

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING NOVEMBER 14, 2019**

The Board meeting was held at the Public Works Yard Assembly Room, 336 Sanjon Road, Ventura, CA 93001. Directors present were: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren, Glenn Shephard (arrived at 1:17 pm) and Angelo Spandrio. 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) and Jennifer Tribo.

- 1) **CALL TO ORDER AND ROLL CALL** – Chairperson Diana Engle called the meeting order at 1:03 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Chairperson Diana Engle.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**
No Public Comments
- 4) **APPROVAL OF AGENDA** – No changes were proposed.
- 5) **CONSENT CALENDAR**
 - a. **Approve Minutes from October 10, 2019**
 - b. **Approve Financial Report for October 2019**
 - c. **Approve Well Access Agreement For Two City of San Buenaventura Monitoring Wells at Foster Park**

Director Rungren requested that the October minutes be amended to state under item 7 to correctly reference the EIR was for City Water Supply Projects, not State Water Project interconnection. Director Engle requested also in item 7, Clean Water Act be replaced with USBR.

Director Ayala noted grammatical errors requiring correction.

Director Kuebler made the motion to approve the Consent items a-c, including recommended revisions to the October 10, 2019 minutes. Director Rose 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 (arrived after this agenda item)

- 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: No announcements and no time to report.

Director Rose: No announcements and no time to report.

Director Ayala: Participated in the Casitas Tour today with Director Shephard, highly recommend if you get a chance. No time to report.

Director Kuebler: Attended the OBGMA meeting. An OBGMA workshop is scheduled for 12/11/19 at City Hall at 5:00 pm. The Casitas Board reported on findings from their opinion survey regarding state water project connection - none of the groups met the threshold of 67%. The Ventura River Watershed Council Meeting is scheduled for 12/5/19 at 9:00 am. Time spent on GSP tasks: Category D, Task 11 - 30 min reviewing Intera proposal and Category C, Task 10 - 15 minutes on outreach.

Director Engle: No announcements and no time to report.

Director Shepard: Fox Canyon GSPs will be up for Board approval on 12/13/19 and Cuyuama Basin 12/4/19. No time to report.

7) EXECUTIVE DIRECTOR'S REPORT

The Executive Director provided the following updates:

- Executive Director Bondy stated that the new uvrgroundwater.org email accounts have been created. Ms. Ward added that since implementation they became aware of high security setting on the server that was putting appropriate emails into quarantine; Mitec has been notified and adjusted the settings, if anyone continues to have trouble with the spam filter, please notify Ms. Ward. Additionally, if anyone needs further assistance setting up the email account, contact Ms. Ward and she can help coordinate a remote assistance appointment, whereby, Mitec would log onto your device and perform the complete setup.
- Executive Director Bondy stated that the first grant invoice has been approved and a check for \$92,000 should be received by the end of the year, noting 10% is retained until the end of the project. Invoice #2 is under review in the amount of \$16,000.00, anticipate payment in early 2020. Director Kuebler and the Board thanked Executive Director Bondy for his tremendous efforts. Director Kuebler asked about the labor rates. Executive Director Bondy explained that DWR does not approve the labor rates, we propose what we feel is a fair rate, if an auditor feels the rates are not appropriate the discussion would occur at that point.
- Executive Director Bondy provided an update on Data Gap tasks 5 & 8. Task 5 involves updating the report created by Director Kuebler a few years ago with new data and Task 8 involves estimating and evaluating evapotranspiration. After discussions with Jordan Kear and Intera during the kick-off meeting, it was agreed that there is a significant overlap between the GSP and these tasks. Executive Director Bondy discussed the option of deleting Tasks 5 & 8 from the Grant Agreement with DWR because the work has to be

done to complete the GSP and is an unnecessary duplicate cost for the agency. The savings is would be from not preparing separate technical memos for those two tasks. Executive Director Bondy will work with Eddie (DWR) on a grant amendment. The data collection activities that were included as a part of Task 8 will be added as an addendum to the Kear Work Order for field services; a revised work order will be brought to the board.

- Executive Director Bondy stated that he has been working to schedule a meeting with the State Water Board Staff and DWR to talk about the GSP and the Flow Study in one forum and the overlap between the two; hopefully, before the end of the year.

