

Fox Canyon Groundwater Management Agency

FULL AGENDA PACKAGE

**Board Regular Meeting
of
October 23, 2024**



FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) Board of Directors will hold a **Board Hybrid Meeting** at **12:30 P.M.** on **Wednesday, October 23, 2024**, in the **Board of Supervisor's Hearing Room and via Zoom**, at the Ventura County Government Center, Hall of Administration, Main Plaza Level at **800 South Victoria Avenue, Ventura, California**.

FCGMA BOARD REGULAR MEETING AGENDA

October 23, 2024
12:30 P.M.

Welcome to the Meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. For more information, full agenda packets, or past meeting information, visit www.fcgma.org.

In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings. If special assistance is needed, please call Agency staff at (805) 654-2014 at least 24 hours prior to the meeting so proper arrangements may be assured. If requested, and as possible, agendas will be provided in alternative formats.

Agenda items are numbered for identification purposes only and may not necessarily be considered in this order. Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity. The Board reserves the right to limit each speaker to five (5) minutes per subject or topic if necessary. The public portion of every public meeting of the Board of Directors is recorded. Please see the "STANDING NOTICES" section at the end of this Agenda for more information, including options for hybrid attendance and public participation.

OPENING

1. **Call to Order** – The Board Chair will call the meeting to order.
2. **Pledge of Allegiance** – A Board member will lead the Pledge of Allegiance.

3. **Roll Call** – Attending Board members, alternates, and staff will be recorded by the Board Clerk.
4. **Agenda Review** – Consider and approve by majority vote, any minor revisions to Board Agenda items and/or attachments and any item(s) added or removed from this Agenda.
5. **Public Comments** – Audience members may speak about FCGMA-related matters not on today's Agenda. California State law does not allow any response or action from the Board concerning non-agenda topics at this time; however, topics can be placed on future agendas or referred to staff. Please come to the podium and state your name and affiliation for the record before commenting on any particular subject.
6. **Executive Officer's Comments** – Brief announcements and administrative report on Agency workforce activities.
7. **Board Member Comments** – An opportunity for Board Members to make comments or to communicate with other directors, staff, and/or the public regarding non-agenda topics.

CONSENT AGENDA

Routine items are placed under the Consent portion of this Agenda and need only be reviewed and approved by one single motion. Consent Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity. Consent items generally require no discussion; however, they may be debated, or voted on by moving them to the "Regular Agenda" portion at the Board's discretion.

8. **Approval of Minutes – (New Item) RECOMMENDATION:** Approve Minutes of the September 25, 2024, Board Regular Meeting.

CONSENT AGENDA – FCGMA Items

9. **FCGMA Budget to Actual Report for September 2024 – (New Item)**
RECOMMENDATION: Receive and File the Monthly Report.
10. **Adoption of the 2024 FCGMA Conflict of Interest Code – (New Item)**
RECOMMENDATIONS: (1) Adopt the 2024 Conflict of Interest Code (COIC) for the Fox Canyon Groundwater Management Agency; and (2) Approve the Chair to sign the amended 2024 FCGMA COIC documents.
11. **Ratify Contract Change Orders Numbers 1 and 2 for Nested Multi-Depth and Shallow Single Completion Monitoring Wells Drilling, Construction and Development Project with WildRose Drilling, LLC dba WildHeron Drilling of Rocklin, California for Construction of the Project to Decrease Total Contract Amount From \$4,989,069.37 to \$2,725,019.37; Specification No. FOX24-01 –**

(Returning Item) **RECOMMENDATIONS:** (1) Ratify Contract Change Order No. 1 decreasing total contract amount by \$269,000, and (2) Ratify Contract Change Order No. 2 decreasing total contract amount by \$1,995,050.

CONSENT AGENDA – LPV Watermaster Items

- 12. LPV Watermaster Budget to Actual Report for September 2024 – (New Item)**
RECOMMENDATION: Receive and file the monthly report.

CONSENT AGENDA – LPV Watermaster Correspondence Items

Correspondence Agenda items are presented to the Board for information under the Consent Agenda. These items require no action or are not ready for Board consideration.

- 13. Receive and File Correspondence** from the Las Posas Valley Basin Technical Advisory Committee (TAC), Dated August 27, 2024, Regarding the Committee Consultation Schedule for the Draft LPV 5-Year Groundwater Sustainability Plan (GSP) Evaluation.
- 14. Receive and File Correspondence** from Eugene West, Chair of the Board of Directors, dated October 2, 2024, Regarding the LPV TAC Correspondence on the Committee Consultation Schedule for the Draft LPV 5-Year GSP Evaluation.
- 15. Receive and File Correspondence** from LPV TAC, Dated October 4, 2024, Regarding the Revised Draft Scope of Work to Prepare the 2025 Las Posas Valley Basin Optimization Yield Study.

CLOSED SESSION AGENDA

Discussions of Closed Session Agenda items are closed to the public. The Chair will announce when the Board is going into closed session. Closed session items may be heard at any time during the meeting.

- 16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI0059700
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** OPV Coalition et al v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENCI00555357

18. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** City of Oxnard v. Fox Canyon Groundwater Management Agency, Los Angeles County Superior Court Case No. 20STCP00929

REGULAR AGENDA

Regular Agenda items are heard at the Board's discretion and may be heard at any time during the meeting. Regular Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity.

REGULAR AGENDA – FCGMA Items

19. **Update on Groundwater Sustainability Plan Five-Year Evaluations, Workshops, and Timeline – (Returning Item) RECOMMENDATIONS:** (1) Receive an update and a presentation on Groundwater Sustainability Plan (GSP) Five-Year Evaluations, and (2) Provide input and direction if desired.
20. **Approve Proposal and Authorize the Interim Executive Officer to Execute a Professional Services Contract for Professional Auditing Services – (New Item) RECOMMENDATIONS:** (1) Approve the proposal for Professional Auditing Services from Rogers, Anderson, Malody & Scott (RAMS), LLP, for the two-year fiscal cycle (July 1, 2022 - June 30, 2023, and July 1, 2023 – June 30, 2024) at a fee of \$42,718; (2) Authorize the Interim Executive Officer to execute a Professional Services Contract with RAMS, and (3) Allocate \$22,718 of Contingency Funds from the Fiscal Year 2024-25 Budget for the Biennial Audit.
21. **Update on Implementation of Department of Water Resources (DWR) Sustainable Groundwater Management (SGM) Sustainable Groundwater Management Act (SGMA) Implementation Grant – (New Item) RECOMMENDATION:** Receive a presentation on the implementation of DWR's SGM Grant Program *SGMA Implementation Grant Round 1 Solicitation for Critically Overdrafted Basins*, which provided \$7.6 million each for the Oxnard Subbasin and Pleasant Valley Basin.
22. **Rescind Resolution 2005-08 and Adopt Resolution 2024-06 – (New Item) RECOMMENDATION:** Adopt Resolution 2024-06, rescinding Resolution 2005-08 and defining the function of the position of Agency Executive Officer.
23. **Agency Executive Officer Position Duties and Qualifications – (New Item) RECOMMENDATION:** Receive and discuss a draft position description of duties and qualifications of the Agency Executive Officer.

REGULAR AGENDA – LPV Watermaster Items

- 24. Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with Dudek to Prepare the Las Posas Valley Basin 2025 Optimization Yield Study – (New Item) RECOMMENDATIONS: (1)** Receive a presentation from Agency staff; and **(2) Approve and authorize the Interim Executive Officer to execute a Professional Services Contract with Dudek for the development of the 2025 Las Posas Valley Basin Optimization Yield Study.**
- 25. Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with United Water Conservation District to Perform Modeling with the Coastal Plain Model in Support of the 2025 Las Posas Basin Optimization Yield Study – (New Item) RECOMMENDATIONS: (1)** Receive a presentation from Agency staff; and **(2) Approve and authorize the Interim Executive Officer to execute a Professional Services Contract with United Water Conservation District to perform modeling with the Coastal Plain Model in support of the 2025 Las Posas Basin Optimization Yield Study.**
- 26. Policy Advisory Committee Request for Technical Advisory Committee Consultation on Del Norte Mutual Water Company (WMID 3500) Basin Assessment Protest – (New Item) RECOMMENDATIONS: (1)** Receive a presentation from Agency staff on the LPV Watermaster Policy Advisory Committee (PAC) request for LPV Watermaster Technical Advisory Committee (TAC) consultation on Del Norte Mutual Water Company's protest to payment of Water Year 2023 LPV Adjudication Basin Assessment; and **(2) Deny the PAC request for TAC consultation and refer the matter back to PAC for deliberation and recommendation.**
- 27. Adjourn Board Meeting.**

STANDING NOTICES

The FCGMA Board strives to conduct accessible, orderly, and fair meetings where everyone can be heard on the issues. The Board Chair will conduct the meeting and establish appropriate rules and time limitations for each item. The Board can only act on items designated as Action Items. Action items on the agenda are staff proposals and may be modified by the Board as a result of public comment or Board member input.

Public Comments – Public comment is the opportunity for members of the public to participate in meetings by addressing the Fox Canyon Board of Directors in connection with one or more agenda or non-agenda items.

The following options allow for public participation:

1. Join the Zoom Meeting as an Attendee:

<https://us02web.zoom.us/j/86843617748?pwd=sXlm5bwbEiFhwoScKTxbTOwTWxmugD.1>

Webinar ID: 868 4361 7748

Passcode: 193518

With this option you will be able to raise your hand, and the Clerk of the Board will give you speaking abilities to make a public comment. If you experience technical difficulties that impact your ability to hear or see meeting proceedings, please contact the host via chat, or raise your hand for Q&A inside the Zoom Client. If you are unable to contact the host via the Zoom Client's chat or Q&A features, please call (805) 654-2014 and report the issue, then submit written comment according to option 4, below. Should the technical issue persist on Zoom, please consider option 2, below.

2. Observe the Board of Directors meeting streaming live by scrolling to the "Current and Upcoming Meetings" section of our website and clicking on the video button next to the meeting listing at: <https://fcgma.org/board-agendas-broadcasts-minutes/>

3. Call in to listen to the meeting:

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 408 638 0968 US (San Jose)

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 719 359 4580 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

Webinar ID: 868 4361 7748

Passcode: 193518

Options 2 and 3 will not allow you to make direct speaking comments. If you wish to make a written comment, please follow the steps below.

4. If you wish to make a written comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the Board regular meeting. Please submit your comment to the Clerk of the Board at FCGMA@ventura.org. Please indicate in the subject line of your email the agenda item number (e.g., Item No. 9). Your email will be read by the Board of Directors and placed into the record.

5. If you are watching the live stream of the Board meeting and would like to make either a general public comment (Item 5) for items not on the day's agenda or to comment on a specific agenda item as it is being heard, please submit your comment via email, limited to 250 words or less, to the Clerk of the Board at FCGMA@ventura.org. Please indicate in the email subject line, the agenda item number (e.g., Item No. 9). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

Administrative Record: Material presented as part of testimony will be made part of the Agency's record, and 10 copies should be left with the Board Clerk or emailed to FCGMA@ventura.org. This includes any photographs, slides, charts, diagrams, etc.

ADA Accommodations: Persons who require accommodation for any audio, visual, or other disability in order to review an agenda or to participate in the Board of Directors meeting per the Americans with Disabilities Act (ADA), may request such accommodation in writing addressed to the Clerk of the FCGMA Board, 800 So. Victoria Avenue, Location #1610, Ventura, CA 93009-1610, via emailing FCGMA@ventura.org or via telephone by calling (805) 654-2014. Any such request should be made at least 48 hours prior to the meeting so staff can make the necessary arrangements.

Availability of Complete Agenda Package: A copy of the complete agenda package is available for examination at the FCGMA office during regular working hours (8:00 a.m. to 5:00 p.m. Monday through Friday) beginning five days before the regular Board meeting. Agenda packet contents are also posted on the FCGMA website as soon as possible and left there for archival retrieval in case reference is needed on previously considered matters. Questions about specific items on the agenda should be directed to the Agency's Executive Officer.

Continuance of Items: The Board will endeavor to consider all matters listed on this agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Participating individuals or parties will be notified of the rescheduling of their item prior to the meeting. Please contact the FCGMA staff to find out about rescheduled items.

Electronic Information and Updates: Our website address is <https://fcgma.org/>. Information available online includes the Board's meeting schedule, a list of the Board members and staff, general information, and various Agency forms. If you would like to speak to a staff member, please contact the FCGMA Clerk of the Board at (805) 654-2014 or via email at FCGMA@ventura.org.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
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INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Executive Officer's Report – (Returning Item)

RECOMMENDATION: Receive and file this informational report.

MONTHLY BUDGET TO ACTUAL ACCOUNTING: SEPTEMBER 2024

FCGMA Balance Report

The September 2024 FCGMA balance report is included on your Board's Consent Agenda. Revenue increased by \$258,635.45 (388%) in September (AP03/September in the report) from August (AP02), from the collection of pumping charges, GEMES Reserve fees, and Sustainability fees. Interest earnings received from the County Pooled Investment Fund totaled \$44,282.25. The Agency received \$46,472.00 total from United Water Conservation District and Pleasant Valley Water Conservation District for the third SGM Grant consultant grant administration services agreement payment. Expenses increased by \$274,661.57 (23%) in September due to expenses incurred from ongoing Dudek contract work, Agency Counsel legal expenses, and continued Wild Heron Drilling, LLC work on the Oxnard Basin and PV Basin Monitoring Wells (which will be reimbursed by the DWR SGM Grant). No other significant variances have been noted.

LPV Watermaster Balance Report

The September balance report for LPV Watermaster is the inaugural release of this report for Watermaster. It is included on your Board's Consent Agenda. No significant variances noted to report.

LPV WATERMASTER

Extraction And Use Reporting Update:

The online semi-annual Groundwater Extraction and Use Reporting Tool (tool) is available as of October 15, 2024, for reporting extractions and usage occurring between April 1, 2024, to September 30, 2024. On October 3, 2024, staff sent a notification email (attached to this report as Exhibit 6A) alerting water right holders of an imminent email from its consultant Regional Government Services (RGS), containing a custom link to the tool, noting that reporting is due November 15, 2024.

As of October 11, 2024, Groundwater Extraction and Use Reporting for the LPV Basin for the period between October 1, 2023, and March 31, 2024, stands at 78% complete, 21% no response, and 1% partially completed.

**Basin Assessment Updates:
2024-1**

On September 25, 2024, the Watermaster Board adopted a Basin Assessment for Las Posas Valley Basin for Water Year (WY) 2024 of \$64.58 to be invoiced quarterly at \$16.145.¹ The first quarterly Basin Assessment (BA) Invoices for Water Year 2024 were sent to water right holders via email on October 2, 2024. BA payments are due November 1, 2024. Payments not received within a month of the due date will be considered delinquent and shall bear interest at the current real property tax delinquency rate for Ventura County.² Adopted Annual Allocations for WY 2024 and the schedule of quarterly installments are available on the Watermaster website at: <https://fcgma.org/annual-allocations-wy-2024/>.

Shareholders with multiple email contacts may have received a second email containing invoices on October 3, 2024, due to a technical error. The error prevented all contacts from receiving invoices in the first email send. Staff immediately identified and resolved the matter, then followed up with an email notification on October 8, 2024, informing stakeholders of the matter (attached as Exhibit 6B).

2023-1

As of October 15, 2024, staff have processed \$1,287,217.90 from LPV Basin Assessments for WY 2023. Delinquent payments for WY2023 as of September 27, 2024, amount to \$23,242.72 from 10 WMIDs³. Staff is taking the next steps within the current enforcement mechanisms available to Watermaster.

Insurance Coverage for LPV Watermaster Committees

LPV Watermaster inquired and has heard back from agent Erin Highberg of AssuredPartners, who coordinated and delivered a response from Glatfelter, the underwriter for the Agency's insurance policy. Dated October 15, 2024, (and attached to this report as Exhibit 6C), the response states that coverage for Policy Advisory Committee (PAC) and Technical Advisory Committee (TAC) members falls under the Public Officials and Management Liability section of the Agency's current coverage. The response also notes that an administrative assistant to the PAC Administrator, who is not an appointed member to any committee but a subconsultant, would not be able to be added to the Agency's policy by a rider. PAC and TAC members, and the prospective PAC Administrative Assistant who would subcontract to the PAC Administrator, were also

¹ September 25, 2024, Board Agenda (see Item 21) and recording available at <https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=19261>; draft minutes in 10/23 Agenda.

² LPV Judgment § 2.8.2

³ The updated Delinquency List for WY 2023-1 Basin Assessments is available via the LPV Watermaster homepage: <https://fcgma.org/las-posas-valley-watermaster/>.

informed of this response on October 15 (this correspondence is also included in Exhibit 6C).

BOARD AND COMMITTEE MEETINGS

If needed, the special meeting tentatively scheduled for Friday, November 8, 2024, at 1:30 P.M. will be held in the Multi-Purpose Room (MPR) due to construction in the Board of Supervisors (BOS) Hearing Room during the month of November. The room change and directions to the MPR will accompany the agenda notification, if the special meeting is confirmed to be held. This information item will remain part of the Administrative Report for meetings held during the duration of the construction project in the BOS.

For more information about Board and Committee meeting logistics, please refer to the updated list of scheduled meetings for 2024 (attached as Exhibit 6D).

Committee Meetings:

The Executive Committee met on Monday, October 14, 2024, to review and discuss the ongoing staffing analysis work by consultant Hallmark Group, and to discuss Resolution 2008-08 and next steps regarding defining the Executive Officer role. The draft material and presentation given to the Executive Committee is attached as Exhibit 6E. Staff anticipate that Hallmark Group will present their findings and finalized deliverable during the Friday, December 13, 2024, Board special meeting.

The Operations Committee meeting is tentatively scheduled to meet on Monday, December 2, 2024.

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,



Arne Anselm
Interim Executive Officer

Attachments:

Exhibit 6A – LPV Watermaster Extraction & Use Reporting Tool Notification, Sent October 2, 2024

Exhibit 6B – Clarification RE-LPV WY 2024-1 Annual Groundwater Allocation Invoice, Sent October 8, 2024

Exhibit 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter, Received October 15, 2024

Exhibit 6D – Updated List of Scheduled Meetings for Calendar Year 2024

Exhibit 6E – Staffing Analysis Materials Presented to Executive Committee, October 14, 2024

**Item 6, Exhibit 6A - LPV Watermaster Extraction & Use Reporting Tool Notification,
Sent October 2, 2024**

From: [LPV Watermaster](#)
To: [LPV Watermaster](#)
Subject: LPV Watermaster Extraction & Use Reporting Tool (April 1- September 30, 2024) - Next Steps
Date: Wednesday, October 2, 2024 12:29:00 PM

Dear Las Posas Valley Water Right Holder:

The Las Posas Valley (LPV) Adjudication Judgment requires Water Right Holders to report their Groundwater Extraction and Use to the Watermaster. Watermaster contracted with Regional Government Services (RGS) to develop an online reporting tool to collect Extraction and Use data.

The week of October 14, each Water Right Holder, except Mutual Exclusive Shareholders as defined in the Judgment, will receive a separate email from RGS (domain name: @rgs.ca.gov), containing a customized link to the online reporting tool. The link will contain a survey and instructions for completing the Groundwater Extraction and Use report for the period between April 1, 2024, and September 30, 2024. A Mutual Water Company will report on behalf of its Exclusive Shareholders; thus, Mutual Exclusive Shareholders will not receive a customized link from RGS.

Groundwater Extraction and Use reports are due on or before **November 15, 2024**. Watermaster will have the authority to enforce the terms of the Judgment, which authority will include at a minimum, the investigation and enforcement authority granted to a GSA under Water Code section 10732 and authorities granted to the FCGMA under its enabling legislation.

Regards,

LPV Watermaster

c/o Fox Canyon Groundwater Management Agency
800 S. Victoria Avenue, L#1610, Ventura, CA 93009

LPV.Watermaster@ventura.org | <https://fcgma.org/las-posas-valley-watermaster/>

Item 6, Exhibit 6B - Clarification Regarding LPV WY 2024-1 Annual Groundwater Allocation Invoice, sent October 8, 2024

From: [LPV Watermaster](#)
To: [LPV Watermaster](#)
Subject: **Clarification** Las Posas Valley Water Year 2024-1 Annual Groundwater Allocation Invoice
Date: Tuesday, October 8, 2024 2:35:00 PM

Dear Water Right Holder(s),

You may have received a second email on October 3, 2024, containing the 1st Quarterly Basin Assessment for WY2024. Due to a technical error, not all authorized designees or recipients to a single WMID received the initial invoice released on October 2, 2024. Staff worked expeditiously to identify and rectify the matter and released the second invoice which was limited to the affected WMIDs. Information contained on both invoices is the same, except the release date.

Should you have additional questions, please contact LPV.Watermaster@ventura.org.

Thank you,

LPV Watermaster

Item 6, Exhibit 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter, Received October 15, 2024

From: [Erin Highberg](#)
To: [Weber, Elka](#)
Cc: [Anselm, Arne](#); [Pekinas, Daiva](#); [Kaseke, Farai](#)
Subject: RE: Glatfelter Insurance Policy - Questions regarding Committee members, riders | LPV Watermaster
Date: Tuesday, October 15, 2024 9:32:57 AM

Hello Elka,

From the carrier;

As you have referenced under the POML section , 2a. Each of the following is also an insured : Elected or appointed officials.

2. Each of the following is also an insured:

- a. **Elected or appointed officials.** Your elected and appointed officials, including elected and appointed officials of your operating authorities, boards, commissions, districts, or other governmental units but only for acts within the course and scope of their duties for the insured public entity or its operating authorities, boards, commissions, districts or other governmental units.

**For the second part of your question with regards to PAC Administrative Assistant who would also be a subconsultant, will not be able to be added onto the policy by a rider. It appears that she would need to obtain a GL policy for herself as an independent contractor.*

Erin Highberg, (She/They)

Account Executive, Select Business Unit Supervisor, 0H87660



OM07762

Item 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter

From: Pekinas, Daiva
Sent: Thursday, October 3, 2024 12:40 PM
To: Erin Highberg
Cc: Weber, Elka; Anselm, Arne
Subject: FW: Glatfelter Insurance Policy - Questions regarding Committee members, riders

Good day, Erin,

I hope this finds you well.

We are looking for clarification on Fox Canyon Groundwater Management Agency policy coverage for Committee members. If you could please advise us re: questions in the email below,

Policy# GPNU-PF-0018164-04/000

Thank you in advance,

Daiva Pekinas
Accountant II
Central Services Department

800 S. Victoria Ave. / #1600
Ventura, CA 93009
P: 805.654.2496
[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

From: Weber, Elka
Sent: Wednesday, October 2, 2024 5:08 PM
To: Pekinas, Daiva
Cc: Anselm, Arne
Subject: Glatfelter Insurance Policy - Questions regarding Committee members, riders

Hello Daiva,

Do you have time this week to work with me on contacting our insurance representative to discuss the process for the below?

Perhaps we can discuss over email because the questions are a bit involved.

1. Confirming our Policy Advisory Committee (PAC) and Technical Advisory Committee (TAC) members are insured under our policy for Public Officials and Management Liability
 - a. See Section II – Who is an Insured, number 2 a: the PAC committee members were appointed by constituency groups per the LPV adjudication judgment
 - b. Section II, number 2 b: the PAC are volunteer workers.
 - c. The TAC members were nominated by the PAC and are paid via contract for their technical services to FCGMA acting as Watermaster.
 - d. If these committee members are not already covered according to our policy's existing terms, can they be

Item 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter

added via rider?

- i. What would that process entail, and when would it become effective?
2. Inquiring whether we can add the PAC administrative assistant, who would be a subconsultant to the PAC Administrator, to our policy via rider.
 - a. She is not an employee or a volunteer worker but would subcontract to the PAC Administrator to provide services to the Policy Advisory Committee.
 - i. In order for the administrative assistant to work for the PAC, she must have general liability insurance per the contract with the PAC Administrator and FCGMA.
 1. She was asking us if she would be included under the Committee member stipulation, above, but she is not a Committee member.
 - a. Can we add her via rider to our General Liability policy?
 - i. What would that process entail, and when would it become effective?

Thank you!

Elka

Elka Weber

Administrative Assistant III, Clerk of the Board

Fox Canyon Groundwater Management Agency

800 S. Victoria Ave. #1600, Ventura, CA 93009

Item 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter

From: [LPV Watermaster](#)
To: [LPV Watermaster](#)
Subject: PAC and TAC Committee Insurance Coverage - POML Policy
Date: Tuesday, October 15, 2024 3:08:14 PM
Attachments: [Item 6C - LPV Watermaster Committee Insurance Query Response from Glatfelter.pdf](#)

Good afternoon, Policy Advisory Committee members and Technical Advisory Committee members,

For your information, please see the attached response from our insurance carrier regarding insurance for PAC and TAC members.

2. Each of the following is also an insured:
 - a. **Elected Or Appointed Officials.** Your elected or appointed officials, including elected or appointed officials of your operating authorities, boards, commissions, districts, or other governmental units but only for acts within the course and scope of their duties for the insured public entity or its operating authorities, boards, commissions, districts or other governmental units.

Your Public Officials and Management Liability coverage began upon appointment and covers acts within the course and scope of your duties for LPV Watermaster or its operating authorities.

Regards,

LPV Watermaster

c/o Fox Canyon Groundwater Management Agency

800 S. Victoria Avenue, L#1610, Ventura, CA 93009

LPV.Watermaster@ventura.org | <https://fcgma.org/las-posas-valley-watermaster/>

Item 6C – LPV Watermaster Committee Insurance Query Response from Glatfelter

From: [Weber, Elka](#)
To: [Beryl Woodwater](#); [Ian Prichard](#); [Rancho Servin](#)
Cc: [Kaseke, Farai](#); [Anselm, Arne](#)
Subject: RE: PAC Administrator Contract & Insurance Requirements | RE: Caroline Wesley insurance reqs
Date: Tuesday, October 15, 2024 2:58:00 PM
Attachments: [Item 6C - LPV Watermaster Committee Insurance Query Response from Glatfelter.pdf](#)

Hello Caroline,

We have heard back from our insurance carrier via our insurance agent. Please see the attached response.

**For the second part of your question with regards to PAC Administrative Assistant who would also be a subconsultant, will not be able to be added onto the policy by a rider. It appears that she would need to obtain a GL policy for herself as an independent contractor.*

The attached information will also be sent directly to the PAC and TAC, and it will be included as an information item on the upcoming Board Agenda for the October 23, 2024, meeting.

Thank you,
Elka

Elka Weber
Administrative Assistant III, Clerk of the Board
Fox Canyon Groundwater Management Agency
800 S. Victoria Ave. L#1610, Ventura, CA 93009

From: Weber, Elka
Sent: Wednesday, October 2, 2024 4:25 PM
To: Beryl Woodwater; Ian Prichard; Rancho Servin
Cc: Kaseke, Farai; Anselm, Arne
Subject: Re: PAC Administrator Contract & Insurance Requirements | RE: Caroline Wesley insurance reqs

Hi Caroline,

I've met with Arne. We're asking our insurance company your questions and will let you know.

We understand the contract with Daniel B. Stephens does require subconsultants to have their own insurance.

Thank you,
Elka

Fox Canyon Groundwater Management Agency (FCGMA) Scheduled Meetings for Calendar Year 2024



Board Regular Meetings

Fourth Wednesday, monthly

| | | |
|------------------------------------|---------------------|-----------------|
| January 24 th | 1:30 pm | BOS |
| February 28 th | 1:30 pm | BOS |
| March 27 th | 12:30 pm | BOS |
| April 24 th | 12:30 pm | BOS |
| May 22 nd | 12:30 pm | BOS |
| June 26 th | 12:30 pm | BOS |
| July 24 th | 12:30 pm | BOS |
| August 28th | 12:30 pm | LPAR |
| September 25 th | 12:30 pm | BOS |
| October 23 rd | 12:30 pm | BOS |
| November | N/A | N/A |
| December 4th | 12:30 pm | ACR |

*Board Special Meetings

Second Friday, monthly

| | | |
|------------------------------------|--------------------|-----------------|
| January 12 th | 1:30 pm | BOS |
| February 9th | 1:30 pm | BOS |
| March 8 th | 1:30 pm | BOS |
| April 12th | 1:30 pm | BOS |
| May 10th | 1:30 pm | BOS |
| June 13 th | 3:00 pm | BOS |
| July 9 th | 11:00 am | BOS |
| August 9th | 1:30 pm | LPAR |
| September 13 th | 1:30 pm | BOS |
| October 11th | 1:30 pm | BOS |
| November 8th | 1:30 pm | MPR |
| December 13 th | 1:30 pm | BOS |

*Executive Committee Meetings

| | | |
|---------------------------|---------|------|
| March 21 st | 2:00 pm | ACR |
| June 20 th | 9:00 am | LPAR |
| October 14 th | 1:00 pm | LPAR |
| December 19 th | 9:00 am | MPR |

*Operations Committee Meetings

| | | |
|------------------------------------|--------------------|----------------|
| February 5th | 2:00 pm | MPR |
| April 1st | 2:00 pm | MPR |
| June 3rd | 2:00 pm | MPR |
| August 28 th | 2:00 pm | LPAR |
| October 7th | 2:00 pm | MPR |
| December 2 nd | 2:00 pm | MPR |

*Fiscal Committee Meetings

| | | | |
|-----------------|------------------------|---------|------|
| LPV Watermaster | May 14 th | 2:00 pm | ACR |
| LPV Watermaster | June 10 th | 2:00 pm | ACR |
| FCGMA | June 11 th | 2:00 pm | LPAR |
| FCGMA | July 9 th | 8:30 am | MPR |
| FCGMA | August 9 th | 1:30 pm | MPR |

Key

All meetings listed with an asterisk () are subject to necessity.

| | <i>Already Occurred</i> |
|---------------------|-----------------------------|
| Meeting Date & Time | <i>Did Not Hold Meeting</i> |

^^All Regular and Special Board meetings will be held in the Board of Supervisors Hearing Room (BOS) unless noted.

ACR = Atlantic Conference Room

LPAR = Lower Plaza Assembly Room

MPR = Multi-Purpose Room

This brochure may help with locating conference rooms in the Hall of Administration:

<https://docs.vcrma.org/images/pdf/planning/brochures/HOA-Brochure-Map.pdf>

Item 6, Exhibit 6E –Staffing Analysis Draft Deliverables and
Presentation Given to the Executive Committee,
October 14, 2024

STAFFING ANALYSIS FOR THE FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Prepared by the Hallmark Group

October 2024

INTRODUCTIONS

- Jim Beck
- Taylor Blakslee
- Grace Bianchi

Item 6E

FCGMA BOARD MEETING PACKET - OCTOBER 23, 2024

SCOPE OF WORK

- Hallmark Group was contracted to develop a report analyzing the staffing requirements for the Fox Canyon Groundwater Management Agency (FCGMA) tasks listed in the “FCGMA Work Tasks and Prioritization” table for:
 - The end of the calendar year (9-months), and
 - Full 12-month period
- Additional tasks required to run and operate the FCGMA were presented to the Executive Committee (EC) on June 20, 2024.
 - The EC directed Hallmark to include those additional tasks in the staff analysis.

STAFFING ANALYSIS METHODOLOGY

- Hallmark Group developed an excel sheet of the main tasks in the FCGMA Work Tasks and Prioritization sheet and identified subtasks to assist in creating detailed work hour estimates.
 - Interviews were held with FCGMA staff to review staffing requirement assumptions and FCGMA staff supplied estimates for those subtasks that were included within the task level shown in the FCGMA Work Task and Prioritization sheet.
 - The additional tasks identified by the Hallmark Group and reviewed with the EC.
- Following the initial interviews, Hallmark Group reached out to staff regularly to further refine the analysis.
- Hallmark Group used its understanding of public agency staffing requirements to provide a qualitative assessment during staff interviews to develop appropriate task assumptions and in reviewing the final draft staff hours.

| Task | Frequency | Importance | Urgency | Current Priority |
|---|-----------|------------|------------|------------------|
| I. Board Meetings | | | | |
| 1. Board meetings, agendas, minutes | Ongoing | Important | Urgent | 1 |
| 2. Committee meetings, agendas, minutes | Ongoing | Important | Urgent | 1 |
| II. Legislation and Regulations | | | | |
| 1. GSP 5-Year Evaluation | Periodic | Important | Urgent | 2 |
| 2. GSP Annual Reports | Periodic | Important | Urgent | 2 |
| 3. Annual Work Plan & Budget | Periodic | Important | Urgent | 2 |
| 4. Biennial Audit | Periodic | Important | Urgent | 2 |
| 5. Public Records Act (PRA) Requests | Ongoing | Important | Urgent | 2 |
| III. Judgment and Litigation | | | | |
| 1. LPV Adjudication Judgment | Ongoing | Important | Urgent | 3 |
| a. Watermaster Admin | Ongoing | Important | Urgent | 3 |
| b. Basin Optimization Yield Study | Periodic | Important | Urgent | 3 |
| c. Basin Optimization Plan | Periodic | Important | Urgent | 3 |
| 2. OPV Adjudication | Ongoing | Important | Urgent | 3 |
| a. Discovery | Ongoing | Important | Urgent | 3 |
| IV. Ordinance | | | | |
| 1. Semi-Annual Statements (SAES) | Ongoing | Important | Urgent | 4 |
| a. Programming and mailing | Periodic | Important | Urgent | 4 |
| b. Processing | Ongoing | Important | Urgent | 4 |
| 1. Entering paper SAES | Periodic | Important | Urgent | 4 |
| 2. Review flowmeter photos | Ongoing | Important | Urgent | 4 |
| 3. Payments, refunds, etc. | Ongoing | Important | Urgent | 4 |
| 4. Customer service, walk-ins, etc. | Ongoing | Important | Urgent | 4 |
| 2. Well Permit Applications | Periodic | Important | Urgent | 4 |
| 3. Allocation Transfer Requests | Periodic | Important | Urgent | 4 |
| 4. Flowmeters & AMI | Ongoing | Important | Urgent | 4 |
| a. Calibration review & processing | Ongoing | Important | Urgent | 4 |
| b. Flowmeter replacement, rollover, water usage estimates | Ongoing | Important | Urgent | 4 |
| c. AMI data management | Ongoing | Important | Urgent | 4 |
| 5. Owner and/or operator changes | Ongoing | Important | Urgent | 4 |
| 6. Compliance/Enforcement | Ongoing | Important | Not Urgent | 5 |
| a. Non-reporting | Ongoing | Important | Not Urgent | 5 |
| b. Failure to register change of owner/operator | Ongoing | Important | Not Urgent | 5 |
| c. Flowmeter calibration | Ongoing | Important | Not Urgent | 5 |
| d. AMI | Ongoing | Important | Not Urgent | 5 |
| V. Resolution | | | | |
| 1. Conejo Creek Project | Ongoing | Important | Not Urgent | 5 |
| 2. NPV Desalter | Ongoing | Important | Not Urgent | 5 |
| 3. GREAT / RWPA Program | Ongoing | Important | Not Urgent | 5 |
| VI. Grant - SGM Implementation Rd 1 | | | | |
| 1. OPV Monitoring Well Installation | Ongoing | Important | Urgent | 6 |
| 2. Subgrantee awards to UWCD, PVCWD, Camarillo | Ongoing | Important | Urgent | 6 |
| 3. Quarterly reports | Ongoing | Important | Urgent | 6 |
| VII. Board Direction | | | | |
| 1. Oxnard well destruction (in progress) | One-Time | Important | Urgent | 6 |
| 2. Project Prioritization | Periodic | Important | Not Urgent | 7 |
| 3. Replenishment Fee | One-Time | Important | Not Urgent | 7 |
| 4. OPV variance applications | One-Time | Important | Not Urgent | 7 |
| 5. New data management system procurement | One-Time | Important | Not Urgent | 7 |
| 6. CombCode - ordinance amendments | One-Time | Important | Not Urgent | 7 |
| 7. Study of independent staffing for Agency | One-Time | Important | Not Urgent | 7 |

KEY CONSIDERATIONS

- The tasks listed in the FCGMA Work Tasks and Prioritization sheet do not include all the tasks required to manage and operate the FCGMA.
 - Additional tasks were included for an accurate FCGMA staffing assessment.
- Estimates in the report represent the hours necessary to operate the FCGMA, not the hours staff are currently working since historically, overtime is not tracked in the FCGMA system.
 - The estimates include tasks currently performed by third-parties due to insufficient staffing levels.
 - OPV Adjudication is new process and staffing estimate was based on Hallmark's experience as Watermaster in the Antelope Valley Adjudication
- The analysis does not include indirect costs (i.e. office space, equipment, energy, or County overhead, etc.).
 - County overhead (fiscal service, and ancillary IT support, etc.) is outside this scope of work and was not calculated as part of this analysis.

FTE REQUIREMENT

One-time tasks
Through End of 2024
(9-Months)

2.23

Recurring Tasks
Fiscal Year Period
(12-Months)

19.58

FTE REQUIREMENT

| Ref. # | Task Description | Monthly Hours | Monthly FTE |
|--------|---------------------------------------|-----------------|--------------|
| | I.Board Meetings | 303.50 | 1.90 |
| | II.Legislation and Regulations | 507.58 | 3.17 |
| | III.Judgment and Litigation | 468.29 | 2.93 |
| | IV.Ordinance | 1,436.17 | 8.98 |
| | V.Resolution | 102.25 | 0.64 |
| | VI.Grant - SGMA Imp. Rd 1 | 134.91 | 0.84 |
| | VII.Board Direction | 63.37 | 0.40 |
| | Additional Tasks | 473.54 | 2.96 |
| | TOTAL | 3,489.61 | 21.81 |

SUBTASKS USED FOR FTE ANALYSIS

| Ref. # | Task Description |
|---|--|
| I. Board Meetings | |
| 1 Board meetings, agendas, minutes | |
| a | Maintaining mailing lists |
| b | Scheduling/Logistics/Board member follow-up (parking permits, Form 700 filings) |
| c | PM Monday meeting with EO |
| d | Agenda development |
| e | Board doc development/review |
| f | Develop financials and POB |
| g | Board presentation development |
| h | Board letter (drafts and reviews) |
| i | Board meeting |
| j | Board follow up/tasks |
| k | Pre and post debriefing board meetings |
| l | Contract modification follow-up (post Board direction) |
| m | Drafting, proofing, and (post-Board approval) filing amendments, resolutions; publishing on website |
| n | Filing NOEs, scheduling and publicizing hearings |
| o | Draft Minutes |
| p | Noticing meeting [Entering into PrimeGov, updating website, emailing notice, posting notice, mailing |
| 2 Committee meetings, agendas | |
| a | Agenda development |
| b | Committee doc development/review |
| c | Committee presentation development |
| d | Committee meeting |
| e | Committee follow up/tasks |
| f | Noticing meeting |
| II. Legislation and Regulations | |
| 1 GSP 5-Year Evaluation | |
| i OPV | |
| a | PM with consultant |
| b | Review of 3 public workshop materials |
| c | Review United modeling summary as needed and meetings on EBB project |
| d | Process invoices for consultant |
| e | Fiscal processing (County staff dedicated [not full time]) |
| f | Workshop promo / outreach Q&A / site logistics |
| g | Prep with Dudek (1 hr/wkshop) |
| h | Public workshop attendance (3hrs/workshop) |
| i | Request, file and forward data |
| j | Review draft reports |
| k | Staff upload to DWR portal |

| | |
|--|--|
| ii LPV | |
| a | Website updates (as-needed) |
| b | Noticing (email) for workshops, report drafts, etc. |
| c | Request and compile GW data (elevation, quality) and send to Dudek |
| d | Review draft GSP evaluation report |
| e | PAC draft memos for PAC consultation tasks related to GSP |
| f | Response reports to PAC recommendation report |
| g | TAC being assembled |
| h | TAC consultation (new uses, annual reports, basin optimization yield study, basin optimization yield |
| i | Draft memos for TAC consultation related to GSP |
| j | Staff upload to DWR portal |
| k | Log, code, track and route invoices from counsel, consultants |
| 2 GSP Annual Reports | |
| i OPV | |
| a | Coordinate with consultant on development |
| b | Review results with subcommittee |
| c | Public outreach (mailing, posting, develop comment matrix with staff response) |
| d | Process invoices for consultant |
| e | Request, file and forward data to consultant |
| f | Review draft reports |
| g | Staff prepare for and upload to DWR portal |
| ii LPV | |
| a | Coordinate with consultant on development |
| b | Review results with subcommittee |
| c | Public outreach (mailing, posting, develop comment matrix with staff response) |
| d | Process invoices for consultant |
| e | Request, file and forward data to consultant |
| f | Review draft reports |
| g | Staff upload to DWR portal |
| 3 Annual Work Plan & Budget | |
| a | Draft/update workplan and budget |
| b | Budget mid-year review |
| c | Budget & cash flow development |
| d | Review with committee |
| e | Finalize budget (finalize, post on web, etc.) |
| f | Proof / format |
| g | Draft Proposed budget report |
| 4 Biennial Audit | |
| a | Develop RFP and on-board audit firm |
| b | Staff interface on audit development |
| c | Staff review of audit report |
| d | Process invoices for consultant |
| 5 PRAs | |
| a | Public Inquiries |
| b | Customer Inquiries |

| | |
|---|---|
| III. Judgment and Litigation | |
| 1 LPV Adjudication Judgment | |
| a Watermaster Admin | |
| 1 | Initial mailout to recipients |
| 2 | PRAs |
| 3 | Budget and workflow |
| 4 | Maintaining Constant Contact/stakeholder lists |
| 5 | Customer inquiries |
| 6 | Change of extraction, well replacement (new-replacement) |
| 7 | Data analysis missing wells database vs judgment |
| 8 | WMID confirmations and changes |
| 9 | Transfers, Overuse |
| 10 | Carryover |
| 11 | Delinquencies and enforcement |
| 12 | Watermaster webpage, design, content & review |
| 13 | Noticing and update watermaster site (PAC and TAC develops agendas and minutes) |
| 14 | Developing database specifications for LPV reporting and testing, invoices |
| 15 | Develop Extraction and Monitoring tool for LPV reporting |
| 16 | Database design, additions, changes, testing |
| 17 | Processing LPV BA payments & associated tasks |
| 18 | LPV annual allocations |
| 19 | Semi Annual groundwater extraction and use reporting |
| i | FCGMA staff coordination/directing/testing for RGS |
| ii | FCGMA staff response to stakeholder inquiries |
| iii | RGS (consultant) developing reporting tool -- could be staff time |
| iv | RGS inquiries |
| v | Landowner inquiries |
| 20 | Process invoices for counsel, consultants |
| 21 | Basin Assessment (Quarterly billing) |
| i | Develop invoices and send out (water use based on judgement), ensure permanent transfers are included |
| ii | Processing / AR |
| iii | Landowner Inquiries |
| iv | Enforcement / penalty assessment |
| v | Monthly status report/update to FCGMA Board |
| 22 | PAC meetings every two weeks (3-6pm) |
| 23 | Review and potential response to PAC recommendation report |
| 24 | PAC draft memos for PAC consultation tasks not related to GSP and more policy as defined in judgment |
| 25 | Response reports to PAC recommendation report |
| 26 | PAC member replacement |
| 27 | Review and potential response (up to 16) to TAC recommendation report |
| b Basin Optimization Yield Study | |
| c Basin Optimization Plan | |
| 2 OPV Adjudication | |
| a Discovery | |
| i | Counsel litigation |
| ii | Process invoices for counsel, consulting counsel |

SUBTASKS USED FOR FTE ANALYSIS

| |
|--|
| IV. Ordinance |
| 1 Well Registration |
| a Unregistered wells |
| b Owner and/or operator changes |
| 1 Validate SWN / APN / Owner / Agent |
| 2 Validate / Set Up Account Structure & network files |
| 3 Revised/New SAES & Outreach |
| 4 Scan / File / Notes |
| 2 Semi-Annual Statements (SAES) |
| a Programming and mailing |
| 1 Design updates (ea. enhancement) |
| 2 Develop business rules |
| 3 Testing |
| 4 Production / Mail |
| b Processing |
| 1 Entering paper SAES |
| 2 Review flowmeter photos |
| 3 Review reported extractions |
| 4 Payments (apply payment, generate receipt, fiscal report) |
| 5 Refunds (research, memo, approval, adjustment receipt, transmittal) |
| 6 Customer service, walk-ins, etc. |
| 7 Deficiency reporting (research, correspondence, follow up) |
| 8 CP Waivers (review, report, memo, db adjustment, correspondence, records update) |
| 9 CombCode changes (review permit conditions & owner approval, account / file setup, correspondence) |
| 10 Surcharges |
| 11 Supervisor/ Manager Follow-up/Review |
| 12 Non-Reporters |
| 13 Outreach |
| 14 Scanning & filing |
| 3 Well Permit Applications |
| a Review for completeness, process applications (including research, and analyses) |
| 4 Allocation Transfer Requests |
| a Variances - review for completeness, process applications (including research, and analyses) |
| b Transfers - review for completeness, process applications (including research, and analyses) |

| |
|--|
| 5 Flowmeters & AMI |
| a Calibration review and processing |
| b Flowmeter replacement, rollover |
| c AMI data management |
| d NOVs |
| e Annual Flowmeter Exemptions |
| f Domestic AMI Exemptions |
| h Groundwater Estimate Analysis |
| i Data Management System Meetings |
| 6 Owner and/or operator changes |
| a Current monthly effort (what's happening) |
| b Backlog (est. of hours for monthly) |
| 7 Compliance/Enforcement |
| a Mail meter calibration notices, NOVs, and letters. |
| b Non-Reporting |
| c Failure to register change of owner/operator |
| d Flowmeter calibration |
| e AMI |
| f Late/Non-Reporters |
| 1 Follow up with non-reporters |
| 2 Access Civil Penalties |
| 3 Data Entry (and billing) into FCGMA Online |
| 4 Recommendation to EO for enforcement action |
| 5 Process civil penalty |
| 6 Process multi-reporting period civil penalty waiver request letters, |

| |
|---|
| V. Resolution |
| 1 Conejo Creek Project |
| 2 NPV Desalter |
| 3 GREAT / RWPA Program |
| 4 Credits |
| 5 Board Approved Projects |
| 6 Update Resolutions (including project resolutions) |
| VI. Grant - SGMA Imp. Rd 1 |
| 1 OPV monitoring well installation |
| a Process consultant invoices |
| b Construction support (Dudek) |
| c Task and information administration |
| 2 Subgrantee awards to UWCD, PVCWD, Camarillo |
| a Process consultant invoices |
| 3 Quarterly reports |
| a Collect, review invoices and develop invoice package |
| b Grant closeout reports (final deliverables, etc.) |
| c Post-grant performance reports |
| 4 Grant -Follow-up Compliance |
| 5 GSP Implementation |
| a Monitoring well installation and follow-up monitoring |
| b Meetings, studies, analyses |
| c Process consultant invoices |
| VII. Board Direction |
| 1 Oxnard well destruction |
| 2 Project prioritization |
| 3 Replenishment fee |
| 4 OPV variance applications |
| 5 New data management system procurement |
| 6 CombCode - ordinance amendments |
| 7 Study of independent staffing for Agency |

ADDITIONAL TASKS

1 Administration

- a Consultant management
- b FCGMA general strategy/planning
- c Legal counsel *overhead task, not included in the analysis
- d HR / Personnel Issues
- e Insurance Renewal
- f Grant Proposals
- g PRA Response
- h State Trainings/workshops
- i Departmental development
- j IT Support

2 Outreach

- a Monthly time for stakeholder support
- b Website update and hosting
- c Mailings / Notices
- d Workshops

3 Financial Management

- a FCGMA Monthly Invoicing & Financials
- b Audit Coordination
- c Budget Development

4 New / Replacement Well Review (AB 2079)

5 Clerk Specific

6 Other Tasks (see Article 5 of Assembly Bill No. 2995)

7 Future Tasks

CONCLUSIONS

- Currently, staff is performing a subset of the required tasks for the administration of FCGMA, and the full-time equivalent (FTE) of this task subset is approximately 15 employees.
- The estimated level of staffing to perform all the required tasks (unimitated tasks and the additional identified tasks) is approximately 20 FTEs.
- Using employee rates that include employee benefits and overhead, the estimated staff costs to perform all required FCGMA tasks is \$5.7 million.

