

UPPER VENTURA RIVER GROUNDWATER AGENCY

NOTICE OF REGULAR MEETING

NOTICE IS HEREBY GIVEN that the Upper Ventura River Groundwater Agency (“Agency”) Board of Directors (“Board”) will hold a **Regular Board Meeting at 1 P.M. on Thursday, January 10, 2019 at the Casitas Municipal Water District Meeting Room, 1055 Ventura Ave., Oak View California 93022.**

UPPER VENTURA RIVER GROUNDWATER AGENCY BOARD OF DIRECTORS REGULAR MEETING AGENDA

January 10, 2019

1. MEETING CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT FOR ITEMS NOT APPEARING ON THE AGENDA

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion or take any action on any items presented during public comments. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

4. CONSENT ITEMS

- a. Approve Minutes from November 8, 2018**
- b. Approve Financial Report for November 2018**

5. DIRECTOR ANNOUNCEMENTS

6. GSP PROJECT MANAGER REPORT

7. NON-GSP ACTION ITEMS

a. Appoint Agricultural Stakeholder Director

The Member Directors will consider reappointing Emily Ayala for the Agricultural Stakeholder Director two year term beginning February 1, 2019 or call for nominations from the Farm Bureau of Ventura County.

b. Appoint Environmental Stakeholder Director

The Member Directors will consider reappointing Larry Rose for the Environmental Stakeholder Director two year term beginning February 1, 2019 or call for nominations from environmental nonprofit, 501(c)(3) organizations.

c. Agency Officer Appointments

The Board will consider reaffirming the chair and secretary appointments through June 30, 2019 and appointing a Member Director to fill the Vice Chair vacancy for a term lasting through June 30, 2019.

d. Executive Committee Status

The Board will review status of the Executive Committee, a standing committee, and make new committee appointments or dissolve the committee.

e. Ad Hoc Committees

The Board will consider canceling and reestablishing the existing ad hoc committees.

f. DWR Basin Prioritization for Lower Ventura River Basin

The Board will discuss the final basin prioritization result for the Lower Ventura River Basin and provide direction to Staff.

8. GSP ACTION ITEMS

a. Grant Task Nos. 6 (Subsurface Inflow Data) and 2 (Project Monitoring Plan)

The Board will consider approving professional services for preliminary planning and coordinating activities associated with execution of Grant Task 6.

b. GSP Project Management Planning (Grant Task 9 – Organizational Activities)

The GSP PM will present a proposed approach for completing the GSP for Board to discuss and provide direction to staff.

c. Technical Review Group (Grant Task 9 – Organizational Activities)

The Board will discuss the fiscal impact of creating a technical review group (TRG); discuss whether establishing a TRG is necessary and/or proper to complete the GSP; consider adopting Resolution 2019-01 establishing a TRG; and consider directing staff to begin the recruitment process for at-large TRG member(s).

d. Pre-GSP Fee Options (Grant Task 9 – Organizational Activities)

The Board will receive a presentation from fee consultant Hildebrand and will consider selecting a fee option and fixed vs variable fee.

9. COMMITTEE REPORT

a. Ad Hoc Funding Options Committee

The committee will provide an update on the fee study.

b. Ad Hoc Stakeholder Engagement Committee

The committee will provide an update on implementation of the Stakeholder Engagement Plan.

10. EXECUTIVE DIRECTOR'S REPORT

11. ADJOURNMENT

The next scheduled Board meeting will be on February 14, 2019 at 1pm at the Casitas Municipal Water District Meeting Room, 1055 Ventura Ave, Oak View, CA 93022

**DRAFT UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING NOVEMBER 8, 2018**

The Board meeting was held at Casitas Municipal Water Districts meeting room at 1055 Ventura Avenue, Oak View, CA 93022. Directors present were: Bruce Kuebler, Mary Bergen, Diana Engle, Kevin Brown, Glenn Shephard, and Larry Rose. Director Emily Ayala was absent. Also present were: Executive Director Cece Vandermeer, Attorney Jena Acos, and GSP Project Manager Bryan Bondy. Public present were Burt Handy, Jennifer Tribo, and Mike Hollebrands.

- 1) **CALL TO ORDER**- Chairperson Bruce Kuebler called the meeting to order at 1:02 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Chairperson Bruce Kuebler.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA** - None
- 4) **CONSENT ITEMS**
 - a. **Approve Minutes from October 11, 2018**
 - b. **Approve Financial Report for October 2018**

Chair Kuebler requested that Item 4b be changed to reflect the warrants pending approval be removed and the Total Expenditures Paid October 2018 is corrected to \$20,056.08. It was also noted that the September should be changed to October on the financial report. Director Rose moved to approve the consent items with the correction. Seconded by Director Bergen.

