

Cuyama Basin Groundwater Sustainability Agency (GSA)

Final Board of Directors Meetings Minutes

September 21, 2017

Cuyama Valley Family Resource Center, 4689 CA-166, New Cuyama, CA 93254

The Cuyama Basin GSA Board of Directors met in a special session at approx. 4:00 PM.

PRESENT: Directors: Vice Chair Lynn Compton, Paul Chounet, Tom Bracken, Jane Wooster, Derek Yurosek (Teleconference), George Cappello, Byron Albano, Cory Bantilan, Glenn Shephard,

Alt. Directors: Alan Christensen, Darcel Elliot

ABSENT: Das Williams, David Couch

1. Call to order

Vice Chair Compton calls the meeting to order at approx. 4:00 PM.

2. Roll call

Vice Chair Compton calls roll of the Board (shown above).

3. Pledge of allegiance

The pledge of allegiance is led by Vice Chair Compton.

4. Public Comment for Items on the Agenda:

Vice Chair Compton: opens floor to public comment.

Public Comment - Randall Tognazzini, Brenton Kelly, Phillip Jankosky, Pamela Baczk, Gene Zannon, Lynn Carlisle, Casey Walsh: speaks

5. Board Interviews Jim Beck of The Hallmark Group, proposed Executive Director of the GSA

Director Chounet: States concern over the mileage in Jim Beck's proposal suggesting that Jim Beck will only come to the Cuyama once a month.

Alt. Director Elliot: States concern over Jim Beck's Statement of Qualifications not indicating very much time dedicated for community involvement. She would like the Executive Director to hold office hours and attend advisory meetings.

Jim Beck: Introduces himself and gives his professional background: He started his career with the Kern County Water Agency at their Water Treatment Plant as an operator and water quality analyst. He switched over to working in the administrative building of the Kern County Water Agency and clarifies that he has never worked for the Kern Water Bank. He was an employee of the Kern County Water Agency during the development of the water bank. He was the District Manager of Improvement District 4, where he was the main technical and policy representative. He then became the Assistant General Manager for Kern County Water Agency for five years then he became the General Manager for the Kern County Water Agency. In total, he worked for Kern County Water Agency for 32 years before retiring. He formed his own consulting firm, Beck Consulting after retiring. After 6 months, he decided to join The Hallmark Group as a consultant.

Vice Chair Compton: Asks Jim Beck to respond to initial public comments.

Jim Beck: Responds to questions about community involvement. He states that he would like to meet with the ad hoc committee to determine the level of outreach that should be completed with associated budget. He mentions that he did not include this item in the proposal because this level of involvement was best determined by the Board.

Jim Beck: Responds to concerns over water banking interests and clarifies that he has never worked for the Kern Water Bank. He did perform groundwater modeling for the water banking project, but he was always an employee of the Kern County Water Agency.

Jim Beck: Responds to a question about how groundwater pumping and management has changed post-SGMA regulations. He states that groundwater supplies are no longer reliable and water efficiency investments are a lot more valuable now.

Director Albano: Asks Jim Beck how the outreach will fall into his not-to-exceed budget because it is currently not included.

Jim Beck: States that the budget will be flexible, and if there is more outreach required than initially planned then this will affect the budget. Currently, outreach is not a part of his budget and a task order would be required to cover costs of community engagement.

Vice Chair Compton: Asks Jim Beck if he sees Cuyama Basin as a potential location for groundwater banking.

Jim Beck: States that he does not think that Cuyama currently has the infrastructure or surface water required for groundwater banking.

Director Chounet: States concern over Jim Beck addressing SGMA as “nasty thing called SGMA.”

Jim Beck: States that groundwater management is very important, but he does not think that SGMA was the best legislation for it.

Director Chounet: Asks if Jim Beck believes his time is too valuable or too expensive for the outreach required by the position.

Jim Beck: Says he thinks his hourly fee is fair based on his experience and that he does not want to commit excess hours to this position.

Director Chounet: Asks if Jim Beck thinks that water banking is in Cuyama Basin’s future.

Jim Beck: States that right now he does not think water banking is economically feasible, but it could be an option in the future.

Vice Chair Compton: Asks how Jim Beck sees balancing a basin in critical overdraft with users who have a right to beneficially use the water.

Jim Beck: Says it is in the hands of the community to allocate water. Users can no longer use all water they want.

Alt. Director Christiansen: Asks Jim Beck if he ever had experienced issues with siding with a certain district or community over another.

Jim Beck: States that he made sure to have enough technical information to support his decisions when he brought them to the board.

Chair Yurosek: Asks what Jim Beck hopes to accomplish in 180 days as Executive Director.

Jim Beck: Says that the 180-day goal is to first hire the GSP consultant and then make sure all administrative issues are handled. The budget should be fully developed in the first 90 days. There should be a draft GSP completed by the end of 2018 to allow for public input and revisions.

Vice Chair Compton: Asks Jim Beck if he oversaw the formation of groundwater banks when he was the general manager.

Jim Beck: States that the water banks were already formed when he became the general manager.

Vice Chair Compton: Asks if Jim Beck thought the groundwater banking was successful?

Jim Beck: Says that there were mixed results with the groundwater banking, but in general he thought it was successful.

Chair Yurosek: Asks Jim Beck to clarify his work with public entities.

