



Stanislaus & Tuolumne Rivers Groundwater Basin Association
Groundwater Sustainability Agency
1231 11th Street | Modesto, CA 95354
Email: strgba@mid.org

STRGBA GSA AGENDA
February 9, 2022 (1:30 p.m. – 2:30 p.m.)
Webinar Digital Platform or Phone Meeting
<https://us02web.zoom.us/j/82844864384>
By phone: 1-669-900-9128
Webinar ID: 828 4486 4384

This meeting is being conducted via webinar for all seven member agencies, pursuant to Executive Orders signed by Governor Gavin Newsom related to the ongoing COVID-19 pandemic, including provisions regarding the Brown Act. Members of the public and member agency staff may join the meeting utilizing Zoom’s webinar feature if desired, or a phone number as provided in this Agenda. Members of the public will continue to have the opportunity to provide public input via the webinar or phone features. Members of the public may also email public comments by 3:00 p.m. on the day preceding the GSA meeting to: strgba.org. If public comments are timely submitted by email, then those comments will be identified during the public input section of the Agenda or during a specific agenda item if the agenda item is identified in the email. The Brown Act does not require a member of the public to state her or his name; please indicate in your email if you would like your name stated or if you want to remain anonymous. _

PUBLIC PARTICIPATION

The public may participate in this meeting in the two ways described below.

Instructions for Participating in STRGBA GSA & Technical Advisory Meeting via Zoom Webinar or Phone

On your desktop/iPad or tablet/laptop:

1. To join the webinar, click the link published in the Agenda for the current meeting about 5 minutes before webinar begins.
2. Follow the on-screen instructions to install and/or launch the Zoom application.
3. If prompted, enter the Webinar ID published in the Agenda.
4. All public attendees will enter the meeting muted.
5. If you wish to speak under Business from the Public, or after the Chairman calls for Public Comment, click on the “Raise Hand” button to request to speak.

On your phone:

1. To join the meeting by phone, call the number published in the Agenda for the meeting.
2. Enter the Webinar ID published in the Agenda, then hit the # symbol.
3. All public attendees will enter the meeting muted.
4. If you wish to speak under Business from the Public, or after the Chairman calls for Public Comment, press *9 on your phone to “Raise Hand” or simply request to speak.



1. Call to Order/Welcome and Introductions
(Four agencies needed for a quorum)
2. Topic: AB 361 - Continue Remote Teleconference Meetings [Action Item]
Who: Gordon Enas, Committee
Expected Outcome: Approval
3. Business from the Public
Who: Public
Expected Outcome: Interested persons are welcome to introduce any topic within the Agency's jurisdiction. Matters presented under this heading may be discussed but no action will be taken by the Agency at this meeting.
4. Topic: Approve 1/31/22 Meeting Minutes [Action Item]
Who: Eric Thorburn, Committee
Expected Outcome: Approval
5. Topic: Facilitation Support Services Contract Extension
Who: Gordon Enas, Committee
Expected Outcome: Discussion
6. Topic: Budget and Schedule Update
Who: Gordon Enas, Committee
Expected Outcome: Discussion
7. Topic: Annual Report Update
Who: Todd Groundwater, Committee
Expected Outcome: Discussion
8. Next Meeting
March 9, 2022 at 1:30 p.m. via Zoom
9. Items too late for the agenda



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MEETING MINUTES

January 31, 2022 (1:30 p.m. – 2:30 p.m.)

The meeting was called to order at 1:30 p.m.

1. Welcome and Introductions

The following members of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency (STRGBA GSA) attended via Zoom:

Modesto Irrigation District:	Gordon Enas
Oakdale Irrigation District:	Eric Thorburn
City of Modesto:	Miguel Alvarez
City of Oakdale:	Michael Renfrow
City of Riverbank:	Michael Riddell
City of Waterford:	Michael Pitcock
Stanislaus County:	Christy McKinnon

Other Attendees:

Phyllis Stanin, Todd Groundwater	Samantha Wookey, MID
Liz Elliott, Todd Groundwater	Khandriale Clark
Douglas Maner	Stacy Henderson
Bill Fogarty	John Mensinger
Arden Wells	John Mauterer
Lucas Hayes	Spenser Hager
Bill Schwandt	Peter Drekmeier
Dennis Wittchow	Alyse Briody
Craig Moyle	Valerie Kincaid
David Moreland	Jacob DeBoer

2. Remote Teleconferencing Participation **[Action item]**

Renfrow moved, 2nd by Riddell, to approve remote teleconferencing participation through February 11, 2022. Motion carried.

3. Business from the Public

N/A



4. Approve 12/8/21 Meeting Minutes [Action item]

Renfrow moved, 2nd by Pitcock, to approve 12/8/21 meeting minutes. Motion carried.

5. 2022 Annual Report [Action item]

Roll call vote adopting the scope of work and budget for the 2022 Annual Report and authorizing the City of Modesto to contract with Todd Groundwater for the preparation of the report. Motion carried.

6. GSP Adoption [Action item]

Roll call vote adopting the Modesto Subbasin Groundwater Sustainability Plan (GSP) and authorizing the STRGBA GSA Plan Manager to submit the GSP to DWR by January 31, 2022. Motion carried.

7. Budget and Schedule Update

Enas reported that the Todd Groundwater consultant team has expended approximately 86% of budget and 97% of the time scheduled through November 30, 2021.

