

ATASCADERO BASIN

Groundwater
Sustainability Agency



Executive Committee Meeting Agenda

Meeting Date: Tuesday, October 25, 2022
Meeting Time: 4:30 p.m.
Meeting Location: Templeton CSD Board Meeting Room
206 5th Street
Templeton, California 93465

or via Zoom Meeting

<https://us06web.zoom.us/j/86904491478?pwd=bXBtRmFiM0ZaeUVwUEZwciYvOThxUT09>

Meeting ID: 869 0449 1478

Passcode: 741019

One tap mobile

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+1 346 248 7799 US (Houston)

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

1. Call to Order
2. Roll Call: Chairperson Grigger Jones
Vice Chairperson John Hamon
Secretary Rob Rossi
Committee Member Debbie Arnold
Committee Member Navid Fardanesh
Committee Member Susan Funk
Non-Voting Committee Member Tom Mora

3. Pledge of Allegiance
4. Remote Meetings, Resolution 2022-07
5. Order of Business
Executive Committee members may request to change the order of business.
6. Introductions
7. General Public Comments
The Executive Committee invites members of the public to address the committee on any subject that is within the purview of the committee and that is not on today's agenda. Comments shall be limited to three minutes.
8. Consent Agenda
The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Executive Committee wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by an Executive Committee member and will be considered separately. Questions or clarification may be made by the Executive Committee members without removal from the Consent Agenda. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda unless an item is pulled for separate consideration. Members of the public may comment on the Consent Agenda items.
 - a. Executive Committee Meeting Minutes – July 20, 2022
9. Old Business: none
10. New Business:
 - a. Amendment to Appendix A of the Conflict of Interest Code
 - b. Request for Future Items
 - c. Next Meeting: to be determined
11. Informational Items
Progress Report on Basin-Specific Groundwater Model Update
12. Adjournment

ATASCADERO BASIN

*Groundwater
Sustainability Agency*



TO: Executive Committee

FROM: GSA Staff/ John Neil, Atascadero Mutual Water Company

DATE: October 25, 2022

SUBJECT: Agenda Item 4, Remote Meetings Resolution

RECOMMENDED ACTION:

Adopt Resolution No. 2022-07 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings.

DISCUSSION:

The Governor's Executive Orders relating to the relaxing of the Brown Act and permitting remote meetings during the COVID 19 Pandemic expired on September 30, 2021. However, in mid-September, the Governor signed AB 361 into law, providing options for local agencies to continue to hold meetings remotely, under certain circumstances.

AB 361 has amended Government Code Section 54953, adding a new subsection (e) that permits legislative bodies, when there is a proclaimed State of Emergency declared by the Governor pursuant to Government Code Section 8625, to decide to authorize meeting remotely via teleconferencing as a result of the emergency. To do so, a resolution would need to be adopted in which the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees, or that State or local officials have imposed or recommended measures to promote social distancing.

Resolution 2022-07 has been drafted for your consideration, and if adopted, would be valid for thirty (30) days. If the State of Emergency remains active after that 30 day period, the Executive Committee may act to renew its resolution authorizing remote teleconferenced meetings by passing another resolution which includes findings that the State of Emergency declaration remains active, the local agency has reconsidered the circumstances of the State of Emergency, and the local agency has either identified: A) ongoing, direct impacts to the ability to meet safely in-person, or B) active social distancing measures as directed by relevant state or local officials.

Resolution 2022-07 has been drafted to include findings based upon a determination that as a result of the proclaimed State of Emergency in California due to the COVID-19

pandemic, and its continued spread in San Luis Obispo County through the Delta and Omnicron variants of SARS-CoV-2, which is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, holding meetings in person would present imminent risks to the health or safety of attendees.

If the Resolution 2022-07 is not adopted, the Executive Committee should adjourn the meeting immediately after this item, and consideration for the remaining agenda items should be postponed until the next Executive Committee Meeting is held in person, pursuant to the Brown Act.

