

**REGULAR MEETING OF THE
BOARD OF DIRECTORS
ROSAMOND COMMUNITY SERVICES DISTRICT**

6PM Closed Session
7PM Regular Board Meeting
Tuesday, December 15, 2015
District Board Room
3179 35th Street West
Rosamond, CA 93560

Minutes

CALL TO ORDER

President Ed MacKay called the meeting to order at 6:00pm.

ROLL CALL

President Ed MacKay
Vice President Alfred Wallis
Director Byron Glennan
Director Olaf Landsgaard
Director Dennis Shingledecker

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Without objection from the Board, the agenda is approved by consensus.

BOARD SECRETARY

This portion of the agenda allows an individual the opportunity to address the Board on any item NOT ON THE AGENDA regarding District business. State law prohibits the District from taking any action on any items not on the agenda, unless authorized under §54954.2(b) of the Government Code, and your matter may be referred to the General Manager. An individual may also address the Board on any agenda item at the time the matter is discussed, and prior to Board consideration or action. Speakers will be limited to five (5) minutes. Your time will start when you approach the podium, and you will be given a 30 second warning before your time expires. If you choose to ask a question during this time, any response by the Board will not extend your time. Questions may be referred to the General Manager to be answered at a later time after the meeting. In order to allow for a smooth and orderly meeting, and allow each speaker the ability to address the Board, disruptions from the audience will not be tolerated and you could be asked to leave. We appreciate your cooperation in this democratic process.

PUBLIC COMMENTS

None

6:00 P.M. CLOSED SESSION

1. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): (three potential cases)
2. Conference with Legal Counsel – Anticipated Litigation
Consideration of initiation of litigation pursuant to Government Code section 54956.9(d)(4): (one potential case)
3. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code section 54956.9(a),
each of the cases shown on Exhibit A
4. Conference with Legal Counsel—EXISTING LITIGATION
Pursuant to Government Code Section 54956.9
Antelope Valley Groundwater Cases
Diamond Farming Co. v. City of Lancaster
(Kern County Case No. 240090AEW)

Motion made by Director Shingledecker, Seconded by Director Landsgaard to go into closed session at 6:03pm. Motion passed with 5 ayes.

Motion made by Director Shingledecker, Seconded by Director Landsgaard to come out of closed session at 7:06pm. Motion passed with 5 ayes.

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION

Item 4, the Board gave direction to Legal Counsel and Item 3, discussed and gave direction to General Counsel and General Manager as to cases shown on exhibit A to the agenda and took up one item of potential litigation under Item 1, the Board approved the settlement agreement by a vote of 4-0, 1 abstaining (Director Landsgaard) with John D. Gibson of Gibson and Gibson. Director Landsgaard recused himself and stepped out of the room for item 4.

7:07 P.M. OPEN SESSION

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PUBLIC COMMENTS

None

MINUTES

M 1. Approve November 17, 2015, Regular Board Meeting Minutes

Motion made by Director Shingledecker, Seconded by Vice-President Wallis to approve the November 17, 2015, Regular Board Meeting Minutes. Motion passed with 5 ayes.

CONSENT CALENDAR

CC 1. Cash Balance – October 2015

CC 2. Information Technology Report – 1st Quarter

CC 3. Approve Check/Voucher Register 11/10/2015 - 12/07/2015

CC 4. Adopt **Ordinance No. 2015-1**, an ordinance of the Rosamond Community Services District amending **Ordinance No. 92-6** for the limited purpose of establishing and/or amending certain district charges and fees.
(Presenter: Allison Burns, Legal Counsel)

CC 5. Adopt **Ordinance No. 2015-2**, an ordinance of the Rosamond Community Services District adopting the Model Water Efficient Landscape Ordinance of the State of California.

CC 6. Adopt **Ordinance 2015-4**, adopting rules and regulations governing the distribution and use of recycled water.

Motion made by Vice-President Wallis, Seconded by Director Shingledecker to adopt Ordinance 2015-4, adopting rules and regulations governing the distribution and use of recycled water. Motion passed based on the following Roll Call Vote:

Director Landsgaard: Aye
Director Glennan: Aye
President MacKay: Aye

Director Shingledecker: Aye
Vice-President Wallis: Aye

NEW BUSINESS

NB 1. Discussion for the nomination and appointment of the RCSD's representative to the Edwards Air Force Base Restoration Advisory Board (RAB) two-year term.
(Presenter: Ronald Smith, Interim General Manager)

Discussion held.