POTENTIAL NEXT STEPS

Hallmark Group recommends the following potential next steps:

- Refine staff analysis to reflect input from the EC and/or the Board
- Perform additional analysis to include FCGMA indirect costs
- Prepare a report that identifies total costs for operation of FCGMA

Item 6E –Staffing Analysis Draft Deliverables and Presentation Given to the Executive Committee, October 14, 2024

FCGMA STAFF ANALYSIS - TASK SUMMARY

Handout of Exhibit from Executive Committee Meeting - Tasks and 12-Month Totals

| Ref. # | Task Description | No/Limited Hours | 9-Month | | |
|---------------------------------|---|------------------|----------------------|---------------|-------------|
| | | | Only | Monthly Hours | Monthly FTE |
| I. Board Meetings | | | | 303.50 | 1.90 |
| 1 | Board meetings, agendas, minutes | | | 234.25 | 1.46 |
| 2 | Committee meetings, agendas | | | 69.25 | 0.43 |
| II. Legislation and Regulations | | | | 507.58 | 3.17 |
| 1 | GSP 5-Year Evaluation | | x | 214.67 | 1.34 |
| 2 | GSP Annual Reports | | | 67.25 | 0.42 |
| 3 | Annual Work Plan & Budget | | | 59.92 | 0.37 |
| 4 | Biennial Audit | | | 32.75 | 0.20 |
| 5 | PRAs | | | 133.00 | 0.83 |
| III. Judgment and Litigation | | | | 468.29 | 2.93 |
| 1 | LPV Adjudication Judgment | | | | |
| a | Watermaster Admin | | | 278.33 | 1.74 |
| b | Basin Optimization Yield Study | x | | 14.25 | 0.09 |
| c | Basin Optimization Plan | x | | 10.25 | 0.06 |
| 2 | OPV Adjudication | x | | 165.46 | 1.03 |
| IV. Ordinance | | | | 1436.17 | 8.98 |
| x | Well Registration | | | 92.75 | 0.58 |
| 1 | Semi-Annual Statements (SAES) | | | 655.50 | 4.10 |
| 2 | Well Permit Applications | | | 18.00 | 0.11 |
| 3 | Allocation Transfer Requests | | | 201.67 | 1.26 |
| 4 | Flowmeters & AMI | | | 219.50 | 1.37 |
| 5 | Owner and/or operator changes | | | 60.75 | 0.38 |
| 6 | Compliance/Enforcement | | | 188.00 | 1.18 |
| V. Resolution | | | | 102.25 | 0.64 |
| 1 | Conejo Creek Project | | | 19.75 | 0.12 |
| 2 | NPV Desalter | | | 27.50 | 0.17 |
| 3 | GREAT / RWPA Program | | | 17.00 | 0.11 |
| 4 | Credits | | | 18.50 | 0.12 |
| 5 | Board Approved Projects | | | 9.50 | 0.06 |
| 6 | Update Resolutions (including project resolutions) | | | 10.00 | 0.06 |
| VI. Grant - SGMA Imp. Rd 1 | | | | 134.91 | 0.84 |
| 1 | OPV monitoring well installation | | x | 45.41 | 0.28 |
| 2 | Subgrantee awards to UWCD, PVCWD, Camarillo | | x | 2.00 | 0.01 |
| 3 | Quarterly reports | | x | 1.75 | 0.01 |
| 4 | Grant -Follow-up Compliance | | x | 2.75 | 0.02 |
| 5 | GSP Implementation | | x | 83.00 | 0.52 |
| VII. Board Direction | | | | 63.37 | 0.40 |
| 1 | Oxnard well destruction | | x | 6.67 | 0.04 |
| 2 | Project prioritization | | | 2.75 | 0.02 |
| 3 | Replenishment fee | x | | 4.50 | 0.03 |
| 4 | OPV variance applications | | | 23.20 | 0.15 |
| 5 | New data management system procurement | | | 10.50 | 0.07 |
| 6 | CombCode - ordinance amendments | x | | 8.00 | 0.05 |
| 7 | Study of independent staffing for Agen | x | | 7.75 | 0.05 |
| ADDITIONAL TASKS | | | | 473.54 | 2.96 |
| 1 | Administration | | | 178.54 | 1.12 |
| 2 | Outreach | | | 45.50 | 0.28 |
| 3 | Financial Management | | | 114.00 | 0.71 |
| 4 | New / Replacement Well Review (AB 2079) | | | 0.00 | 0.00 |
| 5 | Clerk Specific | | | 13.00 | 0.08 |
| 5 | Other Tasks (see Article 5 of Assembly Bill No. 2995) | | | 65.00 | 0.41 |
| 6 | Future Tasks | | | 57.50 | 0.36 |
| | | | | Monthly Hours | Monthly FTE |
| Totals (12-Month) | | | Current Work | 2,076.99 | 12.98 |
| | | | Work Not Started Yet | 1056.38 | 6.6 |
| | | | All Hours | 3,133.36 | 19.58 |

DRAFT

[illegible]

DRAFT

FCGMA Staff Time Analysis: Task and Hour Totals, p. 2

| | B | C | D | E | F | | 9-Month Only | Monthly Hours | Monthly FTE | Frequency | Assumptions |
|-----|---|------|---|--|--|---|--------------|---------------|-------------|-------------|--|
| 133 | | | | | iii | Monthly status report/update to FCGMA Board | | 1.00 | 0.01 | | |
| 134 | | | | | 22 PAC meetings every two weeks (3-6pm) | | | 12.00 | 0.08 | Monthly | 2 meetings per month |
| 135 | | | | | 23 Review and potential response to PAC recommendation report | | | 4.25 | 0.03 | | |
| 136 | | | | | PAC draft memos for PAC consultation tasks not related to GSP and more policy as defined in judgment | | | 0.25 | 0.00 | | |
| 137 | | | | | 25 Response reports to PAC recommendation report | | | 0.25 | 0.00 | | |
| 138 | | | | | 26 PAC member replacement | | | - | - | | |
| 139 | | | | | 27 Review and potential response (up to 16) to TAC recommendation report | | | 4.00 | 0.03 | | |
| 140 | | | | | | | | - | - | | |
| 141 | | b | | Basin Optimization Yield Study | | x | | 14.25 | 0.09 | wkly | Every other week follow up with Jim/debrief (as needed) |
| 142 | | | | | | | | - | - | | |
| 143 | | c | | Basin Optimization Plan | | x | | 10.25 | 0.06 | | |
| 144 | | | | | | | | - | - | | |
| 145 | | 2 | | OPV Adjudication | | | | 16.00 | 0.10 | | |
| 146 | | a | | Discovery | | | | 50.08 | 0.31 | | |
| 147 | | | | | Process invoices for counsel, consulting counsel | | | 1.00 | 0.01 | | |
| 148 | | b | | OPV Watermaster Admin | | | | 98.38 | | | OPV Adjudication is new process and staffing estimate was base |
| 149 | | | | | | | | | | | |
| 150 | | | | | | | | - | - | | |
| 151 | | IV. | | Ordinance | | | | 1436.17 | 8.98 | | |
| 152 | | | | Well Registration | | | | 2.00 | 0.01 | | |
| 153 | | | a | | Unregistered wells | | | 23.75 | 0.15 | monthly | |
| 154 | | | b | | Owner and/or operator changes | | | 11.50 | 0.07 | monthly | |
| 155 | | | | | | 1 Validate SWN / APN / Owner / Agent | | 12.00 | 0.08 | 600 + Wells | Per well occurrence |
| 156 | | | | | | Validate / Set Up Account Structure & network files | | 10.00 | 0.06 | | |
| 157 | | | | | | 3 Revised/New SAES & Outreach | | 22.00 | 0.14 | | |
| 158 | | | | | | 4 Scan / File / Notes | | 11.50 | 0.07 | | |
| 159 | | | | | | | | - | - | | |
| 160 | | 1 | | Semi-Annual Statements (SAES) | | | | - | - | 4 mtgs | |
| 161 | | a | | Programming and mailing | | | | - | - | 52 mtgs | 3 meetings per month |
| 162 | | | | | 1 Design updates (ea. enhancement) | | | 7.50 | 0.05 | | Each occurrence |
| 163 | | | | | 2 Develop business rules | | | 8.00 | 0.05 | | Each occurrence |
| 164 | | | | | 3 Testing | | | 8.00 | 0.05 | | Each occurrence |
| 165 | | | | | 4 Production / Mail | | | 32.25 | 0.20 | | Each occurrence |
| 166 | | | | | | | | - | - | | |
| 167 | | | b | Processing | | | | - | - | wkly | Every other week follow up with Jim/debrief (as needed) |
| 168 | | | | | 1 Entering paper SAES | | | 28.00 | 0.18 | monthly | Per SAES |
| 169 | | | | | 2 Review flowmeter photos | | | 60.75 | 0.38 | monthly | Per meter |
| 170 | | | | | 3 Review reported extractions | | | 50.00 | 0.31 | | |
| 171 | | | | | 4 Payments (apply payment, generate receipt, fiscal report) | | | 40.50 | 0.25 | monthly | Per SAES |
| 172 | | | | | | | | | | | |
| 173 | | | | | 5 Refunds (research, memo, approval, adjustment receipt, transmittal) | | | 10.50 | 0.07 | monthly | Per refund |
| 174 | | | | | 6 Customer service, walk-ins, etc. | | | 42.00 | 0.26 | monthly | Each occurrence |
| 175 | | | | | 7 Deficiency reporting (research, correspondence, follow up) | | | 123.00 | 0.77 | monthly | Each occurrence |
| 176 | | | | | CP Waivers (review, report, memo, db adjustment, correspondence, records update) | | | 39.00 | 0.24 | monthly | Each occurrence |
| 177 | | | | | CombCode changes (review permit conditions & owner approval, account / file setup, correspondence) | | | 28.00 | 0.18 | monthly | Each well |
| 178 | | | | | 10 Surcharges | | | 23.00 | 0.14 | | |
| 179 | | | | | 11 Supervisor/ Manager Follow-up/Review | | | 23.50 | 0.15 | monthly | |
| 180 | | | | | 12 Non-Reporters | | | 38.00 | 0.24 | | |
| 181 | | | | | 13 Outreach | | | 13.50 | 0.08 | | |
| 182 | | 2 | | Well Permit Applications | | | | 80.00 | 0.50 | | |
| 183 | | | | | | | | - | - | | |
| 184 | | | a | | Review for completeness, process applications (including research, and analyses) | | | 18.00 | 0.11 | monthly | |
| 185 | | 3 | | Allocation Transfer Requests | | | | - | - | | |
| 186 | | | | | | | | 6.67 | 0.04 | | |
| 187 | | | a | | Variances - review for completeness, process applications (including research, and analyses) | | | 159.50 | 1.00 | monthly | |
| 188 | | | | | | | | | | | |
| 189 | | | b | | Transfers - review for completeness, process applications (including research, and analyses) | | | 35.50 | 0.22 | monthly | |
| 190 | | | | | | | | - | - | | |
| 191 | | 4 | | Flowmeters & AMI | | | | - | - | | |
| 192 | | | | | | | | - | - | | |
| 193 | | | a | | Calibration review and processing | | | 35.75 | 0.22 | monthly | |
| 194 | | | b | | Flowmeter replacement, rollover | | | 75.00 | 0.47 | monthly | |
| 195 | | | c | | AMI data management | | | 64.25 | 0.40 | monthly | |
| 196 | | | d | | NOVs | | | 3.00 | 0.02 | monthly | |
| 197 | | | e | | Annual Flowmeter Exemptions | | | 7.25 | 0.05 | monthly | |
| 198 | | | f | | Domestic AMI Exemptions | | | 7.50 | 0.05 | monthly | |
| 199 | | | h | | Groundwater Estimate Analysis | | | 14.50 | 0.09 | monthly | |
| 200 | | | i | | Data Management System Meetings | | | 12.25 | 0.08 | | |
| 201 | | | | | | | | - | - | | |
| 202 | | | | | | | | - | - | | |
| 203 | | 5 | | Owner and/or operator changes | | | | - | - | | |
| 204 | | | | | | | | - | - | | |
| 205 | | | a | | Current monthly effort (what's happening) | | | 10.75 | 0.07 | | |
| 206 | | | b | | Backlog (est. of hours for monthly) | | | 50.00 | 0.31 | | |
| 207 | | | | | | | | - | - | | |
| 208 | | 6 | | Compliance/Enforcement | | | | 2.00 | 0.01 | | |
| 209 | | | | | | | | 8.75 | 0.05 | Monthly | |
| 210 | | | a | | Mail meter calibration notices, NOVs, and letters. | | | 49.75 | 0.31 | | |
| 211 | | | b | | Non-Reporting | | | 28.00 | 0.18 | | |
| 212 | | | c | | Failure to register change of owner/operator | | | 18.00 | 0.11 | | |
| 213 | | | d | | Flowmeter calibration | | | 16.00 | 0.10 | | |
| 214 | | | e | | AMI | | | 1.00 | 0.01 | | |
| 215 | | | f | | Late/Non-Reporters | | | 3.50 | 0.02 | | |
| 216 | | | | | | | | 9.00 | 0.06 | | |
| 217 | | | | | 1 Follow up with non-reporters | | | 17.50 | 0.11 | | |
| 218 | | | | | 2 Access Civil Penalties | | | 10.00 | 0.06 | | |
| 219 | | | | | 3 Data Entry (and billing) into FCGMA Online | | | 14.50 | 0.09 | | |
| 220 | | | | | 4 Recommendation to EO for enforcement action | | | 10.00 | 0.06 | | |
| 221 | | | | | 5 Process civil penalty | | | 10.00 | 0.06 | | |
| 222 | | | | | 6 Process multi-reporting period civil penalty waiver request letters, surcharge exceedance appeal letters for | | | - | - | | |
| 223 | | | | | | | | - | - | | |
| 224 | | V. | | Resolution | | | | 102.25 | 0.64 | Monthly | |
| 225 | | | 1 | Conejo Creek Project | | | | 0.50 | 0.00 | | |
| 226 | | | | | | | | 7.75 | 0.05 | monthly | |
| 227 | | | a | | Compliance monitoring | | | 3.50 | 0.02 | monthly | annual time split to monthly |
| 228 | | | b | | Report Review | | | 2.50 | 0.02 | monthly | annual time split to monthly |
| 229 | | | c | | Annual Meeting | | | 5.50 | 0.03 | | |
| 230 | | | d | | Follow -up and reviews | | | - | - | | |
| 231 | | | | | | | | - | - | | |
| 232 | | 2 | | NPV Desalter | | | | 7.75 | 0.05 | monthly | |
| 233 | | | | | | | | 7.50 | 0.05 | monthly | annual time split to monthly |
| 234 | | | a | | Compliance monitoring | | | 3.25 | 0.02 | monthly | annual time split to monthly |
| 235 | | | b | | Report Review | | | 9.00 | 0.06 | | |
| 236 | | | c | | Annual Meeting | | | - | - | | |
| 237 | | | d | | Scheduling follow-up meetings to review redline updates | | | - | - | | |
| 238 | | | | | | | | 1.00 | 0.01 | | |
| 239 | | 3 | | GREAT / RWPA Program | | | | 4.75 | 0.03 | monthly | |
| 240 | | | | | | | | 6.25 | 0.04 | monthly | annual time split to monthly |
| 241 | | | a | | Compliance monitoring | | | 5.00 | 0.03 | | |
| 242 | | | b | | Report Review | | | - | - | | |
| 243 | | | c | | Follow-up correspondence and reviews | | | 3.00 | 0.02 | | |
| 244 | | | | | | | | 12.75 | 0.08 | monthly | annual time split to monthly |
| 245 | | | a | | Review reporting | | | 2.75 | 0.02 | monthly | annual time split to monthly |
| 246 | | | b | | Update credit records | | | - | - | | |
| 247 | | | | | | | | - | - | | |
| 248 | | 5 | | Board Approved Projects | | | | - | - | | |
| 249 | | | | | | | | 1.25 | 0.01 | | |
| 250 | | i | | CMWD LPVB ELPMA ASR | | | | 6.50 | 0.04 | monthly | |
| 251 | | | a | | Compliance monitoring | | | 1.75 | 0.01 | | |
| 252 | | | b | | follow up | | | - | - | | |
| 253 | | | | | | | | - | - | | |
| 254 | | 6 | | Update Resolutions (including project resolutions) | | | | - | - | | |
| 255 | | | | | | | | 8.00 | 0.05 | | |
| 256 | | | a | | Prepare drafts (with counsel input) | | | 2.00 | 0.01 | | |
| 257 | | | b | | Present to Board | | | - | - | | |
| 258 | | | | | | | | - | - | | |
| 259 | | VI. | | Grant - SGMA Imp. Rd 1 | | | | 134.91 | 0.84 | | |
| 260 | | | 1 | OPV monitoring well installation | | ✓ | | 33.16 | 0.21 | Annual | |
| 261 | | | | | | | | 1.25 | 0.01 | | |
| 262 | | | a | | Process consultant invoices | | | 10.00 | 0.06 | | |
| 263 | | | b | | Construction support (Dudek) | | | 1.00 | | | |
| 264 | | | c | | Task and information administration | | | - | - | | |
| 265 | | | | | | | | - | - | | |
| 266 | | 2 | | Subgrantee awards to UWCD, PVCWD, Camarillo | | ✓ | | 1.00 | 0.01 | Annual | |
| 267 | | | a | | Process consultant invoices | | | 1.00 | 0.01 | | |
| 268 | | | | | | | | - | - | | |
| 269 | | 3 | | Quarterly reports | | ✓ | | 1.00 | 0.01 | Annual | |
| 270 | | | | | | | | 0.25 | 0.00 | Annual | |
| 271 | | | a | | Collect, review invoices and develop invoice package | | | 0.25 | 0.00 | Annual | |
| 272 | | | b | | Grant closeout reports (final deliverables, etc.) | | | 0.25 | 0.00 | | |
| 273 | | | c | | Post-grant performance reports | | | - | - | | |
| 274 | | | | | | | | - | - | | |
| 275 | | 4 | | Grant -Follow-up Compliance | | ✓ | | 2.75 | 0.02 | monthly | |
| 276 | | | | | | | | - | - | | |
| 277 | | | | | | | | - | - | | |
| 278 | | 5 | | GSP Implementation | | ✓ | | - | - | | |
| 279 | | | | | | | | 70.00 | 0.44 | monthly | |
| 280 | | | a | | Monitoring well installation and follow-up monitoring | | | 10.50 | 0.07 | monthly | |
| 281 | | | b | | Meetings, studies, analyses | | | 2.50 | 0.02 | | |
| 282 | | | c | | Process consultant invoices | | | - | - | | |
| 283 | | | | | | | | - | - | | |
| 284 | | VII. | | Board Direction | | | | 63.37 | 0.40 | Ongoing | |

FCGMA Staff Time Analysis: Task and Hour Totals, p. 3

| | B | C | D | E | F | | 9-Month Only | Monthly Hours | Monthly FTE | Frequency | Assumptions |
|-----|---|---|---|--|---|---|-----------------------|---------------|-------------|-----------|---|
| 270 | | | | 1 Oxnard well destruction | | | | 6.67 | 0.04 | | |
| 271 | | | | 2 Project prioritization | | | | 2.75 | 0.02 | | |
| 272 | | | | 3 Replenishment fee | | x | | 4.50 | 0.03 | | |
| 273 | | | | 4 OPV variance applications | | | | 23.20 | 0.15 | | |
| 274 | | | | 5 New data management system procurement | | | | 10.50 | 0.07 | | |
| 275 | | | | 6 CombCode - ordinance amendments | | x | | 8.00 | 0.05 | | |
| 276 | | | | 7 Study of independent staffing for Agency | | x | | 7.75 | 0.05 | | |
| 277 | | | | | | | | | | | |
| 278 | | | | ADDITIONAL TASKS | | | | | | | |
| 279 | | | | 1 Administration | | | | 178.54 | 1.12 | | |
| 280 | | | a | Consultant management | | | | | | | |
| 281 | | | | | 1 Initial consultant procurement (RFPs) | | | 10.67 | 0.07 | | 4 contract per year |
| 282 | | | | | 2 Annual consultant contract renewal | | | 1.33 | 0.01 | | |
| 283 | | | | | 3 Monthly consultant management (touch base meetings, etc.) | | | 6.00 | 0.04 | | |
| 284 | | | | | | | | | - | | |
| 285 | | | b | FCGMA general strategy/planning | | | | | - | | |
| 286 | | | | | 1 Periodic planning for FCGMA activities | | | 1.33 | 0.01 | | |
| 287 | | | | | | | | | - | | |
| 288 | | | c | Legal counsel *overhead task, not included in the analysis | | | | | - | | |
| 289 | | | | | 1 Routine | | | | - | | |
| 290 | | | | | 2 Litigation | | | | - | | |
| 291 | | | | | | | | | - | | |
| 292 | | | d | HR / Personnel Issues | | | | | - | | |
| | | | | | | | | | | | |
| 293 | | | | | Mandatory training (5 hrs per staff annually) - sexual harassment, | | | 6.67 | 0.04 | | |
| 294 | | | | | 1 ethics, violence/security, supervisor, mgmt., diversity | | | 0.00 | - | | |
| 295 | | | | | 2 CEs (talk to John, Robert, Kathleen, Arne, Farai) | | | 1.00 | 0.01 | | |
| 296 | | | | | 3 On-boarding new employees | | | 1.00 | 0.01 | | |
| 297 | | | | | 4 Performance evaluations / staff development | | | 1.00 | 0.01 | | |
| 298 | | | | | 5 Personnel matters | | | 1.00 | 0.01 | | |
| 299 | | | | | 6 Manager timesheet review | | | 2.00 | 0.01 | | |
| 300 | | | | | 7 Updating agency-related policies/manuals | | | 5.00 | 0.03 | | |
| 301 | | | e | Insurance Renewal | | | | 0.00 | - | | |
| | | | | | | | | 0.00 | - | | |
| 302 | | | | | Maintain insurance for GSAs (Directors & Officers, general liability, | | | | | | |
| 303 | | | | | 1 etc.) | | | 3.00 | 0.02 | | |
| 304 | | | f | Grant Proposals | | | | 0.00 | - | | |
| 305 | | | | | 1 Apply for 2 grants | | | 14.00 | 0.09 | monthly | 60 hours per grant application |
| 306 | | | | | 2 Grant management (if awarded) -- include in future budget | | | 2.67 | 0.02 | | |
| | | | | | | | | 0.00 | - | | |
| | | | | | | | | | | | |
| 307 | | | | | 3 Grant admin | | | 12.33 | 0.08 | monthly | |
| 308 | | | | | | | | | - | | |
| 309 | | | g | PRA Response | | | | | - | | |
| 310 | | | | | 1 Response to PRAs (est. x number of requests) | | | 4.00 | 0.03 | | |
| 311 | | | | | | | | | - | | |
| 312 | | | h | State Trainings/workshops | | | | | - | | |
| 313 | | | | | 1 DWR SGMA forum | | | 0.25 | 0.00 | | Semiannual; online |
| 314 | | | | | 2 GRA conferences | | | - | - | | 2-day conference in SAC |
| 315 | | | | | 3 ACWA | | | - | - | | 3-5-day semiannual conference |
| 316 | | | | | 4 Brown Act training | | | 8.00 | 0.05 | | Annual |
| 317 | | | | | 5 Ethics training | | | | - | | Every 2 years for elected officials |
| 318 | | | | | | | | | - | | |
| 319 | | | i | Departmental development | | | | | - | | |
| 320 | | | | | 1 Process improvements | | | 17.00 | 0.11 | | |
| 321 | | | | | 2 employee development | | | - | - | | |
| 322 | | | | | | | | - | - | | |
| 323 | | | j | IT Support | | | | 81.29 | 0.51 | | |
| 324 | | | | | 1 Online database | | | - | - | | |
| 325 | | | | | | | | | - | | |
| 326 | | | | 2 Outreach | | | | 45.50 | 0.28 | | |
| 327 | | | a | Monthly time for stakeholder support | | | | 10.00 | 0.06 | | |
| 328 | | | | | | | | | - | | |
| 329 | | | b | Website update and hosting | | | | | - | | |
| 330 | | | | | 1 Update website(s) | | | 6.00 | 0.04 | | |
| 331 | | | a | | Strategic planning for FCGMA.org website | | | | - | | |
| 332 | | | | | | | | | - | | |
| 333 | | | | | 2 Annual hosting/renewal | | | 2.00 | 0.01 | | |
| 334 | | | | | | | | | - | | |
| 335 | | | c | Mailings / Notices | | | | | - | | |
| 336 | | | | | 1 OPV newsletter development | | | 5.25 | 0.03 | | 1 newsletter |
| 337 | | | | | 2 OPV newsletter distribution/mailling | | | 3.00 | 0.02 | | |
| 338 | | | | | 3 LPV newsletter development | | | 5.00 | 0.03 | | |
| 339 | | | | | 4 LPV newsletter distribution/mailling | | | 3.00 | 0.02 | | |
| 340 | | | | | | | | | - | | |
| 341 | | | d | Workshops | | | | | - | | |
| 342 | | | | | 1 OPV (planning, meeting, follow up) | | | 2.00 | 0.01 | | 1 workshop |
| 343 | | | | | 2 LPV (planning, meeting, follow up) | | | 2.00 | 0.01 | | 1 workshop |
| 344 | | | | | 3 FCGMA | | | 7.00 | 0.04 | | |
| 345 | | | | | | | | | - | | |
| 346 | | | e | Legislative tracking and potential response | | | | 0.25 | 0.00 | | |
| 347 | | | | | | | | - | - | | |
| 348 | | | | 3 Financial Management | | | | 114.00 | 0.71 | | |
| 349 | | | a | FCGMA Monthly Invoicing & Financials | | | | | - | | |
| 350 | | | | | 1 Individual FCGMA staff time tracking | | | 46.00 | 0.29 | | Assume 11 employees, 1 hour per week |
| 351 | | | | | 2 FCGMA staff invoice prep | | | 4.00 | 0.03 | | |
| 352 | | | | | 3 Review OPV consultant invoices | | | 4.00 | 0.03 | | Includes meeting time with consultant (if needed) |
| 353 | | | | | 4 Review LPV consultant invoices | | | 4.00 | 0.03 | | Includes meeting time with consultant (if needed) |
| 354 | | | | | 5 Prepare financial statements for FCGMA | | | 4.00 | 0.03 | | |
| 355 | | | | | | | | | - | | |
| 356 | | | b | Audit Coordination | | | | | - | | |
| 357 | | | | | 1 Select an auditor | | | 8.00 | 0.05 | | |
| 358 | | | | | 2 Annual prep with auditor | | | 4.00 | 0.03 | | |
| 359 | | | | | 3 Ongoing engagement with auditor before report | | | 16.00 | 0.10 | | |
| 360 | | | | | | | | | - | | |
| 361 | | | c | Budget Development | | | | | - | | |
| 362 | | | | | 1 Develop fiscal year budgets | | | 24.00 | 0.15 | | |
| 363 | | | | | | | | | - | | |
| 364 | | | | 4 New / Replacement Well Review (AB 2079) | | | | - | | | |
| 365 | | | a | Replacement wells | | | | - | | | |
| 366 | | | | | Review xx applications and coordinate with applicant before GSA | | | | | | |
| 367 | | | | | 1 determination | | | - | | | |
| 368 | | | b | New wells | | | | - | | | |
| 369 | | | | | Review xx applications and coordinate with applicant before GSA | | | | | | |
| 370 | | | | | 1 determination | | | - | | | |
| 371 | | | | 5 Clerk Specific | | | | 13.00 | 0.08 | | |
| 372 | | | a | Weekly 1:1 with EO | | | | 8.00 | 0.05 | | |
| 373 | | | b | Project update meetings with EO | | | | 5.00 | 0.03 | | |
| 374 | | | | | | | | - | | | |
| 375 | | | | 5 Other Tasks (see Article 5 of Assembly Bill No. 2995) | | | | 65.00 | 0.41 | | |
| 376 | | | a | Data Collection, Investigations and Analysis | | | | 24.00 | 0.15 | | |
| 377 | | | b | Groundwater Studies, and Projects | | | | 41.00 | 0.26 | | |
| 378 | | | | | | | | - | | | |
| 379 | | | | 6 Future Tasks | | | | 57.50 | 0.36 | | |
| 380 | | | a | Update Ordinance Code (including Chapter 4) | | | | 4.00 | 0.03 | | |
| 381 | | | b | FCGMA Annual Reports (per enabling legislation)(includes the areas outside the DWR basins but inside Agency) | | | | 20.00 | 0.13 | | |
| | | | | | Installation of flowmeters and | | | | | | |
| 382 | | | c | groundwater extraction reporting of all | | | | 21.50 | 0.13 | | |
| 383 | | | d | Research University well (aquifer(s) from which groundwater is being extracted) | | | | 12.00 | 0.08 | | |
| 384 | | | | | | | | | | | |
| 385 | | | | | | | | | | | |
| 386 | | | | | | | | | | | |
| 387 | | | | | | | TOTALS (9-Month) | Monthly Hours | Monthly FTE | | |
| 388 | | | | | | | Current Work | 268.33 | 1.68 | | |
| 389 | | | | | | | Tasks not started yet | 87.91 | 0.55 | | |
| 390 | | | | | | | All hours | 356.25 | 2.23 | | |
| 391 | | | | | | | TOTALS (12-Month) | Monthly Hours | Monthly FTE | | |
| 392 | | | | | | | Current Work | 2,076.99 | 12.98 | | |
| 393 | | | | | | | Tasks not started yet | 1,056.38 | 6.60 | | |
| | | | | | | | All hours | 3,133.36 | 19.58 | | |

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

MINUTES

Minutes of the Fox Canyon Groundwater Management Agency's (FCGMA) **Board Regular Hybrid Meeting** held **Wednesday, September 25, 2024, at 12:30 P.M.**, in the **Board of Supervisor's Hearing Room and via Zoom**.

1. Call to Order

Chair Eugene F. West called the meeting to order at 12:32 P.M.

2. Pledge of Allegiance

Director Trembley led the Pledge of Allegiance.

3. Directors Present

Chair Eugene F. West
Director Kelly Long
Director Lynn Maulhardt
Director Tony Trembley
Director Michael Craviotto

Agency Staff Present

Alberto Boada, County Counsel
Jason Canger, Assistant County Counsel
Arne Anselm, Interim Executive Officer
Farai Kaseke, Assistant Groundwater Manager
Elka Weber, Clerk of the Board
Robert Hampson, Groundwater Specialist
Kathy Jones, Staff Services Specialist

4. Agenda Review

12:32 P.M.

Director Trembley moved to continue Item 17, Adoption of the 2024 FCGMA Conflict of Interest Code, to the next FCGMA Board meeting. The motion passed with all in favor.

5. Public Comments

12:33 P.M.

John Lindquist of United Water Conservation District (UWCD) provided comments on EBB project monitoring and reminded the Board that UWCD's 2024 Water Sustainability Summit hybrid event will occur on Thursday, October 17, 2024.

6. Executive Officer's Comments

12:38 P.M.

FCGMA Board Meeting Minutes – Draft

September 25, 2024

7. **Board Member Comments**

12:35 P.M.

Director Trembley thanked Agency and Fiscal staff for their work on the Fiscal Year 2024-2025 budget documents. He then noted that he will be leaving for another engagement at 3:45 P.M. and requested that Alternate Director Perello, in attendance in the audience, take his place on the Board, should the meeting require it.

Director Long noted that Nancy Ojeda is the new California Department of Water Resources (DWR) local contact for the Oxnard, Pleasant Valley, and Las Posas Groundwater Basins. Her information has been filed with the Agency.

Director Craviotto formally introduced himself to the Agency and its stakeholders and thanked the Ventura County Agricultural Association and the Farm Bureau of Ventura County for jointly appointing him to the Agency Board of Directors to serve as the Farming Interest Representative.

Director Craviotto expressed his gratitude and admiration for former Director David Borchard, who served on the Agency Board of Directors for twenty years, giving voice to farming and agricultural constituents with a steadfast and observant approach at all turns, and who has stepped down to assume the Alternate Director position as of the September 13, 2024, FCGMA Board special meeting. The Board agreed and unanimously thanked Alternate Director Borchard for his service to the Board, the Agency, and its stakeholders.

CONSENT AGENDA:

12:39 P.M.

8. **Approval of Minutes** of the July 24, 2024, Board Regular meeting.
9. **Approval of Minutes** of the September 13, 2024, Board special meeting.
10. **FCGMA 2021-2022 Biennial Financial Audit Report**
11. **Approve and Authorize the Executive Officer to Execute a Services Contract with Daniel B. Stephens & Associates to Provide Policy Advisory Committee Administrator Services**

CONSENT AGENDA - Correspondence Items:

12. **Correspondence** from Laurel Servin of Berylwood Heights Mutual Water Company regarding the LPV Watermaster Budget, dated August 9, 2024.
13. **Correspondence** from Jackson Tidus regarding Allowance for Court Corrections to Allocations in Considering the Groundwater Schedule for Water Year 2024, dated September 13, 2024.
14. **Correspondence** from the Farm Bureau of Ventura County and the Ventura County Agricultural Association regarding representative appointments to the FCGMA Board of Directors, dated September 16, 2024.

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15. **Correspondence** from Dr. Raul Ramirez of Mesa Union School District regarding Allocation under the LPV Adjudication Judgment and Del Norte Mutual Water Company, dated September 18, 2024.

Chair West asked for a motion to approve and adopt the Consent Agenda as presented. Director Trembley so moved. Chair West seconded the motion. The motion passed with all in favor at 12:39 P.M.

REGULAR AGENDA:

Fox Canyon Groundwater Management Agency Items

16. **Update to Groundwater Sustainability Plan Five-Year Evaluations, Workshops, and Timeline** 12:39 P.M.

Robert Hampson, Agency Hydrologist, introduced the item to the Board and noted that the presentation will be given by Agency consultant Dudek, who will provide a contextualizing status update on the ongoing Groundwater Sustainability Plan (GSP) Five-Year Evaluations (GSP Evaluation) work, including the content of the GSP Evaluations, the methodology used during development, and the state of the Basins evaluated. Mr. Hampson stated that an additional presentation will be given to the Board during its October 23, 2024, Regular meeting, to discuss the public comments received and to provide a summary of how those comments have been incorporated into the GSP Evaluations. Mr. Hampson noted that it is staff's intention to bring the 5-Year GSP Evaluations to the Board for adoption in December 2024 before their January 13, 2025, due date for submittal to the California Department of Water Resources (DWR). Mr. Hampson noted that, post DWR submittal, the GSP Evaluations will be part of the review process required for a subsequent Board action to adopt GSP Amendments in 2025. He noted that the GSP Amendments will be given a three-month notice period, and reminded the Board that a GSP Amendment requires a 90-day notice period per DWR and clarified that 91 days is required for the Las Posas Valley (LPV) Basin GSP Amendment per the LPV Adjudication Judgment (Judgment).

Mr. Hampson concluded his comments by noting that staff will present an update discussing the 5-Year Evaluation Draft documents and the public comments received regarding its content, and then he introduced presenter Dr. Trevor Jones of Dudek.

Dr. Jones presented on the timeline, content, and next steps for each Basin, including providing a summary of the Oxnard and Pleasant Valley (OPV) GSP Evaluations, and then a summary of the LPV GSP Evaluation.

Regarding the timeline, Dr. Jones reminded the Board that the project must remain compliant with the DWR submittal due date of January 13, 2025, and noted that public workshops on the development of GSP Amendments will occur in 2025 prior to Amendment submittal.

Regarding content of the GSP Evaluations, Dr. Jones noted that they are organized accordingly in to two large sections, with 10 or 11 chapters in each section:

1. Technical Components
 - a. Significant New Information
 - b. Current Groundwater Conditions

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- c. Status of Projects and Management Actions
- d. Basin Setting Review
- e. Updated Numerical Modeling
- f. Revisions to the Sustainable Management Criteria
- g. Monitoring Network
- 2. Policy and Engagement
 - a. Agency Actions
 - b. Outreach, Engagement, and Coordination
 - c. Other Information
 - i. Legal Challenges
 - ii. Consideration of Adjacent Basins
 - d. Summary of Proposed GSP Revisions or Amendments

The full presentation is available via the FCGMA website¹ at <https://fcgma.org/board-agendas-broadcasts-minutes/>. Scroll to the “Archived Meetings” section and look for the video of September 24, 2024.

At 1:16 P.M., Chair West asked for Board comments. Director Long asked why some wells are not monitored, and why they are used as data points if they are not monitored. Dr. Jones responded that the Agency has not identified suitable replacements that meet DWR requirements yet. The wells in question are not routinely monitored due to access restrictions; they cannot be monitored while in use. Dr. Jones said there is a need to construct wells in the Western Las Posas Management Area (WLPMA), but the Agency has not received funding to do so.

Regarding seawater intrusion, Director Long asked for clarification of the levels presented in the GSP Evaluation. Dr. Jones noted that the levels of seawater intrusion are monitored for increases over time, and that the hydrographs included in today’s presentation for OPV show a goal via the “measurable objective” line highlighted for each key well; this is the goal for which water levels should fluctuate around, meaning when they rise above the line, seawater would be pushed back towards the coast, and when they lower, seawater intrusion would occur, resulting in no net flow across the boundary when operating around that measurable objective line. He added that even though the area has experienced a wet period in recent years and water levels are continuing to climb, water levels are not high enough yet to be mitigating against seawater, and we will continue to see seawater intrusion as water levels rise along the coastline, around Oxnard.

He noted that the GSP Evaluations do provide maps that show where concentrations of chloride have increased, how those relate to well locations as well as to the key wells in Oxnard, which are more focused along the coastline and are monitoring groundwater elevation along the coast.

Regarding the lack of monitoring wells in WLPMA as a potential data gap, Director Craviotto asked if the 3 wells in this area provides a sample size that is both reliable and representative enough to take management actions on based on that data. Dr. Jones agreed responded that the amount of data is challenging in West Las Posas. He noted that part of the motivation for FCGMA staff to pursue grant funding for additional wells was largely driven by the fact that our understanding of groundwater conditions is largely impacted by the amount of data we have in WLPMA. How funding gets filled is more opaque now, due to how the LPV Adjudication Judgment implementation and the requirements of the Judgment, and how that impacts funding for projects.

¹ Direct link to September 25, 2024, meeting materials:
<https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=19261>

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Dr. Jones added that while additional monitoring of groundwater conditions in this area is needed especially farther east, a recently constructed Agency monitoring well in Oxnard is located along the boundary of Oxnard and West Las Posas and is a depth-discreet monitoring well that will provide an improved understanding and characterization of how West Las Posas and Oxnard interact over time.

Regarding sufficient sample sizes, Dr. Jill Weinberger of Dudek stated that the number of wells identified as key wells in West Las Posas would still meet DWR's criteria for the density of monitoring wells required in an area of a basin. So, while the Agency is compliant with the DWR for the amount of monitoring wells it currently has, Dudek definitely recommends additional depth-discreet monitoring wells in targeted locations so that we can fill in data gaps.

Director Maulhardt asked about the submittal deadline. Dr. Jones responded that the deadline is firm for the DWR for 5-Year GSP Evaluations. Dr. Jones noted that additional reviews can be provided during a GSP Amendment submittal, which has a more flexible deadline. He noted that the evaluation submittal deadline provides an opportune time for submitting a GSP Amendment, as the review work has already been done and the evaluation of the GSP has already been completed. Agency Interim Executive Officer Arne Anselm noted that any GSP Amendment requires that an evaluation be included with it when submitted, so if the Agency waits too long, we will have to go through the entire process again. Mr. Anselm continued by saying that while this particular evaluation is being driven by the regulations required for a 5-Year Evaluation, additional evaluations would not have the same deadlines.

At 1:32 P.M., Chair West asked for public comment. Public comment was given by:

Darryl Smith, Grower in the Epworth Gravel area,
John Grether, Grower in the West Las Posas area, and
John Lindquist, United Water Conservation District

As this Item was presented for information only, no Board action was taken.

17. Adoption of the 2024 FCGMA Conflict of Interest Code

This Item was deferred to the October 25, 2024, Board Regular meeting during Item 4, Agenda Review.

18. Public Hearing on and Adoption of Resolution 2024-05 Extending a Groundwater Extraction Fee at the Current Rate of \$20 per Acre-Foot to Maintain a Reserve Fund to be Used to Pay the Cost and Expenses of Actions and Proceedings Related to the Agency's Groundwater Sustainability Program

1:41 P.M.

Chair West convened the Public Hearing on the Adoption of Resolution 2024-05. Interim Executive Officer Arne Anselm presented the Item and discussed the history and utility of the Designated Groundwater Extraction Management Enforcement Surcharge (GEMES) Account, established by Resolution 2006-04² by the Board to fund litigation costs including Agency counsel;

² Resolution 2006-04: <https://s42135.pcdn.co/wp-content/uploads/2022/09/Resolution-2006-04.pdf>

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the reserve fee adopted by the Board with Resolution 2020-05³ provides revenue to the Designated GEMES Account to fund special counsel to represent the Agency. Initially, the fee became effective January 1, 2021, with small domestic pumpers extracting 2 acre feet (AF) or less per year exempt from paying the fee. When Resolution 2020-05 was adopted in October 2020, revenue projections showed the Designated GEMES Account would carry a negative balance through Fiscal Year 2022-2023.

Resolution 2020-05 requires the Agency to hold a public meeting every 12 months to review the fee; three annual reviews have been held since its adoption. The fee will terminate on October 1, 2024, unless the Board acts to extend it.

Mr. Anselm noted that considerable resources have been expended over the past 4 years responding to legal challenges, including the LPV adjudication, the OPV adjudication, a challenge to the OPV allocation ordinance, and challenges to the Agency's adoption of groundwater sustainability plans. He walked the Board through projected revenue, cash flow, and fund balances for future fiscal years should the fee be extended.

Mr. Anselm asked the Board to consider adopting Resolution 2024-05 extending a fee of \$20.00 per acre-foot on groundwater extractions to maintain a reserve fund to be used to pay the cost and expenses of legal actions and proceedings related to the implementation of the Agency's Groundwater Sustainability Program. Mr. Anselm noted that Resolution 2024-05 will extend the existing fee of \$20 without increasing it, that the Resolution will require the Agency to hold a public meeting annually to consider the continued need for the fee, at which point the Board may take action to adjust or terminate the fee, and that the fee terminates automatically under Resolution 2024-05 on October 1, 2028.

Hearing no Board or public comments, Chair West asked for a motion to adopt Resolution 2024-05. Director Maulhardt so moved. Director Trembley seconded the motion. At 1:45 P.M., via roll call vote, the motion passed unanimously.

19. Fiscal Year 2024-2025 FCGMA Work Plan and Budget

1:45 P.M.

Interim Executive Officer Arne Anselm presented the Item and its materials, including the Agency budget itself, the Work Plan and budgeting for staffing levels, and the inaugural edition of the Proposed Budget Report, as requested and reviewed by the Fiscal Committee.

At 1:57 P.M., Chair West asked for Board comments. Chair West and Director Trembley commended Agency staff, PWA Fiscal staff, and all involved for their work on the Proposed Budget Report; Chair West thanked Director Trembley for his expert guidance and the Fiscal Committee and stakeholders who attended meetings over the summer during the development of the report.

Regarding the Proposed Budget Report, Director Trembley applauded its quality in terms of explaining the FCGMA work product with increased clarity and transparency. He directed the Board and stakeholders in attendance to review page 73 of the report, regarding planning and strategic development; Director Trembley expressed interest in having the Fiscal Committee follow up on each one of the included recommendations.

³ Resolution 2020-05: <https://s42135.pcdn.co/wp-content/uploads/2023/03/Resolution-2020-05.pdf>

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Director Trembley then noted a slight deviation listed in the report verses what is listed in the budget as Exhibit 19C regarding the projected fund balance listed at the bottom of page 204 of the report; total expenditures, and net operating results also need to update to sync with the budget exhibit. He requested that staff update the proposed report to sync up with Exhibit 19C and requested that the Board approve Exhibit 19C as the budget in its motion to adopt.

Director Long appreciated the expanded organization charts in the Proposed Budget Report and noted that the County has been stepping up to fill positions. She reminded the Board and stakeholders that they can bring any questions about staffing to County CEO Dr. Sevet Johnson, to HR managers, and to herself.

Director Maulhardt noted that he does not recall, over his years on the Board of Directors, ever going into this level of detail or fidelity; he applauded the level of production and detail, and the collaboration exercised by the Fiscal Committee to develop the Proposed Budget Report with staff.

At 2:06 P.M., Chair West asked for public comment. Public comment was given by:
Bert Perello, City of Oxnard City Council and FCGMA Board Alternate.

Interim Executive Officer Anselm stated that the Fiscal Committee has recommended monthly reporting of expenditures to the Board and noted that the inaugural report is included with this Agenda. Director Long suggested that the monthly report be included in the Consent Agenda as an ongoing procedure, not as an attachment to the Executive Officer's report, moving forward. Director Trembley agreed and noted that this was the Fiscal Committee's recommendation as well.

Director Trembley moved that the Board adopt the Fiscal Year 2024-2025 Work Plan and Budget as set forth in Exhibit 19C. Director Craviotto seconded the motion, and via roll call vote at 2:09 P.M., the motion passed unanimously.

REGULAR AGENDA - Las Posas Valley Watermaster Items

20. Approve and Authorize the Executive Officer to Execute a Professional Services Contract with Regional Government Services to Provide Groundwater Extraction and Use Reporting Services

2:09 P.M.

Dr. Farai Kaseke, Assistant Groundwater Manager, presented the Item to the Board, and noted that the existing contract the Agency has with Regional Government Services (RGS) will meet its "not to exceed" limit of \$25,000 at the end of September 2024. Dr. Kaseke requested that the Board approve and authorize the Interim Executive Officer to execute a Professional Services Contract with Regional Government Services to administer the LPV Adjudication Groundwater Extraction and Use Reporting requirements⁴ and related administrative services.

At 2:15 P.M., Chair West asked for Board comments. Director Craviotto asked how much time and effort by Agency staff is needed having to train and manage this consultant, and whether it might be plausible to expand the contract to include Basin Assessment invoicing, or perhaps

⁴ LPV Judgment § 5.5.2: <https://s42135.pcdn.co/wp-content/uploads/2023/08/Judgment-w-Exhibits.cleaned.pdf>

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Semi-Annual Extraction Reporting (SAES) for FCGMA. Dr. Kaseke noted that invoicing and SAES reporting are too nuanced; he clarified that the LPV Judgment makes allocation reporting more simple under its terms. Director Craviotto noted that forms for LPV Watermaster and for FCGMA seem very similar, and asked if the Watermaster can sync and merge the reporting, so LPV users do not have to report twice. He stated that reporting for both entities would be too complicated at this point to merge. Dr. Kaseke noted that reporting requirements are different under FCGMA legislation versus under the LPV Judgment; under the LPV Judgment, reporting is parcel-based while FCGMA reporting is based on the well head.

Director Craviotto moved to approve and authorize the Interim Executive Officer to execute a Professional Services Contract with Regional Government Services to administer the LPV Adjudication Groundwater Extraction and Use Reporting requirements⁵ and related administrative services. Director Long seconded the motion. Via roll call vote at 2:20 P.M., the motion passed unanimously.

21. Las Posas Valley Watermaster Fiscal Year 2024-2025 Budget and Basin Assessment for Water Year 2024

2:21 P.M.

Interim Executive Officer Arne Anselm presented the Item to the Board, providing background and context on the proposed Budget and Basin Assessment for Water Year (WY) 2024. Per the LPV Judgment requirements⁶, LPV Watermaster must take Management Actions by certain dates, and must set, levy, and collect Basin Assessments and fees from Water Rights Holders to fund Management Actions and Basin Optimization Projects. Thus, the proposed Watermaster Budget acts as a basis for the proposed Basin Assessment to be levied in WY 2024.

Mr. Anselm asked the Board to approve the FY 2024-2025 Las Posas Valley Watermaster Budget as set forth in Exhibit 21B, with the addition of the \$200,000 reimbursement for legal fees as approved by the Board during the September 13, 2024⁷, Board special meeting⁸, and asked that the Board approve an Annual Basin Assessment of \$64.58 for Water Year 2024 to be invoiced quarterly.

At 2:30 P.M., Chair West asked for Board comments. Director Craviotto asked if operating reserves, currently set at 10%, will raise when costs and the budget raise, and Mr. Anselm agreed that it will. Director Craviotto then asked if cost for transfers is included and whether a process for transfers is in place, and Dr. Kaseke noted that the LPV Judgment includes a transfer process.

Director Long moved to adopt the Watermaster Budget, with total expenditures of \$2,583,095, with the amendment of Exhibit 21B to reflect the \$200,000 reimbursement to FCGMA of legal fees, and to approve an Annual Basin Assessment of \$64.58 for WY 2024 to be invoiced quarterly.

⁵ LPV Judgment § 5.5.2: <https://s42135.pcdn.co/wp-content/uploads/2023/08/Judgment-w-Exhibits.cleaned.pdf>

⁶ Judgment § 7: Assessments and Funding

⁷ September 13 recording: <https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=19193>

⁸ September 13, 2024, Minutes available under “Archived Meetings” at: <https://fcgma.org/board-agendas-broadcasts-minutes/>

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Director Trembley seconded the motion. Via roll call vote at 2:33 P.M., the motion passed unanimously.

22. Review and Approval of Requested Corrections or Changes to the Las Posas Valley Adjudication Judgment Groundwater Allocation Schedule 2:33 P.M.

As a party in the Las Posas Valley Basin, Director Craviotto recused himself from voting on this Item at 2:33 P.M.

Dr. Kaseke presented the Item to the Board. Agency Counsel Jason Canger confirmed that none of the approvals or denials presented to the Board as part of the Requested Corrections or Changes to the Las Posas Valley Adjudication Judgment Groundwater Allocation Schedule change allocations in any way.

Director Craviotto asked whether a reason is included with a tentative denial when a WMID's requested corrections are denied. Mr. Canger responded yes, and should a Water Rights Holder wish to contest, they may do so with the Court. Mr. Canger noted that the recommended actions are based on staff and Committee review. With respect to tentative approval of requested corrections, Watermaster has exercised its authority under the Judgment.

Director Maulhardt moved to approve staff recommendations to approve or deny requested changes to the Groundwater Allocation Schedule. Director Long seconded the motion. Via roll call vote at 2:50 P.M., the motion passed with all in favor apart from Director Craviotto, who abstained from voting.

23. Approval of Las Posas Valley Basin Annual Water Right Allocations for Water Year 2024 (October 1, 2024 – September 30, 2025) 2:50 P.M.

Dr. Kaseke presented the Item to the Board, including an overview of the calculations of Water Right Allocations under the LPV Judgment for WY 2024, and requested that the Board adopt the Water Right Allocation Calculations for the LPV Basin for WY 2024.

With regards to correspondence attached as Exhibits to Items 22 and 23, Director Trembley asked for clarification regarding WMID 4242 and its allocation. Dr. Kaseke clarified that Watermaster denied adding additional parcels to WMID 4242 because Watermaster does not have the authority to approve the addition of parcels to a WMID under the Judgment. Dr. Kaseke noted that WMID has an allocation under the Judgment regardless of their request for changes to the Groundwater Allocation Schedule, and that is what has been carried over under this Item for WMID 4242.

Chair West asked for public comment at 3 P.M. Public comment was given by:
Darryl Smith, grower.

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Chair West reminded those in attendance that the Board does not have any authority to change allocations.

Director Maulhardt moved to adopt the Water Right Allocation Calculations for the LPV Basin for WY 2024 as presented. Director Long seconded the motion. Via roll call vote at 3:03 P.M., the motion passed unanimously.

24. Presentation on Las Posas Valley Adjudication Technical Advisory Committee Recommendation Report and Watermaster's Response Report on Projects to be Considered in the Basin Optimization Yield Plan and Study 3:03 P.M.

Dr. Kaseke presented the Item to the Board for information and noted that the reports on projects to be considered in the Basin Optimization Yield Plan and Study will go back to the Policy Advisory Committee (PAC) and the Technical Advisory Committee (TAC) for final review.

Chair West remarked that the TAC and the Watermaster Board are in accordance with regards to this Item.

As this Item was presented for information only, no Board action was taken.

25. Presentation on Las Posas Valley Adjudication Technical Advisory Committee Recommendation Report and Watermaster's Response Report on Draft Scope of Work to Prepare the Las Posas Valley 2025 Basin Optimization Yield Study 3:10 P.M.

Dr. Kaseke presented the Item to the Board for information and noted that the reports on draft Scope of Work to prepare the LPV 2025 Basin Optimization Yield Study will be sent to TAC.

Chair West asked for Board comments at 3:14 P.M. and noted that it may be good for Watermaster staff to contact impacted pumpers regarding the supplemental cost with Calleguas.

As this Item was presented for information only, no Board action was taken.

26. Adjournment 3:16 P.M.

Chair West adjourned the meeting at 3:16 P.M.