Jim Beck: Reiterates with his experience with Kern County and the Kern County Water Agency Board of elected supervisors. He considers himself a public servant.

Vice Chair Compton: Reads excerpt from newspaper regarding connections between the Kern County Water Agency and the Kern Water Bank through the Monterey Agreement.

Jim Beck: Explains that he was not general manager at the time of the agreement and was not involved, but the rest of the article was correct.

Vice Chair Compton: Asks Jim Beck to clarify his involvement with a lawsuit from Rosedale-Rio Bravo against the Kern County Water Agency. She also asked if he thought the basin was mismanaged.

Jim Beck: Says that the biggest flaw was that there were no annual reports on the status of the basin sent to all users.

Vice Chair Compton: Asks if Jim Beck thinks that Cuyama Basin can be brought into sustainable yield.

Jim Beck: States that he thinks that a sustainability plan can bring this basin into a sustainable yield, but it will require some creativity.

Director Albano: Asks how Jim Beck plans to approach differences in the existing USGS data and what SGMA requires.

Jim Beck: States that the first five years will be collecting new data and addressing deficiencies in the data set.

Vice Chair Compton: Asks who will do the community outreach, the Executive director or the GSP consultant.

Jim Beck: States that the GSP consultant should do the outreach directly related to the GSP while the Executive Director will supplement that as necessary. A Hallmark group employee will perform the admin work and charge a lower rate than Jim Beck's.

6. Floor Reopened for Public Comments:

Vice Chair Compton: reopens floor to public comment.

Public Comment: Randall Tognazzini: Speaks

Jim Beck: Mr. Beck addresses the public comment and states that he currently interviewed for an executive director position for a Kern County basin, but was not selected.

Director Bantilan: Asks Jim Beck how many other clients Jim Beck currently has.

Jim Beck: States that he has two current clients, Grimmway Farms and Tejon Ranch. He does not see any conflicts with maintaining his consulting positions while acting as Executive Director.

Alt. Director Christiansen: Asks Jim Beck if he would be willing to give up Grimmway Farms as a client.

Jim Beck: States that he cannot answer that at the moment.

7. Board discusses approving the contract with Jim Beck and Hallmark Group or review other candidates.

Alt. Director Elliot: Says that she wouldn't vote to approve contract tonight, because of concerns over public interest in interviewing other candidates and outreach not included in Beck's proposal. Bondy Groundwater Consulting, Inc. included outreach in their proposal.

Director Wooster: Believes that Jim Beck might be most knowledgeable of most candidates and did not include outreach in his proposal because he knew that outreach was part of GSP development.

Director Chounet: States that Jim Beck's rate is higher but his overall efficiency is also higher, so the overall cost is lower.

Alt. Director Christensen: States that because this is not a public works agency, selection can be done on best value basis not based on lowest cost.

Director Cappello: States that Bondy Groundwater Consulting, Inc.'s monthly rate is much higher than Jim Beck's monthly rate. Bondy Groundwater Consulting, Inc. also does not have administrative staff available, so an administrative worker would need to be hired and this would add to their budget.

Vice Chair Compton: States that most of her concerns with Jim Beck were assuaged, but she still believes that the other two candidates should be interviewed to build community trust.

Director Shephard: Agrees that the other two candidates should be brought to the next board meeting.

Director Cappello: Says that all three candidates should be brought to next meeting.

Director Albano: States that the board should respect the ad hoc committee and move forward with a decision as soon as possible because the consultants may not wait long for a decision.

Director Bantilan: Mentions to bring back all three candidates to be interviewed.

Alt. Director Christensen: Suggests that it would be wise to not move too quickly and to bring back all the candidates.

Chair Yurosek: States that the board already agreed to only bring back Beck.

Vice Chair Compton: Says that there was controversy at the last meeting regarding hiring an Executive Director without having a public interview.

Director Bantilan: Mentions that at the last board meeting there was no vote to bring all candidates back.

Alt. Director Elliot: Asks if it is a conflict of interest that Jim Beck and Hallmark group already have a contract with Grimmway Farms. She asks Legal Counsel to research this question.

Director Cappello: States that the board needs to be ready to move forward with a decision once they hear the Legal Counsel's advice on whether it is a conflict of interest.

Vice Chair Compton: Emphasizes need for community to trust the Executive Director.

Motion by: George Cappello: to bring all three candidates back to interview within 30 days and vote to select the Executive Director.

Second by: Tom Bracken

Yes: Directors Wooster, Cappello, Compton, Shephard, Bracken, Yurosek and Alt. Director Christensen

No: Directors Chounet, Bantilan, Albano, and Alt. Director Elliot

Motion passed.

8. Public comment for items not on the Agenda

Vice Chair Compton: Opens floor to comments without response.

9. Adjourn

Vice Chair Compton adjourns the Cuyama Basin GSA Board of Directors meeting at approximately 7:00 PM.

I, Catherine Martin, temporary Secretary to the Cuyama Basin Groundwater Sustainability Agency Board of Directors, do hereby certify that the foregoing is a fair statement of the proceedings of the special meeting held on Thursday, September 21, 2017, by the Cuyama Basin Groundwater Sustainability Agency Board of Directors.

Cathy Martin

Dated: October 25, 2017