

**MINUTES OF THE
MEETING OF THE
BEDFORD-COLDWATER
GROUNDWATER SUSTAINABILITY AUTHORITY**

November 16, 2017

PRESENT

Randy Fox, City of
Corona (4:06 p.m.)
Phil Williams, EVMWD
Paul Rodriguez, TVWD

STAFF - CORONA

Tom Moody

STAFF - EVMWD

Parag Kalaria
Margie Armstrong
Terese Quintanar

STAFF - TVWD

Jeff Pape

1. CALL TO ORDER.

The meeting of the Bedford-Coldwater Groundwater Sustainability Authority was held at its principal offices located at 22646 Temescal Canyon Road, Temescal Valley, California. The meeting was called to order by Chairman Rodriguez at 4:04 p.m.

2. PUBLIC COMMENT – None.

3. CONSENT CALENDAR

A. Approval of Minutes of the August 30, 2017 Meeting

B. Approval of Minutes of the October 31, 2017 Meeting

ACTION: Vice-Chairman Williams made a motion, Director Fox seconded and the motion carried unanimously to approve the Consent Calendar.

4. BUSINESS CALENDAR

A. Adoption of Ethics Policy (MO# 11)

Ms. Armstrong reported that there are four sections to the proposed Ethics Policy; 1) Purpose, 2) Key Principles, 3) Conduct, AB1234 Ethics Training and Public Information Requests, and 4) Procedures for Handling Complaints. Chairman Rodriguez expressed that the policy was well written, and that as long as we are current with AB1234 through positions at the respective agencies, compliance has been met.

ACTION: Director Fox made a motion, Vice-Chairman Williams seconded and the motion carried unanimously to adopt the Ethics Policy.

B. Adoption of a Purchasing Policy (MO# 12)

Ms. Armstrong explained that the Authority's Bylaws call for adoption of a Purchasing Policy to establish procedures and proposed spending approval levels. Staff proposed that any expenses exceeding \$50,000 is to be approved by the Board. The Purchasing Policy establishes delegation of authority by the Treasurer to expedite the purchasing function and review expenditures. Expenses less than \$50,000 may be approved by the Deputy Treasurer. Ms. Armstrong suggested that she be considered as the designee. Vice-Chairman Williams asked how the accounting of expenditures will be reviewed. Ms. Armstrong suggested that the Board ratify the demands at quarterly meetings, so timely payment to vendors is not delayed. She continued that the approval level is intended as an authorization mechanism to pay invoices relating to expenses the Board has previously approved. Mr. O'Neill added that a policy regarding ratification of expenses is not necessary, as the process would be an internal procedure. Chairman Rodriguez clarified that ratification of expenses would be for expenses previously approved by the Board, as a means of reporting back. Ms. Armstrong agreed that expenses over \$50,000 will be brought to the Board for approval, and subsequent invoices relating to those matters would be processed for payment upon receipt. Mr. Pape pointed out that unauthorized purchases are covered in Section 11 of the proposed policy. Chairman Rodriguez also pointed out that Section 4B defines other purchases. He added that it isn't unusual to have signature authority for a particular value when the aggregate value of the contracts has gone through the approval process. Ms. Armstrong explained that Section 4 establishes bidding requirements and whether or not a purchase requisition is needed, with \$5,000 being the trigger. Section 7 defines limits for change orders, and what is proposed is that amounts less than or equal to 10% of the original order, or a maximum cumulative change order of \$50,000 (whichever is less), are within the authority of the Deputy Treasurer to approve for payment. Any expenses exceeding those limits will be presented for Board approval.

ACTION: Director Fox made a motion, Vice-Chairman Williams seconded and the motion carried unanimously to adopt the Purchasing Policy.

C. Approve a Service Agreement with Elsinore Valley Municipal Water District (MO# 13)

Ms. Armstrong explained that the proposed Service Agreement is presented in order for the Authority to retain EVMWD to perform administrative and financial accounting support. Some examples of support would be billing, invoicing, audits, and bank reconciliations. Compensation proposed is a one-time set up fee of \$5,000 and \$1,000 per month fixed fee. The term of the proposed agreement is five years, but can

be terminated by any party with or without cause, with 180 days notice. It is specified that EVMWD is an independent contractor. Mr. Pape clarified that "support" in this case does not mean the development of web portal or actions related to transparency, but administrative work such as document retention, agendas, minutes, and things like that. Chairman Rodriguez received confirmation from Ms. Armstrong regarding EVMWD's concurrence and pointed out that expenses associated had been incorporated into the budget.

ACTION: Director Fox made a motion, Vice-Chairman Williams seconded and the motion carried unanimously to approve the Service Agreement with Elsinore Valley Municipal Water District.

