

# **UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING JULY 10, 2025**

## **A. CALL TO ORDER**

A regular meeting of the Board of Directors of Upper Ventura River Groundwater Agency was held at the Ventura River Water District Meeting Room, 409 Old Baldwin Road, Ojai, CA on Thursday, July 10, 2025. Chair Kaiser called the meeting to order at 1:05 p.m.

## **B. PLEDGE OF ALLEGIANCE**

Director Martinez led the Pledge of Allegiance.

## **C. ROLL CALL**

Directors Present:

Pete Kaiser, Chair  
Bruce Kuebler, Vice Chair  
Emily Ayala, Director  
Justin Martinez, Alternate Director  
Vivon Sedgwick, Director  
Jennifer Tribo, Secretary (arrived at 1:12 p.m. during Item No. 2)

Directors Absent: No County of Ventura Director appointed at time of meeting.

Staff Present:

Bryan Bondy, Executive Director  
Steven O'Neill, Assistant Agency Counsel  
Maureen Tucker, Administrative Assistant

Identified Members of the Public:

In Person: Kelley Dyer

Online: Burt Handy and Mike Flood

## **D. APPROVAL OF THE AGENDA**

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

Director Kuebler moved approval of the agenda. Seconded by Director Ayala.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y  
                                 B. Kuebler – Y              E. Ayala – Y

Directors Absent: Jennifer Tribo; no County of Ventura Director appointed at time of meeting.

## **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 of June 12, 2025 Regular Board Meeting
- b) Approve Minutes of June 26, 2025 Special Board Meeting
- c) Approve Financial Report for June 2025

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

Director Ayala requested clarification on the meaning of "*SDRMA*." Executive Director Bondy said SDRMA stands for *Special District Risk Management Authority*, which provides the agency's liability insurance.

Director Kaiser asked about the liability insurance coverage. Executive Director Bondy said the insurance coverages are director and officer liability and general liability, which is required for the Agency's permits related to its monitoring activities.

Director Kuebler moved approval of the consent calendar items. Seconded by Director Ayala.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y  
                                 B. Kuebler – Y              E. Ayala – Y

Directors Absent: Jennifer Tribo; no County of Ventura Director appointed at time of meeting.

### **2. DIRECTOR ANNOUNCEMENTS**

Chair Kaiser called for Director announcements.

|                    |   |
|--------------------|---|
| Director Kaiser    | No report   |
| Director Ayala:    | No report   |
| Director Martinez: | No report   |
| Director Kuebler:  | No report   |
| Director Tribo:    | No report   |
| Director Sedgwick: | Reported that Ojai Valley Land Conservancy (OVLC) was awarded a grant from CAL FIRE's Forest Health Grants Program for \$7M to remove Arundo for the river reach extending from the Ventura River Preserve through Foster Park. |

### 3. EXECUTIVE DIRECTOR'S REPORT

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

Administrative: Ventura County Public Works Agency (VCPWA) plans to seek Board of Supervisors approval for a new appointment to the UVRGA Board in August.

Financial: Groundwater Extraction Fees: All extraction fees have been paid except those under Board-approved payment plans.

Well Registration & Flowmeter Compliance: Two wells remain unregistered, accruing \$100/day each. As of June 30, 2025, penalties per well total \$16,120. All active wells excluding those damaged in the January 2023 flood are meeting the flowmeter requirements.

Groundwater Monitoring: The semi-annual groundwater level data downloads were completed in May, and the data were submitted to the Department of Water Resources. Executive Director Bondy reviewed groundwater level charts included in the meeting packet. Executive Director Bondy said he has continued to try to schedule the Casitas Mutual Water Company wellhead retrofit. The work has been delayed due other contractor projects. Executive Director Bondy will continue to follow up with the contractor.

Surface Water Flow Monitoring: Executive Director Bondy reviewed recent measured flowrates. Executive Director Bondy will change the name of the Foster Park location to "Upper Foster Park" and add the USGS stream gauge to the next report.

Visual Surface Water Monitoring: The Ventura River has had discontinuous flow since April.

Aquatic & Riparian GDE Monitoring: The first post-wet season habitat and snorkeling surveys were completed in June. No steelhead were observed. Riparian vegetation mapping is scheduled for July.

Director Kaiser asked about the definition of steelhead. Executive Director Bondy will consult with the biologists and report back.

Director Tribo asked if other sensitive species were observed. Executive Director Bondy said a red legged frog was observed.

Numerical Model: The model sensitivity analysis and calibration updates are progressing well. A presentation to the Board currently expected in July.