Director Ayala requested a discussion regarding the lost extraction fee checks. Executive Director Bondy explained that at the last meeting, the board had approved waiving late fees and penalties for 3 payees, 1 agency and 2 private. Thankfully, before the statements were mailed out, our Agency Bookkeeper found missing checks for the two private payees. The checks had been misfiled in her documents. Director Ayala stated that Mr. Cromer was very upset about the lost check and that if any Director sees Mr. Cromer to thank him and extend an apology. Executive Director Bondy discussed the matter with the Bookkeeper and ways to prevent future problems; he also called Quail Run Ranch and conveyed the Agency's apologies to Mr. Cromer's assistant, Nancy.

8) ADMINISTRATIVE ITEMS

a. Approve Revised Financial Auditor Contract

Executive Director Bondy presented the staff's request to consider approving a letter of engagement with Bartlett, Pringle & Wolf LLP (BPW) for the Fiscal Year 18/19 Financial Audit, with options for the Fiscal Year 19/20 and 20/21 audits. The Board previously approved the BPW contract for \$30,000 at the last meeting with pricing based on guaranteed audit services for three years, however, given government code requirements, a change in the Treasurer position could require the Agency to obtain an audit by one its Member Agencies instead. He recommends against being locked into a contract if there is a possibility that the services might not be needed. Executive Director Bondy stated that, although the pricing will increase from \$30,000 to \$37,000, it is a fair price considering the 3 audits are no longer guaranteed.

Director Kuebler requested clarification on the inclusion of language regarding fees associated with cancelling the contract. Executive Director Bondy stated that there wouldn't be a need for such language with the bulk discount removed; each audit period is independent.

No Public Comment.

Director Rungren made the motion to authorize the Executive Director to execute the letter of engagement with Bartlett, Pringle, & Wolf, LLP for the Fiscal Year 2018/2019 Financial Audit, with options for the Fiscal Years 2019/2020 and 2020/2021 audits. Director Shephard seconded the motion.

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

Noes: None.

b. Accounting Consulting Agreement

Executive Director Bondy presented staff's request to consider approving a letter of engagement with Barlett, Pringle, & Wolf, LLP for as-needed consulting services to update the Agency's Quickbooks system and provide miscellaneous assistance to the Agency Treasurer; approving up to \$10,000 in as-needed accounting consulting services for the current fiscal year, to be authorized at the discretion of the Executive Director.

Executive Director Bondy explained that his goal is to reorganize the Quickbooks classifications to provide improved reporting and tracking by Grant Task and professional services. The main issue being that Professional Services are not being rolled-up. The Mound Basin books were set up by United Water Conservation District's Controller and can be used as a model.

Director Engle noted that in the first paragraph of the letter of engagement the dates appear to reflect the audit period and not an as-needed basis. Executive Director Bondy replied that he thinks it was an oversight and likely used the audit letter of engagement as a template and missed that revision. The correction will be made in the contract.

No Public Comments.

Director Ayala made the motion to approve the letter of engagement with BPW with the date correction. Director Rungren seconded the motion.

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

Noes: None.

Director Shephard made the motion to approve up to \$10,000 in as-needed accounting consulting services for the fiscal year, to be authorized at the discretion of the Executive Director. Director Ayala seconded the motion.

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

Noes: None.

c. Kear Groundwater Work Order No. 6 for Continued Field Monitoring Services

Executive Director Bondy presented Kear Groundwater Work Order No. 6 for Continued Field Monitoring Services, and request for approval of up to \$15,000 in contingency for additional data loggers and/or unanticipated costs, to be authorized at the discretion of the Executive Director. The existing work orders provide for groundwater monitoring through May 2020, Ventura River surface water-groundwater interface weekly mapping

through September 2019, and monthly surface water flow measurements through December 2019. Executive Director Bondy emphasized how continued monitoring is vital to GSP development and implementation. The goal is to consolidate the various work orders for monitoring into a single work order for efficiency and avoid data gaps and extend monitoring through the end of the water year 2020/2021.

Director Kuebler requested clarification on the proposal regarding the scope of services annual data logger downloads. Executive Director Bondy explained that he wants more frequent downloads, but that this was unable to be addressed in the proposal before the board meeting. Contingency funds would be used to allow more frequent downloads than annual. Director Kuebler asked if the Casitas Vista Bridge flow data was available for Kear. Ms. Tribo clarified that the two new data loggers that were installed at Foster Park are currently being calibrated and will be working to make that data available once they start transmitting data. Director Kubeler referenced page 5 of the Kear proposal regarding the nature of the annual report and asked if Kear will be providing interpretation. Executive Director Bondy stated that they are data transmittal reports only.