D. Approve a Professional Services Agreement with Stantec Administrator Services (MO# 14)

Ms. Armstrong reported that the effort to seek an Administrator started back in April. Of six vendors contacted, only two proposals were received, one of which did not fit our needs. In order to obtain a larger amount of proposals to review, the scope of work was changed to be "On Call", not to exceed \$200,000 and for an unspecified time period. The second time, electronic bidding software was utilized for the Request for Proposal. Six proposals were received and five of them were deemed to be completed. Staff rated the proposals and interviewed two firms. Through this process, staff made the recommendation to obtain the services of Stantec. She introduced Stantec representatives present, Victor Harris and Kelly Shugart

Mr. Harris addressed the Board and explained that Kelly Shugart will be an asset and Tom Regan will also be additional backup. The proposal included a number of skillsets, such as CEQA/environmental work, mechanical engineering and water resources engineering.

Mr. Pape explained that he, Mr. Moody and Ms. Armstrong interviewed the firms, and added that Ms. Armstrong did a good job defining the depth of the firms and the importance in meeting the individuals being considered. Both firms had qualified staff, but Mr. Harris' experience with other GSA's will benefit this group.

Mr. O'Neill relayed that he had reviewed the draft agreement and determined that it includes robust substitution language, and that he is comfortable with the agreement and the insurance and indemnity language it contains.

Chairman Rodriguez asked for confirmation that the work will be as-needed, not full time. Ms. Armstrong affirmed, but added that we have flexibility to use this firm for other duties as needed, for example website development. On-Call services enables this versus having a dedicated Administrator. Chairman Rodriguez asked if there was any concern with the firm not being local. Mr. Moody answered that the location of the firm is not a limiting factor. Further, the BCGSA meetings are infrequent enough and

the knowledge, skills and abilities of the firm were determined to meet our needs through the oral review process.

Mr. Pape suggested that assistance with certain tasks would become clear as we move forward. Mr. Moody added that it will be a little bit of work to get things set up, initially.

Chairman Rodriguez had concern that Stantec could be locked out from participating in the development of a Groundwater Sustainability Plan (GSP) while providing support services. Ms. Armstrong explained that another consultant will develop the GSP. Mr. Pape added that he believes that those interviewed understood that there was work associated with the GSP they could perform, such as data collection or other specific tasks leading up to the development of the GSP, but not specifically the development of the GSP.

Mr. Harris relayed that he understands the assignment clearly, and that because his role in this case is allegiance to the GSA, Stantec can be precluded and a firm determined to be for the best interest of the GSA would be selected for development of the GSP.

ACTION: Vice-Chairman Williams made a motion, Director Fox seconded and the motion carried unanimously to Approve a Professional Services Agreement with Stantec for Administrator Services.

E. Update on Timeline for Groundwater Sustainability Plan

Ms. Armstrong distributed a timeline which Mr. Harris had been asked to provide. She explained that the Board requested an update at the last meeting. Mr. Harris explained that the timeline extends to 2022, and near-term items include a staff-level kickoff meeting to identify key issues and assignment of responsibilities to parties. This will help clarify expectations. Subsequently, a data communications portal or sharepoint site can be set up to include public records of the Authority. Public involvement is important because SGMA stresses outreach and public access. There is a need for technical studies, and the first steps will be to determine what we have and what has yet to be done. The Authority could issue an RFP for any work needed. We will begin the process for creation in in 2018, do public outreach and possibly complete it prior to 2022. This timeline can be adjusted.

Ms. Armstrong explained that the grant application for the GSP has been submitted and we will likely know the results of that in March. Mr. Moody urged for the Authority to be in a good position for future grant opportunities. Chairman Rodriguez recalled discussions of setting milestones and establishment of policies, addressing concerns, and that this is a catalyst for discussion. Staff will work to schedule the kickoff meeting with staff prior to the February Authority meeting.

5. LEGAL COUNSEL REPORT

Mr. O'Neill explained that he has been reviewing several documents over the past few weeks and he is very happy to be on board.

6. COMMENTS OF THE BOARD

Chairman Rodriguez expressed appreciation for staff's good work and requested information regarding next year's meeting dates be distributed.

7. ADJOURN

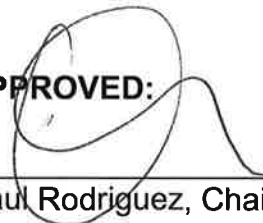
There being no further business, the November 16, 2017 Regular meeting of the Bedford-Coldwater Groundwater Sustainability Authority was adjourned at 4:50 p.m.

ATTEST:



Phil Williams, Vice-Chairperson

APPROVED:



Paul Rodriguez, Chairperson

Date: 2-15-18

Date: 2/15/18