Outreach & Coordination: Regarding the Matilija Dam Ecosystem Restoration Project (MDERP),: Ventura County agreed to incorporate replacement of the two Live Oak Levee groundwater monitoring wells into levee upgrade design plans. This will preserve two of UVRGA's monitoring locations. Regarding the Ventura River Watershed Resilience Program, a second community workshop is planned.

Small GSA Coalition: The coalition met on June 26 to discuss legislation and funding for small GSA fiscal issues.

Chair Kaiser called for public comments. No comments were offered.

#### 4. AGENCY COUNSEL'S REPORT

Assistant Agency Counsel Steven O'Neill updated the Board on recent legislation signed into law last week concerning the California Environmental Quality Act (CEQA).

#### 5. ADMINISTRATIVE ITEMS

##### a. PUBLIC HEARING

**Second Reading of Resolution 2025-01: A Resolution of the Board of Directors of Upper Ventura River Groundwater Agency Determining and Establishing Groundwater Extraction Fees Against All Persons Operating Groundwater Extraction Facilities Within the Upper Ventura River Valley Basin for Fiscal Year 2025/2026 (July 1, 2025-June 30, 2026).**

Assistant Agency Counsel Steven O'Neill briefed the Board on the supermajority voting requirements that apply to this item.

Executive Director Bondy provided background on the item. This is a second reading of the item pursuant to the Agency's joint powers agreement (JPA) and failure to receive unanimous approval during the first reading on June 12, 2025. The second reading was originally scheduled for June 26, 2025 but a successful vote could not be held due to an insufficient number of directors present. The JPA mandates a supermajority (defined as six affirmative votes) for extraction fees.

Discussion:

Director Martinez asked if fees could be adopted for multiple years. Executive Director Bondy said that is an option in the future.

Directors Tribo asked if last year's fees could be extended. Executive Director Bondy said no because the approval was only for one year. Assistant Agency Counsel Steven O'Neill added that doing so would be inconsistent with SGMA and the Government Code.

Director Martinez noted that the fee is only increasing \$2 from last year and asked Director Kaiser why that is a deal breaker for him.

Director Kaiser said it impacts the agencies' rates and that small agencies like UVRGA need to be frugal.

Director Ayala said she wishes these concerns were raised during the budgeting process instead of after.

Directors Martinez and Tribo agreed with Director Ayala.

Director Kuebler suggested postponing the vote until the County of Ventura appoints a director.

Director Sedgwick said the \$2 difference is not significant enough to jeopardize the agency's operations.

Director Kaiser stated that he believes Casitas Municipal Water District has made its point and that he will not obstruct the process.

Director Tribo moved to adopt Resolution 2025-01 A Resolution of the Board of Directors of Upper Ventura River Groundwater Agency Determining and Establishing Groundwater Extraction Fees

Against All Persons Operating Groundwater Extraction Facilities Within the Upper Ventura River Valley Basin for Fiscal Year 2025/2026 (July 1, 2025-June 30, 2026). Director Kuebler seconded the Motion.

Chair Kaiser called for public comments. No comments were offered.

Director Kaiser said everyone made good points. He requested that the budgeting process start earlier next year so that there can be more discussion before adopting fees.

Roll Call Vote: P. Kaiser - Y J. Martinez – Y V. Sedgwick - Y

B. Kuebler – Y J. Tribo - Y E. Ayala – Y

Directors Absent: No County of Ventura Director appointed at time of meeting.

#### **b. Professional Services Status**

Executive Director Bryan Bondy explained that Alternate Director Flood asked for an item to discuss whether to pursue requests for proposals for professional services during the June 12, 2025 Board meeting.

Executive Director Bryan Bondy reviewed the table included in the meeting agenda packet presenting the status of each professional service provider, including the position/role, service provider name, whether the position is designated by the Board, date selected, date of last contract review, current fee, and comparable fees.

After reviewing the table, the Board found that the current professional service rates are competitive, except for the auditor. Several potential cost savings measures were identified for further investigation:

- Audits: The Executive Director and Legal Counsel will research the potential for switching to biennial audits and whether UVRGA can contract directly with the audit firm instead of a member agency (currently Ventura River Water District [VRWD]).
- Auditor: Executive Director to work with VRWD to obtain proposals for audits after the current contract expires.
- Legal Counsel and Administrative Assistant: Legal Counsel and Administrative Assistant will attend board meetings remotely unless there is a closed session.
- Bookkeeping: The Board discussed whether the Agency needs a certified public accountant performing bookkeeping. The Executive Director will investigate OBGMA bookkeeper's rate and availability.
- Board of Directors: The Board discussed meeting less frequently and noted that the next item concerning voting procedures could lead to cost savings. Director Kaiser also emphasized being mindful of the fact that questions of counsel and staff have costs associated with them.