Director Engle requested clarification on the numbering of tasks 1, 3 and 7 and the scope of work numbering. Executive Director Bondy stated that 2, 3 and 5 are the work orders that cover grant tasks 1, 3 and 7. Director Engle asked for assurance that we are measuring all necessary parts of the live reach. Executive Director Bondy stated the southern end of the northern reach has been monitored by MOWD and is adequate for monitoring purposes. Director Engle referenced the occasional monitoring of flow near Santa Ana Road, should this be more systematic. Executive Director Bondy stated that it is a transient occurrence for which Kear collects data opportunistically and recommended that the Agency rely on Kear's judgment in the field.

No Public Comments.

Director Kuebler made the motion to approve the two recommended actions. Director Rungren seconded the motion.

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

Noes: None.

9) GSP GRANT ELIGIBLE ITEMS (2 PM)

a. Stakeholder Engagement Plan Annual Review and Update (Grant Category (c): Task 10: Stakeholder Outreach and Engagement)

Executive Director Bondy introduced the Stakeholder Engagement Plan Annual Update and turned the presentation over to Director Rose. Director Rose reviewed the housekeeping items that were updated to include names, addresses and phone numbers. The Committee identified the appropriate stakeholder parties and made recommended revisions to the Public Water Systems and Surface Water Users sections on page 6. The

Advisory Committee is addressed as an option in the plan, but it is uncertain if the formation of the Advisory Committee will be needed.

Director Shephard requested clarification on the Surface Water User list, No. 6 is listed as Rancho Matilija, Gramckow; is this the individual or the entity? Director Rose clarified that Rancho Matilija Water Co. is the entity and Gramckow is the manager. Executive Director Bondy affirmed that it is listed in the database as the entity not the individual, and recommends removing No. 7 Others. Decision made to strikeout Gramckow and No. 7 Others.

Public Comments:

Alternate Director Rapp noted that the Help of Ojai is listed on Public Water Systems, they have an Agriculture well only, all domestic water is supplied by Ventura River Water District. Executive Director Bondy and the Board agreed to remove the Help of Ojai from the list of public water systems.

Director Engle expressed concern regarding the language on page 5 last sentence, reserving a seat for domestic well owners. Discussion and Board agreement to strike that section of the sentence and the final sentence on page 8 section (i).

Director Kuebler noted on pages 7 (h) and 10 (4.9) correct “Chumash” to “Mission Indians.”

Director Ayala recommended placing presentations at the beginning of the agenda for stakeholders, more discussion in item 9 (b).

The Board also discussed a number of other non-substantive changes and directed staff to make the requested revisions with document track changes and distribute to the Committee prior to the next meeting.

Director Shephard made the motion to approve the Agency’s Stakeholder Engagement Committee’s plan updates and implementation based on Board feedback. Director Rungren seconded the motion.

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

Noes: None.

b. Stakeholder Engagement Plan Implementation Discussion (Grant Category (c): Task 10: Stakeholder Outreach and Engagement)

Executive Director Bondy explained that the Stakeholder Engagement Committee is charged with the implementation of the Stakeholder Engagement Plan and that a board item was requested to discuss the interaction between the Committee and Board. He also noted that interaction and communication between the Committee and Staff will be critical during implementation to ensure we are all working together. He recommended

that the Board clarify what activities the Committee is to engage the Board for direction and feedback before moving ahead on implementation items, as well as those items in which the Committee can move forward on without further direction.

Director Engle requested clarification on what types of items would the Board needs to review before implementation. Executive Director Bondy responded that items such as presentations or workshops would be items that should be brought to the Board for discussion and direction prior to implementation. Director Rose made reference to the five workshops that are outlined in the GSP Planning schedule.

Executive Director Bondy recommended starting discussions around Section 4 – Outreach Activities. The public notices are a staff function and the Stakeholder Identification is an annual Committee function. In Section 4.4 related to the role of the Committee in providing updates to local agencies and mailings, such as newsletter updates. The newsletter update would be an example something that could either be subject to Board review prior to publication or simply allow the Committee to draft and publish.

Director Ayala recommended the Committee members draft a newsletter update for the December meeting and if the Board approves, it can be emailed out to all interested parties and out to the Ojai Valley News.