ATTACHMENTS:

- A. Resolution 2022-07 – Authorizing Remote Teleconference Meetings

RESOLUTION 2022-07

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY MAKING FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e), AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code Section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic; and

WHEREAS, subsequently, in March 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS on September 16, 2021, Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code section 8558; and

WHEREAS there has been a significant increase in COVID-19 cases in San Luis Obispo County due primarily to the Delta and Omnicron variants of SARS-CoV-2, the virus that causes COVID-19. Emerging evidence indicates that the Delta and Omnicron variants are far more transmissible than prior variants of the virus, may cause more severe illness, and can be spread even by fully vaccinated individuals; and

WHEREAS the Executive Committee now desires to adopt a Resolution finding that the requisite conditions exist for the legislative bodies of the Atascadero Basin Groundwater Sustainability Agency, as defined in the Brown Act, to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Atascadero Basin Groundwater Sustainability Agency as follows:

1. The above recitals are true, correct and are incorporated herein by this reference.
2. The Executive Committee of the Atascadero Basin Groundwater Sustainability Agency hereby determines that as a result of the proclaimed State of Emergency in California due to the COVID-19 pandemic, and its continued spread in San Luis Obispo County and

Templeton through the Delta and Omnicron variants of SARS-CoV-2, which is far more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others, holding meetings in person would present imminent risks to the health or safety of attendees.

- 3. The staff and legislative bodies of the Atascadero Basin Groundwater Sustainability Agency are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public remote teleconferencing meetings in accordance with the requirements of Government Code section 54953(e) and other applicable provisions of the Brown Act.

- 4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty (30) days after teleconferencing for the first time pursuant to Government Code section 54953(e), or such time that the Executive Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Atascadero Basin Groundwater Sustainability Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Atascadero Basin GSA on October 25, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Robert Jones, Chairperson

Secretary’s Certification

I, Rob Rossi, Secretary of the Atascadero Basin GSA Executive Committee, do hereby certify that the foregoing Resolution is a true and correct copy entered into the Minutes of the Meeting of October 25, 2022, at which time a quorum was present, and no motion to amend or rescind the above resolution was made.

Rob Rossi, Secretary

ATASCADERO BASIN

*Groundwater
Sustainability Agency*



TO: Executive Committee

FROM: GSA Staff/ John Neil, Atascadero Mutual Water Company

DATE: October 25, 2022

SUBJECT: Agenda Item 8.a, Executive Committee Meeting Minutes

RECOMMENDED ACTION:

Approve the Executive Committee meeting minutes for the meeting held on July 20, 2022.

MEETING MINUTES:

The Executive Committee (Committee) of the Atascadero Basin Groundwater Sustainability Agency (GSA) was held at the Templeton Community Services District board room and via teleconference on Wednesday, July 20, 2022, at 4:30 p.m.

Roll Call: Chairperson Robert Jones called the meeting to order at 4:31 p.m. Present in person at the Committee meeting were Voting Members Robert Jones, John Hamon, Rob Rossi, and Debbie Arnold. Present via teleconference were Navid Fardanesh and Susan Funk. A quorum (minimum of 4 voting representatives) of the Committee was established. Non-voting member Tom Mora was absent.

Meeting Attendees:

<u>Atascadero Mutual Water Company</u> John Neil	<u>Templeton Community Services District</u> Jeff Brilltz	<u>GEI Consultants</u> Mike Cornelius Lydia Holland Laura Gordon
<u>GSI Water Solutions</u> Dave O'Rourke Nate Page	<u>County of San Luis Obispo</u> Blaine Reely	<u>Public</u> Luke Rossi

Remote Meeting Resolution: Chairperson Jones introduced a Resolution No. 2022-06 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings for the next 30 days.

A motion was made by Member Arnold to adopt Resolution No. 2022-06 authorizing the Executive Committee to continue the use of remote teleconferencing for Executive Committee meetings for the next 30 days. Member Fardanesh provided a second. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Rossi, Arnold, Hamon. Nays – none. Motion carried.

Order of Business: The Committee Members reviewed the order of the meeting's agenda and confirmed to conduct the meeting as presented in the agenda.

Introductions: None

General Public Comments: Chairperson Jones opened public comment and, seeing none, closed public comment.

Consent Agenda:

Agenda 8.a: March 9, 2022, Meeting Minutes – The Committee reviewed the minutes from the March 9, 2022, meeting.

A motion was made by Member Rossi to approve the minutes. Member Hamon provided a second. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Rossi, Arnold, Hamon. Nays – none. Motion carried.