Ayes: Bruce Kuebler, Mary Bergen, Diana Engle, Kevin Brown, Glenn Shephard, and Larry Rose.
Absent: Emily Ayala.

5) DIRECTOR ANNOUNCEMENTS

Director Brown mentioned Fox Canyon GMA is working on a groundwater extraction allocation ordinance and the Ventura Water Commission is meeting Tuesday night.

Director Shephard reported Cuyama GSA and Fox Canyon GMA will have draft GSPs in 2019.

Director Kuebler mentioned a hearing was scheduled for December 7 concerning the adjudication lawsuit.

Director Bergen reported that she did not win her election and that Casitas will be selecting a new UVRGA director. Director Bergen said she enjoyed working with everyone from the Agency and is thankful for that opportunity. The other Directors thanked Director Bergen for her service.

6) GSP PROJECT MANAGER COMMENTS

Bryan Bondy provided the following updates:

- Groundwater monitoring (data loggers) task: barometric loggers have been installed, discrepancies between County and UVRGA monitoring data at two wells has been investigated, and sites for additional monitoring wells are being evaluated
- Underflow task: Kear is now recommending three monitoring wells instead of one. Bondy will be working with Kear and OVLC to determine access for monitoring well(s).

- Evapotranspiration task: Bondy has requested a scope of work form Kear.
- Surface water tasks: Monitoring is ongoing.
- GSP Grant: DWR headquarters is working on final grant agreement.

7) GSP ACTION ITEMS – 1:15 – 1:55

a. Technical Advisory Committee

Bondy summarized the staff report.

No public comments.

The Board discussed the staff report and draft resolution. The Board reached a consensus concerning TAC member qualifications. Director Rose suggested exploring whether technical experts could be shared with other GSAs and asked if the committee would need to follow Brown Act requirements. Agency Counsel informed the Board and staff that the recommended TAC structure does not include any Board member as required by the JPA for committees. Consideration of the draft resolution was deferred to the next meeting so that Agency Counsel can provide a recommendation.

8) OTHER ACTION ITEMS

a. First Quarter Budget Review

The Board discussed the first quarter budget review prepared by the Ad Hoc Budget Committee.

No action was taken.

b. Member Agency Contributions Discussion

The Board received updates from member agency representatives concerning future member agency contributions.

Director Engle reported that MOWD's contribution for this fiscal year (and previous) will be considered donations, unless fees are established before the end of this fiscal year, in which case MOWD will want to be reimbursed for pro-rated portion of the donation that applies to the period in which fees apply. MOWD expects the GSA to establish fees no later than the end of the current fiscal year. If fees are not established by end of fiscal year, further money from MOWD will be considered a loan, and need to be paid back.

Director Brown reported that the City of Ventura considers the member contributions a donation until fees are established.

Director Shephard reported that the County of Ventura considers their contributions voluntary until through the end of this current fiscal year. The County can make loans after the current fiscal year.

Director Bergen reported the CMWD considers contributions to donations until a fee is in place and suggested that the JPA be amended to clarify this issue.

Director Kuebler reported VRWD contributions were donations with no payback. Once a fee is established, any pumping assessments it pays should be subtracted from its pro-rated contribution share.

The Board took no action.

c. Multi-Year Budget

Director Bergen and Bondy summarized the multi-year budget prepared by the Ad Hoc Budget Committee.

No public comment.

After Board discussion, Director Bergen motioned to approve the multi-year budget; seconded by Director Shephard.

Ayes: Bruce Kuebler, Mary Bergen, Diana Engle, Kevin Brown, Glenn Shephard, and Larry Rose.
Absent: Emily Ayala.

d. Banking Services

Executive Director Vandermeer recommended approving Resolution 2018-06 (re-numbered from 2018-7 after the TAC resolution was deferred) authorizing opening a checking account with Bank of the Sierra to save a \$50 monthly service charge.

No public comment.

Director Bergen motioned to approve opening a bank account with Bank of the Sierra. Seconded by Director Shephard.

Ayes: Bruce Kuebler, Mary Bergen, Mike Hollebrands, Kevin Brown, Glenn Shephard and Larry Rose.
Absent: Emily Ayala.

e. Financial Audit

Executive Director Vandermeer recommended approving services of Bartlett, Pringle & Wolf, LLP to conduct audits for fiscal years, '16-'17 and '17-'18.