Submitted by:

Elka Weber
Clerk of the Board

Item 9 - Consent Agenda - FCGMA FY 2024-25 Budget to Actual Report for September 2024

| | | | | | | | | | | | | | | | | | |
|----|--|------|-------------|--------------|-----------------------------------|---------------|------------------|----------------|-----------------|-----------------|----------------|-----------------|--------------|--------------|--------------|--------------|--------------|
| | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | FUND: 0170 UNIT: 5795 | | | | EXPENDITURES BY ACCOUNTING PERIOD | | | | | | | | | | | | |
| | | OBJ | PROGRAM | TOTAL | AP 01/ July | AP 02/ August | AP 03/ September | AP 04/ October | AP 05/ November | AP 06/ December | AP 07/ January | AP 08/ February | AP 09/ March | AP 10/ April | AP 11/ May | AP 12/ June | AP 13 |
| 1 | CASH BALANCE 07-01-24 | | | 6,988,697.31 | 6,988,697.31 | 7,779,349.81 | 6,644,333.02 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 |
| 2 | REVENUE: | | | | | | | | | | | | | | | | |
| 3 | PUMP CHARGES | 9790 | P6020901 | 165,169.06 | 123,574.42 | 16,147.94 | 25,446.70 | | | | | | | | | | |
| 4 | SURCHARGES | 9790 | P6020903 | 34,464.25 | 34,464.25 | | | | | | | | | | | | |
| 5 | INTEREST/ PENALTIES | 9790 | P6020904 | 8,325.45 | 2,624.31 | 4,151.14 | 1,550.00 | | | | | | | | | | |
| 6 | GEMES RESERVE FEE | 9790 | P6020907 | 463,025.64 | 359,428.58 | 18,816.00 | 84,781.06 | | | | | | | | | | |
| 7 | SUSTAINABILITY FEE | 9790 | P6020908 | 643,011.25 | 492,364.19 | 27,714.27 | 122,932.79 | | | | | | | | | | |
| 8 | FCGMA TECH SERVICES -GRANT | 9708 | P6020852 | 46,472.00 | | | 46,472.00 | | | | | | | | | | |
| 9 | INTEREST EARNINGS | 8911 | - | (44,282.25) | (88,564.50) | | 44,282.25 | | | | | | | | | | |
| 10 | OTHER REV | 9790 | - | 0.00 | | | | | | | | | | | | | |
| 11 | TOTAL REVENUE | | | 1,316,185.40 | 923,891.25 | 66,829.35 | 325,464.80 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 12 | TOTAL FUNDS AVAILABLE | | | 8,304,882.71 | 7,912,588.56 | 7,846,179.16 | 6,969,797.82 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 |
| 13 | EXPENDITURES: | | | | | | | | | | | | | | | | |
| 14 | SUPPORT | | | | | | | | | | | | | | | | |
| 15 | PUBLIC WORKS CHARGES | 2205 | - | 509,052.67 | 121,253.89 | 205,268.99 | 182,529.79 | | | | | | | | | | |
| 16 | MANAGEMENT AND ADMIN SURVEY ISF | 2199 | P6020901 | 0.00 | | | | | | | | | | | | | |
| 17 | FCGMA ONLINE SUPPORT | 2202 | P6020850 | 15,655.00 | | 11,666.00 | 3,989.00 | | | | | | | | | | |
| 18 | BOARD MEMBERS INSURANCE | 2072 | P6020850 | 4,085.00 | 4,085.00 | | | | | | | | | | | | |
| 19 | BI-ANNUAL AUDIT | 2199 | P6020850 | 4,950.00 | | | 4,950.00 | | | | | | | | | | |
| 20 | WPD -SCR Coordinator | 2199 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 21 | CONTRACT | | | | | | | | | | | | | | | | |
| 22 | CONSULTANT CONTRACT (DUDEK) - Implementation | 2183 | P6020858 | 122,414.64 | | | 122,414.64 | | | | | | | | | | |
| 23 | CONSULTANT CONTRACT (DUDEK) - Annual reports | 2183 | P6020858 | 0.00 | | | | | | | | | | | | | |
| 24 | CONSULTING CONTRACT (UNITED WATER)-GSP modeling | 2183 | P6020858 | 0.00 | | | | | | | | | | | | | |
| 25 | CONSULTING CONTRACT (RINCON CONSULTANT)- AMI Data support | 2199 | P6020852 | 12,641.11 | 4,355.21 | 5,920.79 | 2,365.11 | | | | | | | | | | |
| 26 | CONSULTING CONTRACT (HALLMARK) | 2199 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 27 | LEGAL | | | | | | | | | | | | | | | | |
| 28 | COUNTY COUNSEL | 2185 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 29 | COUNTY COUNSEL | 2185 | P6020853 | 11,534.25 | | | 11,534.25 | | | | | | | | | | |
| 30 | COUNTY COUNSEL (GEMES) - LPV Basin Adjudication | 2185 | P6020864 | 2,934.75 | | | 2,934.75 | | | | | | | | | | |
| 31 | COUNTY COUNSEL (GEMES) - City of Oxnard V FCGMA | 2185 | P6020866 | 819.00 | | | 819.00 | | | | | | | | | | |
| 32 | COUNTY COUNSEL (GEMES) - OPV Coalition v FCGMA | 2185 | P6020867 | 8,531.25 | | | 8,531.25 | | | | | | | | | | |
| 33 | OTHER LEGAL FEES(Jarvis Fay) | 2185 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 34 | OTHER LEGAL FEES(Rutan & Tucker LLP) | 2185 | P6020853 | 11,573.50 | | 11,573.50 | | | | | | | | | | | |
| 35 | OTHER LEGAL FEES(Stoel)(GEMES) - LPV Basin Adjudication | 2185 | P6020864 | 34,299.20 | | 8,134.20 | 26,165.00 | | | | | | | | | | |
| 36 | OTHER LEGAL FEES(Stoel)(GEMES) - City of Oxnard v FCGMA | 2185 | P6020866 | 115,118.03 | | 44,163.52 | 70,954.51 | | | | | | | | | | |
| 37 | OTHER LEGAL FEES(Stoel)(GEMES) - OPV Coalition v FCGMA | 2185 | P6020867 | 0.00 | | | | | | | | | | | | | |
| 38 | OTHER LEGAL FEES (Stute Mihaly)(GEMES) - OPV Coalition v FCGMA | 2185 | P6020867 | 137,462.92 | | 104,254.96 | 33,207.96 | | | | | | | | | | |
| 39 | GRANT | | | | | | | | | | | | | | | | |
| 40 | KENNEDY JENKS | 2199 | P6020852 | 15,945.00 | | 6,492.50 | 9,452.50 | | | | | | | | | | |
| 41 | WILDHERON DRILLING - FOX24-01 OXNARD BASIN MONIT WELLS | 4114 | P6020872 | 896,720.68 | | 401,925.86 | 494,794.82 | | | | | | | | | | |
| 42 | WILDHERON DRILLING - FOX24-01 PV BASIN MONIT WELLS | 4114 | P6020874 | 896,720.65 | | 401,925.85 | 494,794.80 | | | | | | | | | | |
| 43 | GSA CHARGES | | | | | | | | | | | | | | | | |
| 44 | PURCHASING CHARGES ISF | 2165 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 45 | MAIL CENTER ISF | 2164 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 46 | GRAPHICS CHARGES ISF | 2166 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 47 | GIS - ISF | 2203 | - | 451.44 | | 300.96 | 150.48 | | | | | | | | | | |
| 48 | SPECIAL SVCES ISF | 2206 | P6020850 | 4,144.84 | | | 4,144.84 | | | | | | | | | | |
| 49 | OTHER MAINTENANCE ISF | 2116 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 50 | SPECIAL | | | | | | | | | | | | | | | | |
| 51 | LAFCO FUNDING | 2159 | P6020850 | 3,510.00 | 3,510.00 | | | | | | | | | | | | |
| 52 | OXNARD WELL DESTRUCTION | 2199 | P6020854 | 0.00 | | | | | | | | | | | | | |
| 53 | FRUIT GROWERS LAB - Annual GW Monit - PV Basin Monit Wells | 2199 | P6020874 | 2,612.00 | | | 2,612.00 | | | | | | | | | | |
| 54 | OTHER | | | | | | | | | | | | | | | | |
| 55 | PUBLIC NOTICE | 2221 | various | 0.00 | | | | | | | | | | | | | |
| 56 | CONFERENCES / SEMINARS | 2273 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 57 | PRINTING AND BINDING NON ISF | 2162 | P6020872/74 | 0.00 | | | | | | | | | | | | | |
| 58 | HYDROLOGY SUPPLIES | 2103 | P6020852 | 0.00 | | | | | | | | | | | | | |
| 59 | MAINTENANCE SUPPLIES AND PARTS | 2104 | P6020872 | 0.00 | | | | | | | | | | | | | |
| 60 | SOFTWARE SUBSCRIPTIONS NON ISF (ZOOM) | 2236 | P6020850 | 326.02 | | 163.01 | 163.01 | | | | | | | | | | |
| 61 | MISC OFFICE EXPENSE | 2179 | P6020850 | 90.65 | 34.65 | 56.00 | | | | | | | | | | | |
| 62 | ASSN OF WATER AGENCIES | 2159 | P6020850 | 0.00 | | | | | | | | | | | | | |
| 63 | TOTAL EXPENDITURES | | | 2,811,592.60 | 133,238.75 | 1,201,846.14 | 1,476,507.71 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 64 | | | | | | | | | | | | | | | | | |
| 65 | | | | | | | | | | | | | | | | | |
| 66 | TOTAL REVENUE | | | 1,316,185.40 | 923,891.25 | 66,829.35 | 325,464.80 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 67 | CONTINGENCY | | | 0.00 | | | | | | | | | | | | | |
| 68 | ENDING CASH BALANCE | | | 5,493,290.11 | 7,779,349.81 | 6,644,333.02 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 | 5,493,290.11 |
| | NOTES : Revenue increased by \$258,635.45 (388%) in AP03 (September) from AP02 (August), due to significant increases in Pumping Charges, GEMES Reserve fees and Sustainability fees collected. Interest Earnings of \$44,282.25 received from the County Pooled Investment Fund. \$46,472.00 received from UWCD and PVCWD for SGMA agreement payment #3. Expenses increased by \$274,661.57 (23%) in AP03 (September) due to Dudek contract and County Counsel Legal expenses and continued Wildheron Drilling, LLC work on Oxnard Basin and PV Basin Monitoring Wells. No other significant variances noted. | | | | | | | | | | | | | | | | |

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, *Chair, Director, Camrosa Water District*
Kelly Long, *Vice Chair, Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Mayor, City of Camarillo*

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Adoption of the 2024 FCGMA Conflict of Interest Code – (New Item)

RECOMMENDATIONS: (1) Adopt the 2024 Conflict of Interest Code (COIC) for the Fox Canyon Groundwater Management Agency; and (2) Approve the Chair to sign the amended 2024 FCGMA COIC documents.

BACKGROUND:

The Political Reform Act (Government Code 87300 et. seq.) requires every agency to adopt a Conflict of Interest Code and review and amend as needed every even-numbered year. The Ventura County Board of Supervisors is the code reviewing body for the Agency's Conflict of Interest Code and is required to review and approve the Agency's code this year.

DISCUSSION:

Exhibits following this letter clarify the revisions to the Agency Conflict of Interest Code for your Board's approval and adoption. The proposed revisions include updating the number of Alternate Members of the Board of Directors, and the number of consultants listed as "Designated Positions and Filing Officers" in the COIC. Attached as Exhibit 10A is the 2024 Local Agency Biennial Notice, which officially identifies these amendments as those which appear in the revised COIC. The revised Conflict of Interest Code is attached as both a red-line version (Exhibit 10B) and a clean copy (Exhibit 10C). For reference, the previous COIC, last adopted by your Board on September 30, 2022, and subsequently edited with the addition of Form 805s for additional consultants, is attached as Exhibit 10D.

The main intent of the COIC remains unchanged. Government Code section 87200 et seq. requires all "officials who manage public investments" to disclose, in a Form 700, all their economic interests pursuant to the Political Reform; historically, FCGMA Conflict of Interest Code designates all stated positions to disclose Category 1, the broadest disclosure category.

Continued selection of the Ventura County Board of Supervisors Clerk of the Board's Office as the Filing Officer (Form 700 Clerk) will provide time and cost savings to the Agency by making each designated Form 700 filer eligible to use the electronic filing application e-Disclosure utilized by the County Clerk of the Board's Office. In addition, the Clerk of the Board's Office would continue to be responsible for providing all notifications to the Agency's filers and performing all other duties associated with the Filing Officer pursuant to 2 Cal. Code Regs. §18115. The FCGMA Clerk of the Board, known in this regard as the Local Agency's Clerk, acts as Agency contact for

the Form 700 Clerk and coordinates Biennial amendment documents, and reports from e-Disclosure as needed for review; the Local Agency Clerk also provides follow up with late filers and initial notification to the Form 700 Clerk of new filers.

Should the COIC be approved and adopted by your Board during today's meeting, Agency staff requests the Chair of the Board's signature on both versions of the 2024 Revised Proposed COIC: both the redline (Exhibit 10B) and the clean copy (Exhibit 10C), for the Board of Supervisors to consider when they review the Agency's amended documents.

Once adopted by your Board, the COIC and signed 2024 Local Agency Biennial Notice will be submitted to the Board of Supervisors Clerk of the Board. The Clerk of the Board's Office will present the Agency's submission to the Board of Supervisors for final approval.

For further information regarding the Conflict of Interest Code, please visit the Fair Political Practices Commission (FPPC) website at www.fppc.ca.gov or the Board of Supervisors Clerk of the Board's website at www.ventura.org/cob/form700.

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3952.

Sincerely,



Arne Anselm
Interim Executive Officer

Attachments: Exhibit 10A – 2024 Local Agency Biennial Notice Identifying FCGMA Amendments
Exhibit 10B – Red-Line Version of 2024 FCGMA Revised Conflict of Interest Code
Exhibit 10C – Clean Version of 2024 FCGMA Revised Conflict of Interest Code
Exhibit 10D – 2022 FCGMA COIC with 805s, as of April 2, 2024

2024 Local Agency Biennial Notice

Name of Agency: Fox Canyon Groundwater Management Agency
Mailing Address: 800 S. Victoria Avenue, Ventura, CA 93003-1610
Contact Person: Arne Anselm Phone No. 805-654-3942
Email: arne.anselm@ventura.org Alternate Email: fcgma@ventura.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

☒ **An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- ☒ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☒ Other (*describe*) Addition of Consultants

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to: **E-Mail to: form700clerk@ventura.org**

or
Mail to: Clerk of the Board of Supervisors
800 S. Victoria Avenue, L# 1920
Ventura, CA 93009-1920

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

FPPC Advice: www.fppc.ca.gov (866.275.3772)
advice@fppc.ca.gov

2024 **Redline**

CONFLICT OF INTEREST CODE
Fox Canyon Groundwater Management Agency

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) which 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 ***Fox Canyon Groundwater Management Agency***, 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 ***Fox Canyon Groundwater Management Agency***. 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 **23rd** day of October 2024:

By: _____
Print Name: **Eugene F. West**
Title: **Chair, Board of Directors**

EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

| # of POSITIONS | POSITION TITLE | DISCLOSURE CATEGORIES (From Exhibit B) | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC]) |
|--------------------------|--|--|---|
| 5 | Members of the Board of Directors | 1 | COB |
| 45 | Alternate Members of the Board of Directors | 1 | COB |
| 1 | Agency Executive Officer | 1 | COB |
| 2 | Agency Counsel | 1 | COB |
| Consultants ¹ | | | |
| 23 | Dudek | 1 | COB |
| 2 | Kennedy Jenks Consultants | 1 | COB |
| 1 | Todd Groundwater | 1 | COB |
| 1 | Aquilologic | 1 | COB |
| 1 | Daniel B. Stephens & Associates, Inc. | 1 | COB |

¹ The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

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/CONSULTANT | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency’s Clerk [AC]) |
|---------------------------|----------------------------------|---|
| | None | |
| | | |
| | | |
| | | |

2024

CONFLICT OF INTEREST CODE
Fox Canyon Groundwater Management Agency

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) which 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 ***Fox Canyon Groundwater Management Agency***, 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 ***Fox Canyon Groundwater Management Agency***. 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 23rd day of **October**, 2024:

By: _____
Print Name: **Eugene F. West**
Title: **Chair, Board of Directors**

EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

| # of POSITIONS | POSITION TITLE | DISCLOSURE CATEGORIES (From Exhibit B) | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC]) |
|--------------------------|--|--|---|
| 5 | Members of the Board of Directors | 1 | COB |
| 5 | Alternate Members of the Board of Directors | 1 | COB |
| 1 | Agency Executive Officer | 1 | COB |
| 2 | Agency Counsel | 1 | COB |
| Consultants ¹ | | | |
| 3 | Dudek | 1 | COB |
| 2 | Kennedy Jenks Consultants | 1 | COB |
| 1 | Todd Groundwater | 1 | COB |
| 1 | Aquilologic | 1 | COB |
| 1 | Daniel B. Stephens & Associates, Inc. | 1 | COB |

¹ The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

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.

Item 10C – Clean Version of 2024 FCGMA Revised Conflict of Interest Code

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/CONSULTANT | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency’s Clerk [AC]) |
|----------------|---------------------------|--|
| | None | |
| | | |
| | | |
| | | |

2022 Local Agency Biennial Notice

SEP 30 2022

Clerk of the Board

Name of Agency: Fox Canyon Groundwater Management Agency

Mailing Address: 800 S. Victoria Avenue, Ventura, CA 93003-1610

Contact Person: Jeff Pratt Phone No. 805-654-2073

Email: jeff.pratt@ventura.org Alternate Email: deborah.cisneros@ventura.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

☒ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☒ Other (describe) Addition of Consultants

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/30/22

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to: **E-Mail to: form700clerk@ventura.org**

or
Mail to: Clerk of the Board of Supervisors
800 S. Victoria Avenue, L# 1920
Ventura, CA 93009-1920

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

www.fppc.ca.gov
FPPC Advice: advice@fppc.ca.gov (866.275.3772)
Page 1 of 1

County of Ventura

SEP 30 2022

Clerk of the Board

CONFLICT OF INTEREST CODE
Fox Canyon Groundwater Management Agency

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) which 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 [***Fox Canyon Groundwater Management Agency***], 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 ***Fox Canyon Groundwater Management Agency***. 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 30th day of September, 2022:


By: 
Print Name: Eugene F. West
Title: Chair, Board of Directors

EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS

| # of POSITIONS | POSITION TITLE | DISCLOSURE CATEGORIES (From Exhibit B) | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC]) |
|--------------------------|--|--|---|
| 5 | Members of the Board of Directors | 1 | COB |
| 4 | Alternate Members of the Board of Directors | 1 | COB |
| 1 | Agency Executive Officer | 1 | COB |
| 2 | Agency Counsel | 1 | COB |
| | | | |
| Consultants ¹ | | | |
| 2 | Dudek | 1 | COB |
| 2 | Kennedy Jenks Consultants | 1 | COB |

¹ The disclosure, if any, required of a consultant will be determined on a case-by-case basis by the head of the agency or designee. The determination of whether a consultant has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805.

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/CONSULTANT | FILING OFFICER (Designate County Clerk of Board [COB] or Local Agency’s Clerk [AC]) |
|----------------|---------------------------|--|
| | None | |
| | | |
| | | |
| | | |



BOARD MINUTES
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

**SUPERVISORS MATT LAVERE, LINDA PARKS,
KELLY LONG, ROBERT O. HUBER AND VIANEY LOPEZ**
November 1, 2022 at 8:30 a.m.

CONSENT – COUNTY EXECUTIVE OFFICE – Approval of the 2022 Biennial Notices for the Board of Supervisors-District Office Staff and the Ventura County Public Financing Authority; Adoption of Conflict of Interest Codes for 127 Local Agencies; and Receive and File the 2022 Biennial Notices.

- (X) All Board members are present.
- (X) Upon motion of Supervisor Parks, seconded by Supervisor Huber, and duly carried, the Board hereby approves the recommendations as stated in the respective Board letters for Consent Items 12 – 44 and 46 – 62, with a revised Exhibit 2 for Item 24 and a revised Board letter and revised Exhibit 1 for Item 37.

By: Lori Key
Lori Key
Deputy Clerk of the Board

Agency Report of:
Consultants

June 25, 2024

Clerk of the Board

A Public Document

California
Form**805****1. Agency Name** (Also include, Division, Department, or Region (if applicable))

Fox Canyon Goundwater Management Agency

Agency Contact

Elka Weber

Phone Number

805 654 2014

Email

FCGMA@ventura.org

☒ Amendment

Date of Original Filing:

11/1/22

(month, day, year)

2. Firm Information

Firm Name

Daniel B. Stephens & Associates, Inc., A Geologic Company

Firm Address

3916 State Street, Garden Suite Santa Barbara, CA 93105

Email (optional)

TMorgan@Geo-Logic.com

Email (optional)

Describe General Purpose of Contract

Las Posas Valley Technical Advisory - Consultant will serve as the East Las Posas Technical

Advisory Committee representative for the for the LPV Watermaster TAC.

3. Consultant Information

| Consultant Name | Assigned Category | OR | Disclosure Requirement | Assuming/Start Date Leaving/End Date (if known) |
|---------------------|-------------------|----|------------------------|---|
| William Tony Morgan | 1 | | | Start 5/1/24 / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |

4. Verification

I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.



Signature

Elka Weber

Name

Management Assistant

Title

May 1, 2024

(month, day, year)

Comment: (Use this space or an attachment for any additional information.)

Agency Report of: June 25, 2024

Consultants

Clerk of the Board

A Public Document

California
Form

805

| | | |
|--|----------------------------|---|
| 1. Agency Name (Also include, Division, Department, or Region (if applicable)) Fox Canyon Goundwater Management Agency | | <input checked="" type="checkbox"/> Amendment Date of Original Filing: 11/1/22 (month, day, year) |
| Agency Contact Elka Weber | | |
| Phone Number 805 654 2014 | Email FCGMA@ventura.org | |

2. Firm Information

| | | |
|---|---|------------------|
| Firm Name Todd Groundwater | | |
| Firm Address 1301 Marina Village Parkway, STE 320, Alameda, CA 94501 | Email (optional) CTaylor@ToddGroundwater.com | Email (optional) |

Describe General Purpose of Contract

Las Posas Valley Technical Advisory - Consultant will serve as the administrator
for the for the LPV Watermaster TAC.

3. Consultant Information

| Consultant Name | Assigned Category | OR | Disclosure Requirement | Assuming/Start Date Leaving/End Date (if known) |
|---------------------|-------------------|----|------------------------|---|
| Chad Nicolas Taylor | 1 | | | Start 5/1/24 / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |

4. Verification

I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.



Signature

Elka Weber

Name

Management Assistant

Title

May 1, 2024

(month, day, year)

Comment: (Use this space or an attachment for any additional information.)

Agency Report of:
Consultants

June 25, 2024

Clerk of the Board

A Public Document

California
Form**805**

1. Agency Name (Also include, Division, Department, or Region (if applicable))

Fox Canyon Goundwater Management Agency

Agency Contact

Elka Weber

Phone Number

805 654 2014

Email

FCGMA@ventura.org

☒ Amendment

Date of Original Filing: 11/1/22

(month, day, year)

2. Firm Information

Firm Name

Aquilologic

Firm Address

245 Fischer Ave, STE D-2, Costa Mesa, CA 92626

Email (optional)

Bob.Abrams@Aquilologic.com

Email (optional)

Describe General Purpose of Contract

Las Posas Valley Technical Advisory - Consultant will serve as the West Las Posas representative for the for the LPV Watermaster TAC.

3. Consultant Information

| Consultant Name | Assigned Category | OR | Disclosure Requirement | Assuming/Start Date Leaving/End Date (if known) |
|---------------------|-------------------|----|------------------------|---|
| Robert Henry Abrams | 1 | | | Start 5/1/24 / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |
| | | | | Start / / m / d / yr End / / m / d / yr |

4. Verification

I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.



Signature

Elka Weber

Name

Management Assistant

Title

May 1, 2024

(month, day, year)

Comment: (Use this space or an attachment for any additional information.)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Ratify Contract Change Orders Numbers 1 and 2 for Nested Multi-Depth and Shallow Single Completion Monitoring Wells Drilling, Construction and Development Project (Project) with WildRose Drilling, LLC dba WildHeron Drilling of Rocklin, California for Construction of the Project to Decrease Total Contract Amount From \$4,989,069.37 to \$2,725,019.37; Specification No. FOX24-01 – (Returning Item)

RECOMMENDATIONS: (1) Ratify Contract Change Order No. 1 decreasing total contract amount by \$269,000, and (2) Ratify Contract Change Order No. 2 decreasing total contract amount by \$1,995,050.

BACKGROUND:

Your Board approved Resolution Nos. 2022-01¹ and 2022-02² at the January 26, 2022, meeting, authorizing the Executive Officer to submit applications to the California Department of Water Resources (DWR) for funding from the 2021 Sustainable Groundwater Management (SGM) Implementation Grant Program to implement projects in the Oxnard Subbasin and Pleasant Valley Basin. The Agency received award notification letters from DWR dated April 28, 2022, for funding of \$7.6 million in each of the two basins. The Agency was apportioned approximately \$2,577,800 for the installation of multi-depth and shallow monitoring wells to fill monitoring network data gaps identified in the Oxnard Subbasin and Pleasant Valley Basin Groundwater Sustainability Plans (GSPs).

On February 28, 2024, your Board approved a contract with WildRose Drilling, LLC for the completion of the multi-depth and shallow single-completion monitoring wells grant components at a cost of \$4,989,069.37³. Although no matching is required by the grant, the Agency committed to funding the roughly \$2,400,000 remaining for the project.

DISCUSSION:

Five (5) locations and a total of ten (10) boreholes were to be drilled as nested multi-depth groundwater monitoring wells (each with two boreholes and two to three casings in each borehole). Completion of project is needed prior to December 31, 2024, and closeout of grant

¹ Resolution 2022-01: <https://s42135.pcdn.co/wp-content/uploads/2024/10/Resolution-2022-01.pdf>

² Resolution 2022-02: <https://s42135.pcdn.co/wp-content/uploads/2024/10/Resolution-2022-02.pdf>

³ Archived meeting materials are available at: <https://fcgma.org/board-agendas-broadcasts-minutes/>

agreements by April 30, 2025. Due to the concern of meeting the grant deadline when factoring in the permitting processes of Pleasant Valley Recreation and Park District, and with the knowledge that the Agency will be able to meet all other grant requirements, the Interim Executive Officer directed staff to eliminate PNW-20 from the project. The cost of drilling this well would have been born entirely by the Agency, and as there is no requirement for matching funds, its removal did not affect the grant funding. The potential savings from this action was discussed with the Fiscal Committee, who recommended eliminating as much cost from this project to the Agency as possible.

Change Order Number 1 (attached as Exhibit 11A) with a reduction of \$269,000, was the first of the identified savings from the omission of the multi-nested well location PNW-20. Change Order No. 1 included survey efforts, noise mitigation and other quantifiable efforts that could be discretely identified in the contract. Bulk materials identified in the contract were not included because an accounting would be done at the end of the project.

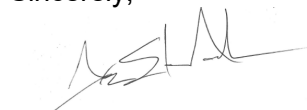
Change Order Number 2 (attached as Exhibit 11B) incorporates other cost savings related to the omission of PNW-20 and other savings over the life of the project. The presence of shallow bedrock resulted in the omission of both deep borings at both PNW-17 and PNW-19, resulting in further significant cost savings in material and labor. Noise mitigation measures were not required at any of the drill sites resulting in a total contract reduction of \$175,000. Discharge storage tanks were not utilized at any of the shallow single completion wells, resulting in a total contract reduction in the amount of \$250,000. Change order No. 2 resulted in a \$1,999,050 reduction of the overall contracted total.

CONCLUSION:

Ratification of Contract Change Orders Numbers 1 and 2 are requested resulting in a contract reduction of \$2,268,050, and a new "not to exceed" contract total of \$2,725,019.37.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 645.3942.

Sincerely,



Arne Anselm
Interim Executive Officer

Attachments:

- Exhibit 11A – Contract Change Order Number 1 Spec No. Fox24-01
- Exhibit 11B – Contract Change Order Number 2 Spec No. Fox24-01

County of Ventura

Page 1 of 2

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 1**Project Name: Nested Multi-Depth and Shallo Single-CompletionMonitoring Wells Drilling**

| | | | |
|------------|------------------|----------------------|---------------------|
| ACCOUNTING | A/C Contract No. | Budget Dept/Acct No. | Project No. |
| DATA: O170 | FOX24-01 | 5795-DWR SGMA Grant | P6020874 & P6020872 |

To: Wild Heron Drilling

You are hereby directed to make the following changes to the plans and specifications for this contract.

Note: This change order is not effective until approved by the Fox Canyon Groundwater Management Agency Executive Officer.

This Contract Change Order (CCO) decreases the total contract amount from \$4,989,069.37 to \$ 4,720,069 reflecting the omission of one multi-nested well location identified as PNW-20. This location has been omitted from the project scope because encroachment was not granted from the landowner.

1.1 Contract Item No. 4, Test / haul water offsite

Reduce contract Item No. 4, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (500,000.00)

1.2 Contract Item No. 6, Noise Mitigation

Reduce contract Item No. 6, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (250,000.00)

1.3 Contract Item No. 7, Test / dispose drill cuttings

Reduce contract Item No. 7, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (600,000.00)

1.4 Contract Item No. 10, Geophysical survey

Reduce contract Item No. 10, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (35,000.00)

1.5 Contract Item No. 14, Caliper survey

Reduce contract Item No. 14, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (35,000.00)

1.6 Contract Item No. 22, Monument well cover, cement pad, well caps, bollards

Reduce contract Item No. 22, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (50,000.00)

1.7 Contract Item No. 23, Well vault, cement pad

Reduce contract Item No. 23, quantity from 1 LS to 0 LS. Cost of this Change is a decrease (50,000.00)

1.8 Add new Contract Item, Test / haul water offsite

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$450,000/LS \$450,000

1.9 Add new Contract Item, Noise Mitigation

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$125,000/LS \$125,000

1.10 Add new Contract Item, Test / dispose drill cuttings

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$540,000/LS \$540,000

County of Ventura

Page 2 of 2

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 1**Project Name: Nested Multi-Depth and Shallo Single-CompletionMonitoring Wells Drilling****1.11 Add new Contract Item, Geophysical survey**

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$28,000

\$28,000

1.12 Add new Contract Item, Caliper Survey

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$28,000

\$28,000

1.13 Add new Contract Item, Monument well covers, cement pads, well caps, and bollards

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$40,000

\$40,000

1.14 Add new Contract Item, Well Vaults cement pads

Contractor shall perform work as directed by the Project Manager per the revised project scope. This item shall be considered full compensation including any incidentals necessary to complete the work.

+1 LS @ \$40,000

\$40,000

The total cost of this Change Order is (\$269,000) decrease.

By reason of this order, the time of completion will be adjusted as follows:

No adjustment in contract time.

RECOMMENDED  John Gauthier

REG. NO. _____ NA _____ DATE 7/29/2024

FOR APPROVAL BY: Executive Officer - FCGMA

APPROVED BY  Arne Anselm

DATE 7-30-24

The undersigned contractor has given careful consideration to the change proposed, including its effect on other work already contracted for, and hereby agrees, if this change order is approved, that he will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment for all costs related in any way thereto the prices shown above.

ACCEPTED, CONTRACTOR

BY  TITLE CFO DATE 7/29/2024

If this contract change order is executed by the Agency, but the Contractor does not sign it, the Contractor shall, as required by the Specifications cited:

1. Proceed with the ordered work (Subsections 3-2.2.3 and 3-5);
2. File a written Notice of Potential Claim before commencing the work ordered (Subsection 6-11); and
3. Keep and furnish daily records of materials, equipment and labor (Subsections 3-3.3 and 3-5)

Original: Contractor. Copies: Auditor, Project Manager, Contracts Div, Client, Inspector, Fiscal, AE, Project File

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 2**Project Name: Nested Multi-Depth and Shallo Single-Completion Monitoring Wells Drilling**

| | | | |
|------------|------------------|----------------------|---------------------|
| ACCOUNTING | A/C Contract No. | Budget Dept/Acct No. | Project No. |
| DATA: O170 | FOX24-01 | 5795-DWR SGMA Grant | P6020874 & P6020872 |

To: Wild Heron Drilling

You are hereby directed to make the following changes to the plans and specifications for this contract.

Note: This change order is not effective until approved by the Fox Canyon Groundwater Management Agency Executive Officer.

This Contract Change Order (CCO) decreases the total contract amount from \$4,720,069.37 to \$ 2,725,019.37 reflecting a reduction in scope of work due unforeseen bedrock being encountered during drilling.

2.1 Test / haul water offsite

Contract total authorized amount is reduced by (\$141,500) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$141,500/LS (\$141,500)

2.2 Water for drilling

Contract total authorized amount is reduced by (\$20,800) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$20,800/LS (\$20,800)

2.3 Noise mitigation

Contract line item No. CCO1.9 amount is reduced from 1 LS to 0 LS because no noise mitigation was used on the project. This results in a credit to the Contract Authorized amount of (\$125,000.00)

(\$125,000)

2.4 Test/discard drill cuttings

Contract total authorized amount is reduced by (\$172,800) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$172,800/LS (\$172,800)

2.5 Borehole, conductor casing, cement (8 wells)

Line item no. 8 is reduced from 200 LF to 120 LF.

The cost of this change is (\$8,000) decrease.

(\$8,000)

2.6 Pilot borehole (10 wells)

Line item no. 9 is reduced from 7,800 LF to 3,955 LF.

The cost of this change is (\$307,600) decrease.

(\$307,600)

2.7 Geophysical Survey

Contract total authorized amount is reduced by (\$7,000) to compensate for reduced scope due to unforeseen bedrock being encountered.

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 2**Project Name: Nested Multi-Depth and Shallow Single-Completion Monitoring Wells Drilling**

1 LS @ -\$7,000

(\$7,000)

2.8 Ream pilot borehole

Line item no. 11 is reduced from 760 LF to 355.

The cost of this change is (\$40,500) decrease.

(\$40,500)

2.9 Ream borehole (12.75")

Line item no. 12 is reduced from 5,245 LF to 2,120 LF.

The cost of this change is (\$312,500) decrease.

(\$312,500)

2.10 Ream borehole (9-7/8")

Line item no. 13 is reduced from 1,795 LF to 1,615 LF.

The cost of this change is (\$18,000) decrease.

(\$18,000)

2.11 Caliper survey

Contract total authorized amount is reduced by (\$7,000) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$7,000

(\$7,000)

2.12 PVC Blank Casing

Line item no. 15 is reduced from 12,908 LF to 5,040 LF.

The cost of this change is (\$196,700) decrease.

(\$196,700)

2.13 PVC screen casing

Line item no. 16 is reduced from 1,170 LF to 635 LF.

The cost of this change is (\$16,050) decrease.

(\$16,050)

2.14 Filter pack

Line item no. 17 is reduced from 1,860 LF to 1,073 LF.

The cost of this change is (\$78,700) decrease.

(\$78,700)

2.15 Medium bentonite chips

Line item no. 18 is reduced from 5,085 LF to 1,913 LF.

The cost of this change is (\$158,600) decrease.

(\$158,600)

2.16 Timed bentonite chips

Line item no. 19 is reduced from 555 LF to 200 LF.

The cost of this change is (\$17,750) decrease.

(\$17,750)

2.17 Sand-cement slurry

Line item no. 20 is reduced from 300 LF to 167 LF.

The cost of this change is (\$46,550) decrease.

County of Ventura

Page 3 of 4

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 2**Project Name: Nested Multi-Depth and Shallo Single-CompletionMonitoring Wells Drilling**

(\$46,550)

2.18 Monument well cover, cement pad, well caps, bollards

Contract total authorized amount is reduced by (\$10,000) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$10,000

(\$10,000)

2.19 Well vault cement pad

Contract total authorized amount is reduced by (\$10,000) to compensate for reduced scope due to unforeseen bedrock being encountered.

1 LS @ -\$10,000

(\$10,000)

2.20 Discharge storage tanks

Contract total authorized amount is reduced by (\$250,000) because discharge storage tanks were not used during the hollow stem auger phase of the project.

Line item 26 is reduced from 1 LS to 0 LS

1 LS @ -\$250,000

(\$250,000)

2.21 Noise mitigation

Contract total authorized amount is reduced by (\$30,000) because discharge storage tanks were not used during the hollow stem auger phase of the project.

Line item 27 is reduced from 1 LS to 0 LS

+1 LS @ \$50,000

(\$50,000)

The total cost of this Change Order is (\$1,995,050) decrease.

By reason of this order, the time of completion will be adjusted as follows:

No adjustment in contract time.

RECOMMENDED _____ REG. NO. _____ DATE _____

FOR APPROVAL BY: Executive Officer - FCGMA

APPROVED BY  DATE 10-7-24

The undersigned contractor has given careful consideration to the change proposed, including its effect on other work already contracted for, and hereby agrees, if this change order is approved, that he will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment for all costs related in any way thereto the prices shown above.

ACCEPTED, CONTRACTOR

BY  TITLE President DATE _____

Spec No. FOX24-01

Public Works Agency

Contracting Agency: Fox Canyon Groundwater Management Agency (FCGMA)

CONTRACT CHANGE ORDER NO. 2

Project Name: Nested Multi-Depth and Shallo Single-CompletionMonitoring Wells Drilling

| |
|---|
| <p>If this contract change order is executed by the Agency, but the Contractor does not sign it, the Contractor shall, as required by the Specifications cited:</p> <ol style="list-style-type: none">1. Proceed with the ordered work (Subsections 3-2.2.3 and 3-5);2. File a written Notice of Potential Claim before commencing the work ordered (Subsection 6-11); and3. Keep and furnish daily records of materials, equipment and labor (Subsections 3-3.3 and 3-5) |
|---|

Original: Contractor. Copies:, Auditor, Project Manager, Contracts Div, Client, Inspector, Fiscal, AE, Project File

Consent Agenda Item 12 LPV Watermaster Budget to Actual Report for September 2024

| FUND: 0171 UNIT: 5796 LPV WATERMASTER | 2024-25 ADOPTED BUDGET | ACCUMULATED | | | EXPENDITURES BY ACCOUNTING PERIOD | | | | | | | | | | | | |
|--|------------------------------|-------------|----------|--------------|-----------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | | OBJ | PROG | TOTAL | AP 01 | AP 02 | AP 03 | AP 04 | AP 05 | AP 06 | AP 07 | AP 08 | AP 09 | AP 10 | AP 11 | AP 12 | AP 13 |
| | | | | | 7/23 | 8/23 | 9/23 | 10/23 | 11/23 | 12/23 | 1/24 | 2/24 | 3/24 | 4/24 | 5/24 | 6/24 | 7/24 |
| CASH BALANCE | | | | 1,127,504.76 | 1,127,504.76 | 1,050,837.78 | 1,076,742.91 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 |
| REVENUE: | | | | | | | | | | | | | | | | | |
| INTEREST EARNINGS | | 8911 | - | (4,825.71) | (9,651.42) | | 4,825.71 | | | | | | | | | | |
| BASIN ASSESSMENT FEE | | 9790 | P6020670 | (195.62) | (54,626.98) | 38,593.60 | 15,837.76 | | | | | | | | | | |
| BASIN ASSESSMENT INTEREST | | 9790 | P6020671 | 7,462.27 | 2,102.43 | 2,775.68 | 2,584.16 | | | | | | | | | | |
| TOTAL REVENUE | | | | 2,440.94 | (62,175.97) | 41,369.28 | 23,247.63 | - | - | - | - | - | - | - | - | - | - |
| TOTAL FUNDS AVAILABLE | | | | 1,129,945.70 | 1,065,328.79 | 1,092,207.06 | 1,099,990.54 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 |
| EXPENDITURES: | | | | | | | | | | | | | | | | | |
| SUPPORT: | | | | | | | | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV WATERMASTER ADMINISTRATION | 106,848 | 2205 | P6020660 | 21,645.00 | 14,491.01 | 5,228.90 | 1,925.09 | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV ALLOCATIONS & RECORD KEEPING | 257,792 | 2205 | P6020661 | 1,868.44 | | 1,535.70 | 332.74 | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV BASIN MANAGEMENT | 156,880 | 2205 | P6020662 | 1,319.55 | | 1,319.55 | | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV COMMITTEE COORDINATION AND CONSULTING | 71,232 | 2205 | P6020663 | 3,795.94 | | 2,608.50 | 1,187.44 | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV BUDGET & ASSESSMENTS | 136,528 | 2205 | P6020664 | - | | | | | | | | | | | | | |
| PUBLIC WORKS ISF CHARGES - LPV SERVICE & SUPPORT | | 2205 | P6020667 | 79.68 | | | 79.68 | | | | | | | | | | |
| LPV CALLEGUAS ASR PROJECT OPERATIONS STUDY | 81,408 | 2205 | P6020665 | - | | | | | | | | | | | | | |
| LEGAL: | | | | | | | | | | | | | | | | | |
| LPV LEGAL SERVICES - COUNTY COUNSEL | 248,640 | 2185 | P6020666 | 10,647.00 | | | 10,647.00 | | | | | | | | | | |
| CONTRACTS: | | | | | | | | | | | | | | | | | |
| RGS AUTHORITY | 25,000 | 2199 | P6020660 | 6,373.76 | | 4,771.50 | 1,602.26 | | | | | | | | | | |
| DAVID KEITH TODD CONSULTING | 259,200 | 2199 | P6020662 | 10,191.25 | | | 10,191.25 | | | | | | | | | | |
| TOTAL EXPENDITURES | | | | 55,920.62 | 14,491.01 | 15,464.15 | 25,965.46 | - | - | - | - | - | - | - | - | - | - |
| CONTINGENCY | | | | | | | | | | | | | | | | | |
| ENDING CASH BALANCE | | | | 1,074,025.08 | 1,050,837.78 | 1,076,742.91 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 | 1,074,025.08 |

LAS POSAS VALLEY TECHNICAL ADVISORY COMMITTEE

Gene West, Chair
Las Posas Basin Watermaster / Fox Canyon Groundwater Management Agency
800 S. Victoria Ave.
Ventura, CA 93009

August 27, 2024

Re: Committee Consultation Schedule for the Draft Las Posas Valley Basin 5-Year Groundwater Sustainability Plan (GSP) Evaluation

Chair West,

The Las Posas Basin Watermaster Staff (Watermaster Staff) requested Las Posas Valley Technical Advisory Committee (TAC) consultation on the Draft Las Posas Valley Basin 5-Year Groundwater Sustainability Plan (GSP) Evaluation in a memorandum dated August 26, 2024. In that memorandum the Watermaster Staff requested a response from the TAC by October 7, 2024.

Following this consultation request the TAC was informed that the Judgment and the recent modifications to the Watermaster Rules stemming from Judge Anderle's September 4, 2024, status conference order provide 77 days for committee consultation on the 5-Year GSP Evaluation. The TAC understands that the Las Posas Valley Policy Advisory Committee (PAC) has notified the Watermaster Board and Staff that the deadline should be November 11, 2024 and that the PAC intends to adhere to that deadline.

The TAC understands the schedule constraints faced by Watermaster Staff and will review the Draft 5-Year GSP Evaluation as quickly as possible. However, meeting the October 7, 2024 requested deadline is not feasible. Final TAC comments on the Draft 5-Year GSP Evaluation cannot be presented to the Watermaster Board and Staff by October 7th, but the TAC will make every effort to produce a complete Recommendation Report prior to November 11th.

Sincerely,



Chad Taylor, PG, CHG, Chair and Administrator, Las Posas Basin TAC

**Item 14 - Correspondence: Gene West, Chair of the Board, RE TAC Letter -Consultation Schedule
Draft LPV 5-Year GSP Evaluation**

From: Eugene West <efwest2012@gmail.com>

Sent: Wednesday, October 2, 2024 10:55 AM

To: CTaylor@toddgroundwater.com; Anselm, Arne <Arne.Anselm@ventura.org>

Subject: 5Year GSP Update Schedule

Dear Mr. Taylor:

Thank you for your email, this date, concerning TAC's anticipated comments and recommendations relating to FCGMA's 5 Year GSP Update. As a preliminary matter, please be assured that TAC's comments and analysis are encouraged and welcome. Obviously, the sooner the better. As you know the due date for the GSP Update Report is set by statute and FCGMA has every intention of complying with that statutory schedule.

FCGMA will gratefully accept comments from TAC after October 7, 2024, but depending on the amount of technical work needed to evaluate and respond to TAC's comments, it may not be possible to include those comments in the 5 Year GSP Update Report.

As you know, the 5 Year Update is in the nature of a status report for the basin. The 5 Year Update does not revise the GSP.

FCGMA will make a diligent effort to timely assess all comments, including those from TAC, and revise its evaluation as necessary and appropriate.

If timing or circumstances do not permit inclusion of comments received after October 7th, FCGMA will nevertheless evaluate those comments and incorporate them into future GSP amendments and/or basin management strategies. I am also exploring the possibility of submitting a Supplemental Update to DWR to incorporate comments and analysis completed outside the existing schedule. The purpose is to timely comply with SGMA and allow everyone the opportunity to do the work that will benefit the basin and its stakeholders.

I welcome the opportunity to discuss this matter with you further.

If you have any questions please do not hesitate to contact me,
Gene West

LAS POSAS VALLEY TECHNICAL ADVISORY COMMITTEE

October 4, 2024

RECOMMENDATION REPORT

To: Las Posas Valley Watermaster

From: Chad Taylor, LPV TAC Administrator and Chair

Re: TAC Consultation Recommendation Report for Revised Draft Scope of Work to Prepare the Las Posas Valley Basin 2025 Optimization Yield Study

The Las Posas Valley Basin Technical Advisory Committee (TAC) received a consultation request for review of the revised draft scope of work and budget for the Las Posas Valley Basin 2025 Basin Optimization Yield Study from the Las Posas Valley Basin Watermaster (Watermaster). The revised scope and budget were prepared in response to recommendations provided by the TAC in a Recommendation Report dated August 27, 2024, which addressed a prior draft of the scope and budget for the Las Posas Valley Basin (LPVB) 2025 Basin Optimization Yield Study.

The TAC met on October 2, 2024 and reviewed the revised draft scope and budget. The TAC recognized and appreciated that the Watermaster, their consultant (Dudek), and United Water Conservation District (UWCD) addressed nearly all of the TAC's recommendations on the previous draft scope of work and budget.

TAC RECOMMENDATIONS

TAC review of the revised scope and budget did identify one additional recommendation related to the combined Dudek and UWCD scopes and budgets for the 2025 Basin Optimization Yield Study. The TAC requests the Watermaster consider including scope and budget for both Dudek and UWCD to respond to requests for data and information generated during the basin yield model simulations to facilitate effective TAC review of model results. The TAC is not able to specify exact data or information that may be requested because they will depend on the model scenarios and simulations included in the basin optimization yield analyses. However, TAC members agreed that having access to graphical and tabular model input and output data showing water budget, groundwater flow, and groundwater head data may be required for full and efficient review of basin optimization yield analyses. The TAC recommends that 40 hours of time for preparing these data and information in response to TAC requests. This should be an as-needed and not to exceed amount and only that portion of the time actually required would be used.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

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Kelly Long, Vice Chair, *Supervisor, County of Ventura*
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Lynn Maulhardt, Director, *United Water Conservation District*
Tony Trembley, Mayor, *City of Camarillo*

INTERIM EXECUTIVE OFFICER

Arne Anselm

September 25, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1610

SUBJECT: Update on Groundwater Sustainability Plan Five-Year Evaluations, Workshops, and Timeline – (Returning Item)

RECOMMENDATIONS: (1) Receive an update a presentation on Groundwater Sustainability Plan (GSP) Five-Year Evaluations and (2) Provide input and direction if desired.

BACKGROUND:

On March 27, 2024, the Board requested frequent updates on the Groundwater Sustainability Plan Five-Year Evaluations development. The Sustainable Groundwater Management Act (SGMA) requires that Groundwater Sustainability Agencies (GSAs) periodically evaluate their GSP(s) to “assess changing conditions in the basin that may warrant modification of the plan or management objectives and may adjust components in the plan.” The GSP Emergency Regulations require that GSAs evaluate their GSPs at least every five years, and whenever the GSP is amended. Evaluations for the Oxnard Subbasin and Pleasant Valley Basin (collectively, the OPV Basin) and the Las Posas Valley Basin (LPV Basin) are being prepared by Dudek, which prepared the original GSPs for the OPV Basin and the LPV Basin. The GSP Evaluations are due to the Department of Water Resources (DWR) no later than January 13, 2025. GSP

Key Work Completed

After releasing drafts to the public on August 22nd, The Agency held additional LPV and OPV Workshops to provide information and receive input from members of the public and stakeholders on September 9th and 10th. A 45-day review period has since occurred, with written comments due on October 7th, 2024.

DISCUSSION:

Written Comments Received

The Agency received 15 comment letters on the GSP Evaluations by the October 7 deadline. Some comment letters covered more than one subbasin. Seven comment letters were received for Las Posas Valley, 6 for Oxnard, and 8 for Pleasant Valley. Comments ranged from detailed analysis on numeric model fluxes, to high-level comments regarding planning, collaboration, and shifting focus to solutions. Comments were thoughtful and insightful. Agency staff and Dudek are currently working to respond and incorporate comments into the GSP Evaluations.

Comments fell into 10 general categories:

1. Regional Collaboration,
2. Hydrogeologic Conceptual Model,
3. Projects and Management Actions,

4. Modeling,
5. Monitoring,
6. Sustainable Management Criteria,
7. Stakeholder Engagement,
8. Litigation,
9. Recommended Corrective Actions, and
10. Commendation of the agency / stakeholders.

DEVELOPMENT TIMELINE

1. Stakeholder Engagement / Outreach – ongoing through January 2025
 - a. Workshop No. 1 (LPV & OPV): August 30, 2023 – Kick-off
 - b. Workshop No. 2: April 2024 – Modeling
 - i. LPV April 25, 2024
 - ii. OPV April 24, 2024
 - c. OPV Technical Workshop – April 30, 2024, 8:00 - 12:00
 - d. Workshop No. 3: September 2024 – 5-year Evaluation Review and Feedback
 - i. LPV September 2024
 - ii. OPV September 2024
 - e. Workshop No. 4 – November 2024 – GSP Amendment Review and Feedback
 - i. LPV November 2024
 - ii. OPV November 2024
2. Modeling and Data Analysis – July 2023 through June 2024
3. Board Meeting Discussions on Minimum Thresholds and Minimum Objectives - August 2024
4. Report Preparation – November 2023 through August 2024
 - a. Monitoring Network Review
 - b. New Information
 - c. Projects and Management Actions
 - d. Current Groundwater Conditions
 - e. Plan Element Review
 - f. Agency Action and Coordination
5. Report Review – August 2024 through November 2024
 - a. Public Review – August 2024
 - b. Final Draft Report– November 2024
 - c. Board and Public Discussions on Final Draft – October and November 2024
 - d. FCGMA Board Adoption of Evaluation – December 2024
 - e. Reports Submitted to DWR – January 13, 2025
6. GSP Amendment
 - a. Public Notice – tentatively scheduled for January 2025
 - b. Public Workshops

CONCLUSION:

Staff recommends that your Board receive and file this report and provide feedback as appropriate. This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3952.

