

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING OCTOBER 8, 2020**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20. Directors present were Bruce Kuebler, Larry Rose, Emily Ayala, Susan Rungren, Angelo Spandrio, Glenn Shephard. Director Diana Engle was absent. Also present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux and administrative assistant Maureen Tucker.

Meeting ID: 926 0487 3346 Passcode: 122104

<https://zoom.us/j/92604873346?pwd=SFFrNGpZUII5UnVBSG5DeTIYK3Y2dz09>

1) CALL TO ORDER

Vice Chair Kuebler called the meeting to order at 1:01 pm.

2) ROLL CALL

Executive Director Bondy called the roll.

Directors present: Bruce Kuebler, Larry Rose, Emily Ayala, Susan Rungren, Angelo Spandrio, Glenn Shephard.

Directors absent: Diana Engle.

3) APPROVAL OF AGENDA

Director Kuebler asked if there are any proposed changes.

Executive Director Bondy requested that Item 8B be moved up on the agenda after public comments because Agency Counsel has a 2 p.m. commitment.

Director Rose motioned to move Item No. 8B to follow public comments. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y
 S. Rungren – Y G. Shephard – Y A. Spandrio – Y

Absent: D. Engle

Noes: None.

4) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Director Kuebler called for public comments on items not appearing on the agenda.

Tim Becker from Kear Groundwater asked about timing of agency groundwater data logger downloading. Executive Director Bondy will follow up with Tim Becker offline.

5) CONSENT CALENDAR

- a. Approve Minutes from September 10, 2020 Regular Board Meeting**
- b. Approve Financial Report for September 2020**

Director Rungren motioned to approve the consent calendar. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y
 S. Rungren – Y G. Shephard – Y A. Spandrio – Y

Absent: D. Engle

Noes: None.

6) DIRECTORS ANNOUNCEMENTS

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

Director Kuebler: No report and no time.

Director Spandrio: No report and no time.

Director Rungren: No report and no time.

Director Ayala: No report. Spent one hour helping write a letter for publication in the Ojai Valley News and talking to constituents.

Director Rose: No report and no time.

Director Shephard: No report and no time.

7) EXECUTIVE DIRECTOR'S REPORT

Executive Director Bondy reviewed the written staff report with the Board and provided the additional oral updates discussed below.

Executive Director Bondy has been able to tie-up most loose ends with former Agency Administrator Summer Ward. He introduced Maureen Tucker from Olivarez Madruga Lemieux O’Neill has who will be providing administrative support. He plans to work with Ms. Tucker to determine her skills, and see what tasks are best suited for her.

Director Ayala asked about the Agency’s mailing address. Executive Director Bondy said that Meiners Oaks Water District has agreed to continue receiving the Agency’s mail.

Director Spandrio asked about the weekly calls concerning the physical solution. Executive Director Bondy explained that the physical solution proposing parties invited UVRGA counsel and staff to participate in the meet and confer process to offer input. He said the details cannot be discussed due to confidentiality agreements. Director Spandrio asked whether these activities are budgeted. Executive Director Bondy responded that the activities

are not explicitly listed in the budget, but he feels they fall within the general duties of Agency Counsel and the Executive Director.

Director Kuebler asked if there were any public comments. None were offered.

Recommended Action:

Receive an update from the Executive Director concerning miscellaneous matters and Agency correspondence. Provide feedback to staff.

No motion.

8) ADMINISTRATIVE ITEMS

a. Fiscal Year 2019/2020 Year End Budget Report

Executive Director Bondy reviewed the written staff report and attachments with the Board.

Director Spandrio asked for an explanation of the balance sheet. Executive Director Bondy described the assets, liabilities, and equity. Director Spandrio asked for further explanation about retained earnings. Executive Director Bondy explained that retained earnings are the cumulative net income to date, including prior years. He asked if that answered the question. Director Spandrio said no. Executive Director Bondy offered to provide further explanation outside of the meeting. Director Spandrio agreed.

Director Kuebler asked if there were any public comments. None were offered.

Note: Director Shepherd left the meeting during the item at 2:35 pm.

Recommended Action:

Receive and file the year-end budget report.

Director Rose motioned to approve the recommended action. Director Spandrio seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y
 S. Rungren – Y A. Spandrio – Y

Absent: D. Engle and G. Shephard

Noes: None.

b. Physical Solution Comments

[Note Item 8b was heard out-of-order immediately after public comments.]

Director Rungren noted for the record that she has participated in conversations with the Executive Director about the physical solution and offered to recuse herself.

Director Ayala mentioned that she was unsure whether she should participate in the item because she plans to separately comment on the physical solution.

Executive Director Bondy mention that five directors are required for a motion on the item.

Agency Counsel Lemieux reviewed conflict of interest provisions relevant to the item. He stated that he did not believe there were any conflicts that should prevent any of the directors from participating and voting on the item. The directors agreed to proceed with the item.