NB 2. Presentation on the State of California Ground Water Sustainability Agency formation. (Presenter: Brach Smith, Director of Public Works)

Presentation made by Brach Smith, Director of Public Works.

NB 3. Winter Watering Time-of-Day Restriction Moratorium.
a. Adopt **Resolution No. 2015-28** Amending **Resolution No. 2015-6** issuing a moratorium on the time-of-day restrictions during the winter months.

Motion made by Director Landsgaard, Seconded by Director Shingledecker to adopt Resolution No. 2015-28, amending Resolution No. 2015-6 issuing a moratorium on the time-of-day restrictions during the winter months. Motion passed with 5 ayes.

DIRECTOR REPORTS/COMMENTS/AGENDA ITEMS

Comments made by Director's Landsgaard, Glennan and Wallis.

Future Agenda Items:

- **Director Landsgaard requested the following:**
 - **Water/Sewer Master Plan**
 - **RFI/MOU with Southern Kern Unified School District, developing a private/public partnership**

GENERAL COUNSEL UPDATE

Allison Burns, Esq.- **Update provided**

INTERIM GENERAL MANAGER UPDATE

Ronald Smith- **Update provided**

ASSISTANT GENERAL MANAGER UPDATE

John Houghton- **Update provided**

FINANCE DIRECTOR UPDATE

Brad Rockabrand, CPA- Update provided

BOARD CLERK UPDATE

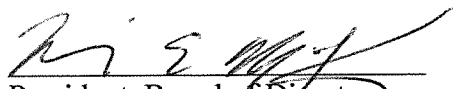
Lizette Guerrero, CMC

ADJOURNMENT – Motion made by Director Shingledecker, Seconded by Vice-President Wallis to adjourn at 7:54pm. Motion passed with 5 ayes.

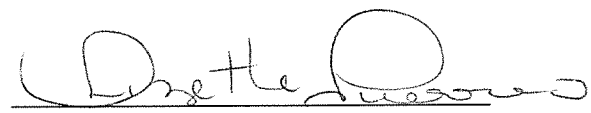
Requirements Regarding Disabled Access: In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the RCSD Board Secretary/Assistant at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Please contact the Board Secretary/Assistant by telephone at (661) 256-5808, Email: lguerrero@rosamondcsd.com or in writing at the Rosamond Community Services District, Attn: Board Secretary/Assistant; 3179 35th Street West, Rosamond, CA 93560.

Pursuant to Government Code Section 54957.5, any writing that: (1) is a public record; (2) relates to an agenda item for an open session of a regular meeting of the Board of Directors; and (3) is distributed less than 72 hours prior to that meeting, will be made available for public inspection at the time the writing is distributed to the Board of Directors. Any such writing will be available for public inspection at the District offices located at 3179 35th Street West, Rosamond, CA 93560. In addition, any such writing may also be posted on the District's web site.

Respectfully submitted:



President, Board of Directors
Rosamond Community Services District



Board Secretary

AVEK Board Meeting

December 8th, 2015

By Morrison Mackay, RCSD Director. *MM*

GM Dan Flory announced that AVEK would be receiving 10% for their allotted share from the state water project this coming year. This allotment could increase if the water supply increases.

SUMMARY OF WORK TO DO AS A HOUSE UNITED

submitted by Olaf Landsgaard, Director

December 15, 2015

1. Water
 - a) We have to address the 2500 acre foot short fall we now have under the Antelope Valley Groundwater Adjudication (404 allocated, use 2900).
 - i. New Master Plan needs to take the coming shortfall (5 years) into account.
 - a. Where water lines should go, size, tanks, etc.
 - b. Need for land with water rights
 - c. Cost of alternate water:
 - AVEK water
 - Water Banked water
 - "Leased" water
 - Purchased water rights
 - new wells
 - Simplifying Desalination
 - Other sources
 - ii. Impact fees/connection fees
 - iii. Loans
 - iv. Prop 218 assessments?
 - b) Tertiary Permit From State Dept of Drinking Water
 - i. Need to find more users: A farmer?
 - ii. Other: No more delays from the State DDW
2. Sewage
 - a) Master Plan
 - b) Doubling the Treating Plant – Tertiary Water Lines
 - c) Eliminating the Flood Plain "tax" paid by homeowners to the Federal Government by way of "Flood" insurance (Dr. Tracy of the USGS and Greg Fenton of Kern County – establish a reservoir and/or recharge basin north of Willow Springs Butte)
3. Parks and Recreation
 - a) Find funding to operate Westpark Pool
 - i. Public-Private Partnership using existing Westpark tax money
 - ii. Public-Public partnership? MOU with SKUSD?
 - iii. Other
 - b) Master Plan that shows what areas would get what, if we found financing.
4. Issuance of Fair and Reasonable terms to unconditional will serve letters – Purpose – allow others to share the burden of our water woes.

