

UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING JANUARY 13, 2022

The Regular Board meeting was held via teleconference, in accordance with Upper Ventura River Groundwater Agency Board Resolution No. 2021-05. Directors present were Bruce Kuebler, Susan Rungren, Emily Ayala, Pete Kaiser, Glenn Shephard and Diana Engle. Also, present: Executive Director Bryan Bondy, Agency Counsel Scott Nave, and Administrative Assistant Maureen Tucker. Identified public members present: Jennifer Tribo (City of Ventura staff), Mary Bergen (Casitas MWD Director and UVRGA Alternate Director), Bert Rapp (Ventura River Water District staff and UVRGA Alternate Director), Michael Flood (Casitas MWD staff), and Vivon Crawford (OVLC).

1) CALL TO ORDER

Chair Engle called the meeting to order at 1:01 p.m.

2) PLEDGE OF ALLEGIANCE

Executive Director Bryan Bondy led the Pledge of Allegiance.

3) ROLL CALL

Executive Director Bondy called roll.

Directors Present: Bruce Kuebler, Susan Rungren, Pete Kaiser, Glenn Shephard, Diana Engle, and Emily Ayala.

Directors Absent: None (Larry Rose resigned effective January 7, 2022).

4) APPROVAL OF AGENDA AND RENEWAL OF RESOLUTION NO. 2021-05

Chair Engle asked for any proposed changes to the agenda. Executive Director Bondy suggested moving Item No. 10(a) to earlier in the meeting. Chair Engle suggested taking Item No. 10(a) after Item No. 8.

Director Kaiser moved approval of the modified agenda and renewal of Resolution 2021-05. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y D. Engle – Y G. Shephard – Y
 S. Rungren – Y P. Kaiser – Y E. Ayala – Y

Directors Absent: None

5) PUBLIC COMMENTS ON ITEMS NOT APPEAR ON THE AGENDA

Chair Engle called for public comments on items not appearing on the agenda.

No public comments were offered.

6) CONSENT CALENDAR

- a. Approve Minutes from December 9, 2021 Special and Regular Board Meeting
- b. Approval of Minutes from January 6, 2022 Special Board Meeting
- c. Approve Financial Report for December 2021

Director Kaiser moved approval of the consent calendar. Director Shephard seconded the motion.

Director Kuebler asked said one of the December bills for payment is for the Agency email accounts. He noted that the Agency is paying for some email addresses that are no longer needed.

Executive Director Bondy acknowledged the situation needs to be addressed and suggested possible modifications to the Agency Bylaws that would facilitate elimination of additional email accounts setup pursuant to the Agency Bylaws that are not being used by current Directors. He would like to make one set of changes with the email provider. He said he could bring proposed Agency Bylaw changes to the Board next month.

Roll Call Vote: B. Kuebler – Y D. Engle – Y G. Shephard – Y
 S. Rungren – Y P. Kaiser – Y E. Ayala – Y

Directors Absent: None

7) DIRECTORS ANNOUNCEMENTS

- a. Directors may provide oral report on items note appearing on the agenda.

Director Kuebler: Attended the Ojai Basin Groundwater Management Agency GSP adoption meeting. He requested an item on the next meeting agenda to discuss commenting to DWR on the Ojai Basin GSP.

Director Rungren: No report.

Director Shephard: Announced that the Fox Canyon Groundwater Management Agency’s Las Posas Valley Basin GSP was approved by DWR.

Director Kaiser: No report.

Director Ayala: No report.

Director Engle: No report.

8) EXECUTIVE DIRECTOR'S REPORT

Executive Director Bondy reviewed the written staff report concerning updates on Agency matters since the last Board meeting.

Director Ayala requested that the next fee invoice mailings include information about the process to develop a new fee structure. Executive Director Bondy conferred with Administrative Assistant Tucker and then reported that the invoice envelopes are already sealed ready to be dropped in the mail. He offered to prepare a newsletter to discuss GSP adoption and include an article about the fee development process. Director Ayala agreed with sending a newsletter.

Chair Engle asked about the Camino Cielo stream gage. Executive Director Bondy said that he believed the work is already contracted.

No public comment.

No motion.

9) ADMINISTRATIVE ITEMS

a. Resolution 2022-02 Honoring Larry Rose

Executive Director Bondy summarized Director Larry Rose's contributions to UVRGA and recommended adopting Resolution 2022-02 to honor him.

Director Ayala moved approval of Resolution No. 2022-02. Director Kuebler seconded the motion.

Chair Engle asked about signatures. Executive Director Bondy said he plans to frame the resolution and suggested wet ink signatures instead of digital signatures. He offered to make arrangements for the signatures. The Board agreed with the recommendation.

No public comment.

Roll Call Vote: B. Kuebler – Y D. Engle – Y G. Shephard – Y

 S. Rungren – Y P. Kaiser – Y E. Ayala – Y

Directors Absent: None

b. Appointment Environmental Stakeholder Director

Executive Director Bondy explained that the Environmental Stakeholder Director vacancy needs to be addressed. He explained that he issued a call for nominations in December after Larry Rose informed him of his intent to resign following GSP adoption. One nomination was received from the Ojai Valley Land Conservancy (OVLC) for their Restoration Program Manager, Vivon Crawford.

The Board asked Ms. Crawford various questions about her background, qualifications, interest in the position, community involvement, community connections, involvement with other agencies, and connections with landowners.

