

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING JULY 11, 2019**

The Board meeting was held at the Casitas Municipal Water District meeting room at 1055 Ventura Avenue, Oak View, CA, 93022. Directors present were: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio. Director Glenn Shephard was absent. Also present were: Executive Director and GSP Project Manager Bryan Bondy and Agency Administrator Summer Ward. The following members of the public were present: Bert Rapp (Alternate Director), Jordan Kear and Jennifer Tribo.

- 1) **CALL TO ORDER AND ROLL CALL** – Chairperson Bruce Kuebler called the meeting order at 1:05 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Chairperson Bruce Kuebler.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA** - None
- 4) **APPROVAL OF AGENDA** – No changes were proposed.
- 5) **CONSENT CALENDAR**
 - a. **Approve Minutes from June 13, 2019**
 - b. **Approve Financial Report for June 2019**
 - c. **Approve Intera Master Services Agreement Amendment**

Director Engle noted that she was absent at the June 13, 2019, Board meeting. Director Engle motioned to approve the consent calendar with the correction to the minutes. Seconded by Director Rose.

Concerning the financial report, the Executive Director explained that staff would add footnotes for any voided checks in the future to help avoid any confusion.

No public comments.

Ayes: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio.

Noes: None.

Absent: Glenn Shephard.

- 6) **DIRECTOR ANNOUNCEMENTS**
 - a. **Directors may provide oral reports on items not appearing on the agenda.**
 - b. **Directors shall report time spent on cost-share eligible activities for the 2017 Proposition 1 Sustainable Groundwater Management Planning (SGWP) Grant.**

Director Spandrio: No announcements and no time to report.

Director Rungren: The State Water Project Interconnection EIR is set for the City Council approval on July 15. No time to report.

Director Rose: No announcements. The Ad Hoc Stakeholder Engagement Committee met for one hour on July 9 for Grant Task 10.

Director Engle: No announcements and no time to report.

Director Ayala: Same as Director Rose.

Director Kuebler: Same as Director Rose.

Director Shepard: Absent.

7) EXECUTIVE DIRECTOR'S REPORT

The Executive Director provided the following updates:

- Summer Ward joined UVRGA a few weeks ago and has been busy addressing administrative tasks. She has been trained on UVRGA website maintenance, is diagnosing the email system issues, and is working with OBGMA to have the office phone number ported to a new UVRGA cell phone.
- Extraction Fee invoices will be mailed out next week.
- Executive Director Bondy stated that the first grant invoice and progress report is due on August 15. Guidance thus far from DWR has been vague.
- Kevin Delano, State Water Resources Control Board (SWRCB) reached out to the Executive Director to setup a monthly conference call to coordinate the flow study and GSP. The first monthly staff conference call occurred on June 17. The call focused on introductions and discussion of overlapping authority and how to optimize solutions for all regulatory programs, with a brief discussion about data sharing. Director Engle expressed a concern regarding the SWRCB's model scale of a 100m x 100m grid. Executive Director Bondy explained that an analytical model, which calculates based on a particular circumstance, or one a numerical model with modified grid size could be constructed for the GSP. Bryan Bondy, Jordan Kear, and Intera will develop an analysis approach for the GSP.
- Executive Director Bondy referred to correspondence from Andrea Neil of Primary Water Resources (PWR). He explained that PWR has provided information about geological analysis they have done in the region, primarily in the Ojai Basin. PWR has requested an agenda item to present to the Board. He explained that he told PWR that their information would be considered along with all other information during GSP preparation. After researching PWR, it was determined that there are no licensed Hydrogeologists or Engineers on its staff. Several Directors stated they too had been contacted by the group and were not in favor of a presentation. Several Board members stated that a review of their presentation in a pdf format would suffice or extend an invitation to the group to speak during public comments at a future meeting.

8) ADMINISTRATIVE ITEMS

a. Master Services Agreement and Work Orders for Kear Groundwater

Executive Director Bondy reviewed the proposed Master Services Agreement (MSA), draft Work Order No. 1, and rate history of UVRGA professional services providers. He explained that the plan is to issue work orders for specific GSP tasks under MSA. The Kear MSA contains the same language as the previously approved Intera MSA, except for the Indemnity section. Executive Director Bondy recommended approval of the MSA and Work Order No. 1 in the amount of \$30,000, as needed technical support services to be requested at the discretion of Executive Director Bondy. He also recommended that the Board authorize him to negotiate and issue work orders to Kear under the new MSA for previously approved work scopes that were issued under a prior, now expired, contract.

No public comments.

There was some discussion regarding the budget information reported to the Board and the frequency of budget reports. Executive Director Bondy stated the staff would continue to report quarterly. Additionally, it was clarified that the majority of funds for Work Order #1 were budgeted within the GSP, expenses will be applied to each appropriate Grant task.

Director Engle asked about the status of work products. Executive Director Bondy provided a brief status update on the data gap tasks. Director Ayala request a quarterly update on previously authorized work items.

Director Rose made the motion to approve the MSA with Kear Groundwater, Work Order #1 for as-needed technical support, and authorize the Executive Director to negotiate and issue work orders for previously approved work scopes. Director Rungren seconded the motion.

No public comments.

Ayes: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio.

Noes: None.

Absent: Glenn Shephard.

b. Member Agency Cash Advances

The Executive Director presented the draft Member Agency Cash Advances Agreements with the City of San Buenaventura, Meiners Oaks Water District, and Ventura River Water District. The no-interest loans total \$90,000, with \$30,000 from each member agency and repayment by the year 2023.

No public comments.

Director Spandrio made the motion to approve the Cash Advance Agreements with the City of San Buenaventura, Meiners Oaks Water District, and Ventura River Water District. Director Rose seconded the motion.

No public comments.