Update from ACWA conference:

El Nino: Colder than normal year. There is an extra “blob” of warm water. Still, good chance of better than normal rain.

Public Trust doctrine: Conservatives distrust as a legal fiction. Liberals love it and call the Groundwater Sustainability Act implantation an outgrowth of the doctrine.

Big Data

Joone Lopez: Moulton Niguel W.D. – need more data, in order to make the right decisions – to carry out what we mean to do. (she read a lengthy definition of data – velocity, volume, and variety). Private sector is using Big Data with great success.

Mike Flowers: Enigma.io – New York City: Chief analytics officer. Served under Mayor Mike Bloomberg. Designed and implanted the City data bridge and open data initiative. Was counsel to the US Senate subcommittee – investigation/trial of Saddam Hussein...

- Nothing magic about leveraging data to make decisions.
- Data is a governing asset
- Found that failure to pay property taxes correlated with likelihood of unsafe buildings and fires.
- Saved lives

Bottom line: Data is there. We need to learn how to tap into it.

Waterfind:

Mark Lewis VP Engineering, cell 916-207-4681 Email marklewis@waterfindusa.com

Speaker: Ken Matthews AO

Former chair, Australian National Water Commission

Australian Federal Budget to fix the 2000-2010 drought: 20 billion...

Secure water entitlements: One for irrigators, one for environmental...

“Never let a good crisis go by....” Developed a package with something for everyone. 200 years of Australian water rights. Urban communities given access to markets they had no access before.

Money spent on water management capacity building. Also on water science.

Not so much on storage as had overbuilt.

Heart of Reform: “Water Trading”. Water flows to its highest value use, automatically. Voluntary arrangements, not influenced by government laws.

Government sets the framework, no administration of same.

Costs are low, transfers can happen in two days... (lease). Victoria has a speedier system than other states. Info on rainfall, storage – available...

Water trading does not depend on the system of water rights. Can flourish at different scales. Scale does not matter. Delivery restraints, salinity restraints, etc. exist. 29,000 trading rules in Australia.

Conclusion: Needed a trigger. Needed leadership (farming, indigenous, environmental as well as gov't). Needed a plan: Intergovernmental agreement. Needed the right institutions (water management institutions – i.e. Australian Water Commission – critical role). Resources need to be given to the people doing the work.

Lasting effects: Water trading, infrastructure, institutional capacity
Needed to have people with a positive attitude.

Groundwater Committee –

Greg Zlotnick

DWR update: Trevor Joseph for David Gutierrez:

CASGEM

515 groundwater basins. 127 basins in high or medium priority groundwater basins.

96% of the basins should be fully designated.

Prop 1A – funds. Pushing “Counties” to step up to the CASGEM program.

Basins subject to critical overdraft. 15 public comments of 8 basins. 9 against, 4 for, 1 neutral, 1 unclear. Basin prioritization is posted on the DWR website.

Financial assistance: Prop 84. 230 million in grants. Amount should be finalized soon. Money has been expended.

October 28: Final guidelines and solicitation package. Due on December 8, 2015.

GWC SGMA: John Woodling. Initial outreach includes surface storage and capability to capture water.

New book: Chapters 6 and 7 deal with Source and Replenishment Roadmaps.

Timing: Drafting a white paper: Ground water replenishment

Basin Boundary Modifications: First set of regulations are in... Scientific mods and jurisdictional modifications (internal boundaries) Regs effective November 16, 2015).

Section 343.9. Advance notice to the Department. Where to submit the mod requests.

Step 3: DWER evaluation, approval, and publication.... Web site

www.water.ca.gov/groundwater/sgm/basin/boundaries.cfm and gis.water.ca .

Groundwater Sustainability Plan (GSP) - Emergency regs for Basins in Over draft.

DWR – is the regulatory arm of the GSPs for SGMA

SGMA required for all High and Medium Priority Basins (127 of them).

Potential Regulation Components include Equivalent GSPs – Alternative GSPs and Fringe Areas. Supposed to do more community outreach...

Presiding officer of Region 6/7 (our area):

Matt Hurley, former Bay area attorney, manager of Angiola Water District. Has done 2 Prop 218's to purchase 3,000 acres of land, giving him the overlying water rights (in an irrigation district). Purchase of land, with water rights, is tax deductible under an assessment.