Executive Director Bondy stated that based on the development of the Agency’s Data Management System, outreach for data would be very timely. Director Shephard stated that Fox Canyon Staff has authority to and does publish a newsletter, with input from the Committee. Cuyuma Basin publishes updates under authority of the Executive Director; they have a Stakeholder Advisory Committee that reviews prior to publication, the review and editing procedure is unclear.

Director Rungren recommended reviewing some of the Fox Canyon newsletters as an example for creating one for this Agency.

Director Engle recommended putting some simple information on the website, similar to a timeline and where we are at on the timeline. Directors Rungren and Shephard will share examples of newsletters and website updates from Fox Canyon and Cuyuma with Staff.

Director Engle requested clarification on how we communicate our need for data, being careful of inclusion, do we have an end point where we no longer accept data, how will we address these different types of data we may receive, are examples of questions we need to discuss. Executive Director Bondy explained that he will be drafting an outline for data collection parameters.

Director Ayala requested that we include a Board photo to help connect the public with the Directors. Executive Director Bondy stated that Mound Basin has Director photos and short bios on the website. The Board agreed to a group photo after this meeting. Ms.

Ward asked if the Board would like to have their new uvrgroundwater emails also listed under the group photo, to provide the public that direct connection to each Director. The Board agreed to having the emails also posted on the website.

Director Kuebler requested authorization to engage with the City of Ojai representatives to find out how they would like to receive updates from the Agency. The Board agreed to Director Kuebler engaging the representatives for the purpose of finding out the best way to provide updates.

Executive Director Bondy requested clarification on which items the Committee are authorized to perform without prior Board approval. The Board agreed on the following:

- Meeting Notices
- Newsletters & Updates
- Other informational updates, without interpretation, opinion or position.

No public comments.

Director Ayala made the motion to authorize the Stakeholder Engagement Committee to implement plan items provided the items do not provide interpretation, opinion or position, in coordination with the Executive Director. Director Shephard seconded the motion.

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

Noes: None.

c. GSP Planning Discussion

Executive Director Bondy introduced the overview of the planned GSP development activities, focusing on key activities and policy decisions. The activities are a result of the kick-off meeting held with Intera and Kear. The Data Review and Data Management System Population is foundational to the GSP. We have the data quality control review procedures; we want to collect all the data and review it according to the procedure and then transfer it into the Data Management System.

Director Engle requested clarification on where the Data Management System will be stored. The plan is to store a copy on the Agency's Dropbox.

The next step is the development of the Hydrogeologic Conceptual Model (HCM) and groundwater conditions sections, which describe the characteristics of the basin, groundwater conditions, historical quality and flow, how the basin works and behaves. These two sections give us the technical foundation of the GSP.

GSA's are required to use a numerical model for two portions of the GSP, the water budget and quantification of any surface water depletion that may be occurring from

groundwater conditions in the basin. We will have to develop a quantitative analysis approach either numerical or analytical with spreadsheets or other tools. The purpose is to decide which tool will be used for development and get feedback from stakeholders and the Board before implementing that approach. The State Water Board model will not be available in time for use in the GSP. Based on the draft HCM and groundwater conditions information the team will perform a preliminary evaluation of the basin Sustainable Management Criteria (SMC). The goal is working toward Workshop No. 1.

Director Spandrio commented that the State Comments on the OBGMA report, specifically related to not addressing seawater intrusion. Executive Director Bondy will review the comments in detail.

Workshop No.1 will provide feedback from the Board and Stakeholders concerning the HCM, current and historical groundwater conditions, preliminary SMC screening and the proposed quantitative analysis approach, so it can be used to develop the quantitative analysis tools to develop water budgets and quantification of interconnected surface water depletion. Following the development of the tools, the development of a draft SMC and concepts for project and management actions would be completed, working toward Workshop No.2. The SMC, projects and management actions would be further updated based on workshop feedback. Workshop No. 3 would be a presentation of the SMC developed during the first two workshops.

The background items of the GSP that are required, but do not impact policy decisions, for example, the water balance, will be worked on starting around March of 2020 and throughout. Workshop No.4 goal for March 2021 is to present draft GSP and receive public comments and work toward the preparation of a final GSP in November 2021, with a deadline of January 31, 2022 for adoption.