8. Next meeting

February 9, 2022 at 1:30 p.m. via Zoom



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GSA Meeting Date: February 9, 2022

Subject:	Brown Act Provisions for Remote Teleconferencing Participation in Meetings during a Declared State of Emergency.
Recommended Action:	Resolution Approving and Confirming a Continuing State of Emergency Arising from the STRGBA GSA's Emergency Declaration During March 2020 (and Subsequent State and County Orders) due to the COVID-19 Pandemic and Further Authorizing Remote Conference Meetings of the STRGBA GSA's Governing Body Pursuant to the Provisions of the Brown Act and Duly Issued Laws and Orders from the State Related to the Pandemic and Operations for Governing Body Meetings
Background and Discussion:	<p>All meetings of the STRGBA GSA are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) and related state laws and orders, so that any member of the public may attend either virtually or in-person as the case may be to participate and watch the GSA's governing body conduct GSA business.</p> <p>The Brown Act makes provisions for remote teleconferencing participation in meetings by members of a governing body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions, such as when a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558. It is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the governing body meeting in person would present imminent risks to the health and safety of attendees.</p> <p>Such conditions now exist in the STRGBA GSA, specifically, a State of Emergency has been proclaimed pursuant to Government Code Section 8625 that the COVID-19 Pandemic has strained the State's healthcare system and workforce and that state and local health departments must use all available preventative measures to combat the spread of COVID-19. As a consequence of the declared emergency, the STRGBA GSA does hereby find that the governing body of the STRGBA GSA shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such governing bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953.</p>

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Alternatives, Pros and Cons of Each Alternative:	<p>Pros: Allow GSA meetings to continue to meet while taking all available preventative measures to combat the spread of COVID-19.</p> <p>Cons: Requiring GSA meetings to be held in-person would violate the proclaimed State of Emergency and potentially expose meeting attendees to COVID-19.</p>
Concurrence:	<p>The actions proposed by this resolution have already been adopted by several of the GSA member agencies.</p>
Fiscal Impact:	<p>Since GSA is currently holding all meetings by remote conferencing, the resolution will create no new or additional fiscal impact.</p>
Recommendation:	<p>Resolution making the following determination:</p> <p>Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.</p> <p>Section 2. Proclamation of Local Emergency. The Governing Body hereby proclaims that a local emergency exists throughout the GSA, and that the governing body meeting in person could present imminent risks to the health and safety of attendees due to the prevalence of the COVID-19 Pandemic in Stanislaus County and the state, such that the GSA reserves the right to continue virtual meetings and/or conduct in-person meetings consistent with local health guidance or duly issued orders.</p> <p>Section 3. Remote Teleconference Meetings. The Governing Body and its Chairman and designees of the GSA are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.</p> <p>Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 9, 2022, or (ii) such time the Governing Body adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the governing bodies of the GSA may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.</p>

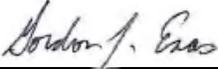
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Attachments:

Supporting documents attached:

Resolution Presentation Other supporting docs None attached

Note: Original contracts and agreements are housed in the GSA Secretary's Office, phone (209) 526-7360.

Presenter

Gordon Enas, P.E. 2/4/2022
Date Signed

GSA Chairman

Eric Thorburn, P.E. 2/4/2022
Date Signed

D R A F T

RESOLUTION NO. 2022-04

RESOLUTION CONFIRMING A CONTINUING STATE OF EMERGENCY ARISING FROM THE STATE OF CALIFORNIA AND STANISLAUS COUNTY ORDERS DUE TO THE COVID-19 PANDEMIC AND FURTHER AUTHORIZING REMOTE CONFERENCE MEETINGS OF THE STRGBA GSA'S GOVERNING BODY PURSUANT TO THE PROVISIONS OF THE BROWN ACT AND DULY ISSUED LAWS AND ORDERS FROM THE STATE RELATED TO THE PANDEMIC AND OPERATIONS FOR GOVERNING BODY MEETINGS.

WHEREAS, the STRGBA GSA is committed to preserving and nurturing public access and participation in meetings of its governing body; and

WHEREAS, all meetings of the STRGBA GSA are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) and related state laws and orders, so that any member of the public may attend either virtually or in-person as the case may be to participate and watch the GSA's governing body conduct GSA business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

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

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the GSA's boundaries, caused by natural, technological, or human-caused disasters; and

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WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the GSA, specifically, a State of Emergency has been proclaimed pursuant to Government Code Section 8625 that the COVID-19 Pandemic has strained the State's healthcare system and workforce and that state and local health departments must use all available preventative measures to combat the spread of COVID-19; and

WHEREAS, since most restrictions from the State of California's Blueprint for a Safer Economy were lifted on June 15, 2021, the average daily case rate of COVID-19 in Stanislaus County has increased 9-fold and the testing positivity rate has risen 4-fold, though those conditions may change daily and weekly; and

WHEREAS, as a consequence of the declared emergency, the STRGBA GSA does hereby find that the governing body of the GSA shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the GSA reserves the option to attend in-person meetings consistent with local health officer directives or to continue a practice of remote meetings that still allow multiple options for public participation.

NOW, THEREFORE, THE GOVERNING BODY OF THE STANISLAUS AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION GROUNDWATER SUSTAINABILITY AGENCY DOES HEREBY RESOLVE AS FOLLOWS,

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

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Section 2. Proclamation of Local Emergency. The Governing Body hereby proclaims that a local emergency exists throughout the GSA, and that the governing body meeting in person could present imminent risks to the health and safety of attendees due to the prevalence of the COVID-19 Pandemic in Stanislaus County and the state, such that the GSA reserves the right to continue virtual meetings and/or conduct in-person meetings consistent with local health guidance or duly issued orders.

Section 3. Remote Teleconference Meetings. The Governing Body and its Chairman and designees of the GSA are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 9, 2022, or (ii) such time the Governing Body adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the governing bodies of the GSA may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

Cost To Prepare GSP (September 2018 - December 2021)

