***

Spadra Basin GSA  
FY 2018-19 Operating Budget

Spadra Basin Operating Budget FY 2018-2019	Budget 18-19
<b>REVENUES:</b>	
Administrative Assessment - WVWD	\$ 22,500
Administrative Assessment - Pomona	22,500
<b>Total Revenues</b>	<b>45,000</b>
<b>EXPENSES:</b>	
<u>Administration &amp; General</u>	
Legal	25,000
Professional Services	15,000
Administrative - Other	5,000
<b>Total Expenses</b>	<b>45,000</b>
<b>Net Income</b>	<b>\$ -</b>

Spadra Basin GSA  
FY 2018-19 Budget Supplement

The following is a supplement to the proposed budget and is intended to provide more specific detail and explanation of the major revenues and expenses proposed in the FY 18-19 Operating Budget.

**REVENUES**

Administrative Assessment

Represents payment received from the City of Pomona and WVWD related to the administrative costs of the Agency. Costs are shared equally between both the City and District.

**EXPENSES**

Administrative & General

Legal - To provide funds for legal expenses related to the activities of Spadra Basin GSA.

Professional Services - To provide funds for professional services related to incorporation and management not related to any projects.

Administrative-Other - Includes funding for internal labor, dues, and banking fees attributable to the activities of Spadra Basin GSA.

**RESOLUTION NO. 2018-08-02**

**A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE SPADRA BASIN  
GROUNDWATER SUSTAINABILITY AGENCY PERMITTING  
EXECUTIVE COMMITTEE MEMBERS AND ALTERNATES  
TO DISCLOSE CLOSED SESSION DISCUSSIONS AND ACTIONS TO THEIR  
MEMBER AGENCY'S GOVERNING BOARD  
AND LEGAL COUNSEL UNDER CERTAIN CIRCUMSTANCES**

WHEREAS, Government Code Sections 54954.5 and 54956.96 permit disclosure of closed session discussions and actions of the Spadra Basin Groundwater Sustainability Agency's (Agency) Executive Committee to the Agency's Member Agencies' respective legal counsel and governing boards under certain circumstances; and

WHEREAS, closed sessions conducted by the Agency's Executive Committee in accordance with the Brown Act may have direct financial or liability implications for one or both of the Agency's Member Agencies; and

WHEREAS, advice, discussion and direction of the governing board of one or more of the Agency's Member Agencies may provide assistance to the Agency concerning such Agency closed session meetings and will improve communications between the Agency and its Member Agencies on confidential matters affecting such Member Agencies; and

WHEREAS, Sections 54954.5 and 54956.96 of the Government Code require the Agency, as a public agency, to adopt a specific policy permitting the Agency's Member Agencies, upon advice of their respective legal counsel, to conduct a closed session in order to receive, discuss, and take action concerning confidential information obtained in a closed session conducted by the Agency. This policy would allow a member of the Agency's Executive Committee to discuss the substance of any Agency closed session meeting with the Member Agency's legal counsel and its governing board in closed session. However, such disclosures are permitted only when the Agency closed session involves matters posing a direct financial or liability implication for the Member Agency. Finally, this policy would explicitly recognize the authority of Executive Committee alternates to attend Agency closed session meetings.

NOW, THEREFORE, the Agency's Executive Committee hereby adopts the following policy:

Section 1. Upon advice of an Agency Member Agency's legal counsel, that Member Agency's representatives on the Agency's Executive Committee may disclose to the Member Agency's legal counsel and governing board in a closed session the substance of any discussion and action taken in an Agency closed session meeting, but only when the matters discussed have a direct financial or liability implication for that Member Agency.

Section 2. Consistent with Section 54956.96 of the Government Code, the Executive Committee's alternate members are hereby explicitly authorized to attend the Agency's closed session meetings.

Section 3. This policy shall not apply to any adversarial litigation, arbitration, or mediation between the Agency and one of its Member Agencies, and a Member Agency involved in such adversarial action with the Agency shall be precluded from participating in any Agency closed session involving such adversarial action.

Section 4. 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 6th day of August, 2018.