Sincerely,



Robert Hampson
FCGMA Hydrologist

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

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Kelly Long, *Vice Chair, Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Mayor, City of Camarillo*

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Approve Proposal and Authorize the Interim Executive Officer to Execute a Professional Services Contract for Professional Auditing Services – (New Item)

RECOMMENDATIONS: (1) Approve the proposal for Professional Auditing Services from Rogers, Anderson, Malody & Scott (RAMS), LLP, for the two-year fiscal cycle (July 1, 2022 - June 30, 2023, and July 1, 2023 – June 30, 2024) at a fee of \$42,718; (2) Authorize the Interim Executive Officer to execute a Professional Services Contract with RAMS, and (3) Allocate \$22,718 of Contingency Funds from the Fiscal Year 2024-25 Budget for the Biennial Audit.

BACKGROUND:

Audits of the Fox Canyon Groundwater Management Agency (FCGMA) are required by California Government Code § 26909¹. The Board established a biennial audit schedule at its September 25, 2013, meeting. The Agency's next biennial audit is due for Fiscal Years ended June 30, 2023, and June 30, 2024.

DISCUSSION:

Ventura County Public Works Agency – Central Services (PWA-CS) Fiscal, in consultation with the Ventura County Auditor-Controller's Office, prepared a request for proposal (RFP) for qualified certified public accountants (CPAs) soliciting their interest, qualification and proposals to provide the Agency with independent auditing services in response to the audit preparation specifications outlined in the RFP (attached as Exhibit 20A).

The RFP was sent to 29 CPA firms from a list of firms qualified and experienced to provide independent audit services maintained by the Office of the Ventura County Auditor-Controller, and from several referrals suggested by member agencies. PWA-CS Fiscal followed up with emails and phone calls to these firms. Of the responses received, 16 audit firms declined to propose due to staff capacity, retirement, or an already full schedule; 10 provided no response, and 3 submitted proposals via email. A table comparing the proposals and their elements follows below; also attached as prepared by PWA-CS Fiscal for reference is Exhibit 20B, a chart displaying a breakdown of each proposal and how it complies with RFP requirements.

¹ Audits are also required in accordance with *Government Auditing Standards*; see <https://www.gao.gov/products/gao-24-106786>

| Proposal Comparison | | | | Proposed Timing | | | Firm Notes |
|---|-----------------------------------|---|--------------|------------------------|------------------|----------------|--|
| Firm | Type | Cost | Hours | Planning | Fieldwork | Reports | |
| Clifton Larson Allen LLP (CLA) | National, based in Irvine, CA | \$105,000 | 242 | February | Feb-Mar | June | Entirely remote including Board presentation |
| Marcum, LLP | National Top 13, based in FL | \$86,000 | 260 | October | Nov-Dec | January | Remote and requires significant IT involvement |
| Rogers, Anderson, Malody, & Scott, LLP (RAMS) | Local; based in San Bernadino, CA | Audit: \$35,375 Optional: Travel: \$4,500 Board Presentation: \$2,940 Total: \$42,718 | 169 | April | April-May | May-June | FCGMA staff recommend RAMS proposal |

Agency staff are committed to prepare with PWA-CS Fiscal ahead of the fieldwork phase to ensure requested documents and receivables samples are gathered and delivered effectively and in accordance with the selected firm's proposed timeline.

Agency staff have carefully reviewed each proposal² and have met with Fiscal to discuss their thoughts. As shown in Exhibit 20B, the estimated hours for each firm proposal vary. We anticipate that under 200 hours will be needed from the selected firm to complete the project. The proposal from Rogers, Anderson, Malody, & Scott, LLP, of San Bernadino, California, attached as Exhibit 20C, is best qualified to meet the Agency's needs in terms of cost, timeframe, and estimated hours.

The RAMS proposed not-to-exceed amount would total \$42,718 with travel and a presentation to the Board included. Should the Board prefer, the proposal includes an option of services for the audit, sans travel or presentation, that totals \$35,375. Staff notes that the proposed cost is more than the \$20,000 line item in the approved FCGMA FY 2024-25 Budget³, but that it is significantly less than costs proposed by the remaining proposals, as shown in the table above and linked in the footnotes to this Board letter.

Agency staff have drafted a professional services contract and exhibits for engaging RAMS to produce and deliver our biennial audit (attached as Exhibit 20D).

CONCLUSION:

Because RAMS has recent audit experience for similar entities and has submitted the proposal most suited to the Agency's needs, staff recommends your Board approve the proposal for

² CLA Proposal: <https://fcgma.org/wp-content/uploads/2024/10/Fox-Canyon-GMA-CLA-Proposal-06.30.23-24.pdf>

Marcum Proposal: <https://fcgma.org/wp-content/uploads/2024/10/Marcum-Proposal-for-the-Fox-Canyon-Groundwater-Management-Agency.pdf>

³ FCGMA Fiscal Year 2024-25 Adopted Budget: <https://s42135.pcdn.co/wp-content/uploads/2024/09/Item-19C-FCGMA-FY-2024-25-Budget.pdf>

professional auditing services by the firm Rogers, Anderson, Malody & Scott, LLP, and authorize the Agency Interim Executive Officer to execute a professional services contract with the firm.

Staff additionally requests that your Board allocate \$22,718 of contingency funds from the Fiscal Year 2024-25 Budget for the biennial audit.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arne Anselm', with a stylized, cursive script.

Arne Anselm
Interim Executive Officer

Attachments: Exhibit 20A – Request for Auditing Services Proposal
Exhibit 20B – Compliance with RFP Requirements
Exhibit 20C – RAMS Auditing Services Proposal, dated September 24, 2024
Exhibit 20D – DRAFT Audit Services Contract and Exhibits - RAMS

REQUEST FOR AUDITING SERVICES PROPOSAL

**FOX CANYON GROUNDWATER MANAGEMENT AGENCY
For the Fiscal Years Ended June 30, 2023, and 2024**

I. INFORMATION FURNISHED BY COUNTY

A. General Information

Interested firms should submit proposals to arrive no later than 5:00 p.m., Monday, September 09, 2024. Late responses will not be considered.

Please send two (2) copies to:

Arne Anselm
FCGMA Executive Officer
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009-1600

Specific questions concerning the Fox Canyon Groundwater Management Agency (FCGMA) or this proposal should be directed to:

Alisha Redican
Accounting Manager, Public Works Agency
(805) 654-2093

B. Nature of Services Required

An audit is required in accordance with generally accepted auditing standards and *Government Auditing Standards* of the FCGMA financial statements for the fiscal years ended June 30, 2023, and 2024.

C. Description of Entity and Records to be Audited

The FCGMA was created to manage and preserve groundwater resources within its boundaries and is considered a special district under the California Water Code. The FCGMA's efforts are financed mainly with water extraction fees and/or penalties/interest on delinquent accounts. The FCGMA audit requirements are found in California Government Code Section 26909.

D. Time Considerations and Requirements

1. Proposals must be submitted to arrive by 5:00 p.m., Monday, September 09, 2024.
2. The contract is scheduled to be awarded in September or October 2024.
3. Audited financial statements (5 copies) must be delivered to the FCGMA by January 31, 2025.

Item 20, Exhibit 20A – Request for Auditing Services Proposal

II. **INFORMATION REQUESTED FROM CPA FIRM**

To obtain the maximum degree of comparability for a uniform review process, proposals must be organized in the manner specified.

A. **Title Page**

Show the Request for Proposal (RFP) subject, the name of your firm, local address, telephone number, name of the contact person, and date.

B. **Table of Contents**

Include a clear identification of the material by section and by page number.

C. **Letter of Transmittal**

Limit to one or two pages.

1. Briefly state your firm's understanding of the work to be done and make a positive commitment to perform the work within the time period.
2. Provide the names of the persons who will be authorized to make representations for your firm, their titles, address, and telephone numbers.

D. **Profile of the CPA Firm**

1. State whether the firm is local, national, or international.
2. Provide the location of the office from which the work is to be done and the number of partners, managers, supervisors, seniors, and other professional staff employed at that office.
3. Describe the range of activities performed by the local office such as audit, accounting, tax services, and management services.
4. Describe the local office's computer systems capability, including the numbers and classifications of personnel skilled in computer sciences who will work on the audit.
5. State whether the firm is: properly licensed for practice as a CPA; meets independence requirements; has any record of substandard performance; and meets all requirements imposed by state and local laws, rules, and regulations.
6. Provide a statement and copy of the most recent peer review opinion letter regarding the firm's participation in a quality control peer review.

E. **Summary of Firm's Qualifications**

1. Identify the partners, managers, and supervisors who will work on the audit, including staff from other than the local office. Resumes for key personnel to be assigned to the audit should be included as an appendix.

Item 20, Exhibit 20A – Request for Auditing Services Proposal

2. Describe recent local and regional office governmental auditing experience, listing key individuals performing each audit for audits similar to the type of audit requested, and give the names and telephone numbers of responsible client officials for three (3) of the comparable audits.

F. Scope Section

Clearly describe the scope of your firm's understanding of the required services to be provided in terms of the matters discussed in the following subsections.

1. The audit will be made in accordance with generally accepted auditing standards embodied in *Statements on Auditing Standards* published by the American Institute of Certified Public Accountants and *Government Auditing Standards* issued by the Comptroller General of the United States.

If conditions are discovered which lead to the belief that material errors, defalcations, or other irregularities may exist, or if any other circumstances are encountered that require extended services, the auditor will promptly advise the FCGMA's Audit Coordinator. No extended services will be performed unless they are authorized in the contractual agreement or in a written and approved amendment to the agreement.

2. The auditor will provide a work plan with related time estimates for each significant segment of work.

G. Additional Information

Since information not specifically requested must be excluded from the foregoing proposal sections, give any additional information considered essential to meeting reporting requirements in this section. (Publications of the CPA firm, such as directories, articles, and lists of clients should not be included.)

If there is no additional information to present, state in this section, "There is no additional information we wish to present."

H. Compensation

Estimate the total hours, the estimated cost for appearance at the Board meeting presentation (anticipated to occur in February 2025 or March 2025) to answer questions from the Board members, the estimated out-of-pocket costs, and the resulting all-inclusive maximum annual fee for which the requested work will be done. An appendix stating the hourly rates for each staff classification is required. State whether data processing will be used in the examination and, if so, estimate the data processing resources the FCGMA will need to supply in terms of computer time, operator time, and programmer time. Please provide a payment schedule if partial payments are requested. The payment schedule should include a ten percent (10%) retention to be paid upon receipt of five (5) copies of the audited financial statements.

III. EVALUATION OF PROPOSALS

Item 20, Exhibit 20A – Request for Auditing Services Proposal

Proposals will be evaluated to ascertain which CPA firm best meets the needs of the FCGMA. Oral interviews may be necessary to assist in making the final selection.

Evaluation considerations will include the following:

- A. Responsiveness of the proposal by clearly stating the understanding of the work to be performed.
- B. Cost, although a significant factor, may not be the dominant factor. Cost is particularly important when all the other evaluation criteria are relatively equal.
- C. Availability of the audit team and reviewers to ensure timely completion.
- D. A description of the work plan with dates of arrival and completion, and hours by team.
- E. Technical experience of the firm.
- F. Experience and professional activities of the audit team.
- G. Size and structure of the firm.
- H. Past performances of the CPA firm on work previously performed for governmental agencies comparable to the FCGMA.

The FCGMA reserves the right to reject any and all proposals submitted and to request additional information from those making proposals. The award will be made to the firm which, in the opinion of the FCGMA, is best qualified.

After selection of the contractor, the FCGMA reserves the right to enter into negotiations with the contractor for additional work and/or to further define work requirements for the contract period.

Item 20 - Exhibit 20B

COMPLIANCE WITH RFP REQUIREMENTS

Audit of FCGMA

For the Fiscal Year Ending 2023/2024

Due: {Date, Time}

| | <u>Clifton Larson Allen LLP</u> | <u>Marcum LLP</u> | <u>Rogers Anderson Malody & Scott LLP (RAMS)</u> |
|---|--|---|--|
| 1. Title page | | | |
| A. RFP subject | FCGMA Auditor June 2023, 2024 | FCGMA Auditor June 2023, 2024 | FCGMA Auditor June 2023, 2024 |
| B. Name of firm | <u>Clifton Larson Allen LLP</u> | <u>Marcum LLP</u> | <u>Rogers Anderson Malody & Scott LLP (RAMS)</u> |
| C. Local address | 2875 Michelle Drive, Suite 300, Irvine, CA 92606 | 600 Anton Boulevard, Suite 1600, Costa Mesa, CA 92626/ One SE Third Avenue, Suite 1100, Miami, FL 33131 | 735 E Carnegie Drive, Suite 100, San Bernardino, C 92408 |
| D. Telephone number | 714-795-5382 | 305-995-9687 | 909-889-0871 |
| E. Name of contact person | Kassie Radermacher, CPA, CFE, Principal | Branden Lopez, CPA, Partner | Scott Manno, CPA, CGMA |
| F. Date & time received | 09/24/24 | 10/04/24 | 09/25/24 |
| 2. Table of contents (Yes/No) | Yes | Yes | Yes |
| 3. Letter of transmittal | | | |
| A. Understanding/commitment (Yes/No) | Yes | Yes | Yes |
| B. Authorized representative | Kassie Radermacher, CPA, CFE, Principal | Branden Lopez, CPA, Partner | Scott Manno, CPA, CGMA |
| 4. Profile of CPA firm | | | |
| A. Local, regional, national, international | Yes | Yes | Yes |
| B. Location/personnel | CA | CA/ FL | CA |
| C. Local office activities | CA | CA/ FL | CA |
| D. Local office computer capability | Yes | Yes | Yes |
| E. CPA firm compliance w/regs | Yes | Yes | Yes |
| F. Peer review | 11/18/2022 | 1/30/2024 | 06/04/21 |
| 5. Summary of firm's qualifications | | | |
| A. Identify personnel/resumes | Yes | Yes | Yes |
| B. Experience/3 comparable audits | Yes | Yes | Yes |
| 6. Scope section-positive commitment | | | |
| A. GAAS/GAGAS (Yes/No) | Yes | Yes | Yes |
| B. Work plan with time estimates (Yes/No) | Yes (Milestone/Timeframe) | Yes (Milestone/Timeframe) | Yes (Milestone/Timeframe) |
| 7. Additional information | | | |
| 8. Compensation | | | |
| A. Cost | \$105,000 | \$86,000 | \$42,718 |
| B. Estimated hours | 242 | 260 | 169 |
| C. Hourly Rates (Yes/No) | Yes | Yes | Yes |



ROGERS, ANDERSON, MALODY & SCOTT, LLP
CERTIFIED PUBLIC ACCOUNTANTS, SINCE 1948

SEPTEMBER 24, 2024

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES
FOR THE FISCAL YEARS ENDING JUNE 30, 2023 AND 2024

CONTACT PERSONS:
SCOTT MANNO, CPA, CGMA
smanno@ramscpa.net

BRAD WELEBIR, CPA, CGMA, MBA
bwelebir@ramscpa.net

909.889.0871

PREPARED BY
ROGERS ANDERSON MALODY & SCOTT, LLP
735 E Carnegie Drive, Suite 100
San Bernardino, CA 92408

LICENSE #2596
FEIN 95-2662063

FOX CANYON GROUNDWATER MANAGEMENT AGENCY
PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

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Attachment A: Recent government clients served



ROGERS, ANDERSON, MALODY & SCOTT, LLP
CERTIFIED PUBLIC ACCOUNTANTS, SINCE 1948

735 E. Carnegie Dr. Suite 100
San Bernardino, CA 92408
909 889 0871 T
909 889 5361 F
ramscpa.net

September 24, 2024

Fox Canyon Groundwater Agency
800 South Victoria Avenue
Ventura, California 93009

PARTNERS

Scott W. Manno, CPA, CGMA
Leena Shanbhag, CPA, MST, CGMA
Bradferd A. Welebir, CPA, MBA, CGMA
Jenny W. Liu, CPA, MST
Gardenya Duran, CPA, CGMA
Brianna Schultz, CPA, CGMA
Brenda L. Odle, CPA, MST (Partner Emeritus)
Terry P. Shea, CPA (Partner Emeritus)

We are pleased to respond, on behalf of Rogers, Anderson, Malody & Scott, LLP, (RAMS) to your request for a proposal regarding professional auditing services. As a recognized industry leader and innovator, our goal for the past 75 years has been to provide honest, objective and high-quality results to all our clients, including governmental organizations such as yours. Our success in these efforts is witnessed by the continued organic growth of our firm and our list of long-term clients, some we have served for over 20 years.

MANAGERS / STAFF

Seong-Hyea Lee, CPA, MBA
Evelyn Morentin-Barcena, CPA
Veronica Hernandez, CPA
Laura Arvizu, CPA
John Maldonado, CPA, MSA
Julia Rodriguez Fuentes, CPA, MSA
Demi Hite, CPA
Jeffrey McKennan, CPA
Monica Wysocki, CPA

At RAMS, we are committed to providing the highest quality audit possible. We understand the complexity of performing governmental audits and that is why we have a *dedicated team of auditors* that possess the specialized knowledge and experience to help ensure our audits are planned and executed in a way that maximizes audit efficiency and effectiveness and provides you the highest quality services.

We are aware that Fox Canyon Groundwater Agency (the Agency) will be reviewing other proposals during this process, but we believe that RAMS would be an exceptional choice for the audit for the following reasons. Our firm:

- Utilizes *Teammate Analytics*, a suite of more than 200 Computer Aided Audit Tools (CAATs). This software empowers our audit teams with the ability to perform powerful, meaningful data analysis which builds upon our other robust, substantive audit procedures. This value-added service also helps to identify specific transactions or amounts which may be indicative of fraud.
- Performs an intelligent, risk-based audit (using our CAAT) which enables us to focus on key audit areas allowing us to become more efficient resulting in a higher quality audit at a reasonable fee.
- Currently provides auditing services to over 70 governmental agencies and not-for-profit organizations, including over 30 cities, most of which have enterprise activities and over 35 special districts.
- Developed a comprehensive remote working environment for our audits. All our staff currently have the tools for working remotely in an effective and efficient manner allowing us to still provide a quality audit. Our ultimate goal is to continue to meet your needs, but in a safe environment.
- Has an established reputation in the governmental and not-for-profit accounting and auditing community for providing excellent, timely service with high quality reporting to our clients.
- Is committed to helping you meet all reporting/auditing deadlines, resolving any issues encountered during your audit (e.g., accounting or auditing, new pronouncements, etc.), and providing you with quality audit services.

MEMBERS

American Institute of
Certified Public Accountants

PCPS The AICPA Alliance
for CPA Firms

Governmental Audit
Quality Center

California Society of
Certified Public Accountants



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Item 20, Exhibit 20C – RAMS Auditing Services Proposal, dated September 24, 2024

- Understands the audit process can be a stressful experience for you and your staff; we understand that you will have other commitments and your regular workloads during the audit. We make every effort to ensure the audit process, from the interim fieldwork to the preparation of any required financial reports, will be as trouble-free as possible for you and your staff. We accomplish this by comprehensively planning the audit and utilizing our staff and audit technologies in the most efficient and effective manner while keeping disruptions and miscommunications to a minimum.
- Has audit team members that are personable and easy to work with, yet still focused on the audit. Through open and responsive communication with all parties involved in the audit process, we work to have the most efficient audit possible by minimizing operational distractions of your staff, while maximizing quality service. Our firm has a total staff of forty-four people, which includes sixteen certified public accountants. The staff consists of seven partners, five managers, ten supervisors/senior accountants, seventeen staff accountants, and five support staff.
- Has an extensive internal quality control review process to ensure your financial reports meet the highest standards. In addition to the preparation of financial reports by the engagement team and reviewed by the engagement manager, *each report is also examined by 2 partners and at least 1 professional proofreader.*
- Has assisted many of our clients with the preparation of their Annual Comprehensive Financial Reports, and all our clients that have submitted their reports for the Government Finance Officers Association (GFOA) or California Society of Municipal Finance Officers (CSMFO) awards have received the awards. *Our participation as a GFOA reviewer also indirectly benefits our clients in the quality review process.*
- Believes that our fee estimate provides a fair and reasonable investment, commensurate with level of service provided and the experience of the audit team members. While we may not be the lowest bidder, that is not our objective. We focus on delivering the best value and price our prospective engagements accordingly.

As you will see from our proposal, it was prepared in a clear, concise and simple manner in accordance with the request for proposal. We feel our firm, staff and reputation as a leader in governmental auditing exceeds the need for the excess information you may see in other proposals.

Rogers, Anderson, Malody & Scott, LLP is properly licensed to practice in California, including all the assigned professional staff to the engagement. Mr. Manno, Partner, and Mr. Welebir, Partner, are authorized to represent the firm, are empowered to submit the bid and authorized to sign a contract with the Agency. We understand the work to be done as listed in the section of this proposal titled *Services to be provided* and have provided similar engagements in the section titled *Similar engagements with other entities*. In addition, we will be committed to meeting any agreed upon time frames.

We can be reached at: 735 E. Carnegie Drive, Suite 100, San Bernardino, CA 92408, (909) 889-0871, smanno@ramscpa.net or bwelebir@ramscpa.net.

Thank you for the opportunity to present our proposal to the Agency. We will be committed to exceeding your expectations of an auditor and believe this proposal provides you with information about our firm, the service team members and our customized audit approach. We look forward to having a long and mutually beneficial relationship with the Agency. Please feel free to contact us if you have any questions regarding this proposal.

Respectfully yours,

ROGERS, ANDERSON, MALODY & SCOTT, LLP



Scott Manno, CPA, CGMA
Partner

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Independence

Rogers, Anderson, Malody & Scott, LLP is independent of the Agency and any component units, as defined by general standard number two of the generally accepted auditing standards, and by the second general standard for government auditing in the U.S. Government Accountability Office's *Government Auditing Standards*.

License to practice

Rogers, Anderson, Malody & Scott, LLP is licensed to practice in the State of California. Our key professional staff, which includes the partners, managers, and supervisors, are all certified public accountants licensed to practice in the State of California and follow all applicable Board of Accountancy standards.

Firm qualifications and experience

About our firm

We are a local firm founded in 1948 and located at 735 E. Carnegie Drive, Suite 100, San Bernardino, California. We provide a full range of services as expected of a full-service accounting firm. We are one of



the oldest, most trusted, and respected CPA firms in Southern California, with over 75 years of public practice experience, specializing in governmental agency and not-for-profit organization auditing, accounting, and management advisory services. Over *sixteen thousand hours per year* are devoted to this area of our practice, which includes cities, redevelopment successor agencies, water districts, other special districts, not-for-profit corporations, and joint power authorities. We do not use our government accounting and auditing practice as "fill work" for the firm, it is one of our primary focuses thus allowing us to provide quality services to local governments.

We understand your desire to engage auditors that have a thorough understanding of the ever-changing complex accounting and compliance issues confronting governments today. Our firm has an extensive history of governmental accounting and auditing. During that time, we have gained valuable experience, acquired an in-depth knowledge of, and obtained the technical expertise needed to perform high quality governmental audits. This expertise has enabled us to provide exceptional, high-quality service and to provide solutions at fees we feel represent our value to our clients. In addition, we use our participation in various industry associations to continuously update our knowledge with respect to issues relating to governmental accounting, auditing, and operations. Any insight we gain is immediately passed on to our clients if we feel they will benefit from it.

Our firm has a total staff of forty-four people, which includes sixteen certified public accountants. The staff consists of seven partners, five managers, ten supervisors/senior accountants, seventeen staff accountants, and five support staff. The audit staff consists of twenty-one members who devote over 80% of their time to municipal engagements. The engagement team assigned to the Agency's engagement will consist of the following full-time staff: one audit partner, one audit manager, one audit supervisor, and two to three senior/staff auditors. All personnel are out of our San Bernardino office. All partners and the manager assigned to the engagement are GFOA ACFR reviewers.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY
PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Firm qualifications and experience (continued)

Single audit experience

Most of our municipal clients, and some of our other governmental and not-for-profit clients, have been subject to an audit in accordance with *Uniform Guidance*. We recently performed single audits for the following entities:

| | |
|--------------------------|--|
| City of San Bernardino | City of Menifee |
| City of El Cajon | Elsinore Valley Municipal Water District |
| City of San Marcos | City of Imperial Beach |
| City of Twentynine Palms | Town of Yucca Valley |
| City of Woodlake | City of Thousand Oaks |
| City of Exeter | San Joaquin Regional Rail Commission |
| City of Live Oak | City of Hawthorne |

Our specialized Single Audits Team is led by Partners and Managers with Intermediate and Advanced Single Audit Certifications issued by the AICPA guaranteeing a successful and thorough engagement.

ACFR preparation

We have extensive experience in the preparation of Annual Comprehensive Financial Reports (ACFR). For the fiscal years ended June 30, 2021 and 2022, our staff prepared over 25 ACFR's, with each entity receiving the Certificate of Achievement for Excellence in Financial Reporting from the GFOA. For the fiscal year ended June 30, 2023, again, our staff prepared over 25 ACFR's for our clients for submittal to the GFOA. In addition, we have helped many cities and special districts develop their first year's report for submittal. Four of our audit partners and four of our supervisory staff are technical reviewers for the GFOA award program. **In addition, we review all the ACFR's for compliance with the GFOA certificate program checklist, as well as addressing any prior year comments, if applicable, to insure they have been addressed.**

Equal Opportunity Employer

Our firm is an equal opportunity employer and is committed to providing employment opportunities to all qualified persons regardless of race, color, sex, religion, national origin or handicap. Our staff represents a wide range of cultures and ethnic backgrounds. We provide opportunities for advancement for all staff based on ability, skill and desire to advance.

Engagement quality control

We have an extensive internal quality control review process to ensure your audit meets the highest standards. In addition to the preparation of financial reports by a senior member of the engagement team, each report is reviewed by the engagement manager/supervisor and then is examined by the engagement partner. Subsequently, a technical review is then performed by the engagement Quality Control partner along with being proofread by at least one professional staff. In addition, all audit workpapers are reviewed by the in-charge auditor and the partner in-charge of the engagement.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Firm qualifications and experience (continued)

Governmental Audit Quality Center

As a member of the American Institute of CPAs *Governmental Audit Quality Center* (the Center), we are committed to adhering to the highest quality standards by voluntarily agreeing to the Center membership requirements, which include designating a partner responsible for the quality of our governmental audit practice, establishing quality control programs, performing annual internal inspection procedures, and making our peer review report findings publicly available. At RAMS, our goal is to continue to enhance our quality initiatives within our governmental audit practice to deliver the highest quality audit services possible.

In addition, the Center provides access to comprehensive resources that will assist us in further enhancing the quality of your audit. The Center membership provides us with timely information on a variety of technical, legislative, and regulatory subjects that we can in turn apply to your audit to help ensure compliance with the appropriate standards and changes in regulations which we pass on to our clients.

External quality control review

As a member of the AICPA Private Companies Practice Section, our firm has participated in the "Peer Review" program since 1993 and has been examined every three years since that date by an outside, independent firm of certified public accountants. Participation in this program ensures that our engagements, firm policies, and audit procedures meet the standards of the AICPA, the Yellow Book, and the California State Board of Accountancy. Throughout our participation in this program, *the firm has only received pass ratings from the peer reviewers.*

During each review, an independent firm reviews our policies and procedures and then inspects a representative sample of engagement workpapers and reports, including governmental entities and engagements subject to the *Uniform Guidance*. For the year ended November 30, 2020, our firm received a rating of *pass* which indicates our auditing practice is suitably designed and complied with to provide reasonable assurance of performing and reporting in conformity with applicable standards. The results provide confirmation that the custom audit approach and procedures we use are technically sound and in compliance with applicable standards.

Grant Bennett Associates

A PROFESSIONAL CORPORATION

Report on the Firm's System of Quality Control

June 4, 2021

To the Partners of Rogers, Anderson, Malody & Scott, LLP, and the Peer Review Committee of the California Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Rogers, Anderson, Malody & Scott, LLP (the firm) in effect for the year ended November 30, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act, and an audit of an employee benefit plan.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Rogers, Anderson, Malody & Scott, LLP in effect for the year ended November 30, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Rogers, Anderson, Malody & Scott, LLP has received a peer review rating of *pass*.

Grant Bennett Associates

GRANT BENNETT ASSOCIATES
A PROFESSIONAL CORPORATION
Certified Public Accountants



10850 Gold Center Drive, Suite 260
Rancho Cordova, CA 95670
916/922-5109 FAX 916/641-5200

Princetonville, HI 96722
888/769-7323



FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Firm qualifications and experience (continued)

Disciplinary action

The firm ***has never*** had any disciplinary action taken or pending against it with state regulatory bodies or professional organizations, nor has it ever had any pending or settled litigation, civil or criminal investigations. In addition, we are not aware of any federal or state desk reviews or field reviews of its audits during the last three years.

Our firm does not have a record of substandard work.

In addition to the external quality control review, our firm performs in-house monitoring procedures, which mirror the outside peer review procedures, over our audit and attest engagements annually.

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FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Firm qualifications and experience (continued)

Similar engagements with other government entities

| | |
|----------------------------|--|
| Entity: | <i>Beaumont-Cherry Valley Water District</i> |
| Scope of work: | Financial Audit/ACFR* |
| Date: | Years ending December 31, 2017 - present |
| Engagement partner: | Mr. Scott Manno |
| Total hours: | Approximately 200 hours each year |
| Contact person: | Mr. William Clayton, Finance Manager, (951) 845-9581 x221 |
| Entity: | <i>Idyllwild Water District</i> |
| Scope of work: | Financial Audit |
| Date: | Years ending June 30, 2013 - present |
| Engagement partner: | Mr. Scott Manno |
| Total hours: | Approximately 120 hours each year |
| Contact person: | Mr. Hosny Shouman, Chief Financial Office, (951) 659-2143 |
| Entity: | <i>Triunfo Water and Sanitation District</i> |
| Scope of work: | Financial Audit/ACFR* |
| Date: | Year ending June 30, 2020 - present |
| Engagement partner: | Mr. Scott Manno |
| Total hours: | Approximately 150 hours each year |
| Contact person: | Mrs. Vickie Dragan, Finance Director, (805) 658-4649 |
| Entity: | <i>Rosamond Community Services District</i> |
| Scope of work: | Financial Audit |
| Date: | Years ending June 30, 2015 - present |
| Engagement partner: | Mr. Scott Manno/Mr. Terry Shea |
| Total hours: | Approximately 200 hours each year |
| Contact person: | Mr. Brad Rockabrand, Finance Director (661) 256-5812 |
| Entity: | <i>San Bernardino Valley Municipal Water District</i> |
| Scope of work: | Financial Audit |
| Date: | Years ending June 30, 2004 - present |
| Engagement partner: | Mr. Terry Shea/Mr. Brad Welebir |
| Total hours: | Approximately 200 hours each year |
| Contact person: | Mrs. Cindy Saks, Finance Manager, (909) 387-9224 |

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience

The quality of service you receive is dependent on the capabilities of the individuals assigned to the engagement, and the manner in which those personnel resources are organized to efficiently focus their abilities on providing you with the requested audit services. These professionals are highly trained and knowledgeable and have a thorough understanding of the environment in which governmental and not-for-profit entities operate. This experience is a critical component in providing the Agency with an effective and efficient audit.

Our engagement team will provide significant experience coupled with an extensive, practical understanding of governmental accounting and auditing along with a broad business perspective. Each member will have access to a wide range of technical resources and knowledge bases which will enable them to provide the Agency with practical observations and effective solutions.

Partner and supervisory staff involvement

All partners and supervisory staff are working professionals and are actively and continually involved in all aspects of their engagements. We believe that partner and supervisory staff involvement in all areas of the audit is a key aspect of the overall audit process. This involvement includes being on-site for interim, thus facilitating a proper, efficient, and effective audit, with minimal disruption of your staff. In addition, the time spent on-site by the partners and supervisory staff ensures they gain an understanding of the entire Agency's accounting processes and procedures. This understanding will enable them to evaluate and develop opportunities for efficiency, as well as offer practical and functional advice for improving your accounting processes and procedures.

All professionals on this engagement have worked on audits similar in nature to the Agency's, therefore, the Agency will not have to train our engagement team.

Staff continuity

Continuity of audit staff is a principal concern with our firm. In order to retain our staff, we offer extremely competitive wages, opportunities for advancement, generous medical packages, a retirement plan, bonus opportunities, as well as educational benefits. Even with the benefits we provide, we realize we may lose staff at any given time. Knowing this, we plan to provide staff continuity from year to year, which is in the best interest of the Agency and our firm. Continuity ensures an orderly, efficient, and less disruptive audit experience. Since we cannot guarantee staff will remain with us, principal supervisory and management staff, including engagement partners, managers, other supervisory staff, and specialists, may be changed if those personnel leave the firm or are promoted. **However, the Agency reserves the right to accept or reject replacements.**

We believe that due to the significant involvement of the partners on all our engagements, any staff transition would have a minimal effect on the audit efficiency and effectiveness of subsequent years.

Continuing professional education

Our team of auditor specialists stays current in this highly technical practice area by adhering to, and typically exceeding, the continuing professional education requirements of *Government Auditing Standards* as well as the State Board of Accountancy guidelines. All professionals at our firm participate in continuing professional education (CPE) programs, which are sponsored by various organizations including the Government Finance Officers Association, the American Institute of Certified Public Accountants, the California State Society of Certified Public Accountants, the California Society of Municipal Finance Officers and the Association of Government Accountants. Participation in these programs helps us to ensure that our clients are serviced with the best trained and most proficient government auditors and accountants available. In addition, we periodically provide in-house training taught by our partners and senior level staff using published resources.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)

All staff are required to attend fraud and ethics training. It is our goal to provide our professional staff continuing education which exceeds the minimum standard of 80 hours over two years.

In accordance with our firm's Quality Control document and *Government Auditing Standards (GAS)*, all staff members who work on audits subject to GAS are required to complete CPE in accordance with GAS standards which require 24 hours directly related to governmental accounting and auditing.

In addition to the required CPE, we also use the following to increase our technical knowledge: view the Governmental Audit Quality Center Annual Webcast Update and other relevant seminars and review monthly publications from the AICPA, the GFOA, and various other resources. We also attend conferences and seminars sponsored by the GFOA, California Society of Municipal Finance Officers, California State Society of Certified Public Accountants and the California Special Districts Association.

Assigned personnel

It is our goal to provide you with capable, competent, and personable individuals who offer an extensive background, not only in governmental accounting and auditing, but also in general business practices. By doing so, it allows us to offer practical solutions, as well as provide technical support. This enables you to stay at the forefront of governmental accounting and provides you with the support you need in dealing with the complex issues confronting entities such as yours.

In addition, our engagement team has the managerial and supervisory experience to provide the Agency with a comprehensive audit of the highest quality, while still focusing on personal service. The resumes of the key engagement personnel assigned to the audit are presented below. The following individuals will be assigned to the engagement for the entire contract period (see staff *Continuity section* of this proposal):

Scott Manno, CPA, CGMA - Partner, Engagement Partner

Scott will be the Concurring Partner. He is licensed to practice as a certified public accountant in the State of California. He has over 25 years of practical, governmental accounting and auditing experience. As the engagement partner, he will be responsible for overall engagement quality, as well as ensuring that the engagement is performed in the most effective and efficient manner. Scott will directly oversee all engagement staff while assisting in planning and performing the engagement, as well as reviewing all work-papers prepared during the engagement, in addition to all required reports. Scott is a working partner and will be actively and continually involved in all aspects of the engagement.

Brad Welebir, CPA, CGMA, MBA - Partner, Concurring Partner

Brad will be the Concurring Partner. He is licensed to practice as a certified public accountant in the State of California. He has over 20 years of practical, governmental accounting and auditing experience. As the concurring partner Brad will work directly with Scott in planning and performing the engagement. In addition, he will provide technical consultation for the engagement team.

Brianna Schultz, CPA, CGMA - Partner, Quality Control Reviewer

Brianna will be the Quality Control Reviewer. She is licensed to practice as a certified public accountant in the State of California. She has been in public accounting for over 13 years specializing in serving local governments. Brianna will be responsible for the final quality control review of all released opinions and related reports.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)

Evelyn Morentin-Barcena, CPA - Engagement Manager

Evelyn is a manager with the firm and is licensed to practice as a certified public accountant in the State of California. Evelyn has over 8 years' experience in providing accounting and auditing services for municipalities, special districts, and various nonprofit organizations. As the engagement manager, she will work directly with the audit in-charge and partner, while supervising the engagement team during all phases of the engagement. In conjunction with the audit in-charge, she will also oversee the preparation of any required reports.

Monica Wysocki, CPA - Audit Senior

Monica is an Audit Senior with the firm. Monica has over 2 years' experience in providing accounting and auditing services for municipalities, special districts and various nonprofit organizations. As an audit senior, she will work closely with the engagement partner and manager and be responsible for planning the audit, supervising the staff assigned to the engagement, and performing reviews of all work-papers prepared for the engagement. In addition, she will also be responsible for the preparation of any required reports.

Staff level accountants

All staff accountants employed by us and working on governmental audits are qualified to perform such audits. Prior to "audit season", our staff are subject to a rigorous training regimen in which we go over all aspects of our audit process and audit programs ensuring staff members have a solid foundation prior to starting fieldwork. Each staff member is encouraged to take on increased responsibility for engagements previously worked on. This enables our staff to grow on each engagement and allows them to continue to gain the skills and knowledge required to perform the audits.

In summary, we want to emphasize the credentials of the above professionals who will be directly responsible for the quality of service that you will receive. Additionally, our audit team has another attribute that is very important, even though it is intangible -- the professionals assigned to the audits have previously worked together as a multi-disciplined team, thus ensuring a smooth, efficient, and effective audit. We are committed to allocating the necessary resources to ensure that we provide continuity of personnel throughout the term of our relationship with the Agency.

Full engagement team resumes are provided as follows.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)

Engagement team resumes



Scott W. Manno, CPA, CGMA
Engagement Partner

Professional experience

Mr. Manno began his career with Thomas, Bigbie and Smith in 1995 after serving in the United States Army. He spent six years with the firm primarily working on audits of municipalities, special districts and redevelopment agencies as well as various not-for-profit organizations. He joined Rogers, Anderson, Malody & Scott, LLP in July 2001. Currently, Mr. Manno serves as a technical reviewer for the GFOA ACFR Award program. Also, Mr. Manno has done presentations on fraud.

In addition, he is part of the California State Society of Certified Public Accountants Governmental Accounting and Auditing Committee which meets periodically to discuss current events, pronouncements, etc.

Education/licenses

Bachelor of Science, Business Administration – California State University, San Bernardino
Certified Public Accountant – State of California
Chartered Global Management Accountant – American Institute of Certified Public Accountants

Related professional experience

Partial listing of relevant governmental agencies served (*includes enterprise fund accounting):

| | | | |
|---------------------------------------|--|--|---------------------------------------|
| Western Municipal Water District | East Valley Water District | Crestline Village Water District | Pine Cove Water District |
| Beaumont Cherry Valley Water District | Upper San Gabriel Muni. Water District | Big Bear Area Regional Wastewater Agency | Triunfo Water and Sanitation District |
| West Basin Water District | Helix Water District | Mojave Water Agency | Idyllwild Water District |
| Chino Basin Desalter Authority | Running Springs Water District | Ventura Regional Sanitary District | Rubidoux Community Services District |

Mr. Manno has completed over 170 hours of continuing professional education courses over the past three years of which the following select courses are relevant to this engagement:

- ♦ Audits of State and Local Governments
- ♦ Government Accounting and Auditing Update
- ♦ OMB Supplement Addendum and Latest Covid-19

Professional affiliations

Mr. Manno is a member of the following organizations:

- ♦ American Institute of Certified Public Accountants (AICPA)
- ♦ California Society of Certified Public Accountants (CalCPA)
- ♦ Association of Government Accountants (AGA)
- ♦ Association of Certified Fraud Examiners (ACFE)
- ♦ Government Finance Officers Association (GFOA)
- ♦ California Special Districts Association (CSDA)
- ♦ California Society of Municipal Finance Officers (CSMFO)



FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)



Brad A. Welebir, CPA, CGMA, MBA
Concurring Partner

Professional experience

Mr. Welebir joined Rogers, Anderson, Malody & Scott, LLP in 2004. He primarily provides audits and advisory services to governmental agencies, small to mid-sized businesses, and not-for-profit organizations. Mr. Welebir serves as a technical reviewer for the GFOA ACFR Award program. He also serves as the CalCPA Inland Empire chapter chair of the governmental accounting and auditing committee and as the representative for the chapter at the state committee.

Education/licenses

Master of Business Administration, Accounting Emphasis – California State University, Fullerton
Bachelor of Arts in Business Administration – La Sierra University
Certified Public Accountant – State of California
Chartered Global Management Accountant – American Institute of Certified Public Accountants

Related professional experience

Partial listing of relevant governmental agencies served (*includes enterprise fund accounting):

| | | | |
|--|--|--|--------------------------------------|
| Riverside County Parks and Open Space District | Mission Springs Water District | Crestline Village Water District | March Joint Powers Authority |
| Beaumont Cherry Valley Water District | Upper San Gabriel Muni. Water District | Big Bear Area Regional Wastewater Agency | Rubidoux Community Services District |
| Crestline-Lake Arrowhead Water Agency | San Bernardino Valley Municipal Water District | Elsinore Valley Municipal Water District | Idyllwild Water District |

Continuing professional education

Mr. Welebir has completed over 120 hours of continuing professional education courses in the past three years of which the following select courses are relevant to this engagement:

- ◆ Governmental Accounting and Auditing Update
- ◆ Single Audit Update
- ◆ Auditing Fraud Risk in the Current Environment
- ◆ Annual Conference Sessions
- ◆ GAAP Update

Professional affiliations

Mr. Welebir is a member of the following professional organizations:

- ◆ American Institute of Certified Public Accountants (AICPA)
- ◆ California Society of Certified Public Accountants (CalCPA)
- ◆ Government Finance Officers Association (GFOA)
- ◆ California Society of Municipal Finance Officers (CSMFO)
- ◆ California Special Districts Association (CSDA)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)

Brianna Schultz, CPA, CGMA
Quality Control Partner



Professional experience

Ms. Schultz began her career with Rogers, Anderson, Malody & Scott, LLP in July 2014, and had over three years' experience with another public accounting firm serving the same industry. She primarily provides audits and advisory services to governmental agencies and not-for-profit organizations. Ms. Schultz serves as a technical reviewer for the GFOA ACFR Award program. She also serves as a member-at-large on the CalCPA governmental accounting and auditing committee.

Education/licenses

Bachelor of Science – California State University, San Bernardino
Certified Public Accountant – State of California
Chartered Global Management Accountant – American Institute of Certified Public Accountants

Related professional experience

Partial listing of recent relevant governmental agencies served (*includes enterprise fund accounting):

| | | | |
|---|---|---|--|
| Las Virgenes Municipal Water District | Rubidoux Community Services District | March Joint Powers Authority | Pine Cove Water District |
| Elsinore Valley Municipal Water District | Mojave Water Agency | Rosamond Community Services District | San Luis Rey Municipal Water District |
| Inland Valley Development Authority* | San Bernardino International Airport Authority* | Rossmoor Community Services District | San Bernardino Valley Municipal Water District |

Continuing professional education

Ms. Schultz has completed over 120 hours of continuing professional education courses in the past three years of which the following select courses are relevant to this engagement:

- ◆ 2022 Single Audit Update: What to Know and How to Prepare
- ◆ GASB's Lease and SBITA Standards: Practical Implications and Adoption Challenges
- ◆ ARPA and Infrastructure Bill Impacts and FAQs

Ms. Schultz also obtained the AICPA's *Advanced Single Audit Certificate* in 2019 and the *Intermediate Single Audit Certificate* in 2017.

Professional affiliations

Ms. Schultz is a member of the following professional organizations:

- ◆ American Institute of Certified Public Accountants (AICPA)
- ◆ California Society of Certified Public Accountants (CalCPA)
- ◆ Government Finance Officers Association (GFOA)
- ◆ California Society of Municipal Finance Officers (CSMFO)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)



Evelyn Morentin-Barcena, CPA
Audit Manager

Professional Experience

Evelyn is an Audit Manager with the firm. She has over 8 years’ experience in providing accounting and auditing services for municipalities, special districts and various nonprofit organizations. As an audit supervisor, she will work closely with the engagement partner and manager and be responsible for planning the audit, supervising the staff assigned to the engagement, and performing reviews of all workpapers prepared for the engagement. In addition, she will also be responsible for the preparation of any required reports. Currently, Evelyn serves as a technical reviewer for the GFOA ACFR Award program.

Education

Bachelor of Science – California State University, San Bernardino
Certified Public Accountant – State of California
Intermediate Single Audit Certificate – AICPA

Related professional experience

Partial listing of relevant governmental agencies served (*includes enterprise fund accounting):

| | | | |
|--|---------------------------------------|--------------------------------------|--------------------------------|
| Montalvo Community Services District | Beaumont-Cherry Valley Water District | Triunfo Water & Sanitation District | Saticoy Sanitation District |
| Elsinore Valley Municipal Water District | Crestline-Lake Arrowhead Water Agency | Ventura Regional Sanitation District | Costa Mesa Sanitation District |
| Idyllwild Water District | Crestline Village Water District | Rosamond Community Services District | Vallecitos Water District |

Continuing Professional Education

Ms. Morentin-Barcena has completed over 120 hours of continuing professional education courses over the past two years of which the following select courses are relevant to this engagement:

- ◆ Governmental Accounting and Auditing Update: Single Audit Update
- ◆ SLFRF Final Rule Briefing
- ◆ GASB Update

Professional affiliations

Ms. Morentin-Barcena is a member of the following professional organizations:

- ◆ American Institute of Certified Public Accountants (AICPA)
- ◆ California Society of Certified Public Accountants (CalCPA)
- ◆ Government Finance Officers Association (GFOA)
- ◆ California Society of Municipal Finance Officers (CSMFO)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Partner, supervisory, and staff qualifications and experience (continued)



Monica Wysocki, CPA
Audit Senior

Professional Experience

Monica began her career with Eide Bailly in January 2022 and joined Rogers, Anderson, Malody & Scott, LLP in May 2022. Monica primarily providing accounting and auditing services for municipalities, special districts, and various nonprofit organizations. As an audit senior, she will work closely with the engagement partner and manager and be responsible for planning the audit, supervising the staff assigned to the engagement, and performing reviews of all workpapers prepared for the engagement. In addition, she will also be responsible for the preparation of any required reports.

Education

Bachelor of Arts in Business Administration - California State University, San Bernardino
Certified Public Accountant – State of California

Related professional experience

Partial listing of relevant governmental agencies served (*includes enterprise fund accounting):

| | | | |
|---|---|---|--|
| Rubidoux Community Services District | Rossmoor Community Services District | Conejo Recreation and Park District | Eastern Municipal Water District |
| Elsinore Valley Municipal Water District | Beaumont Cherry Valley Water District | Rosamond Community Services District | Idyllwild Water District |
| West Basin Municipal Water District | Crestline-Lake Arrowhead Water Agency | San Bernardino Valley Water Conservation District | Triunfo Water & Sanitation District |

Continuing Professional Education

Ms. Wysocki has completed the following select courses that are relevant to this engagement:

- ◆ Advanced Auditing Series
- ◆ Audits of State and Local Government
- ◆ What's Going on at GASB

Professional affiliations

Ms. Wysocki is a member of the following professional organizations:

- ◆ American Institute of Certified Public Accountants (AICPA)
- ◆ California Society of Certified Public Accountants (CalCPA)
- ◆ California Society of Municipal Finance Officers (CSMFO)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach

Services to be provided

The Agency desires the financial statements to be audited by the independent auditor for the fiscal years ended June 30, 2023 and 2024, and each of the subsequent years included in the audit firm's contract with the Agency. Our audit will use electronic paperless audit software and facilitate the collection of source documents through an electronic portal.

In addition, we shall:

- Examine compliance with laws, regulations that may have a material effect on the financial statements.
- Apply certain limited procedures related to Management's Discussion and Analysis and Required Supplementary Information required by the Governmental Accounting Standards Board (GASB) as mandated by generally accepted auditing standards.
- Examine internal accounting controls and accounting procedures and render written reports on findings and recommendations to the General Manager.
- Test compliance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Uniform Guidance) for the Agency, if necessary.
- Provide GASB 68 adjustments to present to Agency staff upon completion of the audit fieldwork.
- Prepare and print the Agency's financial statements, including printing of the reports (including a PDF copy)
- Other services as required.

Our audit(s) will be in accordance with:

- Generally Accepted Auditing Standards as promulgated by the American Institute of Certified Public Accountants, including requirements found in the most recent AICPA audit guide *Audits of State and Local Governments*.
- *Government Auditing Standards* issued by the Comptroller of the United States of America.
- The Single Audit Act, as amended.
- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Uniform Guidance).
- Independence standard promulgated in the General Accounting Offices Government Auditing Standards
- Any other applicable standards or provisions during the term of the contract required to be performed to complete the engagement.

Reports to be issued:

- Management letter setting forth findings and/or recommendations on those matters noted and observed during the conduct of the examination of the financial records and developed within the scope of the audit.
- Report on the fair presentation of the financial statements in accordance with auditing standards generally accepted in the United States of America for the Agency.
- Single Audit Report for the Agency, if necessary.
- Other applicable reports that are customary in nature for audit services or required under generally accepted auditing standards.

RAMS will also perform the following:

- Communicate to the governing body, as required by the auditing standards for the engagement performed.
- Make an immediate, written notification of all irregularities and illegal acts or indication of illegal acts of which we become aware to the General Manager.
- We will be available to present all final reports to the Agency's management and governing bodies, as requested.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Engagement approach

Our engagement approach for your audit will be developed, in part, by using established goals which will enable measurement of the audits progress by the engagement partner and lead auditor. This involves frequent communication between the partner and the engagement team to ensure that all audit objectives are achieved in accordance with our goals and that any issues which may arise are communicated and dealt with on a timely basis. In addition, our in-depth knowledge and expertise in governmental accounting and auditing has allowed us to identify key audit and accounting risks in the government environment. More importantly, the approach provides for a complete reassessment of the control environment in each year's audit and thus enables us to respond to any needed risk assessment changes.