Old Business Agenda: (None)

New Business Agenda:

Agenda 10.a: Proposition 1 Grant Amendment No. 2 – GSA staff member Neil introduced the item. He provided the Committee with an overview of the expenditures for development of the Groundwater Sustainability Plan (GSP) to date. He informed the Committee that the GSP was completed under budget and was submitted to the Department of Water Resources (DWR) in January 2022. He informed the Committee that there are approximately \$220,000 of grant funds remaining, and that the DWR recommended applying for a grant amendment to utilize these funds. He informed the Committee that the grantee (Atascadero Mutual Water Company) sent a letter to the DWR requesting that it amend the grant agreement to allow expenditures for work related to supplementing the groundwater monitoring network, developing a basin wide/basin specific groundwater model, developing a public data portal and coordinating data between agencies in the Atascadero Basin, and modifying the grant schedule and budget.

A motion was made by Member Rossi to approve an amendment to the Proposition 1 grant to expend funds for work related to supplementing the groundwater monitoring network, developing a basin wide/basin specific groundwater model, developing a public data portal and coordinating data between agencies in the Atascadero Basin, and modifying the grant schedule and budget. Member Hamon provided a second. Voice vote of Voting Members: Ayes – Jones, Fardanesh, Funk, Rossi, Arnold, Hamon. Nays – none. Motion carried.

Agenda 10.b: Request for Future Items – The Committee did not offer any suggestions for future agenda items.

Agenda 10.c: Next Meeting: The working group will convene and develop a schedule for future Executive Committee meetings.

Informational Items:

Member Funk asked about status updates for the Atascadero Basin. Mike Cornelius explained that SGMA requires annual reports that will include spring and fall water level data. Water level data will be compared to the sustainable management criteria defined in the GSP. The annual reports are submitted to the DWR on April 1 each year for the preceding water year (Oct 1 – Sep 30).

Adjournment:

There being no further business to discuss, Chairperson Jones adjourned the meeting at 4:38 p.m.

Rob Rossi, Secretary

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ATASCADERO BASIN

*Groundwater
Sustainability Agency*

TO: Executive Committee

FROM: Blaine Reely, County of San Luis Obispo

DATE: October 25, 2022

SUBJECT: Agenda Item 10.a - Amendment to Appendix A of the Committee's Conflict of Interest Code

RECOMMENDED ACTION:

Adopt Resolution 2022-08 amending Appendix A of the Committee's Conflict of Interest Code to add the County of San Luis Obispo Groundwater Sustainability Director position to the designated position list.

DISCUSSION:

The Political Reform Act (Gov. Code, § 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes governing the political activities and financial disclosure requirements of certain officers and employees. A conflict of interest code tells public officials, governmental employees, and consultants who are listed within the code what financial interests they must disclose on their Statement of Economic Interests (Form 700). Consistent with this requirement, on January 3, 2018, the Committee voted to adopt the Atascadero Basin Groundwater Sustainability Agency Conflict of Interest Code ("the Code"), including a designated position list (Appendix A to the Code).

The Political Reform Act also requires every local government agency to amend its Conflict of Interest Code when change is necessitated by changed circumstances, including the creation of new positions and to submit any amendments to its conflict of interest code for approval to the County Board of Supervisors, as the code reviewing body. (Gov. Code, §§ 87306).

On September 14, 2021, the County Board of Supervisors voted to approve the creation of the Groundwater Sustainability Department and Groundwater Sustainability Director position. Due to the addition of the County Groundwater Sustainability Department and Groundwater Sustainability Director position to the Committee's Conflict of Interest Code, the County of San Luis Obispo Engineer position is no longer needed and should be removed from the Conflict of Interest Code.

Attachments A and B show the recommended changes to the Conflict of Interest Code and Appendix A to the Code.

ATTACHMENTS:

- A. Committee Code
- B. Resolution 2022-08 Amending Appendix A to the Committee Code

ATTACHMENT A

CONFLICT OF INTEREST CODE FOR THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY

The Political Reform Act (Gov. Code, § 81000, et. seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (Cal. Code Regs., tit. 2, § 18730) that contains the terms of a standard conflict of interest code, which may be adopted by local agencies and its provisions incorporated by reference in an agency’s code. After public notice and hearing, the FPPC may amend section 18730 to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2 of the California Code of Regulations, section 18730, and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached appendices, designating positions and establishing disclosure requirements, shall constitute the conflict of interest code of the Atascadero Basin Groundwater Sustainability Agency (Agency).