No public comment.

Directors Engle and Shephard asked whether the \$10,000 cost was a fixed price or not to exceed amount. If the latter, the firm's hourly rates should be in contract. There was also a question whether the fee included the \$750 State Controller report. After discussion, Director Engle motioned to authorize contract approval for an amount not to exceed \$11,000 for the audit and State Controller report, pending inclusion of the rate structure; seconded by Director Shephard.

Ayes: Bruce Kuebler, Mary Bergen, Mike Hollebrands, Kevin Brown, Glenn Shephard and Larry Rose.
Absent: Emily Ayala.

f. Agency Organization Structure

Chair Kuebler summarized the staff report for the new Office Manager position, including the job description and alternative organizational structures.

No public comment.

During discussion, a question was raised about whether the title Office Manager was the most appropriate description. Chair Kuebler recommended deferring approval of the organization structure until the new position has been filled so the structure could be based on the strengths of the new hire.

Director Bergen moved approval of filling the new position, with the title to be determined; seconded by Director Brown.

Ayes: Bruce Kuebler, Mary Bergen, Mike Hollebrands, Kevin Brown, Glenn Shephard and Larry Rose.

Absent: Emily Ayala.

g. Principal Office Location

Bondy summarized the need to amend the Bylaws to reflect the recent change in the Agency's office address.

No public comment.

Director Rose moved approval of Resolution 2018-7 (re-numbered from 2018-8 after the TAC resolution was deferred) changing the Agency's principal office address; seconded by Director Shephard.

Ayes: Bruce Kuebler, Mary Bergen, Mike Hollebrands, Kevin Brown, Glenn Shephard and Larry Rose.

Absent: Emily Ayala.

h. Correction to Agency Resolution Numbers

Agency Counsel Acos summarized the need for Resolution 2018-8 (re-numbered from 2018-9 after the TAC resolution was deferred) correcting errors in resolution numbering.

No public comment.

Director Brown moved approval of Resolution 2018-8 correcting errors in resolution numbering; seconded by Director Shephard.

Ayes: Bruce Kuebler, Mary Bergen, Mike Hollebrands, Kevin Brown, Glenn Shephard and Larry Rose.

Absent: Emily Ayala.

9) COMMITTEE REPORT

a. Ad Hoc Funding Option Committee

Director Bergen reported it is working with rate consultant Mark Hildebrand on a presentation to the Board and stakeholders on the Agency financing plan for January.

b. Ad Hoc Stakeholder Engagement Committee

Director Ayala reported that she has been keeping her stakeholders informed on funding options. Chair Kuebler is awaiting roll-out of the financing plan to contact Ojai Valley News.

9) EXECUTIVE DIRECTOR'S REPORT

No report.

- 11) ADJOURNMENT** – The meeting was adjourned at 3:09 pm. The next regular Board meeting will be January 10, 2019 at 1:00 pm at the Casitas Municipal Water District Meeting Room, 1055 Ventura Ave., Oak View, CA 93022.

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 4(b)

DATE: January 10, 2019
TO: Board of Directors
FROM: Cece Vandermeer, Executive Director
SUBJECT: Approve Financial Report for November 2018

October Bank Balance: \$111,963.10

NOVEMBER 2018 ACTIVITY:

Revenues: -0-

November Expenditures Paid:

Auto	Wells Fargo	Bank Service Charge 10/18	\$ 27.78
Auto	Wells Fargo	Bank Service Charge 11/18	32.40
1134	Hildebrand Consult	Consulting Services 10/18	1,200.00
1135	Bondy Groundwater	11/18 Services	3,420.00
1136	Void	Void	-0-
1137	Hildebrand Consult	Consulting Services 11/18	3,200.00
1138	Kear Groundwater	11/18 Services	3,340.00
1139	OBGMA	Office Share Exp 11/18	490.67
1140	Cece Vandermeer	Medical 11/18	150.00
1141	Cece Vandermeer	Payroll 11/18	919.18

Total Expenditures Paid November 2018 \$ 12,780.03

November Ending Bank Balance \$ 99,183.07

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(a)

DATE: January 10, 2019

TO: Member Directors

FROM: Staff

SUBJECT: Appoint Agricultural Stakeholder Director

SUMMARY

The Member Directors will consider reappointing Emily Ayala for the Agricultural Stakeholder Director two year term beginning February 1, 2019 or call for nominations from the Farm Bureau of Ventura County.

RECOMMENDED ACTIONS

Reappoint Emily Ayala for the Agricultural Stakeholder Director two year term beginning February 1, 2019 or call for nominations from the Farm Bureau of Ventura County.