Director Kuebler moved approval of Vivon Crawford to serve as the Environmental Stakeholder Director for the balance of the current term. Director Kaiser seconded the motion.

No public comment.

Member Director Roll Call Vote:

B. Kuebler – Y D. Engle – Y G. Shephard – Y

S. Rungren – Y P. Kaiser – Y

Directors Absent: None (Emily Ayala is a Stakeholder Director).

The Executive Director administered the oath of office to swear in Vivon Crawford.

The Directors welcomed Ms. Crawford to the Board. Director Crawford says she looks forward to this opportunity.

Chair Engle suggested that Director Crawford review the Brown Act. Executive Director Bondy and Agency Counsel said they will assist Director Crawford with getting up to speed on the various requirements.

c. Fiscal Year 2021/2022 2nd Quarter Budget Report and Mid-Year Modifications

Executive Director Bondy discussed the midyear budget report and proposed budget modifications.

Director Kaiser expressed concerns about inflation. Executive Director Bondy stated that most of the Agency's expenses are professional services. The professional service rates can only be changed in accordance with the contract terms.

Director Engle moved to receive and file the budget report and approve the budget modifications. Director Rungren seconded the Motion.

No public comments.

Roll Call Vote: B. Kuebler – Y D. Engle – Y G. Shephard – Y
 S. Rungren – Y P. Kaiser – Y E. Ayala – Y V.Crawford - Y

d. Agency Funding Discussion

Chair Engle opened the item by briefly describing the various references included in the staff report and suggested that the Board review her notes from the last session. Chair Engle asked if Executive Director Bondy had anything to add. Executive Director Bondy said he recommends narrowing the discussion to a few options that he can model for presentation during the February meeting.

Chair Engle reviewed her notes with the Board and asked for feedback on specific issues during the discussion.

Regarding flow meters for agricultural wells, Director Ayala reported that the feedback she has received is that agricultural well owners would prefer to be charged based on actual usage and that many have flow meters already. There were no objections voiced about metering agricultural wells and billing based on metered groundwater pumping. Director Ayala also suggested a quarterly or semi-annual wellhead fee to help stabilize revenue. There was no further discussion about wellhead fees.

Regarding domestic wells, Executive Director Bondy said that he understands the equity concerns, but he believes the issue is complicated by the fact that some domestic wells may be screened in bedrock below the Basin and there are concerns about implementation. He believes the Agency will lose money implementing fees on domestic

wells and will probably have many non-payment issues. He reminded the Board that the GSP includes a project to perform additional outreach to domestic well owners. He suggested revisiting this issue after the Agency learns more from the outreach effort. Director Ayala agreed with putting off domestic well fees and supports engaging the domestic well owners. Chair Engle supported this too. No Directors objected.

Regarding an administrative fee to the Member Agencies, Chair Engle said the Meiner's Oaks Water District Board feels there should be consideration of financial support in connection with Member Agency voting status. Director Ayala asked why Casitas MWD and the County of Ventura get to vote but pay very little or not at all. Director Shephard said that the County's involvement is related to land use and the County's position is that GSAs should be funded through extraction fees. Director Kuebler said an administrative fee is necessary if there is enough stability in revenue. He recommended using the 5-year average extractions for the municipal pumpers and is not in favor of an administrative fee. Director Kaiser said he is leaning towards what Director Kuebler recommended. Director Rungren said changing the fee every year would be tough, even with a moving 5-year average. She suggested fixing the fees for the municipal pumpers for a three-to-five-year periods. Director Ayala suggested a 3-year period.

Chair Engle summarized the discussion and suggested directing Executive Director Bondy provide a table showing the last ten years of municipal pumping and model using the most recent 3- and 5-year averages. She also requested that the pumping numbers used in the budget projection be provided for reference. No objections by the Directors.

Public comments:

Jennifer Tribo said the 5-year average for the period ending 2021 would be representative for the City given when the City began implementing the Foster Park Protocols. The years prior to this are not representative of current and future anticipated operations.

Mary Bergen said this is a challenging topic.

Mike Flood said this is a difficult topic.

No motion.

10) GSP ITEMS

a. Groundwater Sustainability Plan Update (Grant Category (e); Task 12: GSP Review and Approvals)

Note: this item was heard after Item No. 8.

Executive Director Bondy said this will be the last GSP update now that the GSP has been approved. He said the GSP Development Team is working on submitting the GSP and related items to the DWR SGMA Portal website. He said it is a very tedious and time-consuming process.

Executive Director Bondy stated that the GSP project is projected to be completed under budget by about \$5,000.

Director Kaiser congratulated Executive Director Bondy and staff for a job well done and under budget.

11) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Ayala said there is nothing to report.

Executive Director Bondy said he would put an item on the next Board meeting agenda to appoint a Director to replace Larry Rose on the committee.

12) FUTURE AGENDA ITEMS

Director Kuebler requested an item on the next meeting agenda to discuss submitting comments to DWR concerning the Ojai Basin GSP.

Appointment to stakeholder engagement committee.

13) ADJOURNMENT

The meeting was adjourned at 3:08 p.m.

Action: _____

Motion: _____

B.Kuebler__ D.Engle __P.Kaiser _S.Rungren__ G.Shephard__ E.Ayala__ V.Crawford__