

**VENTURA RIVER WATER DISTRICT  
MINUTES OF REGULAR MEETING DECEMBER 21, 2022**

Directors present via Zoom video were: Nathan Rosser, and Jack Curtis. Directors present in person: Bruce Kuebler, Ed Lee and Peggy Wiles. Also present were: Attorney Lindsay Nielsen, General Manager/Board Secretary Bert Rapp, Assistant General Manager Alma Quezada, Office Manager Emily Arnbrister. Public Present: Stacey Gumley & John Britton of Bartlett, Pringle & Wolf (left at 3:39pm), Clara Nagy of Ventura Energy (arrived at 3:35pm, left at 3:47pm), Matt Ingamells of Padre Associates (arrived at 3:43pm, left at 4:08pm).

1. **CALL MEETING TO ORDER** - President Peggy Wiles called the meeting to order at 3:00 P.M.
2. **OATH OF OFFICE- NEWLY ELECTED OFFICIALS**
3. **PUBLIC COMMENT (FOR ITEMS NOT ON THE AGENDA)** – None.
4. **CONSENT AGENDA:**
  - A. **MINUTES NOVEMBER 17, 2022**
  - B. **PAYMENTS & CHECKS FOR NOVEMBER 2022; FINANCIALS FOR OCTOBER 2022**
  - C. **CONFIRMATION OF RESOLUTION 2021-335 REMOTE MEETINGS**

Jack Curtis moved for approval of the Consent Agenda, seconded by Bruce Kuebler and the motion carried 5-0-. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)

5. **ANNUAL AUDIT 2021-2022 BARTLETT, PRINGLE & WOLF, BUDGET TRANSFER #3, AND ALLOCATIONS TO RESERVES:** Emily Arnbrister presented the Fiscal Year 2021 Audit and introduced Bartlett, Pringle, and Wolf accountants (BPW) John Britton, and Stacey Gumley. John and Stacey discussed the particulars of the audit including year to year comparisons of significant variances. VRWD financials were found to be fairly and accurately stated. BPW recommends implementation of additional year-end procedures and a more timely review of Capital Asset Listings. Director Kuebler inquired further about resolution to the management letter. **Public Comment:** None.  
**Recommended Action:** 1) Review and comment on the annual audit. 2) Approve budget transfer #3 in the amount of \$189,019. 3) Approve the FY 2020/2021 allocation to reserves. Bruce Kuebler moved for approval of the recommended action, seconded by Ed Lee and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
6. **APPROVAL OF BOARD MEETING CALENDAR 2023:** The Assistant General Manager presented the 2023 Board Meeting Calendar for the Board to review. No changes were made. **Public Comment:** None. **Recommended Action:** Approve the Board Meeting Calendar for 2023. Bruce Kuebler moved for approval of the recommended action, seconded by Ed Lee and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
7. **MISSION AND VISION STATEMENT:** Staff has researched historical VRWD slogans, mission statements and vision statements and made updates to propose new mission and vision statements that accurately reflect VRWD current practices and goals. In addition to the vision statement, staff recommended including a values section to further detail VRWD's vision. Staff also created a new logo for VRWD. Director Kuebler had editorial comments on the mission statement that added customer care, environmental sustainability, and innovation, and removed redundancy. The Board asked that the vision statement and values be brought back at the next meeting. **Public Comment:** None. **Recommended Action:** Adopt the slogan, mission statement with Director Kuebler's edits and new logo for the District. Jack Curtis moved for approval of the recommended action, seconded by Bruce Kuebler and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)