BACKGROUND

Pursuant to Joint Exercise of Powers Agreement (JPA) Section 6.5, Emily Ayala may be reappointed as the Agricultural Stakeholder Director by an affirmative vote of all Member Directors. If the Member Directors do not reappoint Emily Ayala, Member Directors shall select the Agricultural Stakeholder Director from a list of three qualified nominees submitted by the Farm Bureau of Ventura County (JPA Section 6.3.6(a)) at a future regular meeting.

FISCAL SUMMARY

None.

Action: _____

Motion: _____ Second: _____

B. Kuebler___ M. Bergen___ G. Shephard___ D. Engle___ K. Brown___ L. Rose___ E. Ayala___

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(b)

DATE: January 10, 2019

TO: Member Directors

FROM: Staff

SUBJECT: Appoint Environmental Stakeholder Director

SUMMARY

The Member Directors will consider reappointing Larry Rose for the Environmental Stakeholder Director two year term beginning February 1, 2019 or call for nominations from environmental nonprofit, 501(c)(3) organizations.

RECOMMENDED ACTIONS

Reappoint Larry Rose for the Environmental Stakeholder Director two year term beginning February 1, 2019 or call for nominations from environmental nonprofit, 501(c)(3) organizations.

BACKGROUND

Pursuant to Joint Exercise of Powers Agreement (JPA) Section 6.5, Larry Rose may be reappointed as the Environmental Stakeholder Director by an affirmative vote of all Member Directors. If the Member Directors do not reappoint Larry Rose, Member Directors shall select the Environmental Stakeholder Director from qualified nominees submitted by environmental nonprofit, 501(c)(3) organizations (JPA Section 6.3.6(b)) at a future regular meeting.

FISCAL SUMMARY

None.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(c)

DATE: January 10, 2019

TO: Board of Directors

FROM: Staff

SUBJECT: Agency Officer Appointments

SUMMARY

The Board will consider reaffirming the chair and secretary for a six month term and appointing a Member Director to fill the vice chair vacancy created by the change in Casitas Municipal Water District's Member Director, also for a six month term. Reaffirming the chair and secretary and approving six month terms for all positions is necessary to get on cycle with the Agency Bylaws, which require officer elections at the beginning of each fiscal year. The current officers were elected in January 2018.

RECOMMENDED ACTIONS

1. Reaffirm the chair and secretary appointments through June 30, 2019.
2. Appoint a Member Director to serve as vice chair through June 30, 2019.

BACKGROUND

Pursuant to Joint Exercise of Powers Agreement (JPA) Article 7, officers of the Agency shall be selected from the Member Directors and shall be elected by, and serve at the pleasure of the Board of Directors. Pursuant to Agency Bylaws Section 4.2, Board Officers shall be elected at the first meeting at the start of the fiscal year.

FISCAL SUMMARY

None.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(d)

DATE: January 10, 2019

TO: Board of Directors

FROM: Staff

SUBJECT: Executive Committee Status

SUMMARY

The Board will review the status of the Executive Committee, a standing committee, and consider changes to the committee assignments or dissolve the committee.

RECOMMENDED ACTIONS

Review the status of the Executive Committee, a standing committee, and make new committee appointments or dissolve the committee.

BACKGROUND

On June 8, 2017, the Board created the Executive Committee, as standing committee. Agency Bylaws Section 6.6 specifically addresses the Executive Committee. The Agency Bylaws state that “the Executive Committee, when specifically designated and assigned by the Board, may advise the Board on the development and implementation of the GSP and work with the Executive Director as needed.” When it was created, the Board added that the Executive Committee was to provide members of the public the opportunity to engage in more technical conversations with a groundwater management consultant prior to regular Board meetings. The Board also tasked the Executive Committee with preparing a request for proposals for groundwater management consulting services, interviewing top responders, and recommending a consultant for Board approval. Bryan Bondy (Bondy Groundwater Consulting, Inc.) was ultimately retained to service as the groundwater management consultant and is currently serving as the GSP Project Manager and, potentially, Executive Director, following Agency reorganization in early 2019. The Executive Committee has not met since retaining Mr. Bondy in August 2017, but could be a useful tool of the Board when GSP development begins.

The Executive Committee consists of Bruce Kuebler (chair), Joe McDermott, and Larry Rose. Joe McDermott is no longer employed with the City of Ventura. Additionally, there has been a change in Casitas Municipal Water District’s Member Director and the Stakeholder Directors terms expire February 1, 2019. Thus, the Board should consider making new appointments if it desires to keep the committee in place.

