

**UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES
OF REGULAR MEETING MAY 12, 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 Vivon Crawford, Bruce Kuebler, Jenny Tribo, Pete Kaiser, Glenn Shephard, Emily Ayala, Mike Etchart. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Mike Flood, Jim Kentosh (UVRGA alternate director), Mary Bergen (UVRGA alternate director), Betsy Cooper, Burt Handy, Kiernan Brtalik, and Colby Boggs.

1) CALL TO ORDER

Vice-Chair Kuebler called the meeting to order at 1:04 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, Jenny Tribo, Pete Kaiser, Vivon Crawford, Emily Ayala, and Jim Kentosh (later replaced by Mike Etchart).

Directors Absent: Glenn Shephard (arrived at 1:13 p.m.)

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

Vice Chair Kuebler asked for any proposed changes to the agenda. Executive Director Bondy stated that Director Ayala requested that Item 10(a) be heard earlier in the meeting. Vice-Chair Kuebler suggested hearing Item 10(a) after the Executive Director’s Report.

Director Mike Etchart arrived during the item and replaced alternate Director Kentosh.

Director Kaiser moved agenda approval, as amended, and renewal of Resolution 2021-05. Director Tribo seconded the motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard

5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Vice Chair Kuebler asked for public comments on items not appearing on the agenda. None were offered.

6) CONSENT CALENDAR

- a. Approve Minutes from April 14, 2022, Regular Board Meeting
- b. Approve Financial Report for April 2022

Vice-Chair Kuebler said he wanted to discuss Item 6(a).

Director Kaiser moved approval of Item 6(b), Financial Report for April 2022. Director Etchart seconded the motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard

Vice-Chair Kuebler stated that the April 14, 2022 minutes are incorrect on page 10 of the meeting packet. He said it was his opinion that the Ojai City Council should vote on joining UVRGA, not the official position of Ventura River Water District (VRWD) Board. Executive Director Bondy reviewed his raw meeting notes and said they indicate that Vice-Chair Kuebler said it was VRWD’s position. Vice-Chair Kuebler said that was not his intent and requested that this be clarified in today’s meeting minutes.

Director Etchart moved to approve the April 14, 2022 Minutes. Director Ayala seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard

7) DIRECTORS ANNOUNCEMENTS

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

Director Crawford: No report.

Director Kuebler: No report.

Director Tribo: Director Susan Rungren is retiring at the end of the May. The issue of a new director for the City of Ventura will go before the City Council on May 31, 2022.

Director Kaiser: No report.

Director Ayala: No report.

Director Etchart: No report.

Director Shephard arrived during the item and had no report.

8) EXECUTIVE DIRECTOR'S REPORT

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

Director Ayala asked about the status of the resolution for Diana Engle. Executive Director Bondy said it is on the to-do list and he will be sure to get Director Rungren's signature before her last day of work.

Director Kaiser thanked Bryan Bondy for a complete report and being on top of everything.

Public comments: none.

9) ADMINISTRATIVE ITEMS

a. Agency Officer Appointments

Executive Director Bondy said Diana Engle's departure created a vacancy in the Board Chair position. The Board discussed if they wanted to appoint a new Chair now or wait until July when the annual officer appointments are made.

After brief discussion, the Directors reached a consensus to wait until July.

Public comments: none.

b. City of Ojai Request to Join Upper Ventura River Groundwater Agency Joint Power Agreement

Vice-Chair Kuebler asked Director Kaiser to provide an update. Director Kaiser said Agency Counsel received the draft joint powers agreement amendment from the City of Ojai yesterday and will be reviewing. Director Kaiser said he intends to convene an ad hoc committee meeting after the City Attorney and Agency Counsel have agreed on the draft amendments.

The Board discussed who will be on the ad hoc committee considering the recent director appointment by Meiners Oaks Water District (MOWD) and Director Rungren’s retirement.

After brief discussion, it was decided that MOWD, City of Ventura, and Casitas Municipal Water District (CMWD) could decide who from their organizations would participate in the ad hoc committee meetings.

Public Comments: None

Director Kaiser moved to clarify that the ad hoc committee shall consist of a representative from MOWD, CMWD, and the City of Ventura. Director Etchart seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

Agency Counsel stated that the Ojai City Attorney called to schedule a follow up call with him on May 18. Director Kaiser said he would like to schedule the ad hoc committee meeting for May 23.

c. Fiscal Year 2022/2023 Budget and Multi-Year Budget Projection

Executive Director Bondy provided an overview of the assumptions for the Fiscal Year 2022-2023 budget and multi-year projection.

Director Kaiser asked about the annual inflation listed as 3%. He states it is closer to 8.2% to 8.3%. Is the budget sufficient at a 3% inflation rate? Executive Director Bondy suggested using a 5% inflation rate for the long-term projection.

