

## **UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF SPECIAL MEETING MARCH 24, 2022**

The Special 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, Vivon Crawford. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Mary Bergen, Michael Flood, Randy Haney, Bill Weirick, Betsy Cooper, James Vega, Michael Etchart, and Maureen McGuire.

### **1) CALL TO ORDER**

Vice Chair Kuebler called the meeting to order at 1:00 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, Emily Ayala, Vivon Crawford.

Director Absent: Meiners Oaks Water District Director/Alternate

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

Vice Chair Kuebler asked for any proposed changes to the agenda. None were offered.

Director Rungren moved agenda approval and renewal of Resolution 2021-05. Director Shephard seconded the motion.

Roll Call Vote:                    B. Kuebler – Y      G. Shephard – Y V. Crawford - Y

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

Director Absent: Meiners Oaks Water District Director/Alternate

### **5) PUBLIC COMMENTS ON ITEMS NOT APPEAR ON THE AGENDA**

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

Bill Weirick and Randy Haney commented on the City of Ojai's request to join the Agency.

Vice Chair Kuebler said he thought the City of Ojai’s request will be discussed during April 14 meeting. The Executive Director said he understood that staff was directed to include an item to explain the process.

Agency Counsel cautioned the Board that the public comment item is limited in their ability to respond. He suggested discussing further during Agenda Item No. 9.

## **6) DIRECTORS ANNOUNCEMENTS**

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

Director Kuebler: No report

Director Rungren: No report.

Director Shephard: No report.

Director Kaiser: No report.

Director Ayala: No report.

Director Crawford: Said she met with Channelkeeper to discuss preparation of comments on the GSP.

## **7) ADMINISTRATIVE ITEMS**

- a. Contract for Legal Counsel Services.**

The Executive Director explained that Agency Counsel Lemieux is moving to a new law firm. If the Board wants Mr. Lemieux to continue as Agency Counsel, they will need to execute an agreement with his new firm Aleshire & Wynder and terminate the current agreement with Olivarez Madruga Lemieux O’Neill, LLP.

Director Kaiser asked if they need to obtain proposals. Executive Director Bondy said the Agency went through a competitive selection process to hire Mr. Lemieux originally now he is just switching firms. Mr. Lemieux added that entire water group is moving to the new firm on April 1, 2022, including Maureen Tucker who is performing administrative assistance to this Agency. He added that the proposed retainer agreement is nearly identical to the existing agreement and the labor rates are the same.

Director Kaiser asked if the \$3M liability coverage is sufficient. Agency Counsel stated that is the limit on the existing policy.

Public comments: none.

Director Kaiser moved the recommend action to authorize the Executive Director to execute an attorney retainer agreement with the law firm Aleshire & Wynder and terminate the current retainer agreement with Olivarez, Madruga, Lemieux, O’Neill, LLP. Director Shephard seconded the motion.

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

Director Absent: Meiners Oaks Water District Director/Alternate

**8) GSP ITEMS**

**a. Upper Ventura River Valley Basin Annual Report for Water Years 2020 and 2021**

Executive Director Bondy provided a brief explanation of the Upper Ventura River Valley Basin Annual Report for Water Years 2020 and 2021 due to DWR by April 1, 2022. He explained that the report presents data prior to GSP adoption, which is why he decided not to provide a detailed presentation.

Director Ayala asked why the bar charts only show groundwater used in the Basin as opposed to the total groundwater extracted. Executive Director Bondy explained that the graph is specifically required by the Department of Water Resources (DWR). Director Ayala asked if another bar chart showing total groundwater extracted could be added to the report. Executive Director Bondy cautioned against including items in the report that are not in the regulations.

Director Ayala asked about groundwater storage change. Executive Director Bondy provided detailed explanation of the annual storage change and cumulative storage charts and how they relate to water year types.

Director Kaiser asked if supplemental replenishment is accounted for. Executive Director said that the technical term is “return flows” in the GSP. He explained that return flows are not a required element of the annual report, but they are accounted for in the GSP and numerical model.

Vice Chair Kuebler recognized the arrival of Michael Etchart, Meiners Oaks Water District and asked if he is their new director. Mr. Etchart said he anticipates being appointed in April.

Vice Chair Kuebler called for public comments. None were offered.

Director Crawford asked if more information should be included about implementation of the Foster Park Protocols. Executive Director Bondy said this annual report covers a period prior to GSP adoption, so it was not necessary. He plans to include more information in the next report and plans to collaborate with the City of Ventura to determine what information should be included.

Director Kaiser moved approval of the Upper Ventura River Valley Basin Annual Report for Water Years 2020 and 2021 and submittal to DWR. Seconded by Director Ayala.

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

Director Absent: Meiners Oaks Water District Director/Alternate

**9) FUTURE AGENDA ITEMS**

Director Kaiser wants to make certain there is an item on the April 14<sup>th</sup> agenda that will consider the City of Ojai’s request to be added to UVRGA and to have discussions of the terms and conditions by the board members.

Director Ayala asked if the board planned to discussed fees again. Executive Director said there needs to be discussion of how to transition to a metering program for private wells.

**10) ADJOURNMENT**

The meeting was adjourned at 1:40 p.m.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_

B.Kuebler\_\_ J. Kentosh\_\_ P.Kaiser\_\_ S.Rungren\_\_ G.Shephard\_\_ E.Ayala\_\_ V.Crawford\_\_