Director Kuebler asked for clarification regarding the language that was added to Meiners Oaks Water District and Ventura River Water District to include administrative costs in addition to GSP costs, but not the City of San Buenaventura. Director Rungren stated that funds provided by the City are not intended to be restricted.

Ayes: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio.

Noes: None.

Absent: Glenn Shephard.

c. Discussion of Agency Representation by Board Members

Executive Director Bondy stated that this item was requested during the May 9 board meeting and he provided background information, emphasizing the importance of building trust and collaboration envisioned in the Joint Powers Agreement and transparent stakeholder outreach and engagement required by the Sustainable Groundwater Management Act. Executive Director Bondy reviewed background information and suggested practices contained in the staff report for consideration.

Public Comment:

Alternate Director Rapp stated that it is good professional practice to notify the Board if one is invited to speak or present on behalf of the Agency. Appointed persons need to be able to speak to constituents, but the Board members should have the notice to review or attend the event.

Director Engle stated she would like to have an opportunity to discuss such presentations at the Board meeting before the event occurs, not after.

The Board discussed various concerns about Member Agency directors representing or appearing to represent the Agency outside of Board meetings. Several directors stated a preference for directors to not represent the Agency without Board approval.

Director Kuebler stated he is not in favor of a policy, rather a discussion and bringing awareness to the topic should be adequate. Director Kuebler reviewed the circumstances in which he was presenting at the Localizing California Waters conference as an elected official for Ventura River Water District and did not intend to represent the UVRGA. Director Kuebler stated it is important for Directors to be speaking and engaging with the public.

Director Angelo recommended not discussing any items that have not been published in the meeting minutes and inquired about whether the Executive Director should be authorized to speak on behalf of the Agency. The Executive Director stated that his job is to seek out information on issues and report back to the Board and that he understands he is not authorized to take official positions on policy issues.

Director Kuebler suggested that the Board develop a list of sensitive issues.

No action was taken.

d. Agency Officer Appointments

Director Kuebler made the proposal and motion to appoint Director Engle for Chair, himself, Director Kuebler as Vice Chair and Director Spandiro for Secretary. After brief discussion, Director Ayala seconded the motion.

No public comments.

Ayes: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio.

Noes: None.

Absent: Glenn Shephard.

e. Ad Hoc Committees

Executive Director Bondy presented the current Committee memberships and duties for review in light of the Agency Officer Appointments. Staff made two recommendations to existing Committees. The first, Budget Committee should reflect the staff development of the budget and Directors review and approve the budgets. Second, regarding the Water Action Plan, after discussion with Attorney Acos, Staff presented three options: keep the committee as is, discontinue the committee, or change the duties to reflect the work of staff with other agencies.

Public Comment:

Alternate Director Rapp stated that in regards to the Ad Hoc CA Water Action Plan Committee he foresees the next year being focused on both technical and policy decisions. There should be a conversation with staff at the State Water Resources Control Board for guidance on how much time and effort should we be putting into our individual sustainability plan. He recommended retaining the Ad Hoc CA Water Action Plan Committee for six months until we have a better idea of what the state will be expecting. Additionally, Alternate Director Rapp recommended Executive Director be de-facto member of each Committee.

Executive Director Bondy clarified that the State Water Resources Control Board will not provide information on what we should include in the GSP because it is not their role. However, the Agency will instead need to meet with DWR to discuss such details and how best to navigate through developing a GSP while developing a separate flow study and the adjudication. Executive Director Bondy reiterated the need for staff involvement; the concern with the current committee structure has caused staff to be out-of-the-loop with the State Water Resources Control Board.

Director Engle supported Executive Director Bondy's comments regarding the process and noted that DWR will be providing tools to address various measures and objectives. She recommended inviting DWR representatives to come speak to the full board, as an

agendized discussion. Additionally, a fourth Committee option is to keep the ad-hoc committee and add Executive Director Bondy.

Director Kuebler expressed support for keeping the Ad Hoc CA Water Action Plan Committee and adding Executive Director Bondy. He recommended drafting a white paper with Attorney Acos, Executive Director Bondy and Directors Keubler, Engle and Rungren, intended to address the various issues in an efficient manner. Director Engle expressed concern regarding including litigation issues as part of a committee meeting.

Director Ayala stated she fully trusts Executive Director Bondy and Jordan Kear discussing issues with the State Water Resources Control Board. She feels the Board should be involved and the Committee is useful, perhaps include a Committee Director in the discussions and report back monthly. Executive Director Bondy expressed goal of being efficient with Committee time and communications.

Director Rungren stated that the Ad Hoc CA Water Action Plan Committee should be dissolved and instead have updates provided by the Board by the Executive Director.

Director Spandrio made the motion to approve both staff recommendations, revision of the Budget Committee duties and dissolution of the ad-hoc Water Action Plan Committee. Director Spandrio also requested a future agenda item to discuss options for the Agency to influence litigation, possibly a closed session item. Seconded by Director Engle.

Ayes: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Angelo Spandrio.

Noes: None.

Absent: Glenn Shephard.

9) COMMITTEE REPORTS

Director Rose stated that it is time for the annual review of the Stakeholder Engagement Plan, add to next meeting agenda.

10) ADJOURNMENT – The plan is to be dark in August, will hold the September 12th meeting date. Staff will schedule an upcoming meeting at Ventura City Hall. The meeting was adjourned at 3:10pm. The next scheduled Board meeting is September 12, 2019, at 1 pm at the Casitas Municipal Water District Meeting Room, 1055 Ventura Ave, Oak View, CA, 93022.

Action: _____

Motion: _____ Second: _____

B.Kuebler___ D.Engle___ A.Spandrio___ S.Rungren___ G.Shephard___ E.Ayala___ L.Rose___