Vice-Chair Kuebler said the 2019 VRWD pumping amount is not correct. He said 572 AF should be 764 AF. Executive Director Bondy stated he pulled the numbers from the February 2022 Board report, which was previously validated. Executive Director Bondy asked Vice-Chair Kuebler to send the VRWD data and he will review.

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

The Board discussed whether to adopt the fiscal year 2022-2023 budget with or without the 5-year projection.

After further discussion concerning inflation and VRWD pumping amounts, Director Kaiser moved to adopt the fiscal year 2022-2023 budget and multi-year budget projection with corrected VRWD pumping values and a 5% inflation rate. Director Shephard seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

10) GSP IMPLEMENTATION ITEMS

a. Draft Groundwater Well Registration, Metering, and Extraction Reporting Ordinance

Note: This item was heard after Item 8.

Executive Director Bondy explained that the draft ordinance was developed based on Fox Canyon Groundwater Management Agency rules and Board feedback provided during prior meetings. Executive Director Bondy and Agency Counsel Lemieux then summarized the draft ordinance and explained the process for adoption, including two public hearings anticipated in June and July.

Executive Director Bondy explained that Agency Counsel and he have determined that Section 3.5 regarding fees should be deleted so that all fees matters are handled exclusively in the Agency's fee resolutions.

Director Ayala asked about precision of reporting extractions in ordinance section 2.3.3. Executive Director Bondy said that meters have various levels of precision, and the Agency will need to address this on a case-by-case basis.

Vice-Chair Kuebler said the ordinance does not appear to exempt de minimis wells. Executive Director Bondy referred to the definition of exempt wells in ordinance section 1.10, which includes de minimis extractors.

Vice-Chair Kuebler called for public comments. Burt Handy made a comment about using smartphones to photo the meters.

The Board briefly discussed scheduling public hearings in June and July. Agency Counsel Lemieux stated that scheduling the public hearings can be handled administratively; the Board is not required to have a motion.

Director Ayala left the meeting.

b. Draft Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring Workplans

Executive Director Bondy explained that two draft workplans have been prepared for monitoring of the Confluence Aquatic GDE Area and the Foster Park Aquatic GDE Area. The goal is to have the plans approved so monitoring can be initiated at the beginning of the upcoming water year on October 1, 2022. He proposed a concurrent 30-day Board and public comment period for the draft monitoring plans. He added that Rincon Consultants, Inc. representatives are present to answer questions.

Vice-Chair Kuebler asked for Director comments or questions.

Director Crawford thanked the Executive Director for recommending a public comment period and asked if the Board would comment during or after the public comment period. Executive Director Bondy said the recommendation is to receive Board and public comments concurrently to streamline the process. Staff and Rincon Consultants, Inc. intend to respond to comments and bring revised draft workplans for Board consideration in July or August, depending on the volume of comments.

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

Director Crawford moved to authorize a 30-day concurrent Board and public comment period on the draft GDE monitoring workplans. Seconded by Director Kaiser.

Agency Counsel Lemieux advised on Brown Act compliance. He urged the directors to not discuss their comments with each other and for staff to not share director comments with other directors. All director comments should be presented at a future Board meeting.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

c. Intera Work Order No. 5 for As-Needed GSP Implementation Support

Executive Director Bondy explained the purpose of the work order is to have access to professional services by Intera, Inc. for GSP implementation support as needs arise. Work Order No. 5 to Intera, Inc. is proposed not to exceed \$50,000.00 through the upcoming fiscal year and any tasks anticipated to exceed \$10,000 would require a written estimate.

Director Kaiser asked if this work was put out to bid. Executive Director Bondy stated the Intera, Inc. was previously selected by the Board after a competitive request for qualifications process. Intera, Inc. has been providing services to the Agency under a master service agreement executed several years ago.

Vice-Chair Kuebler asked about labor rates. Executive Director Bondy said the proposed work order includes a rate sheet with new rates. He noted that Intera, Inc. did not raise its rates during the multi-year GSP development project.

Public comments: None.

Director Kaiser moved the recommended action to authorize the Executive Director to issue Work Order No. 5 to Intera, Inc. for as-needed GSP implementation support for an amount not to exceed \$50,000.00. Director Etchart seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

11) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Ayala was not present for the item. Director Crawford said there is no update.

12) FUTURE AGENDA ITEMS

None.

13) ADJOURNMENT

Next meeting June 9, 2022 at 1:00 p.m. The meeting was adjourned at 2:24 p.m.

Action: _____

Motion: _____

B.Kuebler_ M. Etchart_ P.Kaiser_ City of VTA__ G.Shephard_ V.Crawford__ E.Ayala_