FISCAL SUMMARY

None.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(e)

DATE: January 10, 2019

TO: Board of Directors

FROM: Staff

SUBJECT: Ad Hoc Committees

SUMMARY

Due to a change in Casitas Municipal Water District's Member Director and expiration of Stakeholder Directors terms on February 1, 2019, the Board is advised by Agency Counsel to cancel and reestablish the existing ad hoc committees. The ad hoc committees are summarized in the attached table.

RECOMMENDED ACTIONS

- Cancel and reestablish the existing ad hoc committees, as follows:
 - One motion per committee is recommended.
 - Motions should identify the committee name to be canceled and reestablished together with the committee's duties, term, and appointees.
 - Recommended duties are listed in the attachment.
 - Recommended committee terms are listed in the attachment, except that staff recommends extending the Ad Hoc Funding Committee term to June 30, 2019 or later, depending on fee development progress to date.

BACKGROUND

None.

FISCAL SUMMARY

None.

ATTACHMENT

A. Ad Hoc Committee Summary Table

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UVRGA Ad Hoc Committee Summary Table

Committee	Recent Members	Termination Date	Duties
Ad Hoc Budget Committee to Develop Budget Recommendations and Perform Budget Review Tasks	Mary Bergen (c) Bert Rapp Mike Hollebrands	June 30, 2019	<ol style="list-style-type: none"> 1. Develop a proposed FY 2019 budget; 2. Develop a proposed multi-year budget through fiscal year 2022; 3. Review budget and expenditures and prepare quarterly budget reports with recommendations; 4. Develop a proposed FY 2020 budget; and 5. Perform other budget-related tasks as may be directed by the Board.
Ad Hoc Funding Options Committee	Mary Bergen (c) Bruce Kuebler Emily Ayala	Dec. 31, 2018	<ol style="list-style-type: none"> 1. Develop funding option recommendations
Ad Hoc Stakeholder Engagement Committee	Larry Rose (c) Bruce Kuebler Emily Ayala	January 31, 2022	<ol style="list-style-type: none"> 1. Develop a project management tool Stakeholder Engagement Plan (SEP); 2. Perform SEP implementation; 3. Provide monthly updates; 4. Perform ongoing review of SEP; 5. Recommend SEP updates each May; and 6. Perform other stakeholder outreach-related tasks as determined by the Board.
Ad Hoc Committee to Interface with California Water Action Plan Representatives	Bruce Kuebler (c) Emily Ayala Mary Bergen	Until GSP Adopted	<ol style="list-style-type: none"> 1. Interface with CDFW and the State Water Resources Control Board

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(f)

DATE: January 10, 2019

TO: Board of Directors

FROM: Staff

SUBJECT: DWR Basin Prioritization for Lower Ventura River Basin

SUMMARY

The Department of Water Resources release of final basin prioritizations for basins not affected by the 2018 basin boundary modifications is expected in early January 2019. Results were not available at the time of print.

RECOMMENDED ACTIONS

Discuss the final basin prioritization result for the Lower Ventura River Basin and provide direction to Staff.

BACKGROUND

None.

FISCAL SUMMARY

None.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(a)

DATE: January 10, 2019

TO: Member Directors

FROM: Staff

SUBJECT: Grant Task Nos. 6 (Subsurface Inflow Data) and 2 (Project Monitoring Plan)

SUMMARY

Preliminary planning and coordination activities are necessary to prepare for completion of GSP Grant Task No. 6 – Subsurface Inflow, as follows:

- Well Monitoring for Upstream Inflow Estimates: Evaluate the well located near Camino Cielo bridge (05N23W28P1) that was proposed by State Water Resources Control Board (SWRCB) for the flow study, and make any necessary recommendations concerning adequacy of this well for inflow estimation, and coordinate with County and SWRCB concerning monitoring;
- New Monitoring Well(s) for San Antonio Creek Inflow Estimates:
 - Access: Obtain/finalize a long-term access agreement with OVLC
 - CEQA Compliance: File a notice of exemption for the monitoring well(s)
 - Project Management Plan: The grant agreement requires that Agency submit certain information concerning the proposed monitoring well(s) prior to drilling (new GSP Task No. 2 included in the grant agreement).

Additional authorization(s) will be needed prior to executing GSP Grant Task No. 6.

Additionally, it is assumed that technical group review will be performed prior to executing GSP Grant Task No. 6, as requested by the City of Ventura.

