

UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING MARCH 14, 2024

A. CALL TO ORDER

A regular meeting of the Board of Directors of Upper Ventura River Groundwater Agency was held in the offices of the Ventura River Water District, 409 Old Baldwin Road, Ojai, CA 93023 on Thursday, March 14, 2024. Chair Kaiser called the meeting to order at 1:05 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL

Directors Present:

Arnie Anselm, Director
Emily Ayala, Director
Pete Kaiser, Chair
James Kentosh, Director
Bruce Kuebler, Vice Chair
Jenny Tribo, Director (arrived at 1:12 p.m. during Item No. 3)

Director Absent: Vivon Sedgwick

Staff Present:

Bryan Bondy, Executive Director
Keith Lemieux, Agency Counsel
Maureen Tucker, Administrative Assistant

Identified members of the public:

In Person: Alma Quezada and Kelly Dyer

Online: Burt Handy, Michael Flood, Mary Bergen

D. APPROVAL OF THE AGENDA

Chair Kaiser asked for any proposed changes to the agenda. No changes were proposed.

Director Anselm moved approval of the agenda. Director Kubler seconded the motion.

Roll Call Vote: E. Ayala - Y J. Kentosh – Y B. Kuebler – Y
 P. Kaiser – Y A. Anselm

Directors Absent: V. Sedgwick and J. Tribo

E. PUBLIC COMMENTS FOR ITEMS NOT APPEARING ON THE AGENDA

Chair Kaiser asked for public comments on items not appearing on the agenda. No comments were offered.

REGULAR SESSION AGENDA

1. CONSENT CALENDAR

- a) Approve Minutes from January 11, 2024 Regular Board Meeting
- b) Approve Financial Report for January 2024
- c) Approve Financial Report for February 2024
- d) Receive and File Fiscal Year 2022-2023 Financial Statement Audit

Chair Kaiser asked if any Director wanted to pull any items off the consent calendar for discussion. No requests were made.

Director Anselm moved approval of the consent calendar. Director Kubler seconded the motion.

Public Comments: None

Roll Call Vote: E. Ayala - Y J. Kentosh – Y B. Kuebler – Y
 P. Kaiser – Y A. Anselm

Director Absent: V. Sedgwick and J. Tribo

2. DIRECTOR ANNOUNCEMENTS

Chair Kaiser asked if there were any Directors announcements.

Director Ayala: No report
Director Anselm: No report
Director Kaiser: No report
Director Kentosh: No report
Director Kuebler: No report
Directors Absent: V. Sedgwick and J. Tribo

3. EXECUTIVE DIRECTOR'S REPORT

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

Groundwater extraction fees are all current except for one well owner who owes \$1,628.00 for the January 1 through June 30, 2023 semi-annual billing period.

The Fiscal Year 2022/2023 audit was completed.

The Treasurer is working on setting up UVRGA's investment pool account.

Executive Director Bondy worked on well registration and flowmeter compliance, which is detailed in a later agenda item.

Executive Director Bondy summarized the status of the various UVRGA monitoring programs. Surface water flow monitoring and aquatic groundwater dependent ecosystems monitoring are on hold due to the elevated flowrate in the Ventura River. Groundwater level monitoring was re-initiated at state well number 04N23W20A01. Executive Director Bondy applied for an encroachment permit from Ventura County Watershed Protection District (VCPWD) to monitor groundwater levels in two VCWPD-owned monitoring wells constructed along the Live Oak Acres Levee north of Santa Ana Blvd. Executive Director Bondy obtained permission from the owner of state well number 04N23W32C02 to modify the wellhead to provide access for groundwater level monitoring equipment. A proposal for this work is included in a later agenda item. Executive Director Bondy reached out to the City of Ventura about potentially monitoring City-owned wells in the vicinity of GSP Data Gap Area "A." Evaluation of the City-owned wells will occur when Ventura River flows recede to a safe level.

Executive Director Bondy summarized recent outreach efforts. Executive Director Bondy reached out to VCWPD and Ojai Valley Land Conservancy (OVLC) concerning collaboration on native vegetation and giant reed mapping. Neither organization currently has plans for mapping. Executive Director Bondy reached out to the Ventura River Watershed Council (VRWC) about presenting UVRGA's monitoring programs and was scheduled for their April 4 meeting. A Spring 2024 UVRGA newsletter was published to promote the VRWC presentation.

Executive Director Bondy reported on the Small GSA Coalition. The coalition issued a fact sheet and talking points. The coalition also sent two letters to state officials, one concerning the joint Assembly Water, Parks, and Wildlife and Assembly Budget Subcommittee meeting and another to the Governor and legislative leaders concerning the natural resources bond. The coalition also had a conference call with Keith Cialino from Assembly Speaker Rivas' office.

Director Kuebler asked about the audit finding concerning review of journal entries. Executive Director Bondy explained that the comment is not very applicable to small organizations such as UVRGA because there are too few staff members to provide the level of review suggested in the auditor's comment. He explained that journal entries are typically used to fix errors, such as booking expenses to the wrong account. Director Kuebler asked if a committee is needed to review journal entries. Chair Kaiser said he did not think so.

Alma Quezada asked if the unpaid groundwater extraction fee is for the mutual water company that Ventura River Water District (VRWD) is about to acquire and whether VRWD would be liable for the unpaid extraction fees following the acquisition. Executive Director Bondy said yes; however, he is planning to bring a fee waiver request to the Board for consideration at a future meeting because the mutual water company has not been using the well for several years.

No public comments.

4. AGENCY COUNSEL'S REPORT

Agency Counsel Lemieux said he does not have much to report. He is tracking proposed legislation and will provide more information when it becomes available. He mentioned a recently

Director Kentosh moved approval of the Water Year 2022/2023 Annual Report. Director Kuebler seconded the motion.

Roll Call Vote:	E. Ayala - Y	J. Kentosh – Y	B. Kuebler – Y
	J. Tribo – Y	P. Kaiser – Y	A. Anselm - Y

Director Absent: V. Sedgwick

c. State Well No. 04N23W32C03S Modifications to Facilitate Groundwater Level Monitoring by UVRGA

Executive Director Bondy explained that UVRGA recently received permission to monitor groundwater levels in State Well No. 04N23W32C03S, which is an active private agricultural well. Executive Director Bondy met with the property owner’s representative and Layne (contractor) in February to discuss retrofitting the well head for monitoring access and the installation of a sounding tube to house a pressure transducer. The well owner is agreeable if the work is performed by the contractor who has historically worked on the well (Layne). The estimated cost is \$13,953.84, including prevailing wages. Executive Director Bondy said the estimated cost is reasonable based on his experience. Agency counsel confirmed that bidding is not required because the well is not a public agency asset.

Director Ayala moved approval of Layne’s proposal and terms and conditions to modify State Well No. 03N23W32C03S in an amount not-to-exceed \$14,000, plus a 10% contingency to be authorized at the discretion of the Executive Director. Seconded by Director Anselm.

Roll Call Vote:	E. Ayala - Y	J. Kentosh – Y	B. Kuebler – Y
	J. Tribo – Y	P. Kaiser – Y	A. Anselm - Y

Director Absent: V. Sedgwick

d. State Well No. 04N23W20A01S Modifications to Facilitate Groundwater Level Monitoring by UVRGA

Executive Director Bondy explained that UVRGA has an access agreement to monitor groundwater levels in State Well No. 04N23W20A01S, but the well lacks a port on the well head for monitoring access and a sounding tube to house a pressure transducer. The property owner agreed to the idea of retrofitting the wellhead and installing a sounding tube to house the UVRGA’s downhole monitoring device. Unbeknownst to the Executive Director, the owner proceeded to perform the work and is now requesting that UVRGA pay the contractor’s invoice. The retrofit was performed by SAR Construction at a cost of \$1,695.55. Executive Director Bondy confirmed that the contractor paid prevailing wages.

Director Anselm moved to authorize payment of SAR Construction Invoice No. 22367 in the amount of \$1,695.55 for modification of State Well No. 04N23W20A01S. Seconded by Director Kuebler.

Roll Call Vote: E. Ayala - Y J. Kentosh – Y B. Kuebler – Y
J. Tribo – Y P. Kaiser – Y A. Anselm - Y

Director Absent: V. Sedgwick

e. Rincon Consultants Work Order No. 12 Amendment

Executive Director Bondy briefed the Board on Rincon Consultants Work Order No. 12 Amendment for annual desktop mapping of riparian groundwater dependent ecosystems with field verification to track changes in vegetation communities for water years 2023 through 2025. The extra costs for the proposed amendment are approximately \$8,333 per year and can be covered by the contingency line item in the budget.

Director Kuebler moved approval of Rincon Consultants Work Order No. 12 amendment in an amount not to exceed \$22,743, with 10% contingency to be authorized at the discretion of the Executive Director (\$25,000) total increase. Seconded by Director Tribo.

Roll Call Vote: E. Ayala - Y J. Kentosh – Y B. Kuebler – Y
J. Tribo – Y P. Kaiser – Y A. Anselm - Y

Director Absent: V. Sedgwick

7. COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Ayala stated there is no report.

8. FUTURE AGENDA ITEMS

None

9. CLOSED SESSION AGENDA

Director Ayala left for the closed session.

The Board adjourned into closed session at 2:26 p.m.

The Board returned to open session at 3:13 p.m.

Agency Counsel Lemieux reported on existing litigation: *Santa Barbara Channelkeeper v. City of San Buenaventura*. Agency Counsel reported on pending legislation. No reportable action took place.

REGULAR SESSION AGENDA

10. ADJOURNMENT

The meeting was adjourned at 3:15 p.m.

The next Regular Board meeting is scheduled for April 11, 2024 @ 1 p.m.

Action: _____

Motion: _____

A. Anselm ___ E. Ayala ___ P. Kaiser ___ J. Kentosh ___ B. Kuebler ___ J. Tribo ___ V. Sedgwick ___