Individuals holding designated positions shall file their statements of economic interests with the Clerk of the Board of Supervisors of the County of San Luis Obispo (“Clerk of the Board”), who is hereby designated as the filing official for all statements of economic interest filed pursuant to this code. All statements will be retained by the Clerk of the Board in accordance with applicable law, and, upon request by any member of the public, such statements will be made available for public inspection and reproduction in accordance with Government Code Section 81008. Upon the Agency’s behalf, the Clerk of the Board will maintain the statements at the clerk’s office located at 1055 Monterey Street, Suite D430, San Luis Obispo, CA 93408.

CONFLICT OF INTEREST CODE FOR THE

ATASCADERO BASIN
GROUNDWATER SUSTAINABILITY AGENCY

APPENDIX A - Designated Positions

<u>Position</u>	<u>Disclosure</u>
<u>Category</u>	
Executive Committee Members	1,2
(Includes both voting and non-voting representatives)	
City of Paso Robles Director of Public Works	1,2
City of Atascadero City Manager	1,2
City of Atascadero Deputy City Manager	1,2
Atascadero Mutual Water Company General Manager	1,2
Templeton Community Services District General Manager	1,2

County of San Luis Obispo Engineer 1,2

County of San Luis Obispo Groundwater Sustainability Director 1,2

Attorney 1,2

Consultants/New Positions *

Note: The position of Attorney is filled by an outside consultant but acts in staff capacity.

*Consultants/new positions shall be 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 Agency 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 comply fully with the disclosure requirements described in this section. Such 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 Agency'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)

CONFLICT OF INTEREST CODE FOR THE

ATASCADERO BASIN
GROUNDWATER SUSTAINABILITY AGENCY

APPENDIX B – Disclosure Categories

1. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the Agency.

2. Interests in real property located within the jurisdiction of the Agency, or within two miles of the jurisdictional boundaries of the Agency, or within two miles of any land owned or used by the Agency.

ATTACHMENT B

RESOLUTION NO. 2022-08

RESOLUTION OF THE ATASCADERO BASIN GROUNDWATER SUSTAINABILITY AGENCY AMENDING APPENDIX A TO ITS CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act (Gov. Code, § 81000 et seq.) requires every state and local government agency to adopt and promulgate a conflict of interest code pursuant to Government Code section 87300; and

WHEREAS, on January 3, 2018, the Executive Committee of the Atascadero Basin Groundwater Sustainability Agency adopted the Atascadero Basin Groundwater Sustainability Agency Conflict of Interest Code; and

WHEREAS, Appendix A to the Committee's Conflict of Interest Code identifies those officials and employees who shall file statements of economic interests with the Clerk of the Board of Supervisors, upon assuming office, leaving office, and during each year in office disclosing those financial interests set forth in Appendix B of the Conflict of Interest Code; and

WHEREAS, due to the addition of the County Groundwater Sustainability Department and Groundwater Sustainability Director position to the Committee's Conflict of Interest Code, the County of San Luis Obispo Engineer position is no longer needed and should be removed from the Conflict of Interest Code pursuant to the process set forth in Government Code section 87306, the Committee has determined that a revision to the Committee's Designated Position List is required due to the creation of the County Groundwater Sustainability Department and Groundwater Sustainability Director position, which should be added to the Committee's Conflict of Interest Code.

NOW, THEREFORE, be it resolved and ordered by the Executive Committee of the Atascadero Basin Groundwater Sustainability Agency that:

1. Appendix A of the Conflict of Interest Code for the Atascadero Basin Groundwater Sustainability Agency is hereby amended to remove ~~add~~ the position of County of San Luis Obispo Engineer Groundwater Sustainability Director as set forth in Exhibit A attached hereto and incorporated herein by this reference.
2. Except as set forth in Paragraph 1, Appendix A and the Conflict of Interest Code shall remain unchanged and in full force and effect.
3. The County of San Luis Obispo Engineer Groundwater Sustainability Director, or his/her designee, is hereby directed to submit the Committee's code amendment, as adopted herein, to the Clerk of the Board of Supervisors for approval by the board in accordance with Government Code section 87303 and 87306.

PASSED AND ADOPTED at a meeting of the Executive Committee of the Atascadero Basin GSA on October 25, 2022. On motion by Member _____ and seconded by Member _____, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Atascadero Basin GSA

Robert Jones, Chairperson

Secretary's Certification

I, Navid Fardanesh, Acting Secretary of the Atascadero Basin GSA Executive Committee, do hereby certify that the foregoing Resolution is a true and correct copy entered into the Minutes of the Meeting of October 25, 2022, at which time a quorum was present, and no motion to amend or rescind the above Resolution was made.

Rob Rossi, Secretary