SPADRA BASIN GROUNDWATER  
SUSTAINABILITY AGENCY

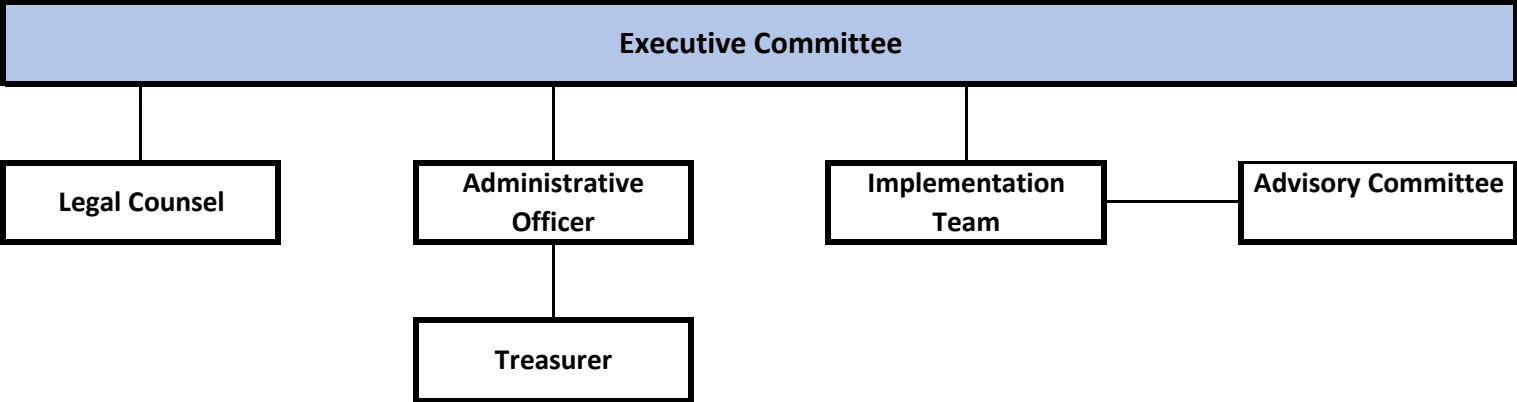
By: \_\_\_\_\_  
Ginna E. Escobar, President

ATTEST:

By: \_\_\_\_\_  
Erik Hitchman,  
Administrative Officer

# Spadra Basin Groundwater Sustainability Agency

*Organizational Chart  
Fiscal Year 2018-19*



Conflict of Interest Code  
of the

**SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY**

Incorporation of FPPC Regulation 18730 (2 California Code of Regulations, Section 18730) by Reference

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, is hereby incorporated into the conflict of interest code of this agency by reference. This regulation and the attached Appendices (or Exhibits) designating officials and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

Place of Filing of Statements of Economic Interests

All officials and employees required to submit a statement of economic interests shall file their statements with the agency head, or his or her designee. The agency shall make and retain a copy of all statements filed by its Executive Committee Members and Alternates, as appropriate, and its Administrative Officer, and forward the originals of such statements to the Executive Office of the Board of Supervisors of Los Angeles County.

The agency shall retain the originals of statements for all other Designated Positions named in the agency's conflict of interest code. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).



## SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY

### EXHIBIT "A"

#### **CATEGORY 1**

Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

#### **CATEGORY 2**

Persons in this category shall disclose all investments and business positions.

#### **CATEGORY 3**

Persons in this category shall disclose all income and business positions.

#### **CATEGORY 4**

Persons in this category shall disclose all business positions, investments in, or income (including gifts and loans) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned to this disclosure category.

**SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**EXHIBIT "B"**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Executive Committee Member/Alternate	1, 2, 3
Administrative Officer	1, 2, 3
Treasurer	4
Consultants/New Positions *	

\*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitations:

The Executive Committee or their designee may determine in writing that a particular consultant or new position, 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 disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Committee or their designee'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. (Gov. Code Section 81008.)

Individuals who perform under contract the identical duties of any designated position shall be required to file Statements of Economic Interests disclosing reportable interests in the categories assigned to that designated position.

**EFFECTIVE DATE:**