Agency Counsel Lemieux and Executive Director Bondy review the proposed physical solution comments with the Board. Agency Counsel Lemieux summed up the comments as simply addressing duplicating efforts/costs and inconsistencies with Sustainable Groundwater Management Act.

Director Kuebler said that he and Diane Engle would have a problem with groundwater sustainability agencies (GSAs) being voting members of the management committee. He said the management committee should instead have seats for both Ventura River Water District and Meiners Oaks Water District.

Executive Director Bondy suggested that disagreements between the proposing parties about the physical solution language should be discussed in another forum. Agency Counsel added that the UVRGA should comment on the physical solution as drafted. Executive Director Bondy added that if the proposing parties choose to remove the GSAs from the management committee, the issue that is being commented on would go away. However, if that is the case he would like to see some language that more formally obligates the management committee to coordinate with the GSAs on monitoring in order to prevent duplication of efforts.

Director Kuebler asked if there were any public comments.

Rene Roth thanked the Agency for its thorough work on this issue and our transparency. She stated that the physical solution needs to be vetted and agreed to. She hopes to attend more meetings and learn more. Director Kuebler thanked Ms. Roth for attending.

Director Kuebler asked for Director comments.

Director Spandrio said it was important to note that the GSA is not a named party in the adjudication. He stated that the proposed Physical Solution is on a collision course with the GSA. He feels that the comments should not be submitted and that a letter should be sent to the City of Ventura indicating where the collisions will occur. He added that the physical solution should be developed to be in accordance with the GSP and that the timing of

physical solution approval and associated management plan is optimistic. He suggested a general letter citing where we see potential problems as opposed to detailed changes to the physical solution.

Director Shephard thanked Executive Director Bondy and Agency Counsel for putting together the Physical Solution comments. He expressed concerns about a six member management committee. He suggests that the management committee edits could be made more generic. He said he would support sending a letter or the redline comments.

Director Rose stated his support for sending the redline comments.

Director Rungren thanked everyone for a good discussion. She stated that she is more comfortable after listening to staff and believes the redline comments will help move the process along.

Director Ayala said that she appreciates the discussion and the Executive Director's scientific eye on things. She said she feels awkward because she plans to send separate comments as a landowner.

Agency Counsel clarified that the Agency comments are coming from the board and are not to be viewed as the comments of any individual director.

Director Kuebler thanked Agency Counsel and Executive Director Bondy for coordinating with the adjudication process. He expressed support for sending the redline comments but would like to include clarification in a cover letter concerning the management committee.

Recommended Action:

Direct staff to provide the comments as indicated in the attached redline version of the Physical Solution or as otherwise directed by the Board.

Director Rose motioned to authorized staff to send the redline comments to the physical solution together with a cover letter discussing the general concerns expressed during the discussion. Director Shepard seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y
 S. Rungren – Y G. Shephard – Y A. Spandrio – Y

Absent: D. Engle

Noes: None.

9) GSP ITEMS

a. Groundwater Sustainability Plan Update (Grant Category (d); Task 11: GSP Development and Preparation)

Executive Director Bondy reviewed the written staff report and attachments with the Board.

No questions from the Directors.

Director Kuebler asked if there were any public comments.

Tim Becker from Kear Groundwater asked about timing of installing the Camino Cielo stream gage equipment. Executive Director Bondy will follow up with Tim Becker offline.

Recommended Action:

Receive an update from the Executive Director concerning groundwater sustainability plan development and consider providing feedback.

No motion.

b. Rincon Consultants Work Order No. 2 for Groundwater Level Monitoring (Grant Category) (b); Task 1; Establish Well Monitoring Network)

Executive Director Bondy briefly reviewed the purpose of the proposed work order with the Board and recommended approval.

Director Kuebler asked if there were any public comments. None were offered.

Recommended Actions:

1. Authorize the Executive Director to execute Rincon Consultants Work Order No. 2 for an amount not to exceed \$11,250 for groundwater level monitoring.
2. Approve up to \$8,750 for additional transducer installations and/or unanticipated costs, to be authorized at the discretion of the Executive Director.

Director Rose moved the recommended actions. Seconded by Director Rungren.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y
 S. Rungren – Y A. Spandrio – Y

Absent: D. Engle and G. Shephard

Noes: None.

10) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Rose said the committee has no report.

11) FUTURE AGENDA ITEMS

Referring to the AB 992 letter from Agency Counsel, Director Ayala asked if UVRGA needed a social media presence. Director Rose stated that UVRGA already has a Facebook page.

Director Spandrio requested an item on the October meeting agenda to discuss UVRGA’s involvement with the physical solution, specifically budget impacts.

Executive Director Bondy stated that terms for the stakeholder directors and the Casitas and Ventura River Water District directors expire in early 2021.

12) ADJOURNMENT – The meeting was adjourned at 2:58 pm.

Action: _____

Motion: _____ Second: _____

B.Kuebler ___ D.Engle ___ A.Spandrio ___ S.Rungren ___ G.Shephard ___ E.Ayala ___ L.Rose ___