Our engagement approach has been developed and refined over many years. The foundation of our approach revolves around the following:

- **Knowledge and experience.** We have been auditing governmental entities like the Agency, both large and small, for over 75 years. This experience has allowed us to gain in-depth knowledge of the governmental environment which in turn allows us to perform a more efficient and effective audit. It also enables us to perform detailed risk assessment procedures allowing us to identify significant audit risk areas within the Agency and its control environment.
- **Intelligent design.** As discussed later in our proposal, all our audits are designed to be intelligent using our powerful audit software/data analytic tools (Engagement and *Teammate Analytics*). This allows us to analyze large amounts of data in seconds increasing both the efficiency and, more importantly, the effectiveness of all our audit engagements.
- **Oversight.** Professional judgment is not developed overnight. Our partners, managers and supervisors have been deeply involved in governmental audits on a continuous basis for most of their professional careers. By having direct partner and manager oversight, we can design audit strategies that result in effective and efficient audits.
- **Timeliness.** Deadlines are not just “dates” to us, they are professional commitments. All required deadlines will be met.
- **Open communication.** Open lines of communication with all parties (the engagement team members and Agency Management and staff) throughout the audit process helps to eliminate “surprises.” Proper planning and proper use of experienced engagement personnel tend to provide for an effective and efficient audit process. Consequently, inefficiencies, disruptions, and lack of understanding are kept to a minimum.
- **Availability.** All engagement team members are available throughout the year for any questions or additional consultation. City staff will have direct access to the partner, manager, and other supervisory staff at all times during the engagement, as well as after.
- **Cost effectiveness.** Our customized audit approach and procedures and our experienced auditors help to reduce your overall audit costs while still providing an effective audit and high-quality reports.
- **Risk based approach.** Our detailed risk assessment procedures will consist of activities performed to obtain an understanding of the Agency and its environment, including its internal control. Evidence from these activities will provide the basis for our assessment of risks of material misstatement at the financial statement and relevant assertion levels. While performing our risk assessment procedures and we may choose to perform further audit procedures concurrently with risk assessment procedures as deemed necessary. In addition, risk assessment procedures will provide some of the necessary evidence about the relevant assertions related to classes of transactions, account balances, or disclosures and about the operating effectiveness of controls.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

As indicated in the previous section of the proposal, the overall objective of the engagement with the Agency is to conduct an audit of the financial statements in accordance with required auditing standards and the expression of an opinion(s) on those financial statements. Beyond that initial objective, we believe that our engagement approach provides certain other value-added characteristics, at no additional cost, that will benefit the Agency over the long-term:

- All our audits are designed to be performed in an efficient and effective way to minimize disruption to the office operations.
- We offer practical observations and recommendations relating to internal control issues, implementation of accounting standards and the policies and procedures regarding both.
- We identify opportunities for operating efficiencies which can be used to decrease operating costs of the Agency.

Proposed audit segmentation

The following is a summary of the audit team's audit approach for the engagement. The audit will be divided into the following segments:

Segment 1 - Interim testing - planning, pre-audit administration, and internal control testing

During this phase of the audit, our principal objectives will be to gather information about the Agency and its environment, including its internal control over financial reporting.

In order to achieve the desired objectives of this phase of the audit, we will:

- Meet with the Agency's staff in order to determine convenient dates in which we can begin our audit and to discuss the assistance to be provided by the Agency's staff.
- Hold brainstorming sessions with engagement team members to discuss the susceptibility of the Agency's financial statements to material misstatement and fraud.
- Review and evaluate the Agency's accounting and reporting processes by reviewing the prior year's audit workpapers, any Agency-prepared documents such as budgets, in-house financial reports, policies and procedures manuals, minutes of governance meetings, etc., and by using various analytical procedures. Analytical procedures will enhance our understanding of the Agency and will help us identify areas that may need further assessment and additional testing.
- Review and retain copies of any pertinent local, state and federal statutes, regulations, or charters that apply to the Agency.
- Evaluate the design of controls that are relevant to the audit by obtaining a thorough understanding of the Agency's internal controls over financial reporting and compliance by documenting key internal control components, utilizing questionnaires, walkthroughs, inquiring of the Agency's personnel, and observing and reviewing key supporting documentation (a more thorough explanation of this process is discussed later in the technical proposal).
- Test controls, if control risk is to be assessed below maximum, by selecting a sample of transactions within the audit area being tested and reviewing supporting documentation to determine whether the relevant controls are in place and functioning properly.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

- Document and review with management, any findings noted during the testing of internal controls and provide a preliminary management letter that will include our recommendations for improving any weaknesses in operations. The letter will also include suggestions for improving the efficiency of the Agency's operations.
- Utilize our powerful audit data analytic software allowing us to analyze large amounts of data in seconds and focusing on areas/transactions that are red flagged.

In addition, we will perform the following procedures related to IT General Controls that “touch” financial data:

- *Security access (including physical) controls:* evaluate the general system security settings and password parameters; evaluate the process for adding, deleting, and changing security access; evaluate the access capabilities of various types of users; evaluate access controls to networks and financial applications; evaluate access controls related to data files; and evaluate physical access to networks, servers, etc.
- *Computer operations:* Evaluate backup and recovery processes and review processes of identifying and handling operational problems.
- *System development and system changes:* Evaluate processes related to system development and system changes (if applicable).
- *Application testing:* We will determine if the testing of application controls is deemed necessary based on our professional judgment in the planning stages of the engagement.

This phase of the engagement for the audit will be performed by the audit senior and two/three staff accountants with direct supervision by the audit manager and partner.

Segment 2 - Year-end testing - substantive testing

During this phase of the audit, our principal objectives will be to assess the risk of material misstatement at the financial statement level and specific assertions, design overall responses to assessed risks and further audit procedures, perform substantive tests, and complete the audit and evaluate audit findings, if applicable.

In order to achieve the desired objectives of this phase of the audit, we will:

- Identify significant risks and develop a detailed audit plan using the results in Segment 1.
- Design substantive tests of account balances designed and modified specifically for the Agency's operations and assessed level of risk. Substantive procedures will consist of testing material balance sheet accounts, material revenue and expenditure/expense accounts along with various analytical procedures as deemed necessary. In addition, various accounts may be confirmed with outside parties (cash, investments, etc.).
- Determine whether our testing supports the assessed level of risk initially assigned at the financial statement level and at the assertion level.

This phase of the engagement for the audit will be performed by the senior accountant and two/three staff accountants with direct supervision by the audit manager and partner.

If any proposed audit adjustments are noted during this phase, we will discuss and explain them, in detail, with the appropriate level of management prior to posting.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Segment 3 - Reporting - report preparation/audit conclusion (workpaper review)

During this phase of the audit, our principal objectives will be to evaluate whether the financial statements, taken as a whole, are free from material misstatement and form an opinion(s) and issue our report.

In order to achieve the desired objectives of this phase of the audit, we will:

- Determine whether, based on our substantive testing and other procedures, the financial statements, taken as a whole, are free of material misstatement. This will provide the basis for our opinion(s).
- Review all audit workpapers to ensure that the audit was performed in accordance with the required standards (GAAS, GAGAS, etc.) and prepare drafts of all required reports by the agreed-upon dates.
- Conduct an independent review of the financial statement draft by the engagement's quality control partner and issue all reports by the agreed-upon dates.

This phase of the engagement will be performed by the audit senior and one staff accountant with direct supervision by the audit manager and partner. In addition, the engagement's quality control partner will perform a detailed quality control review of the financial statements.

The above procedures are a general list of procedures to be performed. After our initial review of the Agency and our detailed risk assessment, we will customize the engagement and gear it towards the needs of the Agency and the audit itself. In doing so, we will determine which procedures to perform relative to our risk assessment. All our audits are customized to each entity, helping to ensure a complete, effective, and efficient audit. The foundation of the above approach is based on open communication coupled with a strong knowledge of the Agency's operations and detailed planning at the initial stages of the audit.

Our firm is dedicated to performing a timely audit engagement. Prior to the start of the audit, we will meet with Agency staff and decide on adequate timeframes, agreed upon by both the Agency and us, for the performance of the audit and the release of the financial statements. *We will dedicate the necessary resources to meet any agreed upon time frames.*

Sample sizes (including for compliance testing)

Our sample sizes will be determined in accordance with the AICPA's *Audit and Accounting Guide, Audit Sampling*, and will be selected using professional judgment or our TeamMate Analytics software, depending upon circumstance, as permitted by Statement on Auditing Standards. Our methods are designed to provide the most audit coverage without expending excess time. Our sample sizes will depend upon our preliminary assessment of control risk, our planned substantive testing and analytical procedures as well as our professional judgement.

We utilize our Computer Aided Audit Tools (CAAT) software, Teammate Analytics, to draw our audit samples. The software allows us to generate random samples, systematic samples, stratified samples, attributes samples as well as monetary unit samples (also called probability-proportional-to-size or dollar unit sampling).

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Intelligent audit technology

Our audits are designed to be intelligent using our powerful audit software tools (Engagement and Teammate Analytics). In addition, all audit team members are linked to each other using wireless connections which enables them to share information at an almost real-time speed. Below are some of the benefits of our audit technologies:

- ***We utilize Teammate Analytics, a suite of more than 200 dynamic Computer Aided Audit Tools (CAATs). This allows us to analyze large amounts of data in seconds. Using data received directly from the Agency, we can perform the following: search for duplicate checks, detect transactions occurring on holidays/weekends or during unusual hours, perform Benford's Law analysis, and identify instances when a vendor has issued multiple invoices with sequential references along with many other tests. The software empowers our audit teams with the ability to perform powerful, meaningful data analysis which will build upon our other value-added services.***
- We can create our own analytical schedules allowing for easy analysis of current balances to prior year balance, current vs budget balance, thus reducing significant Agency staff time.
- Once your trial balances and financial statements are entered into our software, we can observe your financial statements in the field allowing us to notice any variances and address them immediately.
- We link the financial statement schedules directly to our audit software trial balances, and as a result, we can provide the Agency with fund financial statements almost immediately after importing the trial balances.
- We can provide the Agency with our audited trial balances which show the coding of the financial statement schedules for ease of review for Agency staff. These reports show each account coded to a specific financial statement line item/function as well as journal entries posted during the audit.
- We have the capability to perform effective and efficient audits remotely as well.

Analytical procedures

In order to properly utilize analytical procedures, industry background and knowledge are needed. With our firm's long history and qualified staff, we believe we have the necessary knowledge and experience to effectively apply analytical procedures. We will utilize analytical review procedures throughout our audit of the Agency.

- During the *interim* phase of our audit, we will compare current and prior year unadjusted balances to determine which areas may need additional analysis; we will also compare current year actual amounts to the Agency's annual budget (both original and adopted).
- During the *final* phase of our audit, we will perform procedures like those mentioned above, as well as compare certain financial ratios for current and prior years. We will also conduct certain "reasonableness" tests. Any significant variances are investigated further through inquiry and other substantive testing as deemed necessary until resolved to our satisfaction.
- Finally, after we have completed our fieldwork, we will compare current and prior year audited balances, keeping in mind expected relationships obtained from our knowledge of the Agency, similar entities and the general economic environment. In addition, we may choose to use various other analytical techniques such as trend analysis, etc.

Unlike other audit firms, we use analytical procedures to supplement our substantive testing, not supplant them.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Approach in determining applicable laws and regulations

We understand the importance of laws and regulations in planning an audit of a local governmental entity and design all our audits to ensure we test transactions for compliance. As part of our audit process, our audit team will obtain an understanding of the laws and regulations that will have a direct and material effect on the Agency's financial statements. In determining which laws and regulations are applicable to the Agency's financial statement audit, we will consult the following sources:

- AICPA Audit and Accounting Guide, Audits of State and Local Governments
- California Government Code (investments, GANN limit requirements, etc.)
- Applicable State of California laws
- U.S. Government Accountability Office's Government Auditing Standards (The Yellow Book), latest revision
- Applicable contracts/grants of the Agency
- *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* (OMB Uniform Guidance)

After consulting the applicable sources, we will design our audit to provide reasonable assurance of detecting material instances of noncompliance while continuing to refer to the applicable compliance guideline to ensure changes in compliance are not missed.

Understanding of internal control over financial reporting

Our approach to obtaining an understanding of the Agency's internal control over financial reporting will be performed in accordance with professional standards as promulgated by the American Institute of Certified Public Accountants -- our understanding will include the *Control Environment, Risk Assessment, Control Activities, Information and Communication, and Monitoring*. We will use customized procedures which we have developed internally to evaluate your internal control systems. By combining our customized procedures and our detailed knowledge of the Agency and their related environment, we will be able to provide constructive feedback in areas we feel need improvement. In addition to our customized procedures, we will also perform the following:

Control Environment. Through inquiry of the Agency's personnel, prompted by questionnaires, personal knowledge, and review of the minutes of the governing body meetings, we will obtain an understanding of management's and the governing body's attitudes, awareness, and actions concerning the control environment, focusing on the substance of the controls rather than their form.

Risk Assessment. Through inquiry of the Agency's personnel and the use of questionnaires, we will obtain sufficient knowledge of the Agency's risk assessment process to understand how management considers risks relevant to financial reporting objectives and decides upon actions to address those risks. This will include understanding how management identifies risks, estimates the significance of these risks, assesses the likelihood of their occurrence, and relates them to financial reporting.

Control Activities. Certain control procedures will be documented during our analysis of the control environment and the accounting system. However, many specific control procedures will still need to be documented that will focus primarily on the Agency's major transaction cycles. As mentioned above, we will test the Agency's control procedures on which we intend to rely on for safeguarding assets from unauthorized use or disposition and detecting/preventing unauthorized transactions. Any flow charts, organizational charts and any other manuals, programs, and financial and management information systems will be analyzed during this process.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Information and Communication. Through inquiry of the Agency's personnel, we will identify the major types of transactions engaged in by the related entity. We will become familiar with the treatment of those transactions, including how the transactions are initiated, the related accounting records, and the manner of processing the transactions. Finally, we will obtain an understanding of the Agency's financial reporting process used to prepare financial reports, including the approaches used in making accounting estimates and disclosures.

Monitoring. Through inquiry of the Agency's personnel and the use of questionnaires, we will obtain sufficient knowledge of the major types of activities the related entities use to monitor internal control over financial reporting. We will also determine how those activities are used to initiate corrective actions.

Auditing in a remote environment

The availability and use of technology has had a significant impact on the accounting and auditing profession, allowing us to provide professional services across longer distances and timelier than ever before. We have continued to evolve our ability to serve our clients remotely throughout the COVID-19 pandemic and have experienced new efficiencies for both auditor and auditee. We anticipate continuing to perform substantially all our audit work remotely and will work with the Agency to maximize the remote efficiencies using technology. If the Agency would like members of the audit team on-site, we will work with the related management on determining an acceptable staffing level.

We maintain regular and routine contact with our clients throughout the audit planning, fieldwork, and conclusion phases of the audit with the use of email, phone calls, secure portals, video conferencing, project tracking schedules, and any other means necessary to ensure the timely completion of the audit by any agreed-upon deadlines. Our audit team is very responsive to our clients and we encourage our clients to connect with us throughout the year for any matters that may affect the audit or of a general accounting nature. We have found this to be mutually beneficial for both our clients and the annual audit work.

Remote auditing has many benefits some tangible, as listed above, others intangible. In performing remote audits, we are bettering our employee's quality of life by reducing unnecessary travel time, reducing traffic congestion on our local freeways while also helping to improve California's air quality.

Approximate number of hours assigned to each segment

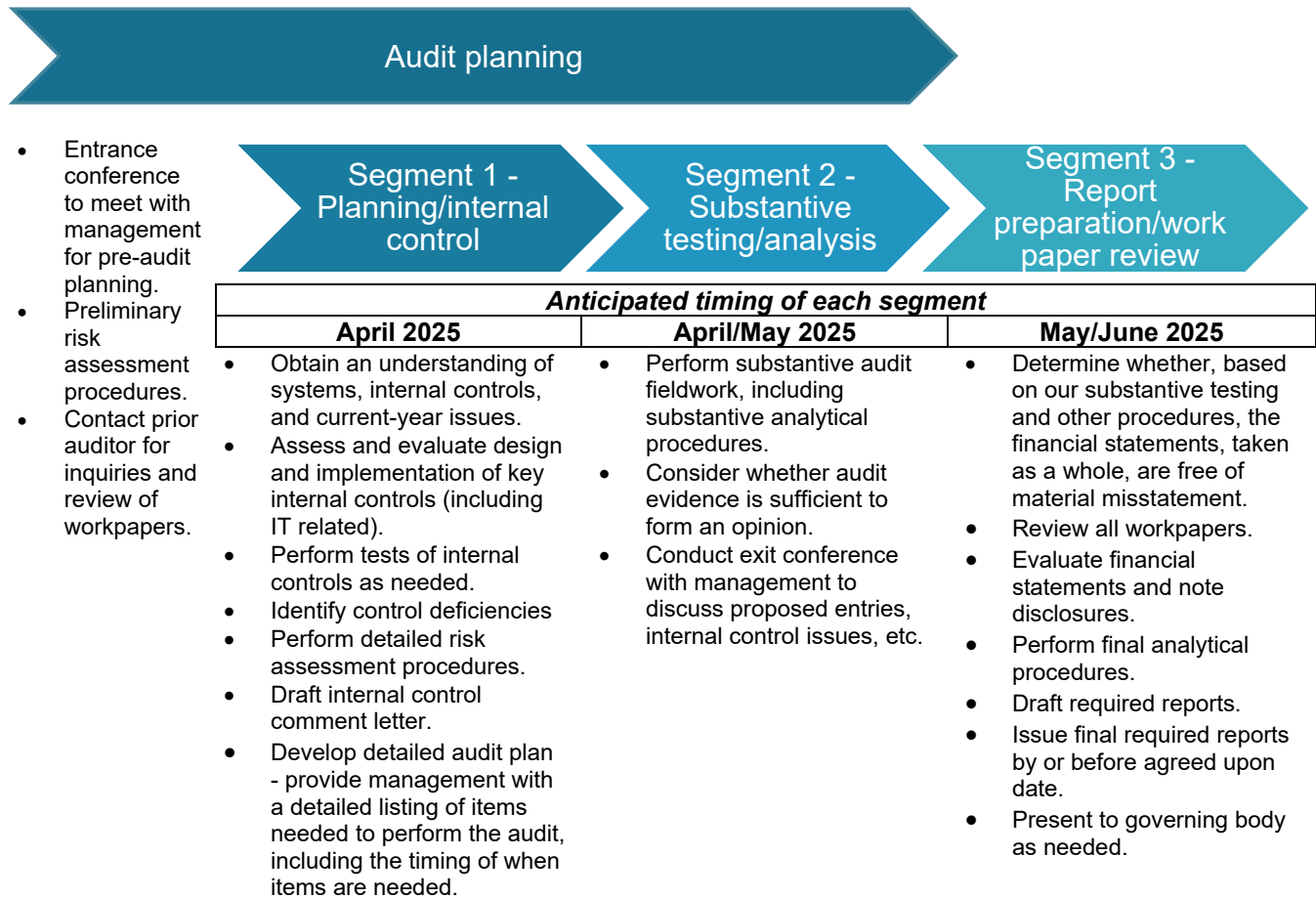
| Segment | Partner | Manager | Supervisory | Staff | Total |
|-----------|---------|---------|-------------|-------|-------|
| Segment 1 | 4 | 1 | 11 | 38 | 54 |
| Segment 2 | 7 | 2 | 18 | 50 | 77 |
| Segment 3 | 9 | 2 | 16 | 12 | 39 |
| Totals | 20 | 5 | 45 | 100 | 170 |

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Specific audit approach (continued)

Proposed audit timing



The time schedule listed in the RFP is not feasible for us at this time. We have scheduled all of our June 30 audits and are fully booked thru December.

Identification of anticipated potential audit problems

GASBS implementation

One potential problem could be the implementation of any future Governmental Accounting Standards Board Statements. With our deep understanding of governmental accounting and auditing, constant training, and broad resources, we do not anticipate any issues during a GASB implementation. Our approach to any GASB statement implementation would be as follows: gain a thorough understanding of the pronouncement; determine applicability to the Agency; if applicable, discuss the statement and how it will affect the Agency with Agency staff; and provide guidance to Agency staff on the accounting and financial reporting implications.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Total all-inclusive maximum price

All-inclusive maximum fee

Our fee or the audit of the fiscal year 2023 and 2024 financial statement will be: \$35,375

Notes to fees:

- Even though only one financial statement is issued, we still need to perform audit procedures over 2 different trial balances, general ledgers, etc.,
- The overall fee is higher than the previous fee due to the nature of the proposed contract. There are substantial upfront audit costs that are typically recovered over a longer contract period (5 years).
- If travel is a must, our fee would include an additional (up to) \$4,500 for time, room, and meals.
- Attendance at the board meeting would be an estimated \$2,940 (7 hours travel and meeting attendance at \$420 per hour, plus mileage).

| Standard hourly rates by position | Hourly rate |
|-----------------------------------|-------------|
| Partner | \$ 420 |
| Manager | 265 |
| Senior | 190 |
| Staff | 160 |

Condition of records

Our proposed fee assumes the following: the Agency will be adequately prepared for the audit and the Agency’s financial operations and working trial balance will be consistent from year to year. If, after we receive the working trial balances, we notice there are excessive new accounts over the prior year; or if there are excessive subsequent journal entries; prepared by client workpapers do not agree to the working trial balances, there are new funds/functions within the Agency, etc., or other changes that necessitate a significant amount of time to address, we will need to come to an agreed upon change order to address any possible additional costs incurred by the firm. If the need for additional work comes to our attention, we will immediately notify Agency staff. If you choose to have us perform the additional work, then such work will be performed at the same hourly rates applicable to the audit and set forth in an addendum to the contract between the Agency and our firm.

Management is also responsible for the implementation of new standards issued by the Governmental Accounting Standards Board. We will provide reasonable assistance in the preparation of the items, but any significant time needed to complete the financial statements will be billed separately.

Our proposed fee is also dependent on all items requested being completed in the format requested or in a mutually agreed upon format and uploaded to the Engagement Organizer hosted by our firm in a timely manner in accordance with the agree-upon audit timeline.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

PROPOSAL FOR PROFESSIONAL AUDITING SERVICES

Additional Data

Why choose RAMS?

Our firm has a long history of providing high-quality professional services to government entities similar to the Agency and has a well-respected reputation in the industry, as partly evidenced by our client satisfaction and retention rates. Our staff are committed to the highest standards in performing quality engagements, and you will find they are very personable and easy to work with. At RAMS, you will always work with professionals who are experienced in governmental audits, and thoroughly informed of current issues facing this rapidly changing field. We focus on efficiency in each engagement by emphasizing detailed planning to mitigate or eliminate surprises and maximize the value of our services to our clients. Our knowledge and involvement in the industry lend to our ability to offer year-round guidance and build lasting relationships with our clients. In addition, RAMS possesses the following:

1. **Knowledge.** We provide highly trained and knowledgeable staff dedicated to client service. We are available throughout the year to answer questions or to provide guidance on any accounting matter.
2. **Quality.** A commitment to quality on **every** engagement is our priority.
3. **Experience.** A client focused team of experienced auditors and accountants will serve the Agency.
4. **Flexibility.** A flexible team that will work with your schedule.
5. **Value.** We provide exceptional client service and quality work at a reasonable and competitive fee.

RECENT GOVERNMENT CLIENTS SERVED

| <u>Government Client</u> | <u>Years Served</u> | <u>GFOA Awards</u> | <u>Successor Agency</u> | <u>Housing Authority</u> |
|---|----------------------|--------------------|-------------------------|--------------------------|
| City of El Cajon | 06/30/07 to 06/30/23 | Yes | Yes | Yes |
| City of Exeter | 06/30/17 to 06/30/23 | | | |
| City of Woodlake | 06/30/17 to 06/30/23 | | | |
| Town of Yucca Valley | 06/30/08 to 06/30/23 | Yes | Yes | Yes |
| City of La Verne | 06/30/11 to 06/30/23 | Yes | Yes | Yes |
| City of San Jacinto | 06/30/11 to 06/30/23 | | Yes | Yes |
| City of La Mesa | 06/30/11 to 06/30/23 | | Yes | Yes |
| City of Menifee | 06/30/14 to 06/30/23 | Yes | | |
| City of San Marcos | 06/30/14 to 06/30/23 | Yes | Yes | Yes |
| City of Loma Linda | 06/30/13 to 06/30/23 | Yes | Yes | Yes |
| City of Sierra Madre | 06/30/12 to 06/30/23 | Yes | Yes | Yes |
| City of Hawthorne | 06/30/16 to 06/30/23 | Yes | Yes | Yes |
| City of Aliso Viejo | 06/30/16 to 06/30/23 | Yes | No | No |
| City of Claremont | 06/30/16 to 06/30/23 | Yes | Yes | Yes |
| City of Thousand Oaks | 06/30/18 to 06/30/23 | Yes | Yes | Yes |
| City of South Pasadena | 06/30/18 to 06/30/23 | Yes | Yes | Yes |
| City of Rolling Hills Estates | 06/30/19 to 06/30/23 | Yes | | |
| City of Calabasas | 06/30/20 to 06/30/23 | Yes | | |
| City of San Bernardino | 06/30/20 to 06/30/23 | Yes | | |
| City of Ojai | 06/30/20 to 06/30/23 | | | |
| City of Beaumont | 06/30/20 to 06/30/23 | Yes | | |
| City of Moreno Valley | 06/30/20 to 06/30/23 | Yes | | |
| City of Lawndale | 06/30/20 to 06/30/23 | | | |
| Town of Windsor | 06/30/19 to 06/30/23 | | | |
| City of San Dimas | 06/30/20 to 06/30/23 | | | |
| City of Imperial Beach | 06/30/20 to 06/30/23 | | | |
| City of Brawley | 06/30/23 | | | |
| City of Santee | 06/30/23 | | | |
| City of Perris | 06/30/23 | | | |
| City of Live Oak | 06/30/23 | | | |
| City of Yorba Linda | 06/30/23 | | | |
| City of Canyon Lake | Accounting support | | | |
| City of Fontana | Accounting support | | | |
| City of Hemet | Accounting support | | | |
| City of Rolling Hills | Accounting support | | | |
| City of Yucaipa | Accounting support | | | |
| City of Angels Camp | Accounting support | | | |
| City of Grand Terrace | Accounting support | | | |
| Crestline Village Water District | 04/30/96 to 04/30/23 | | | |
| Crestline-Lake Arrowhead Water | 06/30/98 to 06/30/23 | | | |
| San Bernardino Valley Muni Water District | 06/30/04 to 06/30/23 | | | |
| Elsinore Valley Municipal Water District | 06/30/15 to 06/30/23 | Yes | | |
| Pine Cove Water District | 06/30/10 to 06/30/23 | | | |

GOVERNMENT CLIENTS SERVICES (continued)

| <u>Government Client</u> | <u>Years Served</u> | <u>CSMFO/ GFOA Awards</u> | <u>Successor Agency</u> | <u>Housing Authority</u> |
|--|----------------------|-----------------------------------|-----------------------------|------------------------------|
| Consolidated Fire Agencies | 06/30/14 to 06/30/23 | | | |
| Successor Agency to the County of SB | 06/30/14 to 06/30/23 | | | |
| Riverside County Habitat Con. Agency | 06/30/15 to 06/30/23 | | | |
| Santa Ana Watershed Association | 12/31/09 to 12/31/22 | | | |
| Capistrano Bay Community Services District | 06/30/13 to 06/30/23 | | | |
| Ventura County Public Fin Authority | 06/30/12 to 06/30/23 | | | |
| Nipomo Community Services District | 06/30/16 to 06/30/23 | Yes | | |
| SBIAA | 06/30/17 to 06/30/23 | | | |
| San Diego Workforce Partnership | 06/30/16 to 06/30/23 | | | |
| Rubidoux Community Services District | 06/30/16 to 06/30/23 | | | |
| Conejo Recreation and Park District | 06/30/19 to 06/30/23 | | | |
| Upper San Gabriel Valley MWD | 06/30/19 to 06/30/23 | Yes | | |
| March Joint Powers Authority | 06/30/19 to 06/30/23 | | | |
| Chino Basin Desalter Authority | 06/30/19 to 06/30/23 | Yes | | |
| Mountains Recreation and Conservation | 06/30/19 to 06/30/23 | | | |
| Palos Verdes Peninsula Transit Authority | 06/30/19 to 06/30/23 | | | |
| Yucca Valley Airport District | 06/30/20 to 06/30/23 | | | |
| West Basin Municipal Water District | 06/30/20 to 06/30/23 | Yes | | |
| Idyllwild Water District | 06/30/11 to 06/30/23 | | | |
| Big Bear Area Regional Wastewater | 06/30/12 to 06/30/23 | Yes | | |
| Mojave Water Agency | 06/30/19 to 06/30/23 | Yes | | |
| Beaumont Cherry Valley Water District | 12/31/17 to 12/31/22 | Yes | | |
| Rosamond Community Services District | 06/30/15 to 06/30/23 | | | |
| Rossmoor Community Services District | 06/30/05 to 06/30/23 | | | |
| Rim of the World Park & Rec. District | 06/30/06 to 06/30/23 | | | |
| Heartlands Communications Fac Auth | 06/30/07 to 06/30/23 | | | |
| Heartlands Fire Training Authority | 06/30/07 to 06/30/23 | | | |
| San Joaquin Regional Rail Commission | | | | |
| East Valley Water District | | | | |
| Leucadia Wastewater District | | | | |
| Las Virgenes Municipal Water District | | | | |
| Pomona Valley Transportation Auth | | | | |
| Crestline Sanitation District | Accounting support | | | |
| Running Springs Water District | Accounting support | | | |

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND ROGERS, ANDERSON, MALODY & SCOTT, LLP, FOR SERVICES
TO COMPLETE A BIENNIAL AUDIT OF THE AGENCY FOR THE TWO-YEAR FISCAL CYCLE
(JULY 1, 2022 – JUNE 30, 2023, AND JULY 1, 2023 – JUNE 30, 2024)**

This contract is made and entered into this 23rd day of October, 2024, by and between the Fox Canyon Groundwater Management Agency, hereinafter referred to as AGENCY, and Rogers, Anderson, Malody & Scott, LLP, hereinafter referred to as CONSULTANT regarding CONSULTANT's performance of the work and services described in Exhibit A hereto (the "Work").

NOW, THEREFORE, in consideration of the mutual promises and other valuable consideration contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Work; Standard of Performance

AGENCY hereby retains CONSULTANT to perform the Work described in Exhibit A hereto. The Work shall be performed in accordance with the terms and conditions of this contract. In performing the Work CONSULTANT shall exercise the degree of skill and care customarily exercised by professionals in the State of California when providing similar services with respect to similarly complex work and projects.

2. Time Schedule

All Work and any portion thereof separately identified shall be completed within the time provided in the "Time Schedule" attached hereto as Exhibit B. AGENCY will issue a suspension of the contract time when CONSULTANT is delayed by any public agency reviewing documents produced by CONSULTANT under this contract, or to the extent due to acts or omissions of AGENCY. CONSULTANT shall promptly notify AGENCY of any such delays.

3. Fees and Payments

Payment shall be made monthly, or as otherwise provided, on presentation of a completed AGENCY Consultant Services Invoice form in accordance with the "Fees and Payment" provisions attached hereto as Exhibit C.

4. Termination

AGENCY retains the right to terminate this contract for any reason prior to completion of the Work upon five days written notice to CONSULTANT. Upon termination, AGENCY shall pay CONSULTANT for all Work performed prior to such termination, provided however, that such charges shall not exceed the maximum fee specified for completion of any separately identified task/phase of the Work which, at the time of termination, has been started by request of AGENCY, plus the outstanding amount of contract retention withheld to date.

5. Right to Review

AGENCY shall have the right to review the Work at any time during CONSULTANT's usual working hours. Review, checking, approval or other action by the AGENCY shall not relieve CONSULTANT of CONSULTANT's responsibility for the accuracy and completeness of the Work.

6. Correction of Work

If any Work performed by CONSULTANT does not conform to the requirements and professional standards of this contract, AGENCY may require CONSULTANT to correct the Work until it conforms to said requirements and standards at no additional cost to AGENCY. AGENCY may withhold payment for disputed Work until CONSULTANT correctly performs the Work or the dispute is otherwise resolved in accordance with this contract. When the Work to be performed is of such a nature that CONSULTANT

**PROFESSIONAL SERVICES CONTRACT
With Rogers, Anderson, Malody & Scott, LLP**

cannot correct its performance, AGENCY may reduce the CONSULTANT's compensation to reflect the reduced value of the Work received by AGENCY. If CONSULTANT fails to promptly re-perform the Work, AGENCY may have the Work performed by a third party in conformance with the requirements and professional standards of this contract and charge CONSULTANT, or withhold from payments due CONSULTANT, any costs AGENCY incurs that are directly related to the performance of the corrective work. AGENCY shall not unreasonably withhold or reduce payment for CONSULTANT's Work under this section.

7. Sub Consulting

With the prior written consent of AGENCY, CONSULTANT may engage the professional services of sub consultants for the performance of a portion of the Work ("sub consultants"). CONSULTANT shall be fully responsible for all Work performed by sub consultants which must be performed in accordance with all terms and conditions of this contract. All insurance requirements set forth in Section 13 below, "Insurance Requirements", shall apply to each sub consultant, except to the extent such requirements are modified or waived in writing by AGENCY. CONSULTANT shall ensure that each sub consultant obtains and keeps in force and effect during the term of this contract the required insurance.

8. Independent Contractor

In performing the Work CONSULTANT is an independent contractor and neither CONSULTANT nor its employees, agents or sub consultants shall be deemed employees of AGENCY for any reason. AGENCY shall have no responsibility or liability for the payment of any salary, wages, unemployment benefits, Workers' Compensation or disability benefits, federal, state or local taxes, or other compensation, benefits, or taxes for any of CONSULTANT's employees, agents, Sub consultants, or any of their respective employees or agents.

9. Duty of Loyalty; Conflicts of Interest

- a. CONSULTANT owes AGENCY a duty of undivided loyalty in performing the Work under this contract, including the obligation to refrain from having economic interests and participating in activities that conflict with AGENCY's interests with respect to the Work and subject project. CONSULTANT shall take reasonable measures to ensure that CONSULTANT, its principals, officers, employees and Sub consultants do not possess a financial conflict of interest with respect to the Work and subject project. CONSULTANT shall promptly inform AGENCY of any matter that could reasonably be interpreted as creating a conflict of interest for CONSULTANT with respect to the Work and subject project.
- b. CONSULTANT acknowledges that the California Political Reform Act ("Act"), Government Code section 81000 et seq., provides that principals, employees and agents of consultants retained by a public agency may be deemed "public officials" subject to the Act if they make or advise AGENCY on decisions or actions to be taken by AGENCY. To the extent AGENCY determines that the Act applies to CONSULTANT or its principals or employees, each designated person shall abide by the Act, including the requirement for public officials to prepare and file statements disclosing specified economic interests, as directed by AGENCY. In addition, CONSULTANT acknowledges and shall abide by the contractual conflict of interest restrictions imposed on public officials by Government Code section 1090 et seq.
- c. During the term of this contract CONSULTANT shall not employ or compensate AGENCY's current employees.

10. Defense and Indemnification

CONSULTANT shall defend, indemnify, and save harmless the AGENCY, including all of its boards, agencies, departments, officers, employees, agents and volunteers (collectively, "Indemnitee"), against

**PROFESSIONAL SERVICES CONTRACT
With Rogers, Anderson, Malody & Scott, LLP**

any and all claims, lawsuits, judgments, debts, demands and liabilities that arise out of, pertain to, or relate to, and to the extent caused by, the negligence, recklessness or willful misconduct of CONSULTANT or its officers, employees, agents or Sub consultants in the performance of this contract. This indemnity provision does not apply to liability, damages or other loss arising from the sole negligence or willful misconduct of Indemnitee.

11. Insurance Requirements

- a. Without limiting CONSULTANT's duty to defend and indemnify AGENCY as required herein, CONSULTANT shall, at CONSULTANT's sole cost and expense and throughout the term of this contract and any extensions hereof, carry one or more insurance policies that provide at least the following minimum coverage:
 - i. Commercial General Liability insurance shall provide a minimum of \$100,000.00 coverage for each occurrence and \$200,000.00 in general aggregate coverage.
 - ii. Automobile Liability insurance shall provide a minimum of either a combined single limit (CSL) of \$1,000,000.00 for each accident or all of the following: \$250,000.00 bodily injury (BI) per person, and \$500,000.00 bodily injury per accident, and \$100,000.00 property damage (PD). Automobile Liability insurance is not required if the CONSULTANT does no traveling in performing the Work.
 - iii. Workers' Compensation insurance in full compliance with California statutory requirements for all employees of CONSULTANT in the minimum amount of \$1,000,000.00. This Workers' Compensation insurance requirement may only be waived by AGENCY in writing if CONSULTANT is a sole proprietor with no employees and CONSULTANT provides AGENCY with evidence of such before commencing any work under the contract.
- b. With respect to any coverage written on a "claims made" basis, CONSULTANT shall maintain such policy for two years after the term of this contract and such policy shall allow for reporting of circumstances or incidents that may give rise to future claims.
- c. CONSULTANT shall notify AGENCY immediately if CONSULTANT's general aggregate of insurance is exceeded by valid litigated claims in which case additional levels of insurance must be obtained to maintain the above-stated requirements. All required insurance shall be written by a financially responsible company or companies authorized to do business in the State of California.
- d. The Commercial General Liability and Automobile Liability policies shall contain the following provisions or endorsements: The County of Ventura, AGENCY, and their respective officials, employees, and agents shall be named as additional insureds ("Additional Insureds"). All required insurance shall be primary coverage as respects the Additional Insureds, and any insurance or self-insurance maintained by Additional Insureds shall be in excess of CONSULTANT's insurance coverage and shall not contribute to it. Coverage shall apply separately to each insured, except with respect to the limits of liability, and an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds. AGENCY shall be notified by the insurance company or companies within 3 working days of cancellation or substantial modification of the policy.
- e. CONSULTANT hereby waives all rights of subrogation against AGENCY, the County of Ventura, all special districts governed by the Board of Supervisors, and each of their boards, directors, employees and agents for losses arising directly or indirectly from the activities or Work under this contract. The Commercial General Liability, Automobile Liability and Workers' Compensation policies shall contain a provision or endorsement needed to implement CONSULTANT's waiver of these rights of subrogation.

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- f. Prior to commencement of the Work, CONSULTANT shall furnish AGENCY with certificates of insurance and endorsements effecting all coverage required hereunder. Copies of renewal certificates and endorsements shall be furnished to AGENCY within 30 days of the expiration of the term of any required policy. CONSULTANT shall permit AGENCY at all reasonable times to inspect any policies of insurance required hereunder.

12. Claims and Disputes

- a. Administrative Review. To assert any claim against AGENCY seeking payment of money or damages regarding the Work, an extension of contract time, or an interpretation or adjustment of the terms of this contract, including “pass-through” claims asserted by CONSULTANT on behalf of a Sub consultant (collectively referred to hereinafter as “claim”), CONSULTANT shall first exhaust its administrative remedies by attempting to resolve the claim with AGENCY’s staff in the following sequence: 1) Project Manager, and 2) Executive Officer. CONSULTANT shall initiate the administrative review process no later than 30 days after the claim has arisen by submitting to the Project Manager a written statement describing each claim and explaining why CONSULTANT believes AGENCY is in error, as well as all correspondence and evidence regarding each claim. CONSULTANT may appeal the decision made by the Project Manager to the Executive Officer, provided that AGENCY receives such appeal in writing no later than seven days after the date of the decision being appealed. If CONSULTANT does not appeal a decision to the next level of administrative review within this seven-day period, the decision shall become final and binding and not subject to appeal or challenge.
- b. Arbitration. All CONSULTANT claims not resolved through the administrative review process stated above shall be resolved by arbitration unless AGENCY and CONSULTANT agree in writing, after the claim has arisen, to waive arbitration and to have the dispute litigated in a court of competent jurisdiction. Arbitration shall be pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2 of the Public Contract Code and the regulations promulgated thereto, Chapter 4 (commencing with Section 1300) of Division 2 of Title 1 of the California Code of Regulations (collectively, “Rules for Public Works Contract Arbitrations”). Arbitration shall be initiated by a complaint in arbitration prepared, filed and served in full compliance with all requirements of the Rules for Public Works Contract Arbitrations. CONSULTANT consents and agrees that AGENCY may join it as a party to any arbitration involving third party claims asserted against AGENCY arising from or relating to any Work performed by CONSULTANT hereunder.

13. Compliance with Laws and Regulations; Permits and Licenses

CONSULTANT shall perform its obligations hereunder in compliance with all applicable federal, state, and local laws and regulations. CONSULTANT certifies that it possesses and shall continue to maintain or shall cause to be obtained and maintained, at no cost to AGENCY, all approvals, permissions, permits, licenses, and other forms of documentation required for it and its employees, agents and Sub consultants to comply with all applicable statutes, ordinances, and regulations, or other laws, that apply to performance of the Work. AGENCY is entitled to review and copy all such applications, permits, and licenses which CONSULTANT shall promptly make available upon AGENCY’s request.

14. Prevailing Wage Requirements

Certain Work to be performed under this contract may be considered “public works” subject to Labor Code Division 2, Part 7, Chapter 1, section 1720 et seq.’s prevailing wage, apprenticeship and other labor requirements. CONSULTANT is solely responsible for determining whether the Work, or any portion thereof, is subject to said requirements, and for complying with all such requirements that apply. All such public works projects are subject to compliance monitoring by the California Department of Industrial Relations (DIR). AGENCY has obtained from the DIR general prevailing wage determinations for the locality in which the Work is to be performed that are on file with Ventura County Public Works Agency

PROFESSIONAL SERVICES CONTRACT
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and are available upon request. CONSULTANT is responsible for posting job site notices as prescribed by regulation pursuant to Labor Code section 1771.4(a)(2). CONSULTANT acknowledges that it is aware of state and federal prevailing wage and related requirements and shall comply with these requirements to the extent applicable to the Work, including, without limitation, Labor Code sections 1771 (payment of prevailing wage), 1771.1 (registration with DIR) and 1771.4 (submission of certified payrolls to Labor Commissioner).

15. Work Product; Records and Audit.

- a. On completion or termination of the contract, AGENCY shall be entitled to immediate possession of, and CONSULTANT shall promptly furnish, on request, all reports, drawings, designs, computations, plans, specifications, correspondence, data and other work product prepared or gathered by CONSULTANT except those items defined as audit documentation under professional standards promulgated by the American Institute of Certified Public Accountants (AICPA), which will be the property of CONSULTANT, arising out of or related to the Work (collectively, "Work Product"). AGENCY has a royalty-free nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, Work Product, except those items defined as audit documentation as described above, which will be the property of CONSULTANT, of which workpapers will be reviewable by request from AGENCY or any successor auditor without charge, for government purposes. CONSULTANT may retain copies of the Work Product for its files. Work Product prepared by CONSULTANT pursuant to this contract shall not be modified by AGENCY unless CONSULTANT's name, signatures and professional seals are completely deleted. CONSULTANT shall not be responsible for any liabilities to AGENCY for the use of such Work Product that is modified by persons other than CONSULTANT.
- b. CONSULTANT shall maintain all records required by the various provisions of this contract, including but not limited to (i) those items defined as audit documentation under professional standards promulgated by the American Institute of Certified Public Accountants (AICPA) used, relied on, and/or prepared by CONSULTANT in relation to this contract and (ii) those materials required by applicable federal, state, county, and municipal laws, ordinances, regulations, and directions, for a minimum of seven years from the completion or any termination of this contract. CONSULTANT may fulfill its obligation to maintain records by substitute photographs, micrographs, or other authentic reproduction of such records.
- c. Any authorized representative of AGENCY shall have access to any books, documents, papers, records, including but not limited to those items defined as audit documentation under professional standards promulgated by the American Institute of Certified Public Accountants (AICPA) maintained by CONSULTANT pursuant to Section 15(b) above, that AGENCY determines to be pertinent to this contract, for the purposes of making audit, evaluation, examination, excerpts, and transcripts during the period such records are to be maintained by CONSULTANT.

16. Miscellaneous

- a. This contract constitutes the entire agreement between the parties regarding the subject matter of hereof and supersedes all previous contracts, agreements, promises, understanding and negotiations, whether written or oral, between the parties regarding the subject matter hereof.
- b. All notices, requests, claims, and other official communications under the contract shall be in writing and transmitted by one of the following methods:
 - (1) Personally delivered.
 - (2) Sent by email where receipt is confirmed.
 - (3) Sent by courier where receipt is confirmed.

**PROFESSIONAL SERVICES CONTRACT
With Rogers, Anderson, Malody & Scott, LLP**

(4) Sent by registered or certified mail, postage prepaid, return receipt requested.

Such notices and communications shall be deemed given and received upon actual receipt in the case of all except registered or certified mail; and in the case of registered or certified mail, on the date shown on the return receipt or the date delivery during normal business hours was attempted. All notices and communications shall be sent to CONSULTANT at the current address on file with AGENCY for contract payment purposes, and shall be sent to AGENCY as follows:

Fox Canyon Groundwater Management Agency
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1610
Email: FCGMA@ventura.org

Either party may change its contact information by providing written notice of the change to the other party in accordance herewith:

- c. No modification, waiver, amendment or discharge of this contract shall be valid unless the same is in writing and signed by duly authorized representatives of both parties.
- d. This contract is for the professional services of CONSULTANT and is non-assignable without prior written consent by AGENCY.
- e. Nothing contained herein shall create a contractual relationship with, or a cause of action in favor of, a third party against either CONSULTANT or AGENCY.
- f. Time limits stated herein are of the essence. CONSULTANT is relieved from meeting the time limits due to delays outside its control.
- g. This contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California, and the venue for any action, suit, arbitration or other proceeding thereon shall be proper only in the Superior Court for Ventura County, California.

CONSULTANT:

Rogers, Anderson, Malody & Scott, LLP

AGENCY:

Fox Canyon Groundwater Management Agency

Signature

Signature

Print Name and Title

Arne Anselm
Interim Executive Officer

EXHIBIT A - SCOPE OF WORK AND SERVICES

1. Overview of Project and Services

The AGENCY has engaged CONSULTANT to provide professional services to aid AGENCY in services to complete a Biennial Audit of the Agency for the two-year fiscal cycle (July 1, 2022 – June 30, 2023, and July 1, 2023 – June 30, 2024).

An audit is required in accordance with generally accepted auditing standards and Government Auditing Standards of AGENCY financial statements for the fiscal years ended June 30, 2023, and 2024. AGENCY efforts are financed mainly with water extraction fees and/or penalties/interest on delinquent accounts. AGENCY audit requirements are found in California Government Code Section 26909. The audit will be made in accordance with generally accepted auditing standards embodied in *Statements on Auditing Standards* published by the American Institute of Certified Public Accountants and *Government Auditing Standards* issued by the Comptroller General of the United States.

If conditions are discovered which lead to the belief that material errors, defalcations, or other irregularities may exist, or if any other circumstances are encountered that require extended services, the CONSULTANT will promptly advise AGENCY's Audit Coordinator. No extended services will be performed unless they are authorized in the contractual agreement or in a written and approved amendment to the agreement.

2. Scope of Services

CONSULTANT shall provide the following services and work to AGENCY as detailed in CONSULTANT's September 24, 2024, proposal:

Task 1 – Financial Statements to be Audited by CONSULTANT for Fiscal Years Ended June 30, 2023, And 2024

AGENCY financial statements to be audited by CONSULTANT for the fiscal years ended June 30, 2023, and 2024, and each of the subsequent years included in the contract with AGENCY. CONSULTANT'S audit will use electronic paperless audit software and facilitate the collection of source documents through an electronic portal.

In addition, CONSULTANT will:

- Examine compliance with laws, regulations that may have a material effect on the financial statements.
- Apply certain limited procedures related to Management's Discussion and Analysis and Required Supplementary Information required by the Governmental Accounting Standards Board (GASB) as mandated by generally accepted auditing standards.
- Examine internal accounting controls and accounting procedures and render written reports on findings and recommendations to the General Manager.
- Test compliance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Uniform Guidance) for the Agency, if necessary.
- Provide GASB 68 adjustments to present to Agency staff upon completion of the audit fieldwork.
- Determine and utilize sample sizes for compliance testing

Item 20 Exhibit 20D - Draft Audit Services Contract and Exhibits - RAMS
PROFESSIONAL SERVICES CONTRACT
BETWEEN ROGERS, ANDERSON, MALODY & SCOTT, LLP AND FCGMA
OCTOBER 23, 2024
EXHIBITS

- CONSULTANT sample sizes will be determined in accordance with the AICPA's Audit and Accounting Guide, Audit Sampling, and will be selected using professional judgment or CONSULTANT software, depending upon circumstance, as permitted by Statement on Auditing Standards. CONSULTANT sample sizes will depend upon preliminary assessment of control risk, planned substantive testing and analytical procedures as well as CONSULTANT'S professional judgement.
- CONSULTANT will utilize Computer Aided Audit Tools (CAAT) software to draw audit samples. The software allows CONSULTANT to generate random samples, systematic samples, stratified samples, attributes samples as well as monetary unit samples (also called probability-proportional-to-size or dollar unit sampling).
- Prepare and print AGENCY financial statements, including printing of the reports (including a PDF copy).
- Offer practical observations and recommendations relating to internal control issues, implementation of accounting standards and the policies and procedures regarding both.
- Identify opportunities for operating efficiencies which can be used to decrease operating costs of AGENCY.
- Perform other services as required per this Exhibit.

1.1 Audit Preparation

- 1.1.1** Entrance conference to meet with AGENCY management for pre-audit planning.
- 1.1.2** Preliminary risk assessment procedures.
- 1.1.3** Work with AGENCY staff to contact prior auditor for inquiries and review of workpapers.

1.2 Interim Testing: Planning, Pre-Audit Administration, and Internal Control Testing

This phase of the audit will be performed by the CONSULTANT'S senior and two or three staff accountants with direct supervision by audit manager and partner.

Approximate number of CONSULTANT hours to accomplish Tasks 1.1, 1.2, and their subtasks: 54.

- 1.2.1** Meet with AGENCY staff to determine timeline and level of assistance to be provided by AGENCY staff.
- 1.2.2** Analyze the susceptibility of AGENCY financial statements to material misstatement and fraud.
- 1.2.3** Review and evaluate AGENCY accounting and reporting processes by reviewing the prior year's audit workpapers, any AGENCY-prepared documents such as budgets, in-house financial reports, policies and procedures manuals, minutes of governance meetings, etc., and by using various analytical procedures. Analytical procedures will enhance CONSULTANT'S understanding and will help identify areas that may need further assessment and additional testing.