RECOMMENDED ACTIONS

Approve time and materials professional services by Bondy and Kear not to exceed \$4,000 each, to complete preliminary planning and coordinating activities for GSP Grant Task No. 6 and the GSP Grant Task No. 2 Project Monitoring Plan.

BACKGROUND

None.

FISCAL SUMMARY

The proposed professional services are part of the GSP Grant budget. The Fiscal Year 2018/2019 includes \$30,000 for GSP Grant Task No. 6 (formerly task 2.5).

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(b)

DATE: January 10, 2019

TO: Member Directors

FROM: Staff

SUBJECT: GSP Project Management Planning (Grant Task 9 – Organizational Activities)

SUMMARY

The GSP PM recommends pursuing a contract with a consulting firm to provide as needed GSP development support services.

RECOMMENDED ACTIONS

Discuss the GSP PM's proposed approach for completing the GSP and provide direction to staff.

BACKGROUND

In early 2018, the GSP PM and Board discussed completing the GSP through a combination of professional services to be provided by Bondy, Kear, and Lorraine Walter. Since that time, Lorraine Walter's availability has become uncertain and will depend on her workload at the actual time we request her services. It has also become clear that the Agency will need to perform modeling to complete the GSP¹. Bondy and Kear remain busy and are anticipated to remain in high demand through the GSP development period. For these reasons it is recommended that the Agency enter into a contract with a consulting firm to provide as needed GSP development support under the direction of the GSP PM.

The ideal consulting firm would be willing and able to provide the following support:

1. Low cost staff to support development of GSP background sections in the event that Lorraine Walter has limited availability;
2. Cost-effective analytical modeling support to address GSP modeling requirements;
3. Cost-effective technical support for other GSP elements, as needed; and
4. GSP document support (editing, formatting, comment management, and version control).

¹ The GSP Emergency Regulations require the use of a numerical groundwater and surface water model unless "an equally effective method, tool, or analytical model" can be developed. It was previously thought that the Agency would be able to utilize the State Water Resources Control Board (SWRCB) integrated surface water-groundwater model that is being developed for the flow study (subject to review and acceptance by the Agency). However, it is now clear that the SWRCB numerical model will not be completed in time for use in the GSP by the Agency. Thus, the GSP PM anticipates that analytical modeling will be needed to comply with the GSP requirements.

In order minimize costs, the recommended contracting approach would be for the consultant to operate under a master agreement with the agency or subcontract to the GSP PM. Work orders for specific as needed services would be issued from time to time by the GSP PM (subject to Board fiscal approval). Issuing discrete work orders for specific tasks will promote greater cost control compared to approving a broader scope of work.

The ideal consultant would be comfortable working in a support role under a work order driven contract. Importantly, the consultant should be willing to work very closely with and under the GSP PM's direction. Not all consultants would necessarily be comfortable with the proposed arrangement. However, the GSP PM believes such an arrangement would provide the Agency with the most flexible and cost-effective and approach to completing the GSP.

In terms of consultant selection, the Agency does not have a procurement policy. The work could be sole sourced based on a GSP PM recommendation or a consultant could be selected through a competitive process. If the Board prefers a competitive process, the GSP PM recommends issuing a request for statements of qualifications and rate sheets.

Lastly, the GSP PM also serves as the Executive Director of the Mound Basin GSA (MBGSA) and will be making a similar recommendation to that agency's board. Although neither agency has any obligation to the other, it would be more efficient and cost-effective for both agencies if they were to utilize the same consultant because the GSP PM will be managing development of both GSPs. Your Board may consider directing the GSP PM to coordinate with MBGSA on consultant selection.

FISCAL SUMMARY

Contracting for as needed services in of itself does not have a fiscal impact other than a modest about of labor for the GSP PM to participate in consultant selection and for counsel to review a professional services agreement.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(c)

DATE: January 10, 2019

TO: Board of Directors

FROM: Agency Staff

SUBJECT: Technical Review Group (TRG) (Grant Task 9 – Organizational Activities)

SUMMARY

During its November 8, 2018 meeting, the Board considered a draft resolution that would create a Technical Advisory Committee (TAC). The Board reached a consensus concerning TAC member qualifications. However, Agency Counsel informed the Board and staff that the recommended TAC structure does not include any Board member as required by the Joint Exercise of Powers Agreement (JPA) for committees. Consideration of the draft resolution was deferred to the next meeting so that Agency Counsel can provide a recommendation.

