

## **UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING SEPTEMBER 8, 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, Betsy Cooper (alternate), Emily Ayala, Arne Anselm, Mary Bergen (alternate), Pete Kaiser (arrived late) and Vivon Crawford. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Mike Flood, Burt Rapp, Burt Handy, Alma Quezada, and Justin Martinez.

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

Vice-Chair Kuebler called the meeting to order at 1:05 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, Betsy Cooper, Emily Ayala, Arne Anselm, Mary Bergen, and Vivon Crawford

Directors Absent: Meiners Oaks Water District Member Director

Director Crawford said she needs to leave the meeting at 1:30 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 suggested deferring the GSP summary presentation (Item No. 10a.) because Director Crawford will likely miss most of it.

Director Anselm moved agenda approval with the above-requested amendment and renewal of Resolution 2021-05. Director Ayala seconded the motion.

Roll Call Vote:                    B. Kuebler – Y E. Ayala – Y V. Crawford - Y

    B. Cooper – Y A. Anselm - Y M. Bergen - Y

Director Absent: Meiners Oaks Water District Member Director

**5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Vice-Chair Kuebler asked for public comments on items not appearing on the agenda. No comments were offered.

**6) CONSENT CALENDAR**

- a. Approve Minutes from August 11, 2022 Regular Board Meeting
- b. Approve Financial Report for August 2022
- c. Approval Rate Increase for Bondy Groundwater Consulting, Inc.

Vice-Chair Kuebler asked if any directors would like to discuss any consent calendar items.

Directors Cooper and Bergen said they will be abstaining on the meeting minutes.

Vice-Chair Kuebler said he would like to discuss Item 6(c).

Director Anslem requested a change the minutes on page 7 regarding the professional services contract for the GSP implementation grant application to state that Kennedy/Jenks is the best choice if there was an RFQ.

Director Anslem moved to approve consent Item Nos. 6(a) and (b) with the requested amendment.

Director Ayala seconded the motion.

Roll Call Vote:                    B. Kuebler – Y   E.Ayala – Y   V.Crawford – Y   A.Anselm - Y

    B.Cooper – Abstain for item 6a. Yes for item 6b.

    M.Bergen - Abstain for item 6a. Yes for item 6b.

Directors Absent: Meiners Oaks Water District Member Director

Vice-Chair Kuebler said he feels Mr. Bondy’s compensation is under market and feels a larger rate increase than requested is in order. He feels Mr. Bondy has done a tremendous job and has saved UVRGA a lot of money. He proposes the Board consider an increase to \$240 or \$250 per hour.

Director Bergen said Mr. Bondy is worth more than he is charging but wants to know how much Director Kuebler’s proposal would affect the agency’s budget.

Executive Director Bondy stated the Agency budget includes a 5% escalation, which is less than the current 12-month CPI, which is the basis for the proposed increase in his firm’s

letter. Executive Director Bondy said he is content with the rate increase proposed in the letter from his firm. He added that the discounted rate is justified because UVRGA is a long-standing client and because of the work volume.

Director Ayala said she would love to pay Executive Director Bondy more, but it is important to stay within the agency's budget. She suggests the Board approve the requested increase, and then revisit this issue during budgeting.

Director Crawford agrees with Director Ayala that we need to incorporate rate increases into the budgeting process.

Executive Director Bondy said the issue is that the contract calls for review of rates on the contract anniversary which happens in August, but budgeting occurs in May. He said that rate increases can be estimated during the budgeting process going forward.

Director Cooper said she would like to stick with what is proposed in the letter.

Director Anselm agreed with Director Cooper.

Director Cooper moved to approve the rate increase pursuant to the letter from Bondy Groundwater Consulting, Inc.

Director Anselm seconded the motion.

Roll Call Vote:                B. Kuebler – Y E.Ayala – Y V.Crawford - Y

   B.Cooper – Y A.Anselm - Y M.Bergen - Y

Directors Absent: Meiners Oaks Water District Member Director

Public Comments: none

Director Peter Kaiser arrived and replaced Director Bergen.

## **7) DIRECTORS ANNOUNCEMENTS**

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

Director Kuebler:            No report

Director Cooper:            No report

Director Ayala: No report  
Director Crawford: No report  
Director Kaiser: No report  
Director Anselm No report

### **8) EXECUTIVE DIRECTOR'S REPORT**

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

Executive Director Bondy said Agency Counsel is prepared to perform the “New Director” training on Thursday, September 22, 2022 at 1:00 p.m. He explained that this is the 4<sup>th</sup> Thursday of the month, which has typically been reserved for Special Board meetings. He explained that if more than three directors plan to attend, he needs to notice the training session as a special board meeting. He requested the Directors indicate their intentions.