8. **2022 ANNUAL EMPLOYEE SURVEY:** Last year an annual employee survey was implemented for staff to review the performance of the General Manager and the District. There are updates to the questionnaire for future surveys. All surveys will be anonymous and be returned to District Legal Counsel via a pre-stamped envelope or email. Director Kuebler advised a new question to ask: "Based on your comments last year, have you observed any changes, positive or negative?" The board asked to split question #5 into two questions and remove the section stating "direct supervisor." **Public Comment:** None. **Recommended Action:** The Board review and approve the revised Annual Employee Survey with board edits and direct that it be distributed. Bruce Kuebler moved for approval of the recommended action, seconded by Peggy Wiles and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
9. **2023 SOLAR PROJECT- APPROVED TASK ORDER FOR EDISON INTERCONNECTION AGREEMENT:** Southern California Edison recently proposed Net Energy Metering (NEM) 3.0 which would be a different rate structure than the current NEM 2.0. Ventura Energy LLC will prepare the application and agreement for the District to be eligible for NEM 2.0 before the program ends in April 2023. Clary Nagy explained that NEM 3.0 reduces the value of the exported energy while NEM 2.0 compensates exported energy at retail rate. There was general board discussion regarding deadlines and the impact of not being able to be on NEM 2.0. **Public Comment:** None. **Recommended Action:** 1) Approve the attached Consulting Services Contract with Ventura Energy LLC. 2) Award Task Order #1 to Ventura Energy LLC, for the preparation of the Edison Interconnection Agreement, to be eligible for Net Energy Metering 2.0 in the amount of \$10,378. Ed Lee moved for approval of the recommended action, seconded by Bruce Kuebler and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
10. **APPROVAL OF THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE 2023 WATER PROJECTS:** An environmental document is needed for the 2023 Water Projects. Padre Associates prepared the Initial Study and Mitigated Negative Declaration, publication is needed to move forward with the water projects. The General Manager advises distribution of a special notice to homeowners within a 300-ft boundary of the project locations. There was discussion regarding the largest impact of the projects, any anticipated feedback from homeowners impacted, and background information about possible design changes that might avoid heavy truck traffic or loud crushing operations. There was discussion regarding anticipated regulatory agency response. Peggy Wiles made comment to add annexation of Tico for indoor water use in the NOI for clarity. **Public Comment:** None. **Recommended Action:** 1) Review the Mitigated Negative Declaration supported by the Initial Study, and 2) Authorize the General Manager to publish the Notice of Intent with Director Wiles editorial change to Adopt a Mitigated Negative Declaration to start the public review period. Bruce Kuebler moved for approval of the recommended action, seconded by Jack Curtis and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
11. **DISTRICT LEGAL COUNSEL SELECTION:** Long-term Legal Counsel, Lindsay Nielson announced his retirement with a 3-month notice, after serving the District for almost 38 years. Mr. Nielson stated he will stay until new legal counsel is found. There are questions the Board should consider regarding expectations and ideals for the next Legal Counsel. There was general board discussion regarding the needs of the District and future legal counsel. Peggy Wiles appointed Bruce Kuebler and Ed Lee as the ad hoc committee to prepare an RFP, interview candidates and make a legal counsel recommendation to the Board. **Public Comment:** None.
12. **APPROVAL OF UPDATED UVRGA AUDITOR SERVICES AGREEMENT:** UVRGA needs one of the member agencies to contract with an auditor to conduct the annual audit. Both UVRGA and VRWD utilize BPW for audit services. The agreement would extend the audit services for 5 fiscal years, ending on June 30, 2026. **Public Comment:** None. **Recommended Action:** Approve the attached draft agreement for providing audit services to the Upper Ventura River Groundwater Agency and authorize the Board President to sign the agreement. Bruce Kuebler moved for approval of the recommended action, seconded by Ed Lee and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)

13. **BOARD REPORTS ON MEETINGS ATTENDED & UPDATE ON THE UPPER VENTURA RIVER GROUNDWATER AGENCY (UVRGA) - BRUCE KUEBLER:** There was no UVRGA meeting to report.
14. **WATER & DISTRICT UPDATE:** The static aquifer level at Well #2 on December 1, 2022, was at elevation 498.7, dropping 1.8 feet since the first of last month. The aquifer is currently 9.4 feet below the 30-year average for December 1<sup>st</sup>. Well #1 is pumping 870 GPM, down 15 GPM from last month. Well #7 is pumping 635 GPM, down 21 GPM from last month. Well #2, #3, #4 & #6 were offline in November. No supplemental water was purchased from Casitas. Sales dollars billed on November 30, 2022, amounted to \$183,579, under budget by \$52,944 for November. Water sold in November 2022 amounted to 27,184 HCF, a decrease of 48% below the 53,064 HCF sold in November 2013. On December 1, 2022, Lake Casitas level was at 29.8% of full capacity at an elevation of 480.03 feet. The lake has decreased 0.3% since last month.
15. **OLD & NEW BUSINESS:** The Board requested an agenda item to return next month for a change in meeting time to 2pm.
- A. **ELECTION OF OFFICERS:** Peggy Wiles nominated Ed Lee for President, Bruce Kuebler for Vice President and Jack Curtis for Treasurer of the Board. The motion was seconded by Bruce Kuebler and carried 5-0. (AYES: Jack Curtis, Bruce Kuebler, Ed Lee, Nathan Rosser and Peggy Wiles. NOES: None.)
16. **EXECUTIVE SESSION** – Peggy Wiles moved the meeting into executive session at 5:28 pm to discuss pending litigation. Peggy Wiles brought the Board out of executive session at 5:44 pm. No action was taken in the Executive Session.

Meeting adjourned at 5:44 pm.

Attested:

  
Bert J. Rapp, Secretary