Agency Counsel has advised that, pursuant to JPA Section 4.1.4, the Agency possesses the power to perform acts necessary or proper to carry out fully the purposes of JPA. If the Board finds that establishing a technical review group to address technical issues is necessary and/or proper to complete the GSP, the Board could form such a group pursuant to JPA Section 4.1.4. To avoid confusion with JPA Article 12 (Advisory Committees) and Agency Bylaws Article 6 (Committees), it is recommended that such a group be called a Technical Review Group (TRG).

The purpose and duties of the TRG would be as per prior Board discussions (i.e. develop consensus on data interpretation and analysis methods and other complex issues that involve scientific interpretation). The TRG will be expected to focus on the Agency's data gap tasks and technical aspects of the GSP.

In terms of TRG membership, the Board previously discussed a four member TRG, consisting of the GSP PM, Kear Groundwater (Jordan Kear), and two at other hydrogeologists to be selected by the Board. In light of the recommendations in Item 8b, it is suggested that the TRG consist instead of GSP PM, Kear Groundwater (Jordan Kear), future support consultant, and one other "at large" hydrogeologist to be selected by the Board.

Lastly, it is recommended that the TRG operate according to the Brown Act, even though it is not technically required. Doing so will facilitate participation by interested parties and increase transparency.

The draft resolution discussed at the November 8, 2018 Board meeting, has been updated to reflect the discussion above (Attachment A - Draft Resolution 2019-1).

If the Board proceeds with forming a TRG, the recommended selection process for selecting the at-large TRG member(s) is summarized in the table below.

Month	Action	Responsibility
January	1. Issue Request for Qualifications (RFQ) (i.e. resume / CV)	Selected Director w/ GSP PM Support
February	2. RFQ responses due	Responders
March	3. Report to Board - Board selects at-large TAC member(s) OR appoints Board committee to conduct interviews	Selected Director w/ GSP PM Support
April	4. If necessary, Board Committee candidate interviews and Board Approval	Board Committee

Previously, the Board discussed recruiting a volunteer to fill the at-large TRG position. Staff is concerned that it will not be possible to find a qualified volunteer given market conditions. Staff recommends advertising this as a paid consulting contract. In either case (volunteer or paid) An RFQ will be posted on the Agency's website and, where possible, advertised through local organizations such as the Ventura Watershed Council, Watersheds Coalition of Ventura County, Association of Water Agencies of Ventura County, and the Central Coast Branch of the Groundwater Resources Association of California.

RECOMMENDED ACTION

It is recommended that the Board take the following actions:

1. Discuss the fiscal impact of creating a TRG;
2. Discuss whether establishing a technical review group is necessary and/or proper to complete the GSP;
3. Consider adopting Resolution 2019-01 establishing a TRG; and
4. Consider selecting a Director to lead the recruitment process for at-large TRG member(s).

BACKGROUND

In early 2018, some Board members expressed an interest in forming a TAC to weigh-in on the Agency's data gap tasks and Groundwater Sustainability Plan.

During the July 12, 2018 Board meeting, the GSP PM briefed the Board on the possible TAC duties, TAC member qualifications, and various TAC design options.

During its September 13, 2018 meeting, the Board discussed creating a four member TAC consisting of the GSP PM, Kear Groundwater (Jordan Kear), and two other "at-large" technical

professionals to be selected by the Board. The Board asked staff to develop draft guidelines for selecting the two at-large members for Board discussion and approval.

During its November 8, 2018 meeting, the Board considered a draft resolution that would create a TAC. The Board reached a consensus concerning TAC member qualifications. However, Agency Counsel informed the Board and staff that the recommended TAC structure does not include any Board member as required by the JPA for committees. Consideration of the draft resolution was deferred to the next meeting so that Agency Counsel could provide a recommendation.

FISCAL SUMMARY

TRG activities are not explicitly listed in the GSP grant agreement and, therefore, may not be grant eligible. Implementation of a TRG will increase Agency costs by a minimum of approximately \$5,000 per TRG meeting for administration TRG member participation. Recruitment of at-large TRG member(s) will not add cost if performed by a director(s).

ATTACHMENTS

A. Draft Resolution 2019-1

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala____

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BOARD OF DIRECTORS

UPPER VENTURA RIVER GROUNDWATER AGENCY

RESOLUTION NO. 2019-1

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY
(AGENCY) ESTABLISHING A TECHNICAL REVIEW GROUP**

WHEREAS, Article 4.14 the joint exercise of powers agreement ("JPA Agreement") between the Casitas Municipal Water District, the City of San Buenaventura, the County of Ventura, the Meiners Oaks Water District, and the Ventura River Water District authorizes the Upper Ventura River Groundwater Agency to perform all other acts necessary or proper to carry out fully the purposes of the JPA Agreement;

WHEREAS, the Board, at its January 10, 2019 Board meeting, did thoroughly discuss and determine that the formation of Technical Review Group is a proper action for completion of the Groundwater Sustainability Plan.