Agency counsel stated the training would be along the lines of AB 1234 training, including the Brown Act and conflict of interest.

Director Crawford asked about SGMA training. She wants to make sure the Board is comfortable with her knowledge of SGMA. Agency Counsel stated he would make sure that SGMA is included in that training. Director Crawford stated she was available that date.

Director Cooper said she will be on vacation that date and she said Director Tribo’s calendar shows her attending the Localizing California Waters Workshop in Ojai. Director Crawford stated she will be presenting at that Workshop on September 22, 2022, so that would conflict with the training.

Executive Director proposed Thursday, October 27, 2022. No objections were voiced.

Director Ayala asked if the Agency is paying the registration fee for Executive Director Bondy to attend the workshop.

Executive Director Bondy said he does not plan to attend.

Director Ayala asked who would be attending the workshop. Director Crawford said she would be presenting at the Workshop. Director Cooper said Director Tribo will be attending. Director Kuebler stated he will be attending a portion of the Workshop.

Public comments: none

**9) ADMINISTRATIVE ITEMS**

**a. City of Ojai Request to Join Upper Ventura River Groundwater Agency Joint Powers Agreement**

Director Kaiser reported that there has been no new information since the last time they met. He reached out to the City of Ojai on several occasions and has not received a response from them. He suggests removing this item from the meeting agendas until further notice.

Public Comments: none

Director Comments: none

**10) GSP IMPLEMENTATION ITEMS**

**a. GSP Summary Presentation – Part 1 of 2**

This item was deferred to the next regular board meeting.

**b. Rincon Consultants, Inc. Work Order No. 8 for Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring in the Confluence Aquatic Habitat Area.**

Executive Director Bondy provided a summary of the proposed professional services to implement the Board-approved Confluence Habitat Area Aquatic GDE Monitoring Plan and system plan for the Foster Park Habitat Area. He explained that Rincon Consultants, Inc. has a master services agreement with the Agency that was awarded following a competitive selection process. He added that the proposed fees are consistent with the Agency's adopted budget.

Public Comments: None.

Director Kaiser moved approval of Rincon Consultants, Inc. Work Order No. 8 for implementation of the Confluence Aquatic Habitat Area GDE Monitoring Workplan during fiscal years 2022/2023, 2023/2024, and 2024/2025 in an amount not to exceed \$124,280 and \$12,720 contingency to be authorized at the discretion of the Executive Director (\$137,000 total authorization).

Seconded by Director Anslem.

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford - Y

B.Cooper – Y A.Anselm - Y P. Kaiser - Y

Directors Absent: Meiners Oaks Water District Member Director

**c. Rincon Consultants, Inc. Work Order No. 9 for Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring in the Foster Park Aquatic Habitat Area.**

Director Kaiser moved approval of Rincon Consultants, Inc. Work Order No. 9 for implementation of the Foster Park Aquatic Habitat Area GDE Monitoring Workplan during fiscal years 2022/2023, 2023/2024, and 2024/2025 in an amount not to exceed \$70,350 and \$7,150 contingency to be authorized at the discretion of the Executive Director (\$77,500 total authorization)

Seconded by Director Ayala.

Public Comments: None.

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford - Y

B. Cooper– Y A.Anselm - Y P. Kaiser - Y

Directors Absent: Meiners Oaks Water District Member Director.

**11) COMMITTEE REPORTS**

**a. Ad Hoc Stakeholder Engagement Committee**

Director Ayala and Director Crawford said there is nothing to report.

Executive Director Bondy stated that the well registration process is moving forward. Registration packets will be sent to the well owners next week. Director Ayala offered to review the packets before sending them out. Executive Director Bondy said he would appreciate that and will reach out to her.

Director Kuebler stated that the Agency needs to update its stakeholder engagement plan.

Director Ayala said she would be happy to get together with Director Crawford to review and propose updates.

Director Ayala asked when UVRGA will hear back from the State regarding their GSP. Executive Director Bondy said the Department of Water Resources (DWR) has up to two years from January to assess the GSP. He anticipates receiving feedback from DWR toward the end of the two-year period because Upper Ventura River Basin is not a high priority basin.

Public comments: None

**12) FUTURE AGENDA ITEMS**

Item 10(a) will return next month.

**13) ADJOURNMENT**

The next Regular Board meeting is scheduled for October 13, 2022 at 1:00 p.m.

The meeting was adjourned at 1:44 p.m.

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

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

M. Etchart\_\_ B.Kuebler\_ J.Tribo\_\_ A.Anslem \_\_ E.Ayala\_\_ V.Crawford\_\_ P.Kaiser\_\_