

**VENTURA RIVER WATER DISTRICT
MINUTES OF REGULAR MEETING MARCH 9, 2016**

Pursuant to due and official notice, a regular meeting of the Board of Directors of the Ventura River Water District was held at 409 Old Baldwin Road, Ojai, California.

Directors present were: E. Lee, B. Kuebler, M. Hanson, T. Jamison and J. Curtis. Also present were: Legal Counsel L. Nielsen and General Manager/Board Secretary Bert Rapp. Public present were: Mr. George Galgas, Tully Clifford, Deputy Director Ventura County Watershed Protection District, Jordan Kear, Kear Groundwater and eleven community members most of whom are well owners interested in the Groundwater Sustainability Agency and the Basin Boundary Modification.

1. **CALL MEETING TO ORDER** – Board President E. Lee called the meeting to order at 3:00 P.M.
2. **PLEDGE OF ALLEGIANCE**
3. **CONSENT AGENDA:**
 - A. Minutes for regular meeting February 10, 2016
 - B. Financial Expenditures for January & February 2016
 - C. Financial Reports for July, August & September 2015

J. Curtis moved for approval, 2nd by M. Hanson. Motion carried 5-0

PUBLIC COMMENT – None

4. UPPER VENTURA RIVER BASIN BOUNDARY MODIFICATION APPLICATION – RESOLUTION 2016-296 – B. Kuebler provided a summary of the Sustainable Groundwater Management Act, how it pertains to de minimis extractors and what it might mean to larger extractors. Jordan Kear made a presentation regarding the geologic basis for the proposed scientific basin boundary modification. Several members of the audience posed questions about future cost assessments and potential pumping restrictions. B. Kuebler indicated that the implementation of the future Groundwater Sustainability Plan may lead to some type of pumping restrictions and that the magnitude of the cost assessments would likely be on the order of \$10 to \$20 per acre foot of water pumped. B Rapp indicated that the application was being prepared by Jordan Kear, Jena Acos with BHFS and himself and would be ready for submittal to the Department of Water Resources (DWR) about the third week of March. J. Curtis moved to Adopt Resolution 2016-296 requesting that DWR modify the boundary of the Upper Ventura River Basin. Seconded by T. Jamison. Carried 5-0.

VENTURA RIVER WATER DISTRICT

RESOLUTION 2016 – 296

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VENTURA RIVER WATER DISTRICT REQUESTING A
BOUNDARY MODIFICATION OF THE
UPPER VENTURA RIVER BASIN 4-3.01**

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 (“SGMA”), which authorizes local agencies to manage groundwater in a sustainable fashion; and

WHEREAS, the legislative intent of SGMA is to provide authority to local agencies to sustainably manage groundwater basins within their jurisdictions;

WHEREAS, pursuant to SGMA the Ventura River Water District is in the process of forming a Groundwater Sustainability Agency (“GSA”) in partnership with the Meiners Oaks Water District, Casitas Municipal Water District, City of Ventura and the County of Ventura; and

WHEREAS, SGMA defines a basin's boundaries as identified in the California Department of Water Resources ("DWR") Bulletin No. 118 ("Bulletin 118"); and

WHEREAS, the current boundary of the Upper Ventura River Basin (Basin No. 4-3.01) ("Basin") identified in Bulletin 118 does not reflect the best scientific and hydrologic information available; and

WHEREAS, more recent geologic and hydrologic studies are available for the Basin from such sources as the United States Geologic Service ("USGS") and the California Geological Survey, specifically the qualified map of special project 217 and work conducted by Tan and Jones, 2006 and Minor and Brandt, 2015; and

WHEREAS, SGMA, in conjunction with the recently-issued regulations by DWR, establishes a process for local agencies to request that DWR revise the boundaries of a basin, including establishment of a new subbasins; and

WHEREAS, the Ventura River Water District meets the definition of local agency for purposes of SGMA; and

WHEREAS, Jordan Kear, a registered geologist and registered Geohydrologist revised the Basin's boundary based on the more recent and detailed geologic and hydrologic studies referenced above, and on his experience and knowledge of local conditions, and

WHEREAS, the Ventura River Water District groundwater located in the Upper Ventura River area of Ventura County is a vital resource to meet the water supply needs for residents, visitors, and businesses within Ventura County; and

WHEREAS, the Ventura River Water District operates wells and obtains the majority of the water it serves from the Basin; and

WHEREAS the future boundary of the GSA is required to be congruent with the Basin boundary; and

WHEREAS, the Ventura River Water District desires that the Basin boundary and the future GSA boundary be set based upon the best available geologic and hydrologic science in order to promote sustainable management of the Basin's groundwater resources; and

WHEREAS the proposed boundary was explained and discussed at the January and February meetings of the Ventura River Watershed Council, at a stakeholder meeting on January 28, 2016, and at a public meeting of the GSA Formation Committee on February 16, 2016; and

WHEREAS, requesting a modification to basin boundaries is exempt from the California Environmental Quality Act (CEQA) because adoption of these regulations is not a project under CEQA, and, even assuming that adoption of these regulations constitutes a project, it would be exempt because there is no possibility that the adoption of the Basin Boundary Regulations will have a significant effect on the environment, the activity is taken in protection of natural resources, and the activity is taken in protection of the environment. (Pub. Res. Code §21065, 14 CCR §§ 15060, 15061, 15307, 15308, 15378.) Further, SGMA exempts preparation and adoption of plans from CEQA review, of which (as applicable) a basin boundary modification request is a necessary initial step. (Wat. Code § 10728.6.)

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Ventura River Water District hereby requests that DWR modify the boundary of the Upper Ventura River Basin as shown on the attached Exhibit A and as described in the Hydrologic Model and Technical Memorandum prepared by Kear Groundwater, to be submitted through DWR's online Basin Boundary Modification Request System by March 31, 2016.

PASSED, APPROVED AND ADOPTED this 9th day of March 2016.

AYES: _____ NOES: _____ ABSENT: _____

ATTEST:

Bert J. Rapp, P.E. Secretary

Edward Lee, President

Bruce Kuebler, Vice-President

- 5. AWARD OF CONTRACT – WELL #7 DRILLING** – B Rapp reported that Addendum #1 that was issued on the Well #7 drilling project created confusion between the bids and recommended the Board reject all bids and re-advertise the project. J. Curtis moved to reject all bids and re-advertise. Seconded by T. Jamison. Carried 5-0

6. **GROUNDWATER SUSTAINABILITY AGENCY FORMATION: GSA JPA ARTICLES 8, 13, 14, 16 & 17** - B. Kuebler provided an update on the GSA Formation committee progress on the JPA Agreement. The main issue is how voting will occur. This issue is not resolved, it could be a weighted vote, double majority or simple majority. The consensus of the Board was that some form of weighted votes would be best. During the first year of the GSA there will not be a pump fee in place and the five member agencies will likely need to contribute funds for the first year or so of operation of the GSA. The formation committee is thinking about seven board seats and a method is being developed on how to select the two citizen seats. No additional comments were provided on Articles 8, 