PROFESSIONAL SERVICES CONTRACT

BETWEEN **ROGERS, ANDERSON, MALODY & SCOTT, LLP** AND FCGMA

OCTOBER 23, 2024

EXHIBITS

- 1.2.4** Review and retain copies of any pertinent local, state and federal statutes, regulations, or charters that apply to AGENCY.
- 1.2.5** Evaluate the design of controls that are relevant to the audit by obtaining a thorough understanding of AGENCY internal controls over financial reporting and compliance by documenting key internal control components, utilizing questionnaires, walkthroughs, inquiring of AGENCY personnel, and observing and reviewing key supporting documentation.
 - 1.2.5.1** Test controls, if control risk is to be assessed below maximum, by selecting a sample of transactions within the audit area being tested and reviewing supporting documentation to determine whether the relevant controls are in place and functioning properly.
- 1.2.6** Document and review with AGENCY management any findings noted during the testing of internal controls and provide a preliminary management letter that will include our recommendations for improving any weaknesses in operations. The letter will also include suggestions for improving the efficiency of the AGENCY operations.
- 1.2.7** Utilize CONSULTANT'S audit data analytic software to analyze large amounts of data and focus on areas/transactions that are red flagged.
- 1.2.8** Perform the following procedures related to IT General Controls that "touch" financial data:
 - 1.2.8.1** Security access (including physical) controls: CONSULTANT will evaluate the general system security settings and password parameters; evaluate the process for adding, deleting, and changing security access; evaluate the access capabilities of various types of users; evaluate access controls to networks and financial applications; evaluate access controls related to data files; and evaluate physical access to networks, servers, etc.
 - 1.2.8.2** Computer operations: CONSULTANT will evaluate backup and recovery processes and review processes of identifying and handling operational problems.
 - 1.2.8.3** System development and system changes: CONSULTANT will evaluate processes related to system development and system changes (if applicable).
 - 1.2.8.4** Application testing: CONSULTANT will determine if the testing of application controls is deemed necessary based on our professional judgment in the planning stages of the engagement.

1.3 Year-End Testing: Substantive Testing

During this phase of the audit, CONSULTANT'S principal objectives will be to assess the risk of material misstatement at the financial statement level and specific assertions, design overall responses to assessed risks and further audit procedures, perform substantive tests, and complete the audit and evaluate audit findings, if applicable.

This phase of the audit will be performed by CONSULTANT'S senior accountant and two or three staff accountants with direct supervision by audit manager and partner.

Approximate number of CONSULTANT hours to accomplish Task 1.3 and its subtasks: 77.

- 1.3.1** Identify significant risks and develop a detailed audit plan using the results from Task 1.2.

PROFESSIONAL SERVICES CONTRACT

BETWEEN **ROGERS, ANDERSON, MALODY & SCOTT, LLP** AND FCGMA

OCTOBER 23, 2024

EXHIBITS

- 1.3.2** Design substantive tests of account balances designed and modified specifically for the Agency's operations and assessed level of risk. Substantive procedures will consist of testing material balance sheet accounts, material revenue and expenditure/expense accounts along with various analytical procedures as deemed necessary. In addition, various accounts may be confirmed with outside parties (cash, investments, etc.).
- 1.3.3** Determine whether CONSULTANT testing supports the assessed level of risk initially assigned at the financial statement level and at the assertion level.
- 1.3.4** Consider whether audit evidence is sufficient to form an opinion.
- 1.3.5** If any proposed audit adjustments are noted during this task, CONSULTANT will discuss and explain them, in detail, with the appropriate level of AGENCY management prior to posting.
- 1.3.6** Conduct exit conference with AGENCY management to discuss proposed entries, internal control issues, etc.

1.4 Reporting: Report Preparation, Workpaper Review, and Audit Conclusion

During this phase of the audit, CONSULTANT'S principal objectives principal objectives will be to evaluate whether the financial statements, taken as a whole, are free from material misstatement, form an opinion(s), and issue report deliverable.

This phase of the engagement will be performed by CONSULTANT'S audit senior and one staff accountant with direct supervision by audit manager and partner. In addition, the AGENCY quality control partner will perform a detailed quality control review of the financial statements.

Approximate number of CONSULTANT hours to accomplish Task 1.4 and its subtasks: 39.

- 1.4.1** Determine whether, based on substantive testing and other procedures, the financial statements, taken as a whole, are free of material misstatement. This will provide the basis for CONSULTANT opinion(s).
- 1.4.2** Review all audit workpapers to ensure that the audit was performed in accordance with the required standards (GAAS, GAGAS, etc.).
- 1.4.3** Evaluate financial statements and note disclosures.
- 1.4.4** Perform final analytical procedures.
- 1.4.5** Draft required reports.
- 1.4.6** Conduct an independent review of the financial statement draft by AGENCY quality control partner.
- 1.4.7** Issue final required reports by or before agreed upon date as identified in Exhibit B.
- 1.4.8** Present to governing body, the AGENCY Board of Directors.

**Item 20 Exhibit 20D - Draft Audit Services Contract and Exhibits - RAMS
PROFESSIONAL SERVICES CONTRACT
BETWEEN ROGERS, ANDERSON, MALODY & SCOTT, LLP AND FCGMA
OCTOBER 23, 2024
EXHIBITS**

Deliverables:

1. Monthly Invoices, with hours worked itemized according to Tasks identified in Exhibit A
2. Entrance Conference with AGENCY
3. Planning or Status Update Conferences with AGENCY as needed
4. Exit Conference with AGENCY
5. Meeting Summaries
6. Detailed Audit Plan developed using results in Task 1.2
7. Prepare, print, and PDF Agency Financial Statements
8. Recommendation Reports related to Risk Assessment, Internal Control Issues, Implementation of Accounting Standards, Policies and Procedures Regarding Internal Control and Standards, as needed
9. Proposed Audit Adjustment Recommendation Reports, as needed
10. Draft Financial Statement Report
11. Issue Final Required Report
12. Presentation to AGENCY Board of Directors

[End of Exhibit A]

EXHIBIT B - TIME SCHEDULE

1. Schedule

Notwithstanding Section 2 (Term) of the Contract, all Work to be performed by CONSULTANT on this Contract shall be completed **by June 30, 2025**.

CONSULTANT shall complete tasks as follows:

| Task | Schedule |
|---|----------------------------|
| Task 1.1 Audit Preparation | December 2024 – March 2025 |
| 1.1.1 Entrance Conference | |
| 1.1.2 Preliminary Risk Assessment Procedures | |
| 1.1.3 Collaborate with AGENCY staff to correspond with contacts and gather data | |
| Task 1.2 Interim Testing | April 2025 |
| 1.2.1 Meet with AGENCY Staff to determine timeline and assistance | |
| 1.2.2 Analyze the susceptibility of AGENCY financial statements to material misstatement and fraud. | |
| 1.2.3 Review and evaluate AGENCY accounting and reporting processes | |
| 1.2.4 Gather and review pertinent local, state, federal statutes, regulations, or charters that apply to AGENCY | |
| 1.2.5 Evaluate the design of controls that are relevant to the audit | |
| 1.2.5.1 Test controls, if control risk is to be assessed below maximum, by selecting a sample of transactions within the audit area being tested and reviewing supporting documentation | |
| 1.2.6 Document and review with AGENCY management any findings noted during the testing of internal controls and provide a preliminary recommendation report | |
| 1.2.7 Analyze data and focus on red-flagged areas | |
| 1.2.8 IT General Control Procedures | |
| 1.2.8.1 Security access controls evaluation | |
| 1.2.8.2 Computer operations evaluation | |
| 1.2.8.3 (If applicable) System development evaluation | |
| 1.2.8.4 (If applicable) Application testing | |
| 1.3 Year-End Testing | April/May 2025 |
| 1.3.1 Identify significant risks and develop a detailed audit plan | |
| 1.3.2 Design substantive tests of account balances | |
| 1.3.3 Determine whether testing supports assessed risk levels | |

Item 20 Exhibit 20D - Draft Audit Services Contract and Exhibits - RAMS
PROFESSIONAL SERVICES CONTRACT
BETWEEN ROGERS, ANDERSON, MALODY & SCOTT, LLP AND FCGMA
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| Task | Schedule |
|---|---------------|
| 1.3.4 Consider whether evidence is sufficient to form opinion | |
| 1.3.5 Propose audit adjustments, if determined, with AGENCY in meeting with recommendation report | |
| 1.3.6 Conduct exit conference with AGENCY | |
| 1.4 Reporting | May/June 2025 |
| 1.4.1 Determine whether financial statements are free of material misstatement | |
| 1.4.2 Review workpapers against compliance standards | |
| 1.4.3 Evaluate financial statements and note disclosures | |
| 1.4.4 Perform final analytical procedures | |
| 1.4.5 Draft required reports | |
| 1.4.6 Conduct an independent quality control review of the financial statement draft | |
| 1.4.7 Issue and deliver final reports | |
| 1.4.8 Present findings to AGENCY Board of Directors | |

2. Delays

If all work under this contract cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fee for the work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the work was required to be complete as specified in Exhibit B until the time the work can actually be completed. Any payments of additional fee as described in this paragraph must be authorized by AGENCY with a modification to this contract.

[End of Exhibit B]

PROFESSIONAL SERVICES CONTRACT
BETWEEN ROGERS, ANDERSON, MALODY & SCOTT, LLP AND FCGMA
OCTOBER 23, 2024
EXHIBITS

EXHIBIT C – Fees and Payments

1. Compensation Summary

The following summarizes the maximum amount of compensation available to CONSULTANT under this contract. The actual amount of compensation shall be established and paid in accordance with the applicable provisions of the contract including this Exhibit C.

Maximum Fees for Basic Services: \$ 35,375

Total Amount Not to Exceed: \$ 42,718

2. Fees for Basic Services

AGENCY agrees to pay CONSULTANT the following fees for the performance of Basic Services

☒ An **hourly rate** compensation, for actual hours of Basic Services performed that is based upon the hourly rates set forth in the following rate schedule, which rates shall remain fixed for the duration of the contract, not to exceed the **maximum fee amount of the Contract of \$ 42,718**. The maximum fees for the respective tasks identified in Exhibit A as well as the total maximum fee amount are shown in the below Task table. In no case shall a fee for a specific task exceed that listed below without prior written approval by the AGENCY. Rates to be charged are identified in the Rate Table listed below.

Rate Table

| <u>Item</u> | <u>Position</u> | <u>Unit</u> | <u>Rate</u> |
|-------------|-----------------|-------------|-------------|
| 1 | Partner | Hr. | \$420 |
| 2 | Manager | Hr. | \$265 |
| 3 | Senior | Hr. | \$190 |
| 4 | Staff | Hr. | \$160 |

Task Table

| Task | Description | Maximum Fee |
|--------------|--|--------------------|
| Audit | Maximum Fee for Audit (all-inclusive, includes Tasks itemized in Exhibit A and their subtasks) | \$35,375 |
| Travel | (If required) Fee includes time, room, and meals | \$4,500 |
| Attendance | Attendance at AGENCY Board meeting is an estimate that includes 7 hours travel and meeting attendance at \$420 per hour, plus mileage. | \$2,940 |
| Total | | \$42,718 |

PROFESSIONAL SERVICES CONTRACT
BETWEEN ROGERS, ANDERSON, MALODY & SCOTT, LLP AND FCGMA
OCTOBER 23, 2024
EXHIBITS

4. Delays

If Work cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fees for the Work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the Work was required to be complete as specified in Exhibit B until the time the Work can actually be completed. Any payments of such additional fees must be authorized by AGENCY with a written modification to this contract.

5. Payment

Pursuant to Section 4 of the Contract, AGENCY shall make payments to CONSULTANT as follows:

Requests for Payment

Each request for payment shall include: (i) personnel time records for Basic Services as itemized by Exhibit A, at the rates specified in this Exhibit C if applicable; (ii) receipts for all authorized reimbursable expense, along with the written AGENCY authorization for any specific reimbursable expenses requested for payment if required above.

CONSULTANT shall submit all requests for payment to:

Fox Canyon Groundwater Management Agency
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670
FCGMA@ventura.org

Payment Schedule

Payments shall be made monthly by AGENCY upon presentation of a properly completed AGENCY claim form that has been approved by AGENCY.

Timely Invoicing

Timely invoicing by CONSULTANT is required. Delays in invoicing for services performed increases the management effort required by AGENCY to ensure accurate payments to CONSULTANT and manage project budgets. Accordingly, CONSULTANT shall request payment for services no later than 30 calendar days after the date that the services were performed.

CONSULTANT shall submit a final invoice within 30 days of the earliest of the following events: 1) completion and acceptance by AGENCY of all Work required by the contract; or 2) termination of the contract.

[End of Exhibit C]

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Update on Implementation of Department of Water Resources (DWR) Sustainable Groundwater Management (SGM) Sustainable Groundwater Management Act (SGMA) Implementation Grant – (New Item)

RECOMMENDATION: Receive a presentation on the implementation of DWR's SGM Grant Program *SGMA Implementation Grant Round 1 Solicitation for Critically Overdrafted Basins* which provided \$7.6 million each for the Oxnard Subbasin and Pleasant Valley Basin.

BACKGROUND:

Your Board approved Resolutions Nos. 2022-01¹ and 2022-02² at the January 26, 2022, meeting authorizing the Executive Officer to submit applications to the California Department of Water Resources (DWR) for funding from the 2021 Sustainable Groundwater Management (SGM) Implementation Grant Program to implement projects in the Oxnard Subbasin and Pleasant Valley Basin. The Agency received award notification letters from DWR dated April 28, 2022, for funding of \$7.6 million in each of the two basins.

At the July 20, 2022, Board special meeting³, your Board awarded a contract with Kennedy Jenks Consultants, Inc., to conduct grant administration services and directed the subgrantees fund the grant administration consultant, apportioned based on the grant awarded. The final Grant Agreements between DWR and the Fox Canyon Groundwater Monitoring Agency for the Oxnard Subbasin and the Pleasant Valley Basin were approved by your Board on September 9, 2022⁴. At the same meeting Subgrant Agreements with the other grant recipients were approved which flow down the provisions of the Grant Agreement between DWR and the Agency and include the requirement to pay the proportional cost of grant administration consultant services.

¹ Resolution 2022-01: <https://s42135.pcdn.co/wp-content/uploads/2024/10/Resolution-2022-01.pdf>

² Resolution 2022-02: <https://s42135.pcdn.co/wp-content/uploads/2024/10/Resolution-2022-02.pdf>

³ July 20, 2022, meeting materials and recording:
<https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=15576>

⁴ September 9, 2022, meeting materials and recording:
<https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=15872>

DISCUSSION:

The projects selected for grant funding were based on ranking and scoring by the ad hoc Project Committee that was part of the OPV Stakeholder Group facilitation process and approved by your Board at the January 26, 2022, Board Regular meeting⁵. The grant projects (called “components” by DWR for the grant) for the Oxnard Subbasin and for the Pleasant Valley are listed in Table 1. The total grant amounts are:

- \$6,479,700 to United Water Conservation District (UWCD),
- \$5,810,000 to Pleasant Valley County Water District (PVCWD), and
- \$332,500 to the City of Camarillo
- \$2,577,800 to the Agency’s monitoring well projects.

| Components | Category | Total Project Cost | Grant Amount | Executing Agency |
|---|----------------|----------------------|---------------------|------------------|
| Oxnard Subbasin | | | | |
| 1: Grant Administration | Administration | \$ 115,000 | \$ - | All |
| 2: UWCD Ferro-Rose Artificial Recharge of Groundwater | Implementation | \$4,000,000 | \$2,510,300 | UWCD |
| 3: UWCD Laguna Road Recycled Water Interconnection | Implementation | \$4,225,000 | \$2,651,500 | UWCD |
| 4: UWCD Monitoring Well Construction and Data Collection for Design of Extraction Barrier and Brackish Water Treatment | Planning | \$2,100,000 | \$1,317,900 | UWCD |
| 5: FCGMA Installation of 3 Monitoring Wells to Assess the Hydraulic Connectivity Between Surface Water Bodies, the Semi-Perched Aquifer, and the Principal Aquifers | Planning | \$ 493,442 | \$ 382,500 | FCGMA |
| 6: FCGMA Install Multi-Depth Monitoring Wells at Two Locations in the Oxnard Subbasin | Planning | \$1,700,580 | \$ 737,800 | FCGMA |
| Oxnard Subbasin Total | | \$ 12,624,022 | \$ 7,600,000 | |
| Pleasant Valley Basin | | | | |
| 1: Grant Administration | Administration | \$ 115,000 | \$ - | All |
| 2: PVCWD Recycled Water Connection Pipeline | Implementation | \$5,600,000 | \$5,260,000 | PVCWD |
| 3: PVCWD Private Reservoir Program | Implementation | \$ 590,000 | \$ 550,000 | PVCWD |
| 4: FCGMA Multi-Depth Monitoring Well Installation in the Pleasant Valley Basin | Planning | \$2,550,158 | \$1,075,000 | FCGMA |
| 5: FCGMA Monitoring Well Installation | Planning | \$ 493,442 | \$ 382,500 | FCGMA |
| 6: Camarillo Stormwater Diversion to Water Reclamation Plant Feasibility Study | Planning | \$ 350,000 | \$ 332,500 | Camarillo |
| Pleasant Valley Basin Total | | \$ 9,698,600 | \$ 7,600,000 | |
| Agencywide Total | | \$22,232,622 | \$15,200,000 | |

⁵ January 26, 2022, meeting materials: <https://ventura.primegov.com/Portal/Meeting?meetingTemplateId=14804>

All projects must be completed, and final deliverables submitted by April 30, 2025, for DWR to close out the grants by June 30, 2025.

Agency staff, along with the other grant recipients, will present to your Board today on their projects, benefits to the basins, status, funds expended, timeline to completion and total anticipated costs.

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arne Anselm', with a stylized, flowing script.

Arne Anselm
Interim Executive Officer

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Rescind Resolution 2005-08 and Adopt Resolution 2024-06 Defining the Function of the Position of Agency Executive Officer Executive Officer– (New Item)

RECOMMENDATION: Adopt Resolution 2024-06, Rescinding Resolution 2005-08 and Defining the Function of the Position of Agency Executive Officer.

DISCUSSION:

On July 27, 2005, your Board adopted Ordinance No. 8.1¹, defining the position of “Executive Officer,” as the individual appointed by the Board to administer the Agency’s executive functions. On September 28, 2005, Resolution 2005-08² was adopted by your Board delegating the position of Executive Officer the administrative authority required to fully implement Agency executive functions. Resolution 2005-08 also designates the Director of the Ventura County Watershed Protection District as the Agency’s Executive Officer.

At its October 14, 2024, meeting, the Executive Committee recommended eliminating the designation of the Director of the Ventura County Watershed Protection District as the Agency’s Executive Officer. Resolution 2024-06, attached as Exhibit 22A, rescinds Resolution 2005-08 while maintaining the delegated administrative authority required to fully implement Agency executive functions.

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,

Arne Anselm
Interim Executive Officer

Attachment: Exhibit 22A - Resolution 2024-06

¹ Ordinance No. 8.1: <https://s42135.pcdn.co/wp-content/uploads/2022/06/Ordinance-No.-8.1-FINAL.pdf>

² Resolution 2005-08: <https://s42135.pcdn.co/wp-content/uploads/2022/09/Resolution-2005-08.pdf>

Resolution No. 2024-06
of the
Fox Canyon Groundwater Management Agency

**A RESOLUTION RESCINDING RESOLUTION NO. 2005-08 AND DELEGATING
EXECUTIVE POWERS AND DUTIES TO THE EXECUTIVE OFFICER FOR CARRYING
OUT THE ADMINISTRATIVE FUNCTIONS OF THE AGENCY**

WHEREAS, pursuant to the authority of Water Code Appendix, §121-102, et seq., the Agency has been granted certain powers for purposes of groundwater management within the boundaries of the Agency; and

WHEREAS, the Agency Ordinance Code enumerates certain executive functions to be performed by an Executive Officer; and

WHEREAS, the Agency is a Groundwater Sustainability Agency under the Sustainable Groundwater Management Act for the basins within the Agency's statutory boundaries; and

WHEREAS, on July 10, 2023, the Santa Barbara Superior Court entered final Judgment in Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment) appointing the Agency as Las Posas Valley Watermaster; and

WHEREAS, Resolution 2005-08 designated the Director of the Ventura County Public Works Watershed Protection District as the Agency's Executive Officer;

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED as follows:

1. Resolution 2005-08 is rescinded.
2. The individual appointed by the Board to act as the manager of the Agency and to perform its executive functions shall be known as the Executive Officer and shall be subject to annual performance evaluations by the Board.
3. The Executive Officer shall be delegated the executive powers and duties required to carry out the purposes of the Agency, as provided by applicable State statutes, Agency Ordinances and Board Policies, and the Judgment.

On motion by _____, and seconded by _____, the foregoing resolution was passed and adopted on October 23, 2024, by the following vote:

AYES –
NOES –
ABSTAINS –
ABSENT –

By:

Eugene F. West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2024-06.

By:

Elka Weber, Clerk of the Board

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, *Chair, Director, Camrosa Water District*
Kelly Long, *Vice Chair, Supervisor, County of Ventura*
Michael Craviotto, *Farmer, Agricultural Representative*
Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Mayor, City of Camarillo*

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Agency Executive Officer Position Duties and Qualifications – *(New Item)*

RECOMMENDATION: Receive and discuss a draft position description of duties and qualifications of the Agency Executive Officer.

DISCUSSION:

The adopted Fiscal Year 2024/25 budget includes a full-time Agency Executive Officer. The Agency has never directly recruited and hired an Executive Officer. A draft job description for the Executive Officer position has been developed for discussion purposes (attached as Exhibit 23A).

CONCLUSION:

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3942.

Sincerely,

Arne Anselm
Interim Executive Officer

Attachment:

Exhibit 23A – Draft Executive Officer Job Description



FOX CANYON GROUNDWATER AGENCY EXECUTIVE OFFICER

Class Code:
TBD

Bargaining Unit: Management/Confidential
Clerical/Unrepresented Others

VENTURA COUNTY

SALARY RANGE

TBD Hourly
TBD Biweekly
TBD Monthly
TBD Annually

DEFINITION:

In accordance with policy direction of the elected five-member Board of Directors, the Executive Director is responsible for the total operation of the Fox Canyon Groundwater Agency (FCGMA) including leading solutions for long term groundwater resources management. The Executive Director will ensure effective legislative and regulatory compliance' facilitate and collaborate with inside and outside stakeholders to ensure stakeholder interests and concerns are being addressed; and provide overall strategic direction to ensure the County's groundwater strategy is effective.

Distinguishing Characteristics:

This single position classification is fully accountable to the Board of Directors for the management of the Fox Canyon Groundwater Management Agency. This position is exempt from the Civil Service System.

EXAMPLES OF DUTIES:

Duties may include but are not limited to the following:

Item 23, Exhibit 23A – Draft Executive Officer Job Description

- Develops, plans and implements Agency goals and objectives including the recommendation and administration of policies and procedures.
- Coordinates Agency activities between departments and with outside agencies and organizations.
- Provides staff assistance to the Board of Directors including the preparation and presentation of staff reports and other necessary correspondence.
- Directs, oversees, and participates in the development of the Agency's work plan which includes assigning work activities, projects and programs, monitoring workflow, and reviewing and evaluating work products, methods and procedures.
- Supervises and participates in the development and administration of the Agency budget including directing the forecast of additional funds needed for staffing, equipment, materials and supplies, monitoring and approving expenditures, and implementing mid-year adjustments.
- Represents the Board of Directors in enforcing all rules pertaining to the management and operation of the Agency.
- Represents the Agency in intergovernmental relations relating to Agency operations.
- Attends all meetings of the Board and makes recommendations to the Board concerning administration and management of the Agency as believed necessary.
- Directs studies and investigations concerning the administration and management of Agency operations and the development of future plans for growth and believed necessary and desirable.
- Serves as purchasing agent and personnel officer for the Agency unless otherwise delegated.
- Represents the Agency to outside groups and organizations and participates in outside community and professional groups and committees.
- Researches and prepares technical and administrative reports and studies and prepares written correspondence.
- Builds and maintains positive working relationships with the Board of Directors, management, co-workers, other Agency employees and the public using principles of good customer service.
- Performs other related duties as required.

QUALIFICATION GUIDELINES:

Knowledge, Skills, and Abilities:

Thorough knowledge of:

- Management practices as applied to the evaluation of programs, policies, and organizational needs.
- Principles and practices required to plan, monitor, and evaluate water infrastructure programs and projects.
- Principles and techniques of conducting analytical studies, evaluating alternatives, and making sound recommendations.
- Applicable laws, codes, and regulations associated with the management of water resources.
- Principles of water flow and hydrologic modeling
- Principles and practices of grant development and administration, including funding sources typical for the water industry.

Item 23, Exhibit 23A – Draft Executive Officer Job Description

- Principles of effective public relations and interrelationships with public and private agencies, community groups and various levels of government.
- Principles and practices of budget administration.

Working ability to:

- Work and communicate effectively with people of various education and socioeconomic backgrounds by respecting beliefs, interpersonal styles and behaviors of both clients and co-workers.
- Perform administrative functions including planning, organizing, staffing, and directing.
- Conduct analytical studies including financial analyses, evaluation of alternatives, and make sound recommendations.
- Examine complex and technical information contained in multiple documents and proposed legislation to accurately report potential impacts and provide solutions. Conduct research, collect data from various resources, and write statistical reports.
- Communicate effectively both verbally and in writing.
- Prepare and present technical information at public meetings.
- Build consensus among stakeholders with differing points of view.

RECRUITING STANDARDS:

Education/Experience:

Any combination of education, training, and experience which could lead to the possession of the required knowledge, skills, and abilities.

An example would be graduation from an accredited college or university with a bachelor's degree in business administration, Public Administration, Engineering, Hydrogeology, or a closely related field and five (5) years of administrative experience in water resource management.

Desired:

Possession of related professional licenses and/or certifications.

Extensive knowledge of Sustainability Groundwater Management Act (SGMA) legislation and guidelines.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, *Chair, Director, Camrosa Water District*
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INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with Dudek to Prepare the Las Posas Valley Basin 2025 Optimization Yield Study – (New Item)

RECOMMENDATIONS: (1) Receive a presentation from Agency Staff; and (2) Approve and authorize the Interim Executive Officer to execute a professional services contract with Dudek for the development of the 2025 Basin Optimization Yield (BOY) Study for the Las Posas Valley Basin (LPVB).

BACKGROUND:

The Las Posas Adjudication Judgment (Judgment) requires that Watermaster shall, with Committee Consultation, prepare a Basin Optimization Yield Study which determines the Operating Yield for the Las Posas Valley Basin. This will be established for each Water Year for the period Water Year 2025 through Water Year 2029 (Judgment § 4.10). The 2025 Basin Optimization Yield will establish the Rampdown Rate for the period from Water Year 2025 through Water Year 2039, subject to modification as a result of the subsequent Basin Optimization Yield Study to be performed in 2030 and again in 2035 (Judgment § 4.10.1.4).

INTRODUCTION:

Watermaster referred a draft scope of work to prepare the Las Posas Valley Basin 2025 Basin Optimization Yield Study for Committee Consultation to the Las Posas Valley Technical Advisory Committee (TAC) as required by the Judgment. The TAC discussed the draft scope of work at their regularly scheduled meeting on August 27th of 2024. Watermaster Staff subsequently received a recommendation report from TAC noting several clarifications and recommendations for model scenario development in the draft scope of work.

DISCUSSION:

Watermaster Staff and Dudek have included all clarifications and recommendations from TAC in an updated scope of work (see attached Exhibit 24A).

The Dudek scope of work includes 7 tasks for calculating the BOY and Rampdown Rate using numeric groundwater flow models.

800 South Victoria Avenue, Ventura, CA 93009-1610
(805) 654-2014 www.fcgma.org

The tasks are as follows:

- 1.) Model Scenario Development
- 2.) East Las Posas Management Area (ELPMA) Numerical Modeling
- 3.) West Las Posas Management Area (WLPMA) Modeling Coordination
- 4.) Draft and Final Basin Optimization Yield Study Report
- 5.) Watermaster Response Reports
- 6.) Committee Meetings
- 7.) Project Management and Coordination

In total, the Dudek scope of work would cost a total of \$212,500.00.
Details of each task are outlined below:

Task 1 – Model Scenario Development

Dudek will use the project feasibility and implementation timelines in the draft Basin Optimization Plan to prepare a proposed suite of projects for inclusion in the BOY Study. As needed and appropriate, Dudek will coordinate with FCGMA and individual project proponents to define the project implementation details required for modeling, such as proposed in lieu and recycled water delivery recipients, conditions amenable to stormwater diversion along the Arroyo Las Posas, and timelines/conditions favorable for using Calleguas facilities for LPVB replenishment.

Task 1 Cost: \$7,555.00

Task 2 – ELPMA Numerical Modeling

2.1) Baseline Scenario:

Dudek will develop a baseline scenario that simulates groundwater conditions in the ELPMA through water year 2069.

2.2) Projects Scenario:

Dudek will develop a Projects scenario that integrates Basin Optimization Projects that are “practical, reasonable, and cost-effective to implement prior to 2040” and identified in the draft Basin Optimization Plan.

2.3) Alternative Pumping Scenarios and Rampdown Rate:

Dudek will perform up to three (3) additional scenarios to define a groundwater production rate that avoids undesirable results. For these scenarios, Dudek will uniformly reduce groundwater extractions across the ELPMA until undesirable results are avoided. These model runs will incorporate the same Basin Optimization Projects as the Projects scenario.

Task 2 Cost: \$55,010.00

Task 3 – WLPMA Modeling Coordination

Dudek has included scope and budget to attend up to five (5) coordination calls, develop up to five (5) pumping scenarios, and analyze up to five (5) sets of numerical model outputs provided by United Water Conservation District (UWCD) for incorporation into the BOY Study.

Task 3 Cost: \$14,420.00

Task 4 – Draft and Final Basin Optimization Yield Study

Dudek will prepare one (1) draft BOY Study and, pursuant to the Judgement, provide the draft to the PAC and TAC for review and comment. Dudek will, as appropriate and in consultation with

FCGMA, revise the draft BOY Study based on feedback from the PAC and TAC. The revised BOY Study will then be provided to Watermaster Board for review and discission. Based on this feedback, a final BOY Study will be submitted to the Watermaster Board for approval.

Task 4 Cost: 43,320.00

Task 5 – Watermaster Recommendation Response Reports

Dudek has included time and budget to support the Watermaster Staff in the development of response reports for both the draft scope of work and BOY Study.

Task 5 Cost: \$34,950.00

Task 6 – Committee Meetings

Dudek has included time to prepare for and attend both in-person and virtual meetings to discuss the development of the BOY Study with the TAC and Watermaster Board. Under this task Dudek will prepare for and attend up to six (6) meetings.

Task 6 Cost: 33,715.00

Task 7 – Project Management

Dudek has included scope and budget for biweekly (every other week) coordination calls with FCGMA staff, and general project management activities.

Task 7 Cost: \$23,530.00

Total Contract Cost: \$212,500.00

ANTICIPATED SCHEDULE:

| Task | Schedule |
|---|--------------------------------------|
| Task 1 Model Scenario Development | 1/6/2025 |
| Task 2 – ELPMA Modeling | - |
| Task 2.1 – Baseline Scenario | 2/28/2025 |
| Task 2.2 – Projects Scenario | 2/28/2025 |
| Task 2.3 – Alternative Pumping Scenarios and Ramp Down Rate | 5/10/2025 |
| Task 3 – WLPMA Model Coordination | 5/10/2025 |
| Task 4 – Draft and Final Basin Optimization Yield Study | 6/2/2025 (Draft) 9/3/2025 (Final) |
| Task 5 – Watermaster Recommendation Reports | 10/23/2024 to 8/27/2025 |
| Task 6 – Committee Meetings | 10/23/2024 to 9/24/2025 |
| Task 7 – Project Management | 10/23/2024 to 9/24/2025 |

CONCLUSION:

Staff recommends the Board approve and authorize the Interim Executive Officer to execute a Professional Services Contract with Dudek (attached as Exhibit 24B) to Prepare the Las Posas Valley Basin 2025 Basin Optimization Yield Study, for a total cost not-to-exceed \$212,500.00.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3952.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Hampson", written in a cursive style.

Robert Hampson
Hydrologist

Attachments:

- Exhibit 24A - Dudek Scope of Work for the Basin Optimization Yield Study
- Exhibit 24B – Dudek Professional Services Contract and Exhibits A, B, and C

October 10, 2024

Farai Kaseke, PhD, PMP, CSM
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, Ca 93009

Subject: Scope of Work to Prepare the Las Posas Valley Basin 2025 Basin Optimization Yield Study

Dear Dr. Kaseke:

Dudek is pleased to provide this scope of work to support the Fox Canyon Groundwater Management Agency (FCGMA) in the development of the 2025 Basin Optimization Yield (BOY) Study for the Las Posas Valley Basin (LPVB). Dudek understands that the goal of the BOY Study is to quantify the BOY¹ and Rampdown Rate², each of which will be defined in a manner consistent with the Judgment, sustainability goal for the LPVB, and the Sustainable Groundwater Management Act (SGMA). Additionally, Dudek understands that the development of this BOY Study will occur concurrently with critical basin management activities, including the development of the Periodic Groundwater Sustainability Plan (GSP) Evaluation, development of the Basin Optimization Plan, and development of Calleguas Aquifer Storage and Recovery Operations Plan. Because of this, we understand that the FCGMA will need to develop the BOY Study in a manner that efficiently and effectively incorporates new groundwater management information as it is developed by the FCGMA, with input from the Policy Advisory Committee (PAC) and Technical Advisory Committee (TAC). As the team who has actively partnered with the FCGMA in the development and implementation of the GSP for the LPVB, we are uniquely familiar with the projects identified in the Judgment and are well suited to support the FCGMA in their development of the BOY Study.

Scope of Work

As the Watermaster for the LPVB, FCGMA is responsible for calculating the BOY and Rampdown Rate. To support FCGMA in this, Dudek proposes that the numerical groundwater flow models for the LPVB be used to simulate the impact of future groundwater extractions and projects on groundwater levels in the LPVB. Dudek will use the numerical groundwater flow model for the East Las Posas Management Area (ELPMA)³ and Dudek recommends

¹ *Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency*. Case No. VENC100509700 (Judgment) defines the Basin Optimization Yield as, “the estimated yield that is projected to be available to achieve sustainable groundwater management by 2040.[...] The Basin Optimization Yield will take into account: (i) water available from native groundwater inflows; (ii) Return Flows; (iii) reasonably anticipated enhanced yield (i.e., managed replenishment excluding water stored and dedicated to the Calleguas ASR Project) projected to be available by Water Year 2040 consistent with the projected Basin Optimization Plan; and (iv) opportunities for optimization of the Sustainable Yield achieved by relocating Extraction and transmission of water to avoid Undesirable Results. The Basin Optimization Yield will also, through Adaptive Management, take into account circumstances including: (a) improved understanding of Basin conditions and hydrogeologic parameters as a result of new data over time; (b) the current status of Basin Optimization Projects; and (c) changing hydrological conditions”.

² The Judgment defines the Rampdown Rate as, “The rate of Rampdown beginning in Water Year 2025 and each Water Year thereafter, which will result from the Basin Optimization Study”, and defines that the Rampdown Rate shall be calculated, “by dividing the amount of any deficit between the then-effective Operating Yield (e.g. 40,000 AFY) and the Basin Optimization Yield by fifteen (i.e. fifteen annual increments)”.

³ Calleguas Municipal Water District, 2018, Groundwater Flow Model of the East and South Las Posas Sub-Basins – Preliminary Draft Report. Prepared by Intera Geoscience and Engineering Solutions. January 2018.

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

that the West Las Posas Management Area (WLPMA) analyses be performed in coordination with the United Water Conservation District (UWCD) using the Updated Coastal Plain numerical groundwater flow model currently in use for development of the 2025 GSP periodic evaluations for the Oxnard Subbasin, Pleasant Valley Basin, and LPVB. The scope of work below describes Dudek’s approach to quantifying the BOY and Rampdown Rate.

Task 1 – Model Scenario Development

The Judgment requires development of a Basin Optimization Plan that defines the suite of projects that are likely to be “practical, reasonable, and cost-effective to implement prior to 2040 to maintain the Operating Yield at 40,000 AFY or as close thereto as achievable” (Section 5.3.2.2 of the Judgment). The Judgment requires that FCGMA prepare an initial draft of the Basin Optimization Plan that will include project details (e.g. schedules, costs, feasibility, etc.), a project prioritization schedule, and a schedule for the Basin Optimization Projects to be evaluated, scoped, designed, financed, and developed (Section 5.3.2.4 and 5.3.2.5 of the Judgment).

The Basin Optimization Plan has not been adopted by the Watermaster Board. To facilitate efficient development of the BOY Study, Dudek will use the project feasibility and implementation timelines in the draft Basin Optimization Plan to prepare a proposed suite of projects for inclusion in the BOY Study. As needed and appropriate, Dudek will coordinate with FCGMA and individual project proponents to define the project implementation details required for modeling, such as proposed in lieu and recycled water delivery recipients, conditions amenable to stormwater diversion along the Arroyo Las Posas, and timelines/conditions favorable for using Calleguas facilities for LPVB replenishment.

Assumptions

- The model scenario will *only* include projects identified in the *draft* Basin Optimization Plan that are “practical, reasonable, and cost-effective to implement prior to 2040”.
- The modeling assumptions will not undergo PAC review.
- Prior to performing any modeling simulations, Dudek will present the proposed model scenarios and BOY Study project suite at one TAC meeting.
- TAC recommendations on alterations to the model scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- After completing the modeling for Baseline and Projects scenarios, Dudek will discuss the model results, proposed methods for developing alternative pumping scenarios, and proposed methods for estimating the Basin Optimization Yield using the numerical model results at one TAC meeting.
- TAC recommendations on the model results, proposed methods for developing alternative pumping scenarios, and proposed methods for estimating the Basin Optimization Yield will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.
- If individual project proponents do not respond to a request for additional information on project implementation details Dudek will use professional judgement to develop the project scenario.

Task 1\$7,555.00

Task 2 – ELPMA Numerical Modeling

Task 2.1 – Baseline Scenario

Following development of the BOY Study project suite, Dudek will develop a baseline scenario that simulates groundwater conditions in the ELPMA through water year 2069. To remain consistent with the GSP, the baseline scenario will use the hydrologic period from 1930-1979, modified by DWR’s 2070 central tendency climate change factors. Groundwater withdrawals in the baseline model scenario will be set equal to the allocations in the Groundwater Allocation Schedule prepared in accordance with the Water Rights Holders in the ELPMA. The baseline model scenario will not include projects identified in the Basin Optimization Plan.

Using the simulation results from the baseline scenario, Dudek will develop groundwater budgets, calculate the change in groundwater in storage, and compare groundwater levels at key wells to the minimum thresholds and measurable objectives in the ELPMA to characterize future groundwater conditions in the absence of implementing new projects.

Assumptions

- The Baseline scenario will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Update.
 - Baseline modeling will *not* include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocations in the Groundwater Allocation Schedule prepared in accordance with the Water Rights Holders in the ELPMA.
- Dudek will present the completed modeling results for both the Baseline and Projects scenarios at one TAC meeting.
- TAC recommendations on the completed model results for the Baseline and Projects scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.

Task 2.1\$20,020.00

Task 2.2 – Projects Scenario

Following completion of the Baseline model scenario, Dudek will develop a Projects scenario that integrates Basin Optimization Projects that are “practical, reasonable, and cost-effective to implement prior to 2040” and identified in the *draft* Basin Optimization Plan. Dudek will simulate operation of the Basin Optimization Projects according to the schedules and scales defined in the *draft* Basin Optimization Plan.

To evaluate the benefits of implementing basin optimization projects, the Project model scenario will use the same hydrology and groundwater pumping as the Baseline model scenario. Using the simulation results from the Projects scenario, Dudek will develop groundwater budgets, calculate the change in groundwater in storage, and compare groundwater levels at key wells to the minimum thresholds and measurable objectives in the ELPMA to characterize

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

future groundwater conditions. Dudek will compare these model results to the Baseline scenario results to provide a quantitative estimate of Basin Optimization Project benefits.

Assumptions

- The Project Model Scenario will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Periodic Evaluation.
 - Baseline modeling will *not* include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocations in the Groundwater Allocation Schedule prepared in accordance with the Water Rights Holders in the ELPMA.
- Dudek will present the completed modeling results for both the Baseline and Projects scenarios at one TAC meeting.
- TAC recommendations on the completed model results for the Baseline and Projects scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.

Task 2.2.....\$21,400.00

Task 2.3 – Alternative Pumping Scenarios and Rampdown Rate

If the Basin Optimization Projects do not avoid undesirable results in the ELPMA, Dudek will perform up to three (3) additional scenarios to define a groundwater production rate that avoids undesirable results. For these scenarios, Dudek will uniformly reduce groundwater extractions across the ELPMA until undesirable results are avoided. These model runs will incorporate the same Basin Optimization Projects as the Projects scenario. Dudek has not included scope and budget to simulate localized restrictions on extractions within the ELPMA, as defined in section 4.10.3 of the Judgment.

If the BOY is lower than 40,000 AFY, Dudek will calculate the Rampdown Rate in accordance with Section 4.10.1.4 of the Judgment.

Assumptions

- The alternative pumping scenarios will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Periodic Evaluation.
 - The alternative pumping scenarios modeling will *not* include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocation schedule set forth in Exhibit C and the Protocols and Formulas to Determine Allocations in Exhibit D of the Judgment.
- Alternative pumping scenarios will not include localized restrictions on extractions within the ELPMA.
- Results from the alternative pumping scenarios will not undergo PAC and/or TAC review until committee review of the *draft* BOY Study.

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

| | |
|--------------------|-------------|
| Task 2.3 | \$13,590.00 |
| TASK 2 TOTAL | \$55,010.00 |

Task 3 – WLPMA Modeling Coordination

Dudek understands that the numerical modeling for the WLPMA will be performed by UWCD. To support coordination between the WLPMA and ELPMA modeling efforts, Dudek has included scope and budget to attend up to five (5) coordination calls, develop up to five (5) pumping scenarios, and analyze up to five (5) sets of numerical model outputs provided by UWCD for incorporation into the BOY Study.

Assumptions

- All numerical modeling for the WLPMA will be performed by UWCD using the same version of the Ventura Regional Groundwater Flow Model that is being used to support preparation of the 2025 GSP Updates for the Oxnard Subbasin, Pleasant Valley Basin, and LPVB.
 - The WLPMA modeling will *not* include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocation schedule set forth in Exhibit C and the Protocols and Formulas to Determine Allocations in Exhibit D of the Judgment in accordance with the Water Rights Holders in the WLPMA.
- Alternative pumping scenarios will not include localized restrictions on extractions within the WLPMA.

| | |
|--------------|-------------|
| Task 3 | \$14,420.00 |
|--------------|-------------|

Task 4 – Draft and Final Basin Optimization Yield Study

Dudek will summarize results from the numerical modeling in the draft BOY Study. Dudek will prepare one (1) draft BOY Study and, pursuant to the Judgment, provide the draft to the PAC and TAC for review and comment. Dudek will, as appropriate and in consultation with FCGMA, revise the draft BOY Study based on feedback from the PAC and TAC.

The revised draft BOY Study will be provided to the Watermaster Board for review and discussion. Dudek will prepare the final BOY Study based on feedback provided by the Watermaster Board and will submit a final BOY Study for approval by Watermaster Board meeting.

Assumptions

- Dudek will provide electronic copies of the draft BOY Study to the PAC and TAC.
- The draft BOY Study will undergo one (1) round of internal review by FCGMA staff, one (1) round of external review by the LPVB PAC and TAC, and one (1) round of external review by Watermaster Board.
- The PAC will provide one (1) redline edit version of the draft BOY study with all PAC member comments collected for Dudek to review.
- The TAC will provide one (1) redline edit version of the draft BOY study with all TAC member comments collected for Dudek to review.

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

- Dudek will, as appropriate and in consultation with FCGMA staff, revise the draft BOY Study following each round of review and provide the Watermaster with one (1) electronic copy of the *final* BOY Study.

Task 4\$43,320.00

Task 5 – Watermaster Recommendation Response Reports

The Judgment requires that the draft BOY Study scope of work and draft BOY Study be provided to the PAC and TAC for formal review and comment. The PAC and TAC may provide the Watermaster with recommendation reports for both the BOY Study scope of work and BOY Study that shall be presented to the Watermaster Board. Prior to presenting the recommendations to the Board, Watermaster staff may prepare formal response reports that document responses to the PAC and TAC recommendations. Dudek has included time and budget to support the Watermaster staff in the development of response reports for both the draft scope of work and BOY Study. The time and budget provided is based on Dudek’s professional judgement. If PAC and TAC comments vary greatly from our estimate, we will discuss options for addressing these comments with FCGMA staff. If Dudek and staff agree that the time budgeted below is insufficient to address the comments, Dudek will prepare a revised budget for Watermaster approval detailing the additional work required to adequately respond to the comments.

Assumptions

- Dudek will prepare one (1) *draft* response report for the BOY study scope of work recommendation report and one (1) *draft* response report for the BOY Study recommendation report. Each *draft* response report will be provided to FCGMA for one (1) round of internal review.
- Dudek will, as appropriate and in consultation with FCGMA staff, revise the *draft* response reports and provide the Watermaster with one (1) electronic copy for consideration during review of the BOY Study scope of work and BOY Study report.
- The budget for this task is based on Dudek’s professional judgement.

Task 5\$34,950.00

Task 6 – Committee Meetings

The Judgment requires that the BOY Study be developed in consultation with the PAC and TAC and approved by the Watermaster Board. To support these coordination efforts, Dudek has included time to prepare for and attend both in-person and virtual meetings to discuss the development of the BOY Study with the TAC⁴ and Watermaster Board. Under this task Dudek will prepare for and attend up to seven (7) meetings according to the following schedule:

Table 1. Anticipated Meetings

| Meeting No. | Meeting Topic | Committee | Type |
|-------------|--|------------------------------|---------|
| 1 | Review of Baseline and Projects modeling assumptions | Technical Advisory Committee | Virtual |

⁴ Dudek’s committee engagement will be focused on the technical development of the Basin Optimization Study and input from the PAC will be provided by the Watermaster and in recommendation reports.

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

Table 1. Anticipated Meetings

| Meeting No. | Meeting Topic | Committee | Type |
|-------------|--|------------------------------|-----------|
| 2 | Review of Modeling Approach and Discussion of Recommendation Reports | Watermaster Board | In Person |
| 3 | Review of Baseline and Projects modeling results and assumptions for alternative pumping scenarios | Technical Advisory Committee | Virtual |
| 4 | Draft Study | Watermaster Board | In Person |
| 5 | Recommendations on the Draft Study | Technical Advisory Committee | Virtual |
| 6 | Recommendations on the Draft Study | Watermaster Board | In Person |
| 7 | Adoption of the BOY Study | Watermaster Board | In Person |

Task 6\$33,715.00

Assumptions

- Up to two (2) Dudek staff members will attend up to three (3) virtual meetings with the TAC. Dudek has not included travel costs in our budget assumptions for these meetings. If the TAC meetings require in-person attendance the budget will need to be revised or the total number of meetings Dudek attends will need to be reduced. If the TAC requests additional staff members attend, the budget will need to be revised or the total number of meetings Dudek attends will need to be reduced.
- Up to two (2) Dudek staff members will attend up to four (4) in-person meetings with the Watermaster Board.

Task 7 – Project Management

Dudek anticipates that the BOY Study will be developed over a 10-month time frame (Table 2). To facilitate efficient development of the BOY Study, Dudek has included scope and budget for biweekly (every other week) coordination calls with FCGMA staff, and general project management activities.

Task 7\$23,530.00

TOTAL COST ESTIMATE \$212,500.00

Schedule

Dudek anticipates that the BOY Study will be completed in accordance with the timeline specified in Table 2.

Assumptions

- This schedule assumes that the modeling for the Basin Optimization Yield study will begin after the draft Basin Optimization Plan is complete. Dudek anticipates that the draft Basin Optimization Plan will be completed by December 9, 2024, which would facilitate preparation of the draft Basin Optimization Yield study by June 2025. If the draft Basin Optimization Plan is not prepared

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM

SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

in this timeframe, Dudek will coordinate with FCGMA to prepare a revised schedule that will be disseminated to the PAC and TAC for review and feedback.

- Preparation of the complete draft Basin Optimization Plan assumes timely consultation and responses from project proponents.
- This schedule additionally assumes that the numerical modeling performed by UWCD can be completed in coordination with FCGMA and Dudek over a five (5) month time frame. Dudek will work with FCGMA and UWCD to facilitate this. Dudek does not assume any responsibility for delays to UWCD modeling deliverables resulting from changes in UWCD staffing needs and schedules.
- In the event that the numerical modeling cannot be performed within this time frame, Dudek will coordinate with FCGMA to prepare a revised schedule that will be disseminated to the PAC and TAC for review and feedback.

Table 2. Schedule

| Description | Tasks Covered | Anticipated Duration (weeks) |
|--|---------------|-------------------------------------|
| Development of the draft BOY Study | 1, 2, 3, 4 | 25 |
| LPVB Committee review and Recommendation Report development | - | 9 |
| Response report development review by Watermaster Board | 4, 5 | 2 |
| Watermaster Board review of Draft BOY study, committee report(s), and response report(s) | | 2 |
| Final BOY Study development following Watermaster Board review | 4 | 4 |
| Total Anticipated Project Duration | | 42 weeks (approx. 10 months) |

Cost Estimate

Table 3 includes a summary of Dudek's estimated cost to complete each task of this scope of work. A detailed cost estimate, which includes a breakdown of estimated hours by staff and billing rate is included as Attachment A. Dudek's 2024 Schedule of Charges is included as Attachment B.

Assumptions

- This cost estimate reflects all assumptions outlined in Tasks 1 through 7.

