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Meeting Summary

Santa Cruz Mid-County Groundwater Sustainability Planning (GSP) Advisory Committee Meeting November 13, 2017, 4:00-6:15 pm

This meeting was the second convening of the Groundwater Sustainability Planning (GSP) Advisory Committee. It took place on November 13, 2017 at the Community Foundation of Santa Cruz County.

The objectives of the meeting were to:

- Increase Advisory Committee understanding of the Brown Act and its implications for the GSP Advisory Committee Process
- Review and discuss edits to Advisory Committee Charter, and approve the Charter

Committee members in attendance included:

1. Kate Anderton, Environmental Representative
2. John Bargetto, Agricultural Representative
3. David Baskin, City of Santa Cruz
4. Rich Casale, Small water System Representative
5. Bruce Jaffe, Soquel Creek Water District
6. Dana Katofsky McCarthy, Water Utility Rate Payer
7. Jon Kennedy, Private Well Representative
8. Jonathan Lear, At-Large Representative
9. Douglas P. Ley, Business Representative
10. Marco Romanini, Central Water District
11. Charlie Rous, At-Large Representative
12. Ned Spencer, At-Large Representative
13. Allyson Violante, County of Santa Cruz

Chris Coburn, Institutional Representative was absent and had withdrawn as a member of the Advisory Committee.

This document summarizes presentations to the Advisory Committee, and discussion of the revised Advisory Committee Charter and the final vote to approve it. It also captures clarifying questions from Advisory Committee members and Santa Cruz Mid-County Groundwater Agency (MGA) staff responses, as well as an overview of public comment. It is not intended to serve as a detailed transcript of the meeting.



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This document is organized into the following main sections, based on the meeting agenda:

1. Welcome and Introductions
2. Brown Act 101
3. Review and Discussion of the Updated GSP Advisory Committee Charter
4. Public Comment on the Updated GSP Advisory Committee Charter
5. Approval the Updated GSP Advisory Committee Charter
6. Public Comment on General Items
7. Discussion of the GSP Process Timeline
8. Next Steps

1. Introduction

John Ricker, County of Santa Cruz, opened the meeting and welcomed participants. Mr. Ricker introduced members of the MGA Executive Team and staff, the MGA consultant support team, and he addressed members of the public in attendance.

Eric Poncelet, Facilitator, reviewed the agenda, meeting objectives, GSP process, and proposed meeting guidelines.

2. Brown Act 101

Ron Duncan, Soquel Creek Water District, provided the Advisory Committee members with an overview of the Brown Act. He discussed its history, purpose, and compliance, and provided other highlights that may be valuable to the Advisory Committee and members of the public. He noted that he would not be able to fully cover all the requirements in this summary and advised Committee members to review a more detailed guide to the Brown Act from by the California League of Cities (available at www.cacities.org/Resources-Documents/Resources-Section/Open-Government/Open-Public-2016.aspx)

Specifically, Mr. Duncan explained that the Brown Act is contained within the California Government Code to ensure that meetings of local governing bodies be conducted in a transparent manner. A violation of the Brown Act is considered a misdemeanor. He indicated that standing committees, such as the GSP Advisory Committee are subject to the Brown Act, whereas ad hoc committees that meet for six months or less are not.

Mr. Duncan discussed a few other key and cautionary points as follows:

- A majority of committee members cannot meet outside of a Brown Act-compliant meeting to discuss committee business.
 - Responding to a single email message regarding committee business and “replying to all” is considered a violation of the Brown Act.
- Committee members cannot conduct serial meetings (e.g., daisy chain or hub-and-spoke).



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- Committee members are required to respond to public records requests promptly.

Following Mr. Duncan's overview, the Advisory Committee had the following questions related to the Brown Act:

- Question (Q): Can one Committee member can discuss Committee business with another member?
 - Response (R): Mr. Duncan responded that as long as the members discussing Committee business do not comprise a majority, there is no violation of the Brown Act.
- Q: Are Committee members who participate in an MGA meeting are covered under the Brown Act?
 - R: Mr. Duncan explained that since the MGA meeting is open to the public, there is no Brown Act violation.

3. Review and Discussion of the Updated GSP Advisory Committee Charter

Eric Poncelet, facilitator, led the Committee members and staff in a review and discussion of the key revisions to the Advisory Committee Charter. Committee members offered additional comments and edits to the Charter, which the facilitation team captured live on screen during the meeting. Key comments are proposed refinements are highlighted below:

- Section B: Charge and Responsibilities. Committee members and staff had a focused discussion on their charge to “analyze options and recommend supplemental water supply alternatives to meet projected demand” and on how detailed the language regarding this issue should be in the Charter. The group acknowledged that it is not necessary to address this issue in greater detail in the Charter and that this will be explored further as part of a future agenda. Committee members suggested that a working group could be convened to focus on the issue of water supply and demand.

The group also discussed the distinction between the Committee's role as “advising” and staff's role as “drafting” the GSP. The Committee recognized that it will not review and discuss the GSP in its entirety, but will focus on providing advice around key policy questions.

- Section C: Membership and Participants. Staff informed the Advisory Committee that Chris Coburn had withdrawn from the Committee for health reasons. The Committee noted that the MGA Bylaws specify 13 members as serving on the Committee, and that the withdrawal of Chris Coburn reduces the current number from 14 members back to 13. As a next step in the



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withdrawal process, an Executive Team member (Ms. Menard) will present this update to the MGA and ask them whether they would like to replace Mr. Coburn.