Director Engle requested clarification on what the analytical tool will provide for us. Executive Director Bondy stated that the regulations focus on two components, rate and timing of the depletion of interconnected surface water. The tools will help us get to the answers and will likely occur between Workshops 2 and 3 on the GSP Planning Schedule. Additionally, Director Engle asked if the Board would be reviewing the Workshop material prior to the public meeting. Executive Director Bondy stated that although the schedule does not specifically include all of the work, the Board has monthly meetings scheduled and the plan was to bring pieces and parts of the Workshop materials to the Board as they are completed. The challenge is the balance, the public may not feel they have an influence if the materials presented are too far along in the process. Director Engle added that it is important for each Director to learn the proper

terminology as we move forward with the Workshops. Director Shephard s explained that the Fox Canyon board members learned new material at their pubic workshops.

Director Kuebler requested the GSP Planning Table be added to our website, along with some easy to understand examples. Directors Rungren and Shephard both recommended using Fox Canyon and Cuyuma Basin visual tools for the website. Director Shephard to send examples to Executive Director Bondy. Director Ayala recommended putting something simple up soon so that there is something to reference. The Board agreed to sharing the draft schedule, as it is already in the public agenda packet.

Director Shephard made the motion to receive and file the GSP planning developement activities. Director Kuebler seconded the motion.

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

Noes: None.

d. Intera Work Order No. 2 for the Development of the GSP Data Management System, Preparation of GSP Section 2.2.2, Development of a Quantitative Analysis Approach, and Stakeholder Workshop

Executive Director Bondy presented the Intera Work Order No. 2, which addresses several key foundational aspects of the GSP development process. The Work Order addresses the first few rows of the GSP schedule, starting with data review and data management system integration. The GSP Section 2.2.2 describes the current and historical groundwater conditions; and the quantitative analysis approach for SGMA Compliance. The recommendation is to use the data management system that Mound Basin develops in working also with Intera. The next part of the Work Order is preparation, attendance and presentation of the groundwater conditions and recommended quantitative analysis approach at Stakeholder Workshop No. 1. The task order also includes budgeting for planning the next phase of work on the GSP. The Intera proposal estimated the cost for Work Order No. 2 is \$108,740, compared with a budgeted amount of \$145,000 for GSP development during Fiscal Year 2019/2020. The Executive Director included a request for contingency costs up to \$15,000 for unanticipated costs, to be authorized at the discretion of the Executive Director.

Director Kuebler asked if we are going to use the State model at all, will we develop our own and then evaluate if the State model is better and make changes at that point if appropriate? Executive Director Bondy replied that the State tool will not be available in time, we will develop our own and yes, we would evaluate the State tool when it becomes available. Additionally, Director Kuebler asked if any of the Intera costs would be reimbursable. Executive Director Bondy confirmed that all of the GSP activities that Intera is working on would be reimbursable (with a 25% cost-share). Director Kuebler requested that the net cost be included in the fiscal summary.

Director Rose asked for clarification on who owns the work products. Executive Director Bondy referred to Intera’s Master Services Agreement, Section 9, which states work products are the Agency’s sole property.

Director Engle asked if the Board would have an opportunity to meet Intera prior to the Workshops and do they have experience presenting this type of information. The Board agreed that it would not be necessary to meet them prior to the workshop. Intera has experience presenting for other public agencies, unsure if they have presented for a GSA. Director Shephard stated he is comfortable to providing that Intera engages with Executive Director Bondy prior to workshops to preview the content and messaging. Executive Director Bondy has experience with Intera, they historically have sent him previews of the content prior to presentation.

Director Kuebler asked who will be doing the background work, does Intera have a technical writer available to do the work. Executive Director Bondy stated that he had reached out to Lorraine Walter, who is not available to do the non-technical work. Executive Director Bondy will continue to assess options for fulfilling this part of the work, for both this Agency and Mound Basin, in the most cost-effective manner.

Director Kuebler made the motion to approve Work Order No. 2 for Intera to review data and perform GSP Data Management System integration, prepare GSP Section 2.2.2, develop a quantitative analysis approach for the GSP, and present information at a stakeholder workshop for an amount not-to-exceed \$108, 740 and up to \$15,000 in contingency for unanticipated costs, to be authorized at the discretion of the Executive Director. Director Ayala seconded the motion.

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

Noes: None.

10) COMMITTEE REPORTS

None.

11) ADJOURNMENT – The meeting was adjourned at 4:10 pm. The next scheduled Board meeting is November 14, 2019, at 1 pm at a location to be determined.

Action: _____

Motion: _____ Second: _____

B.Kuebler____ D.Engle____ A.Spandrio____ S.Rungren____ G.Shephard____ E.Ayala____ L.Rose____