Table 3. Cost Summary

| Task | Task Title | Cost Estimate |
|------|---|---------------|
| 1 | Model Scenario Development | \$7,555.00 |
| 2 | ELPMA Numerical Modeling | \$55,010.00 |
| 2.1 | Baseline Model Scenario | \$20,020.00 |
| 2.2 | Projects Scenario | \$21,400.00 |
| 2.3 | Alternative Pumping Scenarios and Rampdown Rate | \$13,590.00 |
| 3 | WLPMA Modeling Coordination | \$14,420.00 |

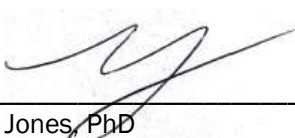
Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

TO: FARAI KASEKE, PHD, PMP, CSM
SUBJECT: SCOPE OF WORK TO PREPARE THE LAS POSAS VALLEY 2025 BASIN OPTIMIZATION YIELD STUDY

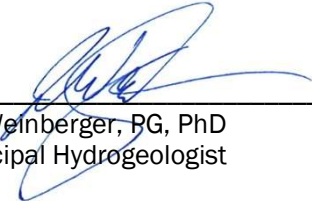
Table 3. Cost Summary

| Task | Task Title | Cost Estimate |
|------------|---|---------------|
| 4 | Draft and Final Basin Optimization Yield Study Report | \$43,320.00 |
| 5 | Watermaster Response Reports | \$34,950.00 |
| 6 | Committee Meetings | \$33,715.00 |
| 7 | Project Management and Coordination | \$23,530.00 |
| Total Cost | | \$212,500.00 |

Sincerely,



Trevor Jones, PhD
Senior Hydrogeologist



Jill Weinberger, PG, PhD
Principal Hydrogeologist

Attachment A

Detailed Cost Estimate

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

LPVB Basin Optimization Yield (BOY) Study Detailed Cost Estimate

| Dudek Labor Hours and Rates | | | | | | | | | | | |
|-----------------------------|---|--------------------|---|------------------------------------|---------------------------------------|--|---|-------------------------|----------------------|--------------------------|---------------|
| | | Project Team Role: | Principal Hydrogeologist/ Engineer III | Sr. Hydrogeologist V/Engineer V | Sr. Hydrogeologist III/Engineer II | Project Hydrogeologist III/Engineer III | Project Hydrogeologist III/Engineer II | TOTAL DUDEK HOURS | DUDEK LABOR COSTS | OTHER DIRECT COSTS | TOTAL FEE |
| | | Billable Rate: | \$320.00 | \$275.00 | \$245.00 | \$205.00 | \$195.00 | | | | |
| Task 1 | Define Project Suite and Model Scenarios | | | | | | | | | | |
| 1.1 | Review Basin Optimization Plan; Define Basin Optimization Suite and Implementation Timeline; Coordinate with Agencies | | | | | | | | | | |
| Subtotal Task 1 | | | 9 | 17 | 0 | 0 | 0 | 26 | \$7,555.00 | | \$7,555.00 |
| Task 2 | ELPMA Numerical Modeling | | | | | | | | | | |
| 2.1 | Baseline Model Scenario | | | | | | | | | | |
| 2.2 | Projects Model Scenario | | | | | | | | | | |
| 2.3 | Alternative Pumping Scenarios and Rampdown Rate | | | | | | | | | | |
| Subtotal Task 2 | | | 8 | 36 | 54 | 124 | 20 | 242 | \$55,010.00 | | \$55,010.00 |
| Task 3 | WLPMA Modeling Coordination | | | | | | | | | | |
| 3.1 | Coordination, Meetings, and Technical Analyses | | | | | | | | | | |
| Subtotal Task 3 | | | 6 | 12 | 25 | 15 | 0 | 58 | \$14,420.00 | | \$14,420.00 |
| Task 4 | Draft and Final Basin Optimization Yield Study | | | | | | | | | | |
| 4.1 | Draft Basin Optimization Yield Study (Delivered to PAC and TAC) | | | | | | | | | | |
| 4.3 | Draft Basin Optimization Yield Study (Revised based on PAC and TAC feedback - Delivered to Watermaster Board) | | | | | | | | | | |
| 4.4 | Final Basin Optimization Yield Study | | | | | | | | | | |
| Subtotal Task 4 | | | 24 | 56 | 28 | 12 | 56 | 176 | \$43,320.00 | | \$43,320.00 |
| Task 5 | Watermaster Response Report(s) | | | | | | | | | | |
| 5.1 | Draft response report to PAC/TAC SOW Recommendation Report | | | | | | | | | | |
| 5.2 | Final response report to PAC/TAC SOW Recommendation Report | | | | | | | | | | |
| 5.3 | Draft response report to PAC/TAC Basin Optimization Study Recommendation Report | | | | | | | | | | |
| 5.4 | Final response report to PAC/TAC Basin Optimization Study Recommendation Report | | | | | | | | | | |
| Subtotal Task 5 | | | 24 | 54 | 12 | 12 | 36 | 138 | \$34,950.00 | | \$34,950.00 |
| Task 6 | Committee Meetings | | | | | | | | | | |
| 6.1 | TAC Meetings ^a | | | | | | | | | | |
| 6.2 | Watermaster Board Meetings ^b | | | | | | | | | | |
| Subtotal Task 6 | | | 55 | 55 | 0 | 0 | 0 | 110 | \$32,725.00 | \$ 990.00 | \$33,715.00 |
| Task 7 | Project Management and Coordination | | | | | | | | | | |
| 7.1 | Team Calls | | | | | | | | | | |
| 7.2 | Project Management | | | | | | | | | | |
| Subtotal Task 7 | | | 34 | 46 | 0 | 0 | 0 | 80 | \$23,530.00 | | \$23,530.00 |
| | Total Hours | | 160 | 276 | 119 | 163 | 112 | 830 | \$211,510.00 | \$990.00 | \$212,500.00 |
| | Total | | \$51,200.00 | \$75,900.00 | \$29,155.00 | \$33,415.00 | \$21,840.00 | | \$211,510.00 | \$ 990.00 | \$ 212,500.00 |

Notes

^aAssumes preparation and attendance at three TAC meetings. Cost assumes that Dudek will attend virtually.

^bAssumes preparation and attendance at four in-person Watermaster Board meetings.

Attachment B

2024 Dudek Schedule of Charges (Rate Sheet)

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

Item 24A - Dudek Scope of Work for the Basin Optimization Yield Study

DUDEK 2024 Schedule of Charges

Engineering Services

| | |
|---|-------------|
| Project Director | \$345.00/hr |
| Principal Engineer III | \$320.00/hr |
| Principal Engineer II | \$300.00/hr |
| Principal Engineer I | \$290.00/hr |
| Program Manager | \$280.00/hr |
| Senior Project Manager | \$275.00/hr |
| Project Manager | \$265.00/hr |
| Senior Engineer III | \$260.00/hr |
| Senior Engineer II | \$250.00/hr |
| Senior Engineer I | \$240.00/hr |
| Project Engineer IV/Technician IV | \$235.00/hr |
| Project Engineer III/Technician III | \$220.00/hr |
| Project Engineer II/Technician II | \$210.00/hr |
| Project Engineer I/Technician I | \$190.00/hr |
| Senior Designer II | \$210.00/hr |
| Senior Designer I | \$205.00/hr |
| Designer | \$200.00/hr |
| Assistant Designer | \$195.00/hr |
| CADD Operator III | \$190.00/hr |
| CADD Operator II | \$180.00/hr |
| CADD Operator I | \$165.00/hr |
| CADD Drafter | \$150.00/hr |
| CADD Technician | \$135.00/hr |
| Project Coordinator | \$165.00/hr |
| Engineering Assistant | \$135.00/hr |

Environmental Services

| | |
|-------------------------------|-------------|
| Senior Project Director | \$350.00/hr |
| Project Director | \$300.00/hr |
| Senior Specialist V | \$275.00/hr |
| Senior Specialist IV | \$265.00/hr |
| Senior Specialist III | \$250.00/hr |
| Senior Specialist II | \$235.00/hr |
| Senior Specialist I | \$220.00/hr |
| Specialist V | \$210.00/hr |
| Specialist IV | \$195.00/hr |
| Specialist III | \$185.00/hr |
| Specialist II | \$175.00/hr |
| Specialist I | \$165.00/hr |
| Analyst V | \$150.00/hr |
| Analyst IV | \$140.00/hr |
| Analyst III | \$130.00/hr |
| Analyst II | \$120.00/hr |
| Analyst I | \$110.00/hr |
| Technician III | \$95.00/hr |
| Technician II | \$85.00/hr |
| Technician I | \$75.00/hr |

Mapping and Surveying Services

| | |
|---------------------------------|-------------|
| Application Developer II | \$245.00/hr |
| Application Developer I | \$190.00/hr |
| GIS Analyst V | \$225.00/hr |
| GIS Analyst IV | \$200.00/hr |
| GIS Analyst III | \$165.00/hr |
| GIS Analyst II | \$145.00/hr |
| GIS Analyst I | \$130.00/hr |
| UAS Pilot | \$150.00/hr |
| Survey Lead | \$245.00/hr |
| Survey Manager | \$220.00/hr |
| Survey Crew Chief | \$175.00/hr |
| Survey Rod Person | \$125.00/hr |
| Survey Mapping Technician | \$105.00/hr |

Construction Management Services

| | |
|--------------------------------------|-------------|
| Principal/Manager | \$205.00/hr |
| Senior Construction Manager | \$200.00/hr |
| Senior Project Manager | \$185.00/hr |
| Construction Manager | \$185.00/hr |
| Project Manager | \$180.00/hr |
| Resident Engineer | \$180.00/hr |
| Construction Engineer | \$175.00/hr |
| On-site Owner's Representative | \$165.00/hr |
| Prevailing Wage Inspector | \$155.00/hr |
| Construction Inspector | \$155.00/hr |
| Administrator/Labor Compliance | \$120.00/hr |

Hydrogeology/HazWaste Services

| | |
|---|-------------|
| Project Director | \$345.00/hr |
| Principal Hydrogeologist/Engineer III | \$320.00/hr |
| Principal Hydrogeologist/Engineer II | \$310.00/hr |
| Principal Hydrogeologist/Engineer I | \$300.00/hr |
| Senior Hydrogeologist V/Engineer V | \$275.00/hr |
| Senior Hydrogeologist IV/Engineer IV | \$265.00/hr |
| Senior Hydrogeologist III/Engineer III | \$255.00/hr |
| Senior Hydrogeologist II/Engineer II | \$245.00/hr |
| Senior Hydrogeologist I/Engineer I | \$235.00/hr |
| Project Hydrogeologist V/Engineer V | \$225.00/hr |
| Project Hydrogeologist IV/Engineer IV | \$215.00/hr |
| Project Hydrogeologist III/Engineer III | \$205.00/hr |
| Project Hydrogeologist II/Engineer II | \$195.00/hr |
| Project Hydrogeologist I/Engineer I | \$185.00/hr |
| Hydrogeologist/Engineering Assistant | \$150.00/hr |
| HazMat Field Technician | \$135.00/hr |

District Management & Operations

| | |
|-------------------------------------|-------------|
| District General Manager | \$235.00/hr |
| District Engineer | \$215.00/hr |
| Operations Manager | \$165.00/hr |
| District Secretary/Accountant | \$150.00/hr |
| Collections System Manager | \$150.00/hr |
| Grade V Operator | \$140.00/hr |
| Grade IV Operator | \$125.00/hr |
| Grade III Operator | \$115.00/hr |
| Grade II Operator | \$95.00/hr |
| Grade I Operator | \$90.00/hr |
| Operator in Training | \$75.00/hr |
| Collection Maintenance Worker | \$85.00/hr |

Creative Services

| | |
|-----------------------------|-------------|
| Creative Services IV | \$185.00/hr |
| Creative Services III | \$165.00/hr |
| Creative Services II | \$150.00/hr |
| Creative Services I | \$135.00/hr |

Publications Services

| | |
|-----------------------------------|-------------|
| Technical Editor IV | \$185.00/hr |
| Technical Editor III | \$165.00/hr |
| Technical Editor II | \$150.00/hr |
| Technical Editor I | \$135.00/hr |
| Publications Specialist IV | \$140.00/hr |
| Publications Specialist III | \$130.00/hr |
| Publications Specialist II | \$120.00/hr |
| Publications Specialist I | \$110.00/hr |
| Clerical Administration | \$110.00/hr |

Expert Witness – Court appearances, depositions, and interrogatories as expert witness will be billed at 2.00 times normal rates.

Emergency and Holidays – Minimum charge of four hours will be billed at 1.75 times the normal rate.

Overtime for Hourly Staff – Billed at 1.5 times the standard hourly rate.

Material and Outside Services – Subcontractors, rental of special equipment, special reproductions and blueprinting, outside data processing and computer services, etc., are charged at 1.15 times the direct cost.

Travel Expenses – Mileage at current IRS allowable rates. Per diem where overnight stay is involved is charged at cost.

Invoices, Late Charges – All fees will be billed to Client monthly and shall be due and payable upon receipt. Invoices are delinquent if not paid within 30 days from the date of the invoice. Client agrees to pay interest at a 10% annual rate for amounts unpaid greater than 30 days after the date of the invoice.

Annual Increases – These rates will increase in line with the CPI-U for the nearest urban area (per the Department of Labor Statistics) to where the work is being completed or by 5% annually, whichever is higher.

Prevailing Wage – The rates listed above assume prevailing wage rates do not apply. If this assumption is incorrect Dudek reserves the right to adjust its rates accordingly.

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND DUDEK, FOR PROFESSIONAL CONSULTING SERVICES TO
PREPARE THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

This contract is made and entered into this 23th day of October 2024, by and between the Fox Canyon Groundwater Management Agency, hereinafter referred to as AGENCY, and DUDEK, hereinafter referred to as CONSULTANT regarding CONSULTANT's performance of the work and services described in Exhibit A hereto (the "Work"). In consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Work; Standard of Performance

AGENCY hereby retains CONSULTANT to perform the Work described in Exhibit A hereto. The Work shall be performed in accordance with the terms and conditions of this contract. In performing the Work CONSULTANT shall exercise the degree of skill and care customarily exercised by professionals in the State of California when providing similar services with respect to similarly complex work and projects.

2. Time Schedule

All Work and any portion thereof separately identified shall be completed within the time provided in the "Time Schedule" attached hereto as Exhibit B. AGENCY will issue a suspension of the contract time when CONSULTANT is delayed by any public agency reviewing documents produced by CONSULTANT under this contract, or to the extent due to acts or omissions of AGENCY. CONSULTANT shall promptly notify AGENCY of any such delays.

3. Fees and Payments

Payment shall be made monthly, or as otherwise provided, on presentation of a completed AGENCY Consultant Services Invoice form in accordance with the "Fees and Payment" provisions attached hereto as Exhibit C.

4. Termination

AGENCY retains the right to terminate this contract for any reason prior to completion of the Work upon five days written notice to CONSULTANT. Upon termination, AGENCY shall pay CONSULTANT for all Work performed prior to such termination, provided however, that such charges shall not exceed the maximum fee specified for completion of any separately identified task/phase of the Work which, at the time of termination, has been started by request of AGENCY, plus the outstanding amount of contract retention withheld to date.

5. Right to Review

AGENCY shall have the right to review the Work at any time during AGENCY's usual working hours. Review, checking, approval or other action by the AGENCY shall not relieve CONSULTANT of CONSULTANT's responsibility for the accuracy and completeness of the Work.

6. Correction of Work

If any Work performed by CONSULTANT does not conform to the requirements and professional standards of this contract, AGENCY may require CONSULTANT to correct the Work until it conforms to said requirements and standards at no additional cost to AGENCY. AGENCY may withhold payment for disputed Work until CONSULTANT correctly performs the Work or the dispute is otherwise resolved in

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

accordance with this contract. When the Work to be performed is of such a nature that CONSULTANT cannot correct its performance, AGENCY may reduce the CONSULTANT's compensation to reflect the reduced value of the Work received by AGENCY. If CONSULTANT fails to promptly re-perform the Work, AGENCY may have the Work performed by a third party in conformance with the requirements and professional standards of this contract and charge CONSULTANT, or withhold from payments due CONSULTANT, any costs AGENCY incurs that are directly related to the performance of the corrective work. AGENCY shall not unreasonably withhold or reduce payment for CONSULTANT's Work under this section.

7. Sub consulting

With the prior written consent of AGENCY, CONSULTANT may engage the professional services of sub consultants for the performance of a portion of the Work ("Sub consultants"). CONSULTANT shall be fully responsible for all Work performed by Sub consultants which must be performed in accordance with all terms and conditions of this contract. All insurance requirements set forth in Section 13 below, "Insurance Requirements", shall apply to each Sub consultant, except to the extent such requirements are modified or waived in writing by AGENCY. CONSULTANT shall ensure that each Sub consultant obtains and keeps in force and effect during the term of this contract the required insurance.

8. Independent Contractor

In performing the Work CONSULTANT is an independent contractor and neither CONSULTANT nor its employees, agents or Sub consultants shall be deemed employees of AGENCY for any reason. AGENCY shall have no responsibility or liability for the payment of any salary, wages, unemployment benefits, Workers' Compensation or disability benefits, federal, state or local taxes, or other compensation, benefits, or taxes for any of CONSULTANT's employees, agents, Sub consultants, or any of their respective employees or agents.

9. Duty of Loyalty; Conflicts of Interest

- a. CONSULTANT owes AGENCY a duty of undivided loyalty in performing the Work under this contract, including the obligation to refrain from having economic interests and participating in activities that conflict with AGENCY's interests with respect to the Work and subject project. CONSULTANT shall take reasonable measures to ensure that CONSULTANT, its principals, officers, employees and Sub consultants do not possess a financial conflict of interest with respect to the Work and subject project. CONSULTANT shall promptly inform AGENCY of any matter that could reasonably be interpreted as creating a conflict of interest for CONSULTANT with respect to the Work and subject project.
- b. CONSULTANT acknowledges that the California Political Reform Act ("Act"), Government Code section 81000 et seq., provides that principals, employees and agents of consultants retained by a public agency may be deemed "public officials" subject to the Act if they make or advise AGENCY on decisions or actions to be taken by AGENCY. To the extent AGENCY determines that the Act applies to CONSULTANT or its principals or employees, each designated person shall abide by the Act, including the requirement for public officials to prepare and file statements disclosing specified economic interests, as directed by AGENCY. In addition, CONSULTANT acknowledges and shall abide by the contractual conflict of interest restrictions imposed on public officials by Government Code section 1090 et seq.
- c. During the term of this contract CONSULTANT shall not employ or compensate AGENCY's current employees.

10. Defense and Indemnification

CONSULTANT shall defend, indemnify, and save harmless the AGENCY, including all of its boards, agencies, departments, officers, employees, agents and volunteers (collectively, "Indemnitee"), against

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

any and all claims, lawsuits, judgments, debts, demands and liabilities that arise out of, pertain to, or relate to, and to the extent caused by, the negligence, recklessness or willful misconduct of CONSULTANT or its officers, employees, agents or Sub consultants in the performance of this contract. This indemnity provision does not apply to liability, damages or other loss arising from the sole negligence or willful misconduct of Indemnitee, or to the extent caused by the active negligence of Indemnitee.

11. Insurance Requirements

- a. Without limiting CONSULTANT's duty to defend and indemnify AGENCY as required herein, CONSULTANT shall, at CONSULTANT's sole cost and expense and throughout the term of this contract and any extensions hereof, carry one or more insurance policies that provide at least the following minimum coverage:
 - i. Commercial General Liability insurance shall provide a minimum of \$100,000.00 coverage for each occurrence and \$200,000.00 in general aggregate coverage.
 - ii. Automobile Liability insurance shall provide a minimum of either a combined single limit (CSL) of \$1,000,000.00 for each accident or all of the following: \$250,000.00 bodily injury (BI) per person, and \$500,000.00 bodily injury per accident, and \$100,000.00 property damage (PD). Automobile Liability insurance is not required if the CONSULTANT does no traveling in performing the Work.
 - iii. Workers' Compensation insurance in full compliance with California statutory requirements for all employees of CONSULTANT in the minimum amount of \$1,000,000.00. This Workers' Compensation insurance requirement may only be waived by AGENCY in writing if CONSULTANT is a sole proprietor with no employees and CONSULTANT provides AGENCY with evidence of such before commencing any work under the contract.
- b. With respect to any coverage written on a "claims made" basis, CONSULTANT shall maintain such policy for two years after the term of this contract and such policy shall allow for reporting of circumstances or incidents that may give rise to future claims.
- c. CONSULTANT shall notify AGENCY immediately if CONSULTANT's general aggregate of insurance is exceeded by valid litigated claims in which case additional levels of insurance must be obtained to maintain the above-stated requirements. All required insurance shall be written by a financially responsible company or companies authorized to do business in the State of California.
- d. The Commercial General Liability and Automobile Liability policies shall contain the following provisions or endorsements: The County of Ventura, AGENCY, and their respective officials, employees, and agents shall be named as additional insureds ("Additional Insureds"). All required insurance shall be primary coverage as respects the Additional Insureds, and any insurance or self-insurance maintained by Additional Insureds shall be in excess of CONSULTANT's insurance coverage and shall not contribute to it. Coverage shall apply separately to each insured, except with respect to the limits of liability, and an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds. AGENCY shall be notified by the insurance company or companies within 3 working days of cancellation or substantial modification of the policy.
- e. CONSULTANT hereby waives all rights of subrogation against AGENCY, the County of Ventura, all special districts governed by the Board of Supervisors, and each of their boards, directors, employees and agents for losses arising directly or indirectly from the activities or Work under this contract. The Commercial General Liability, Automobile Liability and Workers' Compensation policies shall contain a provision or endorsement needed to implement CONSULTANT's waiver of these rights of subrogation.

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

- f. Prior to commencement of the Work, CONSULTANT shall furnish AGENCY with certificates of insurance and endorsements effecting all coverage required hereunder. Copies of renewal certificates and endorsements shall be furnished to AGENCY within 30 days of the expiration of the term of any required policy. CONSULTANT shall permit AGENCY at all reasonable times to inspect any policies of insurance required hereunder.

12. Claims and Disputes

- a. Administrative Review. To assert any claim against AGENCY seeking payment of money or damages regarding the Work, an extension of contract time, or an interpretation or adjustment of the terms of this contract, including “pass-through” claims asserted by CONSULTANT on behalf of a Sub consultant (collectively referred to hereinafter as “claim”), CONSULTANT shall first exhaust its administrative remedies by attempting to resolve the claim with AGENCY’s staff in the following sequence: 1) Project Manager, and 2) Executive Officer. CONSULTANT shall initiate the administrative review process no later than 30 days after the claim has arisen by submitting to the Project Manager a written statement describing each claim and explaining why CONSULTANT believes AGENCY is in error, as well as all correspondence and evidence regarding each claim. CONSULTANT may appeal the decision made by the Project Manager to the Executive Officer, provided that AGENCY receives such appeal in writing no later than seven days after the date of the decision being appealed. If CONSULTANT does not appeal a decision to the next level of administrative review within this seven-day period, the decision shall become final and binding and not subject to appeal or challenge.
- b. Arbitration. All CONSULTANT claims not resolved through the administrative review process stated above shall be resolved by arbitration unless AGENCY and CONSULTANT agree in writing, after the claim has arisen, to waive arbitration and to have the dispute litigated in a court of competent jurisdiction. Arbitration shall be pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2 of the Public Contract Code and the regulations promulgated thereto, Chapter 4 (commencing with Section 1300) of Division 2 of Title 1 of the California Code of Regulations (collectively, “Rules for Public Works Contract Arbitrations”). Arbitration shall be initiated by a complaint in arbitration prepared, filed and served in full compliance with all requirements of the Rules for Public Works Contract Arbitrations. CONSULTANT consents and agrees that AGENCY may join it as a party to any arbitration involving third party claims asserted against AGENCY arising from or relating to any Work performed by CONSULTANT hereunder.

13. Compliance with Laws and Regulations; Permits and Licenses

CONSULTANT shall perform its obligations hereunder in compliance with all applicable federal, state, and local laws and regulations. CONSULTANT certifies that it possesses and shall continue to maintain or shall cause to be obtained and maintained, at no cost to AGENCY, all approvals, permissions, permits, licenses, and other forms of documentation required for it and its employees, agents and Sub consultants to comply with all applicable statutes, ordinances, and regulations, or other laws, that apply to performance of the Work. AGENCY is entitled to review and copy all such applications, permits, and licenses which CONSULTANT shall promptly make available upon AGENCY’s request.

14. Prevailing Wage Requirements

Certain Work to be performed under this contract may be considered “public works” subject to Labor Code Division 2, Part 7, Chapter 1, section 1720 et seq.’s prevailing wage, apprenticeship and other labor requirements. CONSULTANT is solely responsible for determining whether the Work, or any portion thereof, is subject to said requirements, and for complying with all such requirements that apply. All such public works projects are subject to compliance monitoring by the California Department of Industrial Relations (DIR). AGENCY has obtained from the DIR general prevailing wage determinations for the locality in which the Work is to be performed that are on file with Ventura County Public Works Agency

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

and are available upon request. CONSULTANT is responsible for posting job site notices as prescribed by regulation pursuant to Labor Code section 1771.4(a)(2). CONSULTANT acknowledges that it is aware of state and federal prevailing wage and related requirements and shall comply with these requirements to the extent applicable to the Work, including, without limitation, Labor Code sections 1771 (payment of prevailing wage), 1771.1 (registration with DIR) and 1771.4 (submission of certified payrolls to Labor Commissioner).

15. Work Product

On completion or termination of the contract, AGENCY shall be entitled to immediate possession of, and CONSULTANT shall promptly furnish, on request, all reports, drawings, designs, computations, plans, specifications, correspondence, data and other work product prepared or gathered by CONSULTANT arising out of or related to the Work (collectively, "Work Product"). AGENCY has a royalty-free nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, Work Product for government purposes. CONSULTANT may retain copies of the Work Product for its files. Work Product prepared by CONSULTANT pursuant to this contract shall not be modified by AGENCY unless CONSULTANT's name, signatures and professional seals are completely deleted. CONSULTANT shall not be responsible for any liabilities to AGENCY for the use of such Work Product that is modified by persons other than CONSULTANT.

16. Miscellaneous

- a. This contract constitutes the entire agreement between the parties regarding the subject matter of hereof and supersedes all previous contracts, agreements, promises, understanding and negotiations, whether written or oral, between the parties regarding the subject matter hereof.
- b. All notices, requests, claims, and other official communications under the contract shall be in writing and transmitted by one of the following methods:
 - (1) Personally delivered.
 - (2) Sent by facsimile where receipt is confirmed.
 - (3) Sent by courier where receipt is confirmed.
 - (4) Sent by registered or certified mail, postage prepaid, return receipt requested.

Such notices and communications shall be deemed given and received upon actual receipt in the case of all except registered or certified mail; and in the case of registered or certified mail, on the date shown on the return receipt or the date delivery during normal business hours was attempted. All notices and communications shall be sent to CONSULTANT at the current address on file with AGENCY for contract payment purposes, and shall be sent to AGENCY as follows:

Fox Canyon Groundwater Management Agency
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670
Email: FCGMA@ventura.org

Either party may change its contact information by providing written notice of the change to the other party in accordance herewith:

- c. No modification, waiver, amendment or discharge of this contract shall be valid unless the same is in writing and signed by duly authorized representatives of both parties.
- d. This contract is for the professional services of CONSULTANT and is non-assignable without prior written consent by AGENCY.
- e. Nothing contained herein shall create a contractual relationship with, or a cause of action in favor of, a third party against either CONSULTANT or AGENCY.

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

- f. Time limits stated herein are of the essence. CONSULTANT is relieved from meeting the time limits due to delays outside its control.
- g. This contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California, and any action, suit, arbitration or other proceeding thereon shall be subject to venue in Ventura County, California.

CONSULTANT:

Dudek

AGENCY:

Fox Canyon Groundwater Management Agency

Signature

Signature

Print Name and Title

Arne Anselm
Interim Executive Officer

**PROFESSIONAL SERVICES CONTRACT
BETWEEN DUDEK AND FCGMA
[OCTOBER 23, 2024]
EXHIBITS**

EXHIBIT A - SCOPE OF WORK AND SERVICES

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND DUDEK FOR PROFESSIONAL CONSULTING SERVICES TO
PREPARE THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

1. Overview of Project and Services

The AGENCY has engaged CONSULTANT to provide professional consulting services to aid AGENCY in preparing the Las Posas Valley Basin 2025 Basin Optimization Yield Study.

2. Scope of Services

CONSULTANT shall provide the following services and work to AGENCY as detailed in CONSULTANT's October 10, 2024, proposal:

Task 1 - Model Scenario Development

The Judgment requires development of a Basin Optimization Plan that defines the suite of projects that are likely to be “practical, reasonable, and cost-effective to implement prior to 2040 to maintain the Operating Yield at 40,000 AFY or as close thereto as achievable” (Section 5.3.2.2 of the Judgment). The Judgment requires that FCGMA prepare an initial draft of the Basin Optimization Plan that will include project details (e.g. schedules, costs, feasibility, etc.), a project prioritization schedule, and a schedule for the Basin Optimization Projects to be evaluated, scoped, designed, financed, and developed (Section 5.3.2.4 and 5.3.2.5 of the Judgment). The Basin Optimization Plan has not been adopted by the Watermaster Board. To facilitate efficient development of the BOY Study, Dudek will use the project feasibility and implementation timelines in the draft Basin Optimization Plan to prepare a proposed suite of projects for inclusion in the BOY Study. As needed and appropriate, Dudek will coordinate with FCGMA and individual project proponents to define the project implementation details required for modeling, such as proposed in lieu and recycled water delivery recipients, conditions amenable to stormwater diversion along the Arroyo Las Posas, and timelines/conditions favorable for using Calleguas facilities for LPVB replenishment.

- The model scenario will only include projects identified in the draft Basin Optimization Plan that are “practical, reasonable, and cost-effective to implement prior to 2040”.
- Prior to performing any modeling simulations, Dudek will present the proposed model scenarios and BOY Study project suite at one TAC meeting.
- TAC recommendations on alterations to the model scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- After completing the modeling for Baseline and Projects scenarios, Dudek will discuss the model results, proposed methods for developing alternative pumping scenarios, and proposed methods for estimating the Basin Optimization Yield using the numerical model results at one TAC meeting.
- TAC recommendations on the model results, proposed methods for developing alternative pumping scenarios, and proposed methods for estimating the Basin Optimization Yield will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.

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- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.
- If individual project proponents do not respond to a request for additional information on project implementation details Dudek will use professional judgment to develop the project scenario.

Deliverables:

- Matrix, in either Microsoft Excel or PDF form, that relates the proposed model scenarios, proposed Basin Optimization Projects considered for the numerical modeling, and the party responsible to conduct the Project modeling (i.e., Dudek or United Water Conservation District).

Task 2 – East Las Posas Management Area (ELPMA) Numerical Modeling

2.1 Baseline Scenario

Following development of the BOY Study project suite, Dudek will develop a baseline scenario that simulates groundwater conditions in the ELPMA through water year 2069. To remain consistent with the GSP, the baseline scenario will use the hydrologic period from 1930-1979, modified by DWR's 2070 central tendency climate change factors. Groundwater withdrawals in the baseline model scenario will be set equal to the allocations in the Groundwater Allocation Schedule prepared in accordance with the Water Rights Holders in the ELPMA. The baseline model scenario will not include projects identified in the Basin Optimization Plan. Using the simulation results from the baseline scenario, Dudek will develop groundwater budgets, calculate the change in groundwater in storage, and compare groundwater levels at key wells to the minimum thresholds and measurable objectives in the ELPMA to characterize future groundwater conditions in the absence of implementing new projects.

- The Baseline scenario will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Update.
- Baseline modeling will not include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocations in the Groundwater Allocation schedule prepared in accordance with the Water Rights Holders in the ELPMA.
- Dudek will present the completed modeling results for both the Baseline and Projects scenarios at one TAC meeting.
- TAC recommendations on the completed model results for the Baseline and Projects scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.

Deliverables:

- Baseline scenario input and output files.

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- Tabulated monthly and annual groundwater budgets for the ELPMA and Epworth Gravels Management Area.
- Simulated groundwater elevation hydrographs for all key wells in the ELPMA and Epworth Gravels Management Area, provided in Microsoft Excel format.

2.2 Projects Scenario

Following completion of the Baseline model scenario, Dudek will develop a Projects scenario that integrates Basin Optimization Projects that are “practical, reasonable, and cost-effective to implement prior to 2040” and identified in the draft Basin Optimization Plan. Dudek will simulate operation of the Basin Optimization Projects according to the schedules and scales defined in the draft Basin Optimization Plan. To evaluate the benefits of implementing basin optimization projects, the Projects model scenario will use the same hydrology and groundwater pumping as the Baseline model scenario. Using the simulation results from the Projects scenario, Dudek will develop groundwater budgets, calculate the change in groundwater in storage, and compare groundwater levels at key wells to the minimum thresholds and measurable objectives in the ELPMA to characterize future groundwater conditions. Dudek will compare these model results to the Baseline scenario results to provide a quantitative estimate of Basin Optimization Project benefits.

- The Project Model Scenario will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Periodic Evaluation.
- Baseline modeling will not include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocations in the Groundwater Allocation Schedule prepared in accordance with the Water Rights Holders in the ELPMA.
- Dudek will present the completed modeling results for both the Baseline and Projects scenarios at one TAC meeting.
- TAC recommendations on the completed model results for the Baseline and Projects scenarios will be requested in a written recommendation report to be submitted to the Watermaster within 14 days of the Dudek presentation at the TAC meeting.
- The costs associated with TAC consultation are accounted for in Task 6, Committee Meetings.

Deliverables:

- Projects scenario input and output files.
- Tabulated monthly and annual groundwater budgets for the ELPMA and Epworth Gravels Management Area.
- Simulated groundwater elevation hydrographs for all key wells in the ELPMA and Epworth Gravels Management Area, provided in Microsoft Excel format.

2.3 Alternative Pumping Scenarios and Rampdown Rate

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If the Basin Optimization Projects do not avoid undesirable results in the ELPMA, Dudek will perform up to three (3) additional scenarios to define a groundwater production rate that avoids undesirable results. For these scenarios, Dudek will uniformly reduce groundwater extractions across the ELPMA until undesirable results are avoided. These model runs will incorporate the same Basin Optimization Projects as the Projects scenario. Dudek has not included scope and budget to simulate localized restrictions on extractions within the ELPMA, as defined in section 4.10.3 of the Judgement. If the BOY is lower than 40,000 AFY, Dudek will calculate the Rampdown Rate in accordance with Section 4.10.1.4 of the Judgement.

Assumptions:

- The alternative pumping scenarios will be modeled using the existing version of the numerical groundwater flow model of the ELPMA (CMWD 2018). This model is currently being used for development of the 2025 LPVB GSP Periodic Evaluation. The alternative pumping scenarios modeling will not include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocation schedule set forth in Exhibit C and the Protocols and Formulas to Determine Allocations in Exhibit D of the Judgement.
- Alternative pumping scenarios will not include localized restrictions on extractions within the ELPMA.
- Results from the alternative pumping scenarios will not undergo PAC and/or TAC review until committee review of the draft BOY Study.

Deliverables:

- Alternative Pumping scenario input and output files.
- Tabulated monthly and annual groundwater budgets for the ELPMA and Epworth Gravels Management Area.
- Simulated groundwater elevation hydrographs for all key wells in the ELPMA and Epworth Gravels Management Area, provided in Microsoft Excel format.
- Spreadsheet(s) documenting Rampdown Rate calculations.

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Task 3 – WLPMA Modeling Coordination

This task consists of scope and budget to attend up to five (5) coordination calls, develop up to five (5) pumping scenarios, and analyze up to five (5) sets of numerical model outputs provided by UWCD for incorporation into the BOY Study.

- All numerical modeling for the WLPMA will be performed by UWCD using the same version of the Ventura Regional Groundwater Flow Model that is being used to support preparation of the 2025 GSP Updates for the Oxnard Subbasin, Pleasant Valley Basin, and LPVB.
- The WLPMA modeling will not include model validation, re-calibration, or uncertainty quantification.
- Well by well extraction rates will be defined using the allocation schedule set forth in Exhibit C and the Protocols and Formulas to Determine Allocations in Exhibit D of the Judgement in accordance with the Water Rights Holders in the WLPMA.
- Alternative pumping scenarios will not include localized restrictions on extractions within the WLPMA.

Deliverables:

- Attendance at coordination calls.
- Meeting summaries / notes from coordination calls.
- Excel spreadsheets with summary analyses based on UWCD numerical model results.
- Simulated groundwater elevation hydrographs for all key wells in the WLPMA.
- Spreadsheet(s) documenting Rampdown Rate calculations.

Task 4 – Draft and Final Basin Optimization Yield Study

Dudek will summarize results from the numerical modeling in the draft BOY Study. Dudek will prepare one (1) draft BOY Study and, pursuant to the Judgment, provide the draft to the PAC and TAC for review and comment. Dudek will, as appropriate and in consultation with FCGMA, revise the draft BOY Study based on feedback from the PAC and TAC. The revised draft BOY Study will be provided to the Watermaster Board for review and discussion. Dudek will prepare the final BOY Study based on feedback provided by the Watermaster Board and will submit a final BOY Study for approval by Watermaster Board meeting.

- Dudek will provide electronic copies of the draft BOY Study to the PAC and TAC.
- The draft BOY Study will undergo one (1) round of internal review by FCGMA staff, one (1) round of external review by the LPVB PAC and TAC, and one (1) round of external review by Watermaster Board.
- The PAC will provide one (1) redline edit version of the draft BOY study with all PAC member comments collected for Dudek to review.
- The TAC will provide one (1) redline edit version of the draft BOY study with all TAC member comments collected for Dudek to review.

Deliverables:

- One (1) draft BOY study for internal review by FCGMA staff. One (1) redlined version of the draft BOY study documenting revisions based on FCGMA staff comments.

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- One (1) draft BOY study for external TAC and PAC review. One (1) redlined version of the draft BOY study documenting revisions based on TAC and PAC comments.
- One (1) draft BOY study for external review by Watermaster Board. One (1) redlined version of the draft BOY study documenting revisions, as necessary, based on Watermaster Board comments.
- One (1) final BOY study for adoption by Watermaster Board.

Task 5 – Watermaster Recommendation Response Report

The Judgment requires that the draft BOY Study scope of work and draft BOY Study be provided to the PAC and TAC for formal review and comment. The PAC and TAC may provide the Watermaster with recommendation reports for both the BOY Study scope of work and BOY Study that shall be presented to the Watermaster Board. Prior to presenting the recommendations to the Board, Watermaster staff may prepare formal response reports that document responses to the PAC and TAC recommendations. Dudek has included time and budget to support the Watermaster staff in the development of response reports for both the draft scope of work and BOY Study. The time and budget provided is based on Dudek's professional judgement. If PAC and TAC comments vary greatly from our estimate, we will discuss options for addressing these comments with FCGMA staff. If Dudek and staff agree that the time budgeted below is insufficient to address the comments, Dudek will prepare a revised budget for Watermaster approval detailing the additional work required to adequately respond to the comments.

Assumptions:

Dudek will prepare one (1) draft response report for the BOY study scope of work recommendation report and one (1) draft response report for the BOY Study recommendation report. Each draft response report will be provided to FCGMA for one (1) round of internal review.

- Dudek will, as appropriate and in consultation with FCGMA staff, revise the draft response reports and provide the Watermaster with one (1) electronic copy for consideration during review of the BOY Study scope of work and BOY Study report

Deliverables:

- One (1) draft response report for the BOY study scope of work recommendation report and one (1) draft response report for the BOY Study recommendation report for internal review by FCGMA staff. One (1) redlined version of each response report documenting revisions based on FCGMA staff comments.
- One (1) final response report, in electronic form, for the BOY Study scope of Work and one (1) final response report, in electronic form, for the BOY Study recommendation report.

Task 6 – Committee Meetings

The Judgment requires that the BOY Study be developed in consultation with the PAC and TAC and approved by the Watermaster Board. To support these coordination efforts, Dudek has included time to prepare for and attend both in-person and virtual meetings to discuss the

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development of the BOY Study with the TAC4 and Watermaster Board. Under this task Dudek will prepare for and attend up to seven (7) meetings according to the following schedule:

| Meeting No. | Committee | Type |
|-------------|--|------------------------------|
| 1 | Review of Baseline and Projects modeling assumptions | Technical Advisory Committee |
| 2 | Review of Modeling Approach and Discussion of Recommendation Reports | Watermaster Board |
| 3 | Review of Baseline and Projects modeling results and assumptions for alternative pumping scenarios | Technical Advisory Committee |
| 4 | Draft Study | Watermaster Board |
| 5 | Recommendations on the Draft Study | Technical Advisory Committee |
| 6 | Recommendations on the Draft Study | Watermaster Board |
| 7 | Adoption of the BOY Study | Watermaster Board |

Deliverables:

- Attendance at TAC and Board Meetings.
- Presentation materials for each TAC and Board Meeting attended.

Task 7 – Project Management

The BOY Study will be developed over a 10-month time frame (Table 2). To facilitate efficient development of the BOY Study, Dudek has included scope and budget for biweekly (every other week) coordination calls with FCGMA staff, and general project management activities.

Deliverables:

- Draft agendas delivered prior to each coordination call.
- Attendance at coordination calls.
- Monthly status reports and invoices.

[End of Exhibit A]

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EXHIBIT B - TIME SCHEDULE

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND DUDEK FOR PROFESSIONAL CONSULTING SERVICES TO
PREPARE THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

1. Schedule

Notwithstanding Section 2 (Term) of the Contract, all Work to be performed by CONSULTANT on this Contract shall be completed **by October 10, 2025**.

CONSULTANT shall complete tasks as follows:

| Task | Schedule |
|--|--------------------------------------|
| Task 1 Model Scenario Development | 1/6/2025 |
| Task 2 – ELPMA Modeling | - |
| Task 2.1 – Baseline Scenario | 2/28/2025 |
| Task 2.2 – Projects Scenario | 2/28/2025 |
| Task 2.3 – Alternative Pumping Scenarios and Rampdown Rate | 5/10/2025 |
| Task 3 – WLPMA Model Coordination | 5/10/2025 |
| Task 4 – Draft and Final Basin Optimization Yield Study | 6/2/2025 (Draft) 9/3/2025 (Final) |
| Task 5 – Watermaster Recommendation Reports | 10/23/2024 to 8/27/2025 |
| Task 6 – Committee Meetings | 10/23/2024 to 9/24/2025 |
| Task 7 – Project Management | 10/23/2024 to 9/24/2025 |

- This schedule assumes that the modeling for the Basin Optimization Yield study will begin after the draft Basin Optimization Plan is complete. Dudek anticipates that the draft Basin Optimization Plan will be completed by December 9, 2024, which would facilitate preparation of the draft Basin Optimization Yield study by June 2025. If the draft Basin Optimization Plan is not prepared in this timeframe, Dudek will coordinate with FCGMA to prepare a revised schedule with committee consultation.
- Preparation of the complete draft Basin Optimization Plan assumes timely consultation and responses from project proponents.
- This schedule assumes that TAC will prepare recommendation reports for the Watermaster within fourteen (14) days of receiving presentation on: (i) the Model Scenario Development

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[OCTOBER 23, 2024]
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approach, and (ii) the results from the Baseline and Projects scenarios and approach for simulating Alternative Pumping scenarios.

- This schedule assumes that TAC and PAC will submit their respective recommendation report on the BOY Study to the Watermaster no later than August 11, 2025 (70 days after receiving the draft). If the response reports from TAC and PAC are received after August 11, 2025 Dudek cannot guarantee that the final BOY Study will be available by September 10, 2025 for incorporation into the Watermaster Board packet.
- This schedule additionally assumes that the numerical modeling performed by UWCD will be completed in coordination with FCGMA and Dudek over a five (5) month time frame, with the Baseline and Projects Scenarios completed by 2/7/2025 and the Alternative Pumping Scenarios completed by 4/19/2025. Dudek will work with FCGMA and UWCD to facilitate this. Dudek does not assume any responsibility for delays to UWCD modeling deliverables resulting from changes in UWCD staffing needs and schedules.
- In the event that the numerical modeling cannot be performed within this time frame, Dudek will coordinate with FCGMA to prepare a revised schedule with committee consultation.

2. Delays

If all work under this contract cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fee for the work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the work was required to be complete as specified in Exhibit B until the time the work can actually be completed. Any payments of additional fee as described in this paragraph must be authorized by AGENCY with a modification to this contract.

[End of Exhibit B]

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
BETWEEN DUDEK AND FCGMA
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EXHIBIT C – Fees and Payments

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND DUDEK FOR PROFESSIONAL CONSULTING SERVICES
TO PREPARE THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

1. Compensation Summary

The following summarizes the maximum amount of compensation available to CONSULTANT under this contract. The actual amount of compensation shall be established and paid in accordance with the applicable provisions of the contract including this Exhibit C.

Maximum Fees for Basic Services: **\$ 212,500**

Total Amount Not to Exceed: **\$ 212,500**

2. Fees for Basic Services

AGENCY agrees to pay CONSULTANT the following fees for the performance of Basic Services

☒ An **hourly rate** compensation, for actual hours of Basic Services performed that is based upon the hourly rates set forth in the following rate schedule, which rates shall remain fixed for the duration of the contract, not to exceed the **maximum fee amount of the Contract of \$ 212,500**. The maximum fees for the respective tasks identified in Exhibit A as well as the total maximum fee amount are shown in the below Task table. In no case shall a fee for a specific task exceed that listed below without prior written approval by the AGENCY. Rates to be charged are identified in the Rate Table listed below.

Rate Table

| <u>Item</u> | <u>Position/Equipment</u> | <u>Unit</u> | <u>Rate</u> |
|--------------------|---|--------------------|--------------------|
| 1 | Principal Hydrogeologist III / Eng. III – Jill Weinberger | Hr. | \$320 |
| 2 | Senior Hydrogeologist V / Eng. V – Trevor Jones | Hr. | \$275 |
| 3 | Senior Hydrogeologist II/ Eng. II – Laura Minuto | Hr. | \$245 |
| 4 | Project Hydrogeologist III / Eng. III – Sharllyn Pimentel | Hr. | \$205 |
| 5 | Project Hydrogeologist II / Eng. II – Samira Ismaili | Hr. | \$195 |

Dudek may integrate additional staff into this project, with prior approval from FCGMA. The billing rates for those staff will be based on the 2024 Schedule of Charges included in the October 10, 2024, proposal submitted to FCGMA. Inclusion of additional staff will not change the not-to-exceed contract amount of \$212,500.00.

Task Table

| Task | Description | Maximum Fee |
|-------------|--------------------|--------------------|
|-------------|--------------------|--------------------|

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
BETWEEN DUDEK AND FCGMA
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| | | |
|-----|---|------------------|
| 1 | Model Scenario Development | \$7,555 |
| 2.1 | Baseline Model Scenario | \$20,020 |
| 2.2 | Projects Model Scenario | \$21,400 |
| 2.3 | Alternative Pumping Model Scenario | \$13,590 |
| 3 | WLPMA Modeling Coordination | \$14,420 |
| 4 | Draft and Final Basin Optimization Yield Study Report | \$43,320 |
| 5 | Watermaster Response Reports | \$34,950 |
| 6 | Committee Meetings | \$33,715 |
| 7 | Project Management and Coordination | \$23,530 |
| | | \$212,500 |

4. Delays

If Work cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fees for the Work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the Work was required to be complete as specified in Exhibit B until the time the Work can actually be completed. Any payments of such additional fees must be authorized by AGENCY with a written modification to this contract.

5. Payment

Pursuant to Section 4 of the Contract, AGENCY shall make payments to CONSULTANT as follows:

Requests for Payment

Each request for payment shall include: (i) personnel time records for Basic Services at the rates specified in this Exhibit C if applicable; (ii) receipts for all authorized reimbursable expense, along with the written AGENCY authorization for any specific reimbursable expenses requested for payment if required above.

CONSULTANT shall submit all requests for payment to:

Fox Canyon Groundwater Management AGENCY
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670
FCGMA@ventura.org

Payment Schedule

Payments shall be made monthly by AGENCY upon presentation of a properly completed AGENCY claim form that has been approved by AGENCY.

Timely Invoicing

Item 24B – Dudek Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
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[OCTOBER 23, 2024]
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Timely invoicing by CONSULTANT is required. Delays in invoicing for services performed increases the management effort required by AGENCY to ensure accurate payments to CONSULTANT and manage project budgets. Accordingly, CONSULTANT shall request payment for services no later than 30 calendar days after the date that the services were performed.

CONSULTANT shall submit a final invoice within 30 days of the earliest of the following events: 1) completion and acceptance by AGENCY of all Work required by the contract; or 2) termination of the contract.

[End of Exhibit C]

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, *Chair, Director, Camrosa Water District*
Kelly Long, *Vice Chair, Supervisor, County of Ventura*
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Lynn Maulhardt, *Director, United Water Conservation District*
Tony Trembley, *Mayor, City of Camarillo*

INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with United Water Conservation District to Perform Modeling with the Coastal Plain Model in Support of the 2025 Las Posas Basin Optimization Yield Study – (New Item)

RECOMMENDATIONS: (1) Receive a presentation from Agency Staff; and (2) Approve and authorize the Interim Executive Officer to execute a professional services contract with United Water Conservation District (UWCD) to Perform Modeling with the Coastal Plain Model in Support of the 2025 Las Posas Basin Optimization Yield Study.

BACKGROUND:

The Las Posas Adjudication Judgment (Judgment) requires that Watermaster shall, with Committee Consultation, prepare a Basin Optimization Yield Study which determines the Operating Yield for the Las Posas Valley Basin. This will be established for each Water Year for the period Water Year 2025 through Water Year 2029. (Judgment § 4.10). The 2025 Basin Optimization Yield will establish the Rampdown Rate for the period from Water Year 2025 through Water Year 2039, which may be subject to modification as a result of the subsequent Basin Optimization Yield Studies to be performed in 2030 and in 2035 (Judgment § 4.10.1.4).

INTRODUCTION:

Watermaster referred a draft scope of work to prepare the Las Posas Valley Basin 2025 Basin Optimization Yield Study for Committee Consultation to the Las Posas Valley Technical Advisory Committee (TAC) as required by the Judgment. The TAC discussed the draft scope of work at their regularly scheduled meeting on August 27, 2024. Watermaster staff subsequently received a recommendation report from TAC noting several clarifications and recommendations for model scenario development in the draft scope of work. Watermaster staff and United have included all clarifications and recommendations from TAC in an updated scope of work. The updated scope includes an additional 40 hours of time for United staff to respond to data requests in consultation with TAC.

DISCUSSION:

The United scope of work includes 4 tasks for running the Coastal Plain Model in support of analysis for computing the BOY and Rampdown Rate.

800 South Victoria Avenue, Ventura, CA 93009-1610
(805) 654-2014 www.fcgma.org

The tasks are as follows:

Task 1 – Model Simulations

Task 2 – Data Request Support

Task 3 – Project Management

Task 4 – Project Coordination, Administrative Support and Meetings

In total, the United scope of work would cost a total of \$58,704. Details of each task are outlined below:

Task 1 – Model Simulations

Use the Coastal Plain Model version of the Ventura Regional Groundwater Flow Model used for the GSP First Periodic Evaluation to simulate groundwater conditions in the Oxnard Subbasin, Pleasant Valley Basin, and West Las Posas Management Area (WLPMA) for the period from October 1, 2022, through September 30, 2069.

Conduct up to five (5) total modeling simulations and provide numerical model inputs and outputs for each simulation. These scenarios will include:

- Future Baseline Scenario: Use the same assumptions from the GSP evaluation Future Baseline Scenario, with modifications to WLPMA extractions based on FCGMA/Watermaster Water Year 2024 Groundwater Allocation Schedule (to be provided by FCGMA) – Scenario 1.
- Projects Scenario: Implements projects in the WLPMA based on the Basin Optimization Plan being developed by FCGMA/Dudek. FCGMA will provide modeling input details for the projects – Scenario 2. The suite of projects included in this scenario may differ from those included in the GSP evaluation. Additionally, FCGMA, with input from the LPV Technical Advisory Committee (TAC), will provide direction on the suite of projects to be included in the Oxnard Subbasin and Pleasant Valley Basin – this may differ from the assumptions included in the GSP evaluation modeling.
- Alternative Pumping Scenarios: Up to three (3) additional alternative pumping scenarios, which may be applied to either the Future Baseline Scenario or Projects scenario.

Task 1 cost: \$43,381.80

Task 2 – Data Request Support:

This task provides 40 hours of time for United Staff to respond to data requests, provide model files, hydrographs, contour maps, spreadsheets or other similar data products to enable review and assessment of model performance and findings.

Task 2 Cost: \$8,846.00

Task 3 – Project Management

This task provides United Staff 25 hours for general project management activities such as activities such as invoicing, internal coordination, and model development activities.

Task 3 Cost: \$2,489.35

Task 4 – Project Coordination, Admin Support and Meetings

This task provides specific time for United Staff to participate in meetings to coordinate and communicate project updates, answer questions and provide information regarding model scenarios and operation. This task includes attending up to five (5) coordination calls with FCGMA and Dudek staff, as well as attending three (3) TAC meetings via Zoom.

Task 4 Cost: \$4,346.85

ANTICIPATED SCHEDULE:

| <i>Task</i> | <i>Schedule</i> |
|---|-------------------------|
| Task 1 – Model Simulations | 12/9/2025 to 5/19/2025 |
| Task 2 – Data Request Support | 5/19/2025 to 10/01/2025 |
| Task 3 – Project Management | Project duration |
| Task 4 – Project Coordination, Admin Support, Meetings | Project duration |

Total Contract Cost and Not-to-Exceed Amount: \$58,704.00

CONCLUSION:

Staff recommends the Board approve and authorize the Interim Executive Officer to execute a professional services contract (attached as Exhibit 25A) with United Water Conservation District to Perform Modeling with the Coastal Plain Model in Support of the 2025 Las Posas Basin Optimization Yield Study for a total cost not-to-exceed \$58,704.00.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-3952.

Sincerely,



Robert Hampson
Hydrologist

Attachment:

Exhibit 25A – United Professional Services Contract and Exhibits A, B, and C

Item 25, Exhibit 25A – United Professional Services Contract and Exhibits A, B, and C

PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER MANAGEMENT AGENCY AND UNITED WATER CONSERVATION DISTRICT FOR PROFESSIONAL CONSULTING SERVICES TO PERFORM MODELING WITH THE COASTAL PLAIN MODEL IN SUPPORT OF THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY

This contract is made and entered into this 23th day of October 2024, by and between the Fox Canyon Groundwater Management Agency, hereinafter referred to as AGENCY, and UNITED WATER CONSERVATION DISTRICT, hereinafter referred to as CONSULTANT regarding CONSULTANT's performance of the work and services described in Exhibit A hereto (the "Work"). In consideration of the mutual promises contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Scope of Work; Standard of Performance

AGENCY hereby retains CONSULTANT to perform the Work described in Exhibit A hereto. The Work shall be performed in accordance with the terms and conditions of this contract. In performing the Work CONSULTANT shall exercise the degree of skill and care customarily exercised by professionals in the State of California when providing similar services with respect to similarly complex work and projects.

2. Time Schedule

All Work and any portion thereof separately identified shall be completed within the time provided in the "Time Schedule" attached hereto as Exhibit B. AGENCY will issue a suspension of the contract time when CONSULTANT is delayed by any public agency reviewing documents produced by CONSULTANT under this contract, or to the extent due to acts or omissions of AGENCY. CONSULTANT shall promptly notify AGENCY of any such delays.

3. Fees and Payments

Payment shall be made monthly, or as otherwise provided, on presentation of a completed AGENCY Consultant Services Invoice form in accordance with the "Fees and Payment" provisions attached hereto as Exhibit C.

4. Termination

AGENCY retains the right to terminate this contract for any reason prior to completion of the Work upon five days written notice to CONSULTANT. Upon termination, AGENCY shall pay CONSULTANT for all Work performed prior to such termination, provided however, that such charges shall not exceed the maximum fee specified for completion of any separately identified task/phase of the Work which, at the time of termination, has been started by request of AGENCY, plus the outstanding amount of contract retention withheld to date.

5. Right to Review

AGENCY shall have the right to review the Work at any time during AGENCY's usual working hours. Review, checking, approval or other action by the AGENCY shall not relieve CONSULTANT of CONSULTANT's responsibility for the accuracy and completeness of the Work.

6. Correction of Work

If any Work performed by CONSULTANT does not conform to the requirements and professional standards of this contract, AGENCY may require CONSULTANT to correct the Work until it conforms to

Item 25A – United Professional Services Contract and Exhibits A, B, and C

said requirements and standards at no additional cost to AGENCY. AGENCY may withhold payment for disputed Work until CONSULTANT correctly performs the Work or the dispute is otherwise resolved in accordance with this contract. When the Work to be performed is of such a nature that CONSULTANT cannot correct its performance, AGENCY may reduce the CONSULTANT's compensation to reflect the reduced value of the Work received by AGENCY. If CONSULTANT fails to promptly re-perform the Work, AGENCY may have the Work performed by a third party in conformance with the requirements and professional standards of this contract and charge CONSULTANT, or withhold from payments due CONSULTANT, any costs AGENCY incurs that are directly related to the performance of the corrective work. AGENCY shall not unreasonably withhold or reduce payment for CONSULTANT's Work under this section.

7. Sub consulting

With the prior written consent of AGENCY, CONSULTANT may engage the professional services of sub consultants for the performance of a portion of the Work ("Sub consultants"). CONSULTANT shall be fully responsible for all Work performed by Sub consultants which must be performed in accordance with all terms and conditions of this contract. All insurance requirements set forth in Section 13 below, "Insurance Requirements", shall apply to each Sub consultant, except to the extent such requirements are modified or waived in writing by AGENCY. CONSULTANT shall ensure that each Sub consultant obtains and keeps in force and effect during the term of this contract the required insurance.

8. Independent Contractor

In performing the Work CONSULTANT is an independent contractor and neither CONSULTANT nor its employees, agents or Sub consultants shall be deemed employees of AGENCY for any reason. AGENCY shall have no responsibility or liability for the payment of any salary, wages, unemployment benefits, Workers' Compensation or disability benefits, federal, state or local taxes, or other compensation, benefits, or taxes for any of CONSULTANT's employees, agents, Sub consultants, or any of their respective employees or agents.

9. Duty of Loyalty; Conflicts of Interest

- a. CONSULTANT owes AGENCY a duty of undivided loyalty in performing the Work under this contract, including the obligation to refrain from having economic interests and participating in activities that conflict with AGENCY's interests with respect to the Work and subject project. CONSULTANT shall take reasonable measures to ensure that CONSULTANT, its principals, officers, employees and Sub consultants do not possess a financial conflict of interest with respect to the Work and subject project. CONSULTANT shall promptly inform AGENCY of any matter that could reasonably be interpreted as creating a conflict of interest for CONSULTANT with respect to the Work and subject project.
- b. CONSULTANT acknowledges that the California Political Reform Act ("Act"), Government Code section 81000 et seq., provides that principals, employees and agents of consultants retained by a public agency may be deemed "public officials" subject to the Act if they make or advise AGENCY on decisions or actions to be taken by AGENCY. To the extent AGENCY determines that the Act applies to CONSULTANT or its principals or employees, each designated person shall abide by the Act, including the requirement for public officials to prepare and file statements disclosing specified economic interests, as directed by AGENCY. In addition, CONSULTANT acknowledges and shall abide by the contractual conflict of interest restrictions imposed on public officials by Government Code section 1090 et seq.
- c. During the term of this contract CONSULTANT shall not employ or compensate AGENCY's current employees.

10. Defense and Indemnification

CONSULTANT shall defend, indemnify, and save harmless the AGENCY, including all of its boards, agencies, departments, officers, employees, agents and volunteers (collectively, “Indemnatee”), against any and all claims, lawsuits, judgments, debts, demands and liabilities that arise out of, pertain to, or relate to, and to the extent caused by, the negligence, recklessness or willful misconduct of CONSULTANT or its officers, employees, agents or Sub consultants in the performance of this contract. This indemnity provision does not apply to liability, damages or other loss arising from the sole negligence or willful misconduct of Indemnatee, or to the extent caused by the active negligence of Indemnatee.

11. Insurance Requirements

- a. Without limiting CONSULTANT's duty to defend and indemnify AGENCY as required herein, CONSULTANT shall, at CONSULTANT's sole cost and expense and throughout the term of this contract and any extensions hereof, carry one or more insurance policies that provide at least the following minimum coverage:
 - i. Commercial General Liability insurance shall provide a minimum of \$100,000.00 coverage for each occurrence and \$200,000.00 in general aggregate coverage.
 - ii. Automobile Liability insurance shall provide a minimum of either a combined single limit (CSL) of \$1,000,000.00 for each accident or all of the following: \$250,000.00 bodily injury (BI) per person, and \$500,000.00 bodily injury per accident, and \$100,000.00 property damage (PD). Automobile Liability insurance is not required if the CONSULTANT does no traveling in performing the Work.
 - iii. Workers' Compensation insurance in full compliance with California statutory requirements for all employees of CONSULTANT in the minimum amount of \$1,000,000.00. This Workers' Compensation insurance requirement may only be waived by AGENCY in writing if CONSULTANT is a sole proprietor with no employees and CONSULTANT provides AGENCY with evidence of such before commencing any work under the contract.
- b. With respect to any coverage written on a “claims made” basis, CONSULTANT shall maintain such policy for two years after the term of this contract and such policy shall allow for reporting of circumstances or incidents that may give rise to future claims.
- c. CONSULTANT shall notify AGENCY immediately if CONSULTANT's general aggregate of insurance is exceeded by valid litigated claims in which case additional levels of insurance must be obtained to maintain the above-stated requirements. All required insurance shall be written by a financially responsible company or companies authorized to do business in the State of California.
- d. The Commercial General Liability and Automobile Liability policies shall contain the following provisions or endorsements: The County of Ventura, AGENCY, and their respective officials, employees, and agents shall be named as additional insureds (“Additional Insureds”). All required insurance shall be primary coverage as respects the Additional Insureds, and any insurance or self-insurance maintained by Additional Insureds shall be in excess of CONSULTANT's insurance coverage and shall not contribute to it. Coverage shall apply separately to each insured, except with respect to the limits of liability, and an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds. AGENCY shall be notified by the insurance company or companies within 3 working days of cancellation or substantial modification of the policy.
- e. CONSULTANT hereby waives all rights of subrogation against AGENCY, the County of Ventura, all special districts governed by the Board of Supervisors, and each of their boards, directors, employees and agents for losses arising directly or indirectly from the activities or Work under this contract. The Commercial General Liability, Automobile Liability and Workers' Compensation

Item 25A – United Professional Services Contract and Exhibits A, B, and C

policies shall contain a provision or endorsement needed to implement CONSULTANT's waiver of these rights of subrogation.

- f. Prior to commencement of the Work, CONSULTANT shall furnish AGENCY with certificates of insurance and endorsements effecting all coverage required hereunder. Copies of renewal certificates and endorsements shall be furnished to AGENCY within 30 days of the expiration of the term of any required policy. CONSULTANT shall permit AGENCY at all reasonable times to inspect any policies of insurance required hereunder.

12. Claims and Disputes

- a. Administrative Review. To assert any claim against AGENCY seeking payment of money or damages regarding the Work, an extension of contract time, or an interpretation or adjustment of the terms of this contract, including "pass-through" claims asserted by CONSULTANT on behalf of a Sub consultant (collectively referred to hereinafter as "claim"), CONSULTANT shall first exhaust its administrative remedies by attempting to resolve the claim with AGENCY's staff in the following sequence: 1) Project Manager, and 2) Executive Officer. CONSULTANT shall initiate the administrative review process no later than 30 days after the claim has arisen by submitting to the Project Manager a written statement describing each claim and explaining why CONSULTANT believes AGENCY is in error, as well as all correspondence and evidence regarding each claim. CONSULTANT may appeal the decision made by the Project Manager to the Executive Officer, provided that AGENCY receives such appeal in writing no later than seven days after the date of the decision being appealed. If CONSULTANT does not appeal a decision to the next level of administrative review within this seven-day period, the decision shall become final and binding and not subject to appeal or challenge.
- b. Arbitration. All CONSULTANT claims not resolved through the administrative review process stated above shall be resolved by arbitration unless AGENCY and CONSULTANT agree in writing, after the claim has arisen, to waive arbitration and to have the dispute litigated in a court of competent jurisdiction. Arbitration shall be pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2 of the Public Contract Code and the regulations promulgated thereto, Chapter 4 (commencing with Section 1300) of Division 2 of Title 1 of the California Code of Regulations (collectively, "Rules for Public Works Contract Arbitrations"). Arbitration shall be initiated by a complaint in arbitration prepared, filed and served in full compliance with all requirements of the Rules for Public Works Contract Arbitrations. CONSULTANT consents and agrees that AGENCY may join it as a party to any arbitration involving third party claims asserted against AGENCY arising from or relating to any Work performed by CONSULTANT hereunder.

13. Compliance with Laws and Regulations; Permits and Licenses

CONSULTANT shall perform its obligations hereunder in compliance with all applicable federal, state, and local laws and regulations. CONSULTANT certifies that it possesses and shall continue to maintain or shall cause to be obtained and maintained, at no cost to AGENCY, all approvals, permissions, permits, licenses, and other forms of documentation required for it and its employees, agents and Sub consultants to comply with all applicable statutes, ordinances, and regulations, or other laws, that apply to performance of the Work. AGENCY is entitled to review and copy all such applications, permits, and licenses which CONSULTANT shall promptly make available upon AGENCY's request.

14. Prevailing Wage Requirements

Certain Work to be performed under this contract may be considered "public works" subject to Labor Code Division 2, Part 7, Chapter 1, section 1720 et seq.'s prevailing wage, apprenticeship and other labor requirements. CONSULTANT is solely responsible for determining whether the Work, or any portion thereof, is subject to said requirements, and for complying with all such requirements that apply. All such public works projects are subject to compliance monitoring by the California Department of Industrial

Item 25A – United Professional Services Contract and Exhibits A, B, and C

Relations (DIR). AGENCY has obtained from the DIR general prevailing wage determinations for the locality in which the Work is to be performed that are on file with Ventura County Public Works Agency and are available upon request. CONSULTANT is responsible for posting job site notices as prescribed by regulation pursuant to Labor Code section 1771.4(a)(2). CONSULTANT acknowledges that it is aware of state and federal prevailing wage and related requirements and shall comply with these requirements to the extent applicable to the Work, including, without limitation, Labor Code sections 1771 (payment of prevailing wage), 1771.1 (registration with DIR) and 1771.4 (submission of certified payrolls to Labor Commissioner).

15. Work Product

On completion or termination of the contract, AGENCY shall be entitled to immediate possession of, and CONSULTANT shall promptly furnish, on request, all reports, drawings, designs, computations, plans, specifications, correspondence, data and other work product prepared or gathered by CONSULTANT arising out of or related to the Work (collectively, "Work Product"). AGENCY has a royalty-free nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, Work Product for government purposes. CONSULTANT may retain copies of the Work Product for its files. Work Product prepared by CONSULTANT pursuant to this contract shall not be modified by AGENCY unless CONSULTANT's name, signatures and professional seals are completely deleted. CONSULTANT shall not be responsible for any liabilities to AGENCY for the use of such Work Product that is modified by persons other than CONSULTANT.

16. Miscellaneous

- a. This contract constitutes the entire agreement between the parties regarding the subject matter of hereof and supersedes all previous contracts, agreements, promises, understanding and negotiations, whether written or oral, between the parties regarding the subject matter hereof.
- b. All notices, requests, claims, and other official communications under the contract shall be in writing and transmitted by one of the following methods:
 - (1) Personally delivered.
 - (2) Sent by facsimile where receipt is confirmed.
 - (3) Sent by courier where receipt is confirmed.
 - (4) Sent by registered or certified mail, postage prepaid, return receipt requested.

Such notices and communications shall be deemed given and received upon actual receipt in the case of all except registered or certified mail; and in the case of registered or certified mail, on the date shown on the return receipt or the date delivery during normal business hours was attempted. All notices and communications shall be sent to CONSULTANT at the current address on file with AGENCY for contract payment purposes, and shall be sent to AGENCY as follows:

Fox Canyon Groundwater Management Agency
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670
Email: FCGMA@ventura.org

Either party may change its contact information by providing written notice of the change to the other party in accordance herewith:

- c. No modification, waiver, amendment or discharge of this contract shall be valid unless the same is in writing and signed by duly authorized representatives of both parties.
- d. This contract is for the professional services of CONSULTANT and is non-assignable without prior written consent by AGENCY.

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- e. Nothing contained herein shall create a contractual relationship with, or a cause of action in favor of, a third party against either CONSULTANT or AGENCY.
- f. Time limits stated herein are of the essence. CONSULTANT is relieved from meeting the time limits due to delays outside its control.
- g. This contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California, and any action, suit, arbitration or other proceeding thereon shall be subject to venue in Ventura County, California.

CONSULTANT:

United Water Conservation District

AGENCY:

Fox Canyon Groundwater Management Agency

Signature

Signature

Print Name and Title

Arne Anselm
Interim Executive Officer

PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
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EXHIBIT A - SCOPE OF WORK AND SERVICES

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND UNITED WATER CONSERVATION DISTRICT FOR
PROFESSIONAL CONSULTING SERVICES TO PERFORM MODELING WITH THE COASTAL
PLAIN MODEL IN SUPPORT OF THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD
STUDY**

1. Overview of Project and Services

The AGENCY has engaged CONSULTANT to provide professional services to aid AGENCY in operating and analyzing the Coastal Plain Model version of the Ventura Regional Groundwater Flow Model (model) in conducting up to five (5) modeling simulations for the Las Posas Valley Basin Optimization Yield Study, pursuant to section 4.10 of the Las Posas Basin Adjudication.

2. Scope of Services

CONSULTANT shall provide the following services and work to AGENCY as detailed in CONSULTANT's October 3, 2024, proposal:

Task 1 – Model Simulations

This task includes a total of five (5) model simulations.

Conduct one (1) simulation to analyze future baseline conditions in the West Las Posas Valley. Using the same assumptions from the Groundwater Sustainability Plan (GSP) evaluation Future Baseline Scenario, with modifications to WLPMA extractions based on FCGMA/Watermaster Water Year 2024 Groundwater Allocation Schedule as provided by FCGMA.

Conduct one (1) simulation to analyze a projects scenario. Run the Coastal Plain Model to simulate WLPMA based on the Basin Optimization Plan being developed by FCGMA/Dudek. FCGMA will provide modeling input details for the projects. FCGMA, with input from the LPV Technical Advisory Committee (TAC), will provide direction on the suite of projects to be included in the Oxnard Subbasin and Pleasant Valley Basin.

Conduct up to three (3) additional simulations, which may be applied to either the Future Baseline Scenario or Projects Scenario.

Deliverables:

- Model input and output files
- Model input file supporting analyses (e.g., spreadsheets used to estimate distribution of water supplies and pumping in the Oxnard Subbasin, Pleasant Valley Basin, and WLPMA)
- Water budgets presented in tabular monthly output format
- Groundwater elevation hydrographs at each key well in (West Las Poasa Management Area) WLPMA presented in a tabular monthly output format
- Groundwater elevation contour maps for the Upper San Pedro Formation, Fox Canyon Aquifer, and Grimes Canyon Aquifer, inclusive of:
 - Spring contours from the wettest water year in the simulation period, as a shapefile
 - Fall contours from the driest water year in the simulation period, as a shapefile

PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
OCTOBER 23, 2024
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- Net flux between the Oxnard Subbasin and the WLPMA by aquifer, in tabular monthly output format

Task 2 – Data Request Support

This task provides time for CONSULTANT to address data requests, clarifications and model files for appropriate technical review by TAC, FCGMA Staff and/or Dudek. These data requests may include:

- Spreadsheets tabulating groundwater extractions for specific wells in the model
- Surface water deliveries throughout the Oxnard Basin, Pleasant Valley Basin, and WLPMA
- Hydrologic data used in the surface water and groundwater model

Deliverables:

Response to data requests over email. Data may be provided in the tabular format, graphs or other acceptable formats.

Task 3 – Project Management

This task provides time for CONSULTANT to perform general project management activities such as invoicing, internal coordination, and model development activities.

Task 4 – Project Coordination, Admin Support and Meetings

Participate in calls and TAC meetings to coordinate and communicate project updates, answer constituent questions and provide information regarding model scenarios and operation.

Deliverables

- Attend up to five (5) coordination video calls with FCGMA and Dudek.
- Attend up to three (3) TAC meetings (via Zoom).

[End of Exhibit A]

PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
OCTOBER 23, 2024
EXHIBITS

EXHIBIT B - TIME SCHEDULE

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND UNITED WATER CONSERVATION DISTRICT FOR
PROFESSIONAL CONSULTING SERVICES TO RUN THE COASTAL PLAIN MODEL IN
SUPPORT OF THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

1. Schedule

Notwithstanding Section 2 (Term) of the Contract, all Work to be performed by CONSULTANT on this Contract shall be completed **by October 10, 2025**.

CONSULTANT shall complete tasks as follows:

| Task | Schedule |
|--|-------------------------|
| Task 1 – Model Simulations | 12/9/2025 to 5/19/2025 |
| Task 2 – Data Request Support | 5/19/2025 to 10/01/2025 |
| Task 3 – Project Management | Project duration |
| Task 4 – Project Coordination, Admin Support and Meetings | Project duration |

2. Delays

If all work under this contract cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fee for the work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the work was required to be complete as specified in Exhibit B until the time the work can actually be completed. Any payments of additional fee as described in this paragraph must be authorized by AGENCY with a modification to this contract.

[End of Exhibit B]

Item 25A – United Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
OCTOBER 23, 2024
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EXHIBIT C – Fees and Payments

**PROFESSIONAL SERVICES CONTRACT BETWEEN THE FOX CANYON GROUNDWATER
MANAGEMENT AGENCY AND UNITED WATER CONSERVATION DISTRICT FOR
PROFESSIONAL CONSULTING SERVICES TO RUN THE COASTAL PLAIN MODEL IN
SUPPORT OF THE LAS POSAS BASIN 2025 BASIN OPTIMIZATION YIELD STUDY**

1. Compensation Summary

The following summarizes the maximum amount of compensation available to CONSULTANT under this contract. The actual amount of compensation shall be established and paid in accordance with the applicable provisions of the contract including this Exhibit C.

Maximum Fees for Basic Services: **\$ 58,704.00**

Total Amount Not to Exceed: **\$ 58,704.00**

2. Fees for Basic Services

AGENCY agrees to pay CONSULTANT the following fees for the performance of Basic Services

☒ An **hourly rate** compensation, for actual hours of Basic Services performed that is based upon the hourly rates set forth in the following rate schedule, which rates shall remain fixed for the duration of the contract, not to exceed the **maximum fee amount of the Contract of \$ 58,704.00** The maximum fees for the respective tasks identified in Exhibit A as well as the total maximum fee amount are shown in the below Task table. In no case shall a fee for a specific task exceed that listed below without prior written approval by the AGENCY. Rates to be charged are identified in the Rate Table listed below.

Rate Table

SEE ATTACHMENT A

UNITED WATER CONSERVATION DISTRICT STAFF HOURS AND FEES

SEE ATTACHMENT B

UNITED WATER CONSERVATION DISTRICT RATE TABLE

Task Table

| Task | Description | Maximum Fee |
|------|--|-------------|
| 1 | Model Simulations | \$43,381.80 |
| 2 | Data Request Support | \$8,846.00 |
| 3 | Project Management | \$2,489.35 |
| 4 | Project Coordination, Admin Support and Meetings | \$4,346.85 |

Item 25A – United Professional Services Contract and Exhibits A, B, and C

PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
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| | | |
|---------------------|---------------------|---------------------------|
| <u>Total</u> | <u>Total</u> | <u>\$58,704.00</u> |
|---------------------|---------------------|---------------------------|

4. Delays

If Work cannot be completed by the dates specified in Exhibit B through no fault of CONSULTANT, the fees for the Work not then completed may be adjusted to reflect increases in cost which occur, due to delay, from the date that the Work was required to be complete as specified in Exhibit B until the time the Work can actually be completed. Any payments of such additional fees must be authorized by AGENCY with a written modification to this contract.

5. Payment

Pursuant to Section 4 of the Contract, AGENCY shall make payments to CONSULTANT as follows:

Requests for Payment

Each request for payment shall include: (i) personnel time records for Basic Services at the rates specified in this Exhibit C if applicable; (ii) receipts for all authorized reimbursable expense, along with the written AGENCY authorization for any specific reimbursable expenses requested for payment if required above.

CONSULTANT shall submit all requests for payment to:

Fox Canyon Groundwater Management AGENCY
800 South Victoria Avenue, L#1610
Ventura, CA 93009-1670
FCGMA@ventura.org

Payment Schedule

Payments shall be made monthly by AGENCY upon presentation of a properly completed AGENCY claim form that has been approved by AGENCY.

Timely Invoicing

Timely invoicing by CONSULTANT is required. Delays in invoicing for services performed increases the management effort required by AGENCY to ensure accurate payments to CONSULTANT and manage project budgets. Accordingly, CONSULTANT shall request payment for services no later than 30 calendar days after the date that the services were performed.

CONSULTANT shall submit a final invoice within 30 days of the earliest of the following events: 1) completion and acceptance by AGENCY of all Work required by the contract; or 2) termination of the contract.

[End of Exhibit C]

Item 25A – United Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
OCTOBER 23, 2024
EXHIBITS**

**ATTACHMENT A
UNITED WATER CONSERVATION DISTRICT STAFF HOURS AND FEES**

Item 25A – United Professional Services Contract and Exhibits A, B, and C

**PROFESSIONAL SERVICES CONTRACT
BETWEEN UNITED WATER CONSERVATION DISTRICT AND FCGMA
OCTOBER 23, 2024
EXHIBITS**

**ATTACHMENT B
UNITED WATER CONSERVATION DISTRICT RATE TABLE**

Item 25, Exhibit 25A – United Professional Services Contract and Exhibits A, B, and C Attachment

| United Water Conservation District Staff Hours and Fees | | | | | | | | | | | | |
|--|--|-----------------|-----------------------|---|--------------------------------------|----------------|-------------|-----------------------|---|--------------------------------------|----------------|--------------|
| TASK | | | Staff Hours | | | | | Fees | | | | |
| | | | Principal Hydrologist | Hydrogeologist/ Water Resources Engineer | Supervisory Water Resources Engineer | Chief Enginner | Total Hours | Principal Hydrologist | Hydrogeologist/ Water Resources Engineer | Supervisory Water Resources Engineer | Chief Enginner | Sum |
| 1 | 5 Model Simulations | Pre-Processing | 20 | 100 | 100 | | 220 | 2710.8 | 11798 | 15316 | | \$ 29,824.80 |
| | | Post Processing | | 50 | 50 | | 100 | | 5899 | 7658 | | \$ 13,557.00 |
| 2 | Data Request Support | | | 20 | 40 | | 60 | | 2359.6 | 6126.4 | | \$ 8,486.00 |
| 3 | Project Management | | | | 10 | 5 | 10 | | | 1531.6 | 957.75 | \$ 2,489.35 |
| 4 | Project Coordination, Admin Support and Meetings | | 5 | 10 | 10 | 5 | 10 | 677.7 | 1179.8 | 1531.6 | 957.75 | \$ 4,346.85 |
| TOTALS => | | | 25 | 180 | 210 | 10 | 400 | \$ 3,388.50 | \$ 21,236.40 | \$ 32,163.60 | \$ 1,915.50 | \$ 58,704.00 |

The estimated level (hours) of efforts mentioned above may vary among UCWD staff during the modeling process. United's staff not listed in the table may contribute to the modeling effort under the direction of the Supervisory Water Resources Engineer. Billing rates for their involvement will be based on Exhibit C. The total Not-To-Exceed Limit fee remains unchanged.

**Item 25, Exhibit 25A – United Professional Services Contract and Exhibits A, B, and C
Attachment 2**

United Water Conservation District

FY 2024-25 Rates

Step 5

| Position | FY 24-25 Billing Rates | FY 23-24 Billing Rates | % Change |
|--|------------------------|------------------------|----------|
| Accountant | 80.60 | 78.28 | 2.97% |
| Accounting Technician | 64.23 | 62.46 | 2.84% |
| Administrative Assistant I | 61.76 | 48.49 | 27.36% |
| Administrative Assistant III | 65.08 | 65.21 | -0.19% |
| Assistant General Manager | 207.29 | 205.69 | 0.78% |
| Associate Environmental Scientist | 84.00 | 81.04 | 3.66% |
| Associate Hydrologist | 86.97 | 84.56 | 2.86% |
| Chief Engineer | 191.55 | 184.53 | 3.80% |
| Chief Financial Officer | 190.29 | 184.52 | 3.13% |
| Chief Human Resources Officer | 190.57 | 183.82 | 3.67% |
| Chief Operations Officer | 190.28 | 184.20 | 3.30% |
| Chief Water Treatment Operator | - | 120.37 | -100.00% |
| Control Systems Programmer | 90.76 | 68.08 | 33.32% |
| Control Systems Technician | 104.95 | 103.98 | 0.94% |
| Controls System Supervisor | 119.15 | 117.80 | 1.14% |
| Dam Operator | 97.86 | 95.00 | 3.01% |
| Engineer | 118.96 | 114.79 | 3.63% |
| Engineering Manager | 153.47 | 149.35 | 2.76% |
| Engineering Assistant/ GIS Analyst | 83.35 | 81.05 | 2.83% |
| Environmental Scientist | 99.79 | 96.23 | 3.70% |
| Environmental Services Field Technician | 68.17 | 65.86 | 3.52% |
| Environmental Services Lead Field Technician | 78.21 | 72.98 | 7.17% |
| Environmental Services Manager | 154.58 | 150.22 | 2.90% |
| Executive Assistant/Clerk of the Board | 135.88 | 126.70 | 7.25% |
| Facilities Maintenance Worker II | 64.02 | 62.63 | 2.23% |
| Finance Supervisor | 102.21 | 97.08 | 5.28% |
| General Manager | 335.57 | 307.70 | 9.06% |
| Human Resources Analyst | 80.72 | 78.26 | 3.14% |
| Human Resources Specialist | 88.48 | 85.63 | 3.33% |
| Hydrogeologist | 102.05 | 98.11 | 4.01% |
| Hydrologist Supervisor | 143.63 | - | |
| Lead Recharge O&M Worker | 100.43 | 97.68 | 2.81% |
| Operations Supervisor - Distribution | 128.29 | - | |
| Operations Supervisor - Water Treatment | 132.06 | - | |
| Park Ranger I | 65.35 | - | |
| Park Ranger II | 71.42 | - | |
| Park Ranger - Cadet | 51.64 | 50.54 | 2.18% |
| Park Ranger IV | 93.60 | 90.84 | 3.03% |
| Principal Engineer | 140.28 | 136.35 | 2.88% |
| Principal Environmental Scientist | 135.50 | 130.59 | 3.76% |
| Principal Hydrologist | 135.54 | 136.65 | -0.81% |
| Receptionist | - | 48.28 | -100.00% |
| Risk and Safety Manager | 136.71 | 126.21 | 8.32% |
| Senior Accountant | 95.11 | 89.27 | 6.54% |
| Senior Accounting Technician | 75.69 | 73.50 | 2.98% |
| Senior Control Systems Technician | 117.57 | - | |

Item 25A – United Professional Services Contract and Exhibits A, B, and C Attachment 2

| | | | |
|--------------------------------------|--------|--------|----------|
| Senior Engineer | 134.32 | 130.59 | 2.86% |
| Senior Environmental Scientist | 119.01 | 114.40 | 4.03% |
| Senior Hydrogeologist | 119.01 | 114.61 | 3.84% |
| Senior Hydrologist | 135.54 | 114.67 | 18.19% |
| Senior Park Ranger | 128.89 | - | |
| Senior Technology Systems Specialist | 87.86 | 85.53 | 2.73% |
| Supervisory Water Resources Engineer | 153.16 | 139.72 | 9.62% |
| Technology Systems Manager | 136.66 | 126.48 | 8.04% |
| Water Resources Engineer | 117.98 | 114.39 | 3.14% |
| Water Resources Supervisor | 155.43 | 142.26 | 9.26% |
| Water Resources Technician | - | 73.00 | -100.00% |
| Water Systems Operator I | 78.77 | 76.41 | 3.08% |
| Water Systems Operator II | 86.60 | 85.11 | 1.75% |
| Water Treatment Operator II | 87.21 | 85.08 | 2.50% |
| Water Treatment Operator III | 92.10 | 86.16 | 6.90% |
| Water Treatment Operator IV | 102.65 | 88.49 | 16.00% |

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

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INTERIM EXECUTIVE OFFICER

Arne Anselm

October 23, 2024

Board of Directors

Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Policy Advisory Committee Request for Technical Advisory Committee Consultation on Del Norte Mutual Water Company (WMID 3500) Basin Assessment Protest – (New Item)

RECOMMENDATIONS: (1) Receive a presentation from Agency staff on the Las Posas Valley (LPV) Watermaster Policy Advisory Committee (collectively, the PAC) request for LPV Watermaster Technical Advisory Committee (collectively, the TAC) consultation on Del Norte Mutual Water Company's protest to payment of Water Year (WY) 2023 LPV Adjudication Basin Assessment; and (2) Deny the PAC request for TAC consultation and refer the matter back to the PAC for deliberation and recommendation.

BACKGROUND:

The LPV Adjudication Judgment (Judgment) requires the Watermaster to levy and collect a Basin Assessment from Water Right Holders: "Watermaster shall set, levy, and collect Basin Assessments and fees from Water Right Holders[.]" (Judgment, § 7.1.) The Judgment also provides that the Watermaster "may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to [United Water Conservation District] if Watermaster determines, after Committee Consultation, that such a reduction is appropriate as a matter of equity." (Judgment, § 7.9.)

DISCUSSION:

On December 15, 2023, with the adoption of Resolution 2023-03¹, Watermaster Board adopted a \$64 WY 2023 Basin Assessment and levied it in two equal installments, effective March 1, 2024, and June 1, 2024, although the second installment was later rescinded by the Watermaster Board with the adoption of Resolution 2024-04².

On April 18, 2024, DNMWC submitted a written protest challenging payment of the WY 2023 Basin Assessment, claiming its WY 2023 Basin Assessment should be reduced under Section 7.9 of the Judgment because it paid assessments to United Water Conservation District (attached as Exhibit 26A). Subsequently, on July 12, 2024, DNMWC submitted a second protest letter

¹ Resolution 2023-03: https://s42135.pcdn.co/wp-content/uploads/2024/04/Resolution-2023-03_website.pdf

² Resolution 2024-04: <https://s42135.pcdn.co/wp-content/uploads/2024/07/Resolution-2024-04.pdf>

invoking Sections 9.2.1.1 and 9.2.1.2 of the Judgment, which prescribe potential avenues for resolving Basin Management Actions before Judicial Review (attached as Exhibit 26B).

DNMWC's total WY 2023 Basin Assessment was \$75,272.96 with an additional \$112.55 in accrued interest. DNMWC has protested the full amount because, "DNWC is informed and believes the Watermaster assessment is for activities and administration that either duplicate the activities of the UWCD or has no benefit to DNWC and its Shareholders."

On July 17, 2024, Watermaster staff submitted DNMWC's protest letters to the PAC for consultation as required by Section 7.1 of the Judgment (attached as Exhibit 26C).

The PAC discussed the issue at its August 1 and 15, 2024 meetings and submitted their recommendation report on August 16, 2024 (attached as Exhibit 26D). The PAC states that, "There are clearly policy aspects to the second question, but there are hydrogeological aspects to it, as well, and the PAC determined that without a technical foundation, it cannot develop any policy recommendations for the Watermaster. As such, at this juncture, the PAC recommends, per Section 6.4 of the Judgment, that Watermaster assign this issue to TAC for review. Once a TAC recommendation report has been developed and returned to the PAC, the PAC can discuss the policy implications and develop a recommendation report to the Watermaster regarding the Del Norte protest."

Under the Judgment, the "PAC is the primary advisory body to Watermaster on policy-related matters of a non-technical nature to be considered by Watermaster," while the "TAC is the primary advisory body to Watermaster on all matters requiring expertise to be considered by Watermaster relating to Groundwater management and sustainability of the Basin." (Judgment, § 6.10.1, 6.11.1.)

Although the PAC's responsibilities are limited to "policy-related matters of a non-technical nature," the PAC may request that the Watermaster assign **a matter involving a technical question** to TAC for review and issuance of a Recommendation Report to Watermaster." (Judgment, § 6.4 (emphasis added).) But the DNMWC protest does not involve a "technical question." Basin Assessments are calculated based on a Water Right Holder's annual allocation once calculated by staff, reviewed and approved by the PAC and the TAC, and adopted by your Board. (Judgment, §§ 4.2, 7.2.) Nor does adjustment of Basin Assessments under Section 7.9 of the Judgment require any "technical foundation" or understanding of "hydrogeological aspects" of the LPV Basin. Section 7.9 of the Judgment authorizes the Watermaster to reduce the Basin Assessments of those "Water Right Holders that pay an assessment to United Water Conservation District[.]" Consideration of factors other than whether the Water Right Holder paid an assessment to United Water Conservation District are irrelevant. The only issue is whether the Water Right Holder paid a United Water Conservation District assessment, which does not involve technical experience or expertise. Finally, the plain language of Section 7.9 is clear that any decision to reduce a Basin Assessment shall be determined "as a matter of equity" rather than on any technical basis or evaluation.

CONCLUSION:

Whether DNMWC's WY 2023 Basin Assessment should be reduced under Section 7.9 of the Judgment does not involve a technical matter. Watermaster forwarded the matter to the PAC, as required by the Judgment, for its members and their constituents to provide policy opinions and recommendations on whether DNMWC should be allowed to avoid paying its total WY 2023 Basin

Assessment only because it paid a United Water Conservation District assessment the same year. No technical assistance or evaluation from the TAC would aid the PAC in providing a recommendation on this issue. Accordingly, staff recommends that your Board deny the PAC request for TAC consultation on the DNMWC protest, and direct staff to return the item to the PAC for their consideration with direction to prepare and provide a recommendation report to the Watermaster no later than November 8, 2024.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654 2954.

Sincerely,



Kudzai Farai Kaseke (PhD, PH, PMP, CSM)
Assistant Groundwater Manager

Attachments:

- Exhibit 26A – Del Norte Water Company Protest Letter (April 18, 2024)
- Exhibit 26B – Del Norte Water Company Protest Letter (July 12, 2024)
- Exhibit 26C – Watermaster Memo to PAC (July 17, 2024)
- Exhibit 26D – PAC Recommendation Report Letter (August 16, 2024)

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

April 18, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

Re: Protest of Basin Assessment - Release Date: 03/05/2024

Dear Sir or Madam:

Del Norte Water Company (“DNWC”) received a Notice of Basin Assessment Release Date: 03/05/2024 made pursuant to Final Judgment filed 07/10/2023 in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency, et al.*, Case No. VENCI00509700. A copy of said Notice is attached hereto as Exhibit “A”.

As you are aware, appeals of the Judgment are pending, although it has not been stayed.

On April 6, 2024, DNWC forwarded a check to the Watermaster of the funds collected by it from its Shareholders in response to the Notice of Assessment.

DNWC, for itself and each of its Shareholders (see List of WMIDs attached hereto as Exhibit “B”), hereby Protests the payment of the Basin Assessments made, with full reservation of all applicable rights against the Las Posas Valley Watermaster, because of the provisions of Section 7.9 of the Judgment which reads:

“7.9 **Adjustments to Basin Assessments for UWCD Assessments.** Water Right Holders located in the western portion of the Basin within the UWCD’s service area presently pay assessments to UWCD, a portion of which is used to finance UWCD’s ongoing activities that are designed to replenish the Basin and neighboring basins. Watermaster may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to UWCD if Watermaster determines, following Committee Consultation, that such a reduction is appropriate as a matter of equity.”

DNWC completed the UWCD’s Semi-Annual Groundwater Production Statements (attached hereto as Exhibit “C”) for the period 07/01/2023 to 12/31/2023. DNWC has partially paid 25% of the \$187,832 that was due and will pay the balance on June 30, 2024.

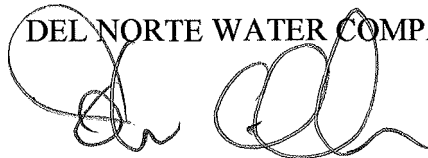
Item 26A – Del Norte Water Company protest letter (April 18, 2024)

Las Posas Valley Watermaster
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Page 2

The UWCD assessment is based on replenishment activities that benefit DNWC and its Shareholders. DNWC is informed and believes the Watermaster assessment is for activities and administration that either duplicate the activities of the UWCD or has no benefit to DNWC and its Shareholders.

DNWC apologizes that, due to clerical error, this Protest was not made at the time the assessment monies were forwarded to the Watermaster on April 6, 2024.

Very Truly Yours,

DEL NORTE WATER COMPANY

JOHN C. ORR, President

JCO:mjr

cc: Shareholders of DNWC

✓

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

July 12, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

Re: Protest of Basin Assessment-Release Date 03/05/2024

Dear Sir or Madam:

By letter dated April 18, 2024, Del Norte Water Company (“DNWC”) sent a letter to the Watermaster protesting the payment of the Basin Assessment based on Section 7.9 of the Final Judgment (the “April 18 Protest”). [A copy of the April 18 Protest is attached hereto as Exhibit “1”.] No response has been received from the Watermaster. Please be advised that DNWC intends to seek relief pursuant to the provisions of Section 9.2 of the Final Judgment:

Section 9.2.1.1 of the Final Judgment provides: “Any Party seeking judicial review of a Basin Management Action must have timely exhausted opportunities for relief through the submission of written comment(s) to Watermaster, either individually or through a written report submitted by PAC or TAC, concerning the Basin Management Action.”

Section 9.2.1.2 of the Final Judgment provides: “Prior to seeking judicial review of a Basin Management Action, Watermaster and the disputing Party(ies) shall first engage in mediation unless both Watermaster and the disputing Party(ies) agree in writing to forego mediation. Watermaster may waive the requirement to engage in mediation in which case a Party that has exhausted its administrative remedies with Watermaster may seek judicial review without having engaged in mediation.”

The April 18 Protest was DNWC’s good faith attempt to initiate a dialogue with Watermaster regarding Section 7.9 assessment reductions. Having received no response from Watermaster on the protested matter, DNWC has exhausted administrative remedies and will continue to pursue its sought-after remedies through the above-referenced channels. The Watermaster assessment is for activities and administration that either duplicate the activities of

Item 26B – Del Norte Water Company protest letter (July 12, 2024)

Las Posas Valley Watermaster
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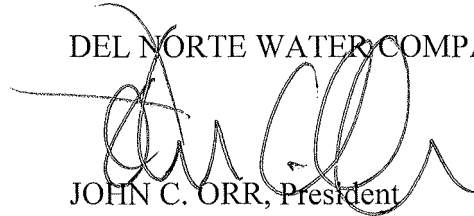
the UWCD or has no benefit to DNWC and its Shareholders. Notwithstanding the protest, DNWC complied with the Notice of Assessment and paid the \$187,832.00 basin assessment in full. DNWC seeks the following remedies:

- 1) An Amended Notice of Assessment reflecting a reduction that is proportionate to the duplicative or non-beneficial activities and administration referenced above; and
- 2) Reimbursement that is proportionate to the reduction in the Amended Notice of Assessment.

DNWC remains hopeful that an agreement can be reached without resorting to mediation or judicial review. Please advise whether mediation or review by the Santa Barbara Superior Court will be necessary to enforce Section 7.9 of the Final Judgment.

Very truly yours,

DEL NORTE WATER COMPANY

A handwritten signature in black ink, appearing to read 'John C. Orr', is written over the printed name and title.

JOHN C. ORR, President

JCO:nsh
Attachment

cc: DNWC Board of Directors – *Via E-Mail Transmission*
Barbara Brenner, Esq. – *Via E-Mail Transmission*

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

LAS POSAS VALLEY WATERMASTER



MEMORANDUM

Date: July 17, 2024
To: Las Posas Valley Watermaster Policy Advisory Committee
From: Kudzai F. Kaseke, Assistant Groundwater Manager
Subject: Protest of Water Year 2023 Basin Assessment levied on Del Norte Water Company (WMID 3500).

Dear Las Posas Valley Watermaster Policy Advisory Committee (PAC):

Attached for committee consultation is communication from Del Norte Water Company (WMID 3500) protesting the Water Year 2023 Basin Assessment levied against the company and its shareholders.

The Las Posas Valley Adjudication Judgment states that, the Watermaster, following Committee Consultation, may reduce the amount of the Basin Assessments levied on Water Right Holders that pay an assessment to United Water Conservation District (UWCD), if such a reduction is appropriate as a matter of equity. (Judgment § 7.9). The Las Posas Valley Adjudication Judgment also provides that, “Any Party seeking judicial review of a Basin Management Action must have timely exhausted opportunities for relief through the submission of written comment(s) to Watermaster, either individually or through a written report submitted by PAC or TAC, concerning the Basin Management Action;” (Judgment § 9.2.1.1).

Watermaster brings this issue before the PAC for discussion in compliance with the Judgment. Please provide feedback to the Watermaster by August 9, 2024.

Please contact me at 805 654 2010 or LPV.Watermaster@ventura.org with any questions or concerns.

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

July 12, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

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Item 26C – Watermaster memo to PAC (July 17, 2024)

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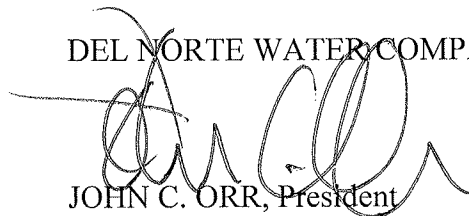
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Very truly yours,

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JOHN C. ORR, President

JCO:nsh
Attachment

cc: DNWC Board of Directors – *Via E-Mail Transmission*
Barbara Brenner, Esq. – *Via E-Mail Transmission*

Item 26C – Watermaster memo to PAC (July 17, 2024)

EXHIBIT “1”

[DNWC’S APRIL 18 PROTEST]

Del Norte Water Company

Post Office Box 4065
Ventura, California 93007
Phone (805) 647-1092 Fax (805) 647-2805

April 18, 2024

Via E-Mail Transmission

Las Posas Valley Watermaster
LPV.Watermaster@ventura.org

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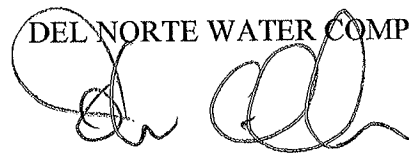
Item 26C – Watermaster memo to PAC (July 17, 2024)

Las Posas Valley Watermaster
April 18, 2024
Page 2

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Very Truly Yours,

DEL NORTE WATER COMPANY

JOHN C. ORR, President

JCO:mjr

cc: Shareholders of DNWC

✓

Item 26, Exhibit 26D – PAC Recommendation Report Letter (August 16, 2024)

Gene West, Chair
Las Posas Valley Watermaster
800 S. Victoria Ave.
Ventura, CA 93009

August 16, 2024

Re: PAC Recommendation Report concerning Del Norte Protest

Chair West:

At its August 1 and 15, 2024 meetings, the PAC discussed the Del Norte basin assessment protest letters submitted for committee consultation by Watermaster staff July 17, 2024.

The PAC understands Del Norte's position to be that United Water Conservation District (UWCD) provides sufficient basin management to protect and maintain Del Norte's pumping capacity, and that no activity on the part of the Watermaster, administrative or otherwise, can benefit Del Norte in any way that is not duplicative of UWCD activities. As such, as matter of equity, Del Norte believes it should not pay any basin assessment.

After much discussion, two central questions presented themselves to the PAC:

1. Where does Del Norte's water come from? That is, how much of the water produced at their wells comes from UWCD's recharge efforts and how much from other basin inflows?
2. What is the generalized benefit to the Del Norte service area of being in the Las Posas Valley Basin and party to the Judgment? That is, can the benefit accrued to Del Norte's wells of Watermaster activity be quantified? And, if so, what would that value be?

There are clearly policy aspects to the second question, but there are hydrogeological aspects to it, as well, and the PAC determined that without a technical foundation, it cannot develop any policy recommendations for the Watermaster.

As such, at this juncture, the PAC recommends, per Section 6.4 of the Judgment, that Watermaster assign this issue to TAC for review. Once a TAC recommendation report has been developed and returned to the PAC, the PAC can discuss the policy implications and develop a recommendation report to the Watermaster regarding the Del Norte protest.

Thank you for the opportunity to weigh in on this important matter of equity.

Sincerely,



Ian Prichard, Chair, LPV Watermaster PAC

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

Ventura County Government Center Hall of Administration
800 South Victoria Avenue, Ventura, California 93009-1610
Phone: (805) 654-2014 Website: www.fcgma.org

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Eugene F. West (Chair) – Small Water Districts (805) 657-2121 (*Term Exp 2-28-25*)
Executive Committee, Fiscal Committee

Kelly Long (Vice Chair) – Ventura County Board of Supervisors (805) 654-2276 (*Term Exp 2-28-25*)
Executive Committee

Michael Craviotto – Farming Interests (805) 766-9602 (*Term Exp 2-28-26*)
Operations Committee, Flynn Award Selection Subcommittee

Lynn Maulhardt – United Water Conservation District (805) 982-0780 (*Term Exp 2-28-26*)
Operations Committee

Tony Trembley – Five Cities (805) 388-5307 (*Term Exp 2-28-26*)
Fiscal Committee, Flynn Award Selection Subcommittee

ALTERNATE DIRECTORS

Raul Avila – Small Water Districts (818) 798-8745 (*Term Exp 2-28-25*)

David Borchard – Farming Interests (805) 485-3525 (*Term Exp 2-28-26*)

Vianey Lopez – Ventura County Board of Supervisors (805) 654-2613 (*Term Exp 2-28-25*)

Sheldon Berger – United Water Conservation District (805) 312-7653 (*Term Exp 2-28-26*)

Bert Perello – Five Cities (805) 240-6194 (*Term Exp 2-28-26*)

STAFF

Arne Anselm – Interim Agency Executive Officer (805) 654-3942

Alberto Boada – Agency Legal Counsel (805) 654-2578

Jason Canger – Agency Assistant Legal Counsel (805) 654-2879

Farai Kaseke – Assistant Groundwater Manager (805) 654-2954

Kathy Jones – Staff Services Specialist (805) 645-1372

Raya Nour – Engineer II (805) 654-2454

Robert Hampson – Groundwater Specialist (805) 654-3952

John Gauthier – Groundwater Specialist (805) 654-5164

Kylen Wooley – Water Resources Compliance Specialist (805) 658-4374

Elka Weber – Clerk of the Board (805) 654-2014

Cynthia Rodriguez – Administrative Assistant (805) 662-6831

Erin Ware – Administrative Assistant (805) 654-2032