NOW, THEREFORE, the Board of Directors of the Upper Ventura River Groundwater Agency does hereby resolve as follows:

1. Technical Review Group Formation: A Technical Review Group is hereby formed, consisting of the following four members: the Agency GSP Project Manager, data collection hydrogeologist under contract with agency (Jordan Kear as of resolution adoption date), and two additional at-large members to be approved by the Board of Directors. The Board of Directors may appoint additional temporary members, as needed, to obtain advice on specific technical issues.
2. Technical Review Group Member Minimum Qualifications: All Technical Review Group Members shall have the following minimum qualifications:
 - a. Degree from a state-accredited college or university with educational background in groundwater hydrology, applicable to the Upper Ventura River Basin.
 - b. State of California professional licensure, as required by the California Business and Professions Code, as follows:
 - i. Professional Geologist and Certified Hydrogeologist or
 - ii. Professional Engineer [Civil] with demonstrated hydrogeology experience.
 - c. Minimum of 10 years of professional experience with a focus on basin-scale hydrogeology projects, planning, or studies.

1 3. Technical Review Group Duties: The Technical Review Group duties shall consist of
2 the following:

- 3 a. Review and comment on scopes of work for data gap tasks;
4 b. Review and comment on draft reports for data gap tasks;
5 c. Provide input on data interpretation and analysis methods;
6 d. Review data interpretations and data analysis results proposed for inclusion in
7 the Groundwater Sustainability Plan; and
8 e. Other duties as may be assigned by the Board of Directors from time to time.

9
10 4. Technical Review Group Meetings:

- 11 a. All Technical Review Group Meetings shall follow Brown Act procedures.
12 b. Until Groundwater Sustainability Plan adoption, the Technical Review Group
13 shall meet only as necessary to complete the above-listed duties and shall not
14 meet more than four times per Agency fiscal year without prior authorization
15 by the Board of Directors.
16 c. Following Groundwater Sustainability Plan adoption, the Technical Review
17 Group shall meet once per Agency fiscal year to review the Agency Annual
18 report and as requested by the Board of Directors.

19
20 PASSED, APPROVED, AND ADOPTED this 10th day of January, 2019.

21
22
23
24 _____
25 Bruce Kuebler, Board Chair

26 ATTEST:

27
28 _____
29 Cece Vandermeer
30 Executive Director

APPROVED AS TO FORM

Upper Ventura River Groundwater Agency
General Counsel

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8d

DATE: January 10, 2019

TO: Board of Directors

FROM: Ad Hoc Funding Options Committee

SUBJECT: Pre-GSP Fee Options (Grant Task 9 – Organizational Activities)

SUMMARY

The Board will receive a presentation from fee consultant Hildebrand and will consider selecting a fee option and fixed vs variable fee.

RECOMMENDED ACTION

The Ad Hoc Funding Options Committee recommends the Board direct staff to notice and schedule a public hearing to consider adoption of a fixed extraction fee.

BACKGROUND

The Ad Hoc Funding Options Committee was chaired by Director Bergen with members Ayala and Kuebler.

Rate consultant Hildebrand Consulting was retained to analyze costs and present options for Board consideration. Mark Hildebrand met with the Committee and presented and discussed his findings during two conference calls. Today he will give the Board the power point presentation he made to the Committee.

Funding options were extraction fee, flat parcel fee, metered extraction fee, voluntary/obligatory member contributions, parcel tax, and special assessment. The Ad Hoc Funding Options Committee is recommending the extraction fee option.

The recommended extraction fee could vary from year to year or be fixed. If variable, it could be changed to fit each year's revenue needs. If fixed, it would likely require loans from member agencies to accommodate variable cash flow requirements but would provide stability for pumpers in planning their operations. The Ad Hoc Funding Options Committee is recommending a fixed extraction fee.

Prior to adopting an extraction fee, the Board is required to notice and hold a public hearing where it will consider public comments. Notice of this Board meeting will conform to legal requirements

FISCAL SUMMARY

A fixed fee will likely require a loan from one or more member agencies. Director Shephard indicated Ventura County would loan money at 5% interest. Other member agencies haven't communicated interest rates.

Action: _____

Motion: _____ Second: _____

B. Kuebler____ M. Bergen____ G. Shephard____ D. Engle____ K. Brown____ L. Rose____ E. Ayala