- Section D: Meeting Formats and Sub Groups. Darcy Pruitt, support staff, reported that the Committee supported having future meetings on the third or fourth Wednesday of each month but had equal preferences for holding future meetings in the early evening and after 6 p.m. Ms. Pruitt indicated that staff prefers the fourth Wednesday to avoid clustering the meetings with the regular MGA meetings, which are held every third Thursday of the month. The Committee members agreed on scheduling their future meetings on the fourth Wednesday of the month and that the Charter should state that Advisory Committee meetings will be held “once a month.”
- Section E: Determining Levels of Support and Committee Recommendations. The Committee members discussed what level of support would constitute a recommendation to the MGA. Some advocated for a supermajority, while others preferred a simple majority. After extended discussion, they agreed to keep the language broadly “a majority” rather than to specify a quantified threshold. They recognized that the intent of the Committee is to strive for recommendations that have broad-based, cross-interest support from Committee members, and that all recommendations to the MGA will contain information about level of support from the individual Committee members and reasons behind divergent views..

4. Public Comment on Updated GSP Advisory Committee Charter

Members of the public who attended the Advisory Committee meeting provided comments on the following topics related to the Charter:

- Q: How do Advisory Committee members plan on engaging with their represented constituents?
 - R: Darcy Pruitt responded that staff has offered assistance to Committee members on engaging with constituents.
- C: The attention that the Committee has given to the issue of level of support is important. Monica McGuire, a mediator in the community, has shared information with support staff (Sierra Ryan) regarding well-established mediation processes regarding this issue.
- Q: To what extent does public input play in the Committee’s decision-making process, and how does the public communicate with members in between meetings?



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5. Approval of the Updated GSP Advisory Committee Charter

Eric Poncelet, facilitator, asked Committee members to share their levels of support for the Charter. Recorded below is each Committee member's level of support (in the order they were provided) for adopting the Charter:

1. **Dana McCarthy:** *I can live with it*, and I'd like the Committee to consider public comments regarding the public's input to the Committee because I represent ratepayer.
2. **Rich Casale:** *I can with live it*, and I also urge the Committee to consider the public comment shared. Overall, the Charter is a good guiding document.
3. **Bruce Jaffe:** *I like it.*
4. **Jonathan Lear:** *I like it.*
5. **Marco Romanini:** *I like it.*
6. **Ned Spencer:** *I like it.*
7. **Allyson Violante:** *I like it.*
8. **Doug Ley:** *I like it.*
9. **Kate Anderton:** *I like it.*
10. **David Baskin:** *I like it.* I'm not sure whether the public comments are related to guidelines or rules and would like staff to research this.
11. **John Bargetto:** *I like it.* Is the question of public outreach an active or passive question?
12. **Jon Kennedy:** *I like it*, and I would like to discuss the issue of recommendations further.
13. **Charlie Rous:** *I like it* and would like to clarify that the Charter is a living document that can be changed by the Committee.

Mr. Poncelet confirmed that all of the Committee members had expressed "support" for the Charter, and, as such, the charter was approved. He confirmed that the Charter was a living document and that Committee members could choose to further modify it in the future as needed.

6. Public Comment on General Items

Members of the public who attended the Advisory Committee meeting provided comments on the following general topics:

- Comment (C): Staff should review the pool of Committee member applications to find a replacement representative for Chris Coburn, the institutional representative, and consider alternate members.
- C: The Committee should consider groundwater alternatives that will not be toxic to the water, wildlife, and people in the Basin.



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7. Discuss GSP Process Timeline

Rosemary Menard, City of Santa Cruz, provided a high level overview of the anticipated GSP process timeline. She discussed the various phases involved and how the process will be iterative as the Committee explores and then refines ideas and proposals. Ms. Menard explained that the schedule is fast-paced and parallels development of the entire GSP.

Ms. Menard asserted that staff will be looking into more opportunities to engage with and solicit input from the public throughout the GSP process (e.g., scenario planning, brainstorming sessions).

Ms. Menard addressed the following questions from the Committee:

- Q: Where in the schedule will the Committee address the water budget issues?
 - R: Ms. Menard explained that the Committee can dive into topics related to the water budget once HydroMetrics is prepared to address those.
- Q: Will the Committee be reviewing details of previous groundwater plans in the Basin for a historical perspective?
 - R: Ms. Menard indicated that some of those details were discussed in the State of the Basin orientation session.
- Q: How soon will the Committee be able to receive information on groundwater model results?
 - R: Ms. Menard responded that the Committee will be provided groundwater modeling data in a variety of forums. The data will be structured conceptually as well as quantitatively.
- Q: Which subcommittees will be formed over the course of the project?
 - R: Ms. Menard reported that there will likely be a working group on surface and groundwater interaction (involving agencies). John Ricker added that there will likely be a working group on the issue of land use.

8. Next Steps

In closing, Mr. Poncelet reviewed the GSP process and the upcoming schedule of orientation sessions in 2017 (this information was distributed to participants in form of a handout), reminding the Committee and the public that the next orientation session will take place on December 7, 2017 (7:00-9:00 p.m.) and the next Advisory Committee meeting will be on January 24, 2018. Mr. Carson added that public drop-in hours before the December MGA meeting are available to those who require information before the next Committee meeting. Mr. Ricker closed the meeting by thanking the attendees for their participation.