Chair Kaiser called for public comments. No comments were offered.

### **c. Agency Voting Procedures**

Executive Director Bondy explained that the Board asked for an item to review the Agency's voting procedures and begin discussion of potential modifications, which are contained in the Agency's JPA and Bylaws. The JPA Agreement is controlling over the Bylaws. Any JPA amendments would have to be approved by the Boards of the five Member Agencies.

The JPA requires unanimous approval during the first reading of an item and a supermajority during second readings of some items. This process has caused delays, extra meetings, and logistical challenges when there are vacancies or when some Directors are unable to attend Board meetings. The JPA also lacks guidance on handling vacancies when a Member Agency fails to appoint a director and does not provide for alternates for the Stakeholder Director seats, both of which exacerbate these challenges.

Director Kaiser said he believes we moved beyond the concerns that existed when the Agency was being formed and that it is time to move to a traditional simple majority voting approach.

Directors Kuebler and Tribo agreed with Director Kaiser.

Director Ayala noted that adding alternates for the Stakeholder Director seats could address the issue with the current Stakeholder Directors being unable to participate in certain closed session matters.

Chair Kaiser called for public comments. No comments were offered.

After a brief discussion, the Board requested that the Executive Director and Agency Counsel draft proposed amendments for discussion that address voting procedures, quorum, Stakeholder Director alternates, and provisions for addressing Member Director vacancies.

## **6. GSP IMPLEMENTATION ITEMS**

### **a. Rincon Consultants, Inc. Work Order No. 13 for Field Monitoring Programs for Water Year 2025/2026.**

Executive Director Bondy summarized Rincon Consultants, Inc. (Rincon) proposal for Work Order No. 13 to provide field monitoring and reporting services for Water Year 2025/2026 (October 1, 2025 – September 30, 2026). The scope includes monitoring of groundwater levels, streamflow, and aquatic and riparian groundwater-dependent ecosystems (GDEs) in accordance with the Groundwater Sustainability Plan. This work continues efforts under prior Work Orders Nos. 8, 9, and 12, but consolidates all monitoring under a single work order to improve efficiency and reduce both consultant and administrative costs. The first task in the work order is to draft amendments to the GDE monitoring work plan, which would need to be approved before the next water year begins on October 1, 2025, making timely approval of this work order necessary.

Executive Director Bondy explained the fiscal impact of the proposed work order. Approving the work order would commit 46% of the Fiscal Year 2025/2026 contingency budget. In recognition of this, Rincon included a 5% discount on this work order to help reduce costs. Executive Director also noted that Rincon has absorbed certain costs over the past three years.

Director Martinez asked if the Agency used all its contingency budget last year. Executive Director Bondy said no.

Director Kaiser asked about water quality sampling and whether storm events could complicate the work. Executive Director Bondy explained that water quality sampling is called for in the GSP to address domestic wells and to address data gaps. Rincon demobilizes monitoring equipment installed in the river before high-flow events.

Director Kuebler emphasized that, while the cost is significant, the work is essential.

Director Sedgwick and others expressed satisfaction with the Executive Director's oversight and cost management with Rincon.

Chair Kaiser called for public comments. No comments were offered.

Director Kuebler moved to authorize the Executive Director to issue Work Order No. 13 to Rincon Consultants, Inc. for field monitoring and reporting for Water Year 2025/2026 (October 1, 2025 through September 30, 2026) in an amount not to exceed \$189,030 and \$32,792 for optional tasks and contingency to be authorized at the discretion of the Executive Director (\$221,822 total authorization). Director Sedgwick seconded the Motion.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y

                         B. Kuebler – Y              J. Tribo - Y              E. Ayala – Y

Directors Absent: No County of Ventura Director appointed at time of meeting.

## **7. FUTURE AGENDA ITEMS**

None

## **8. ADJOURNMENT**

The meeting was adjourned at 3:20 p.m.

The next scheduled Board meeting is August 2025, but it was noted that it would likely be cancelled.

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

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

E. Ayala\_\_ P. Kaiser\_\_ J. Kentosh\_\_ B. Kuebler \_\_ J. Palmer \_\_ V. Sedgwick \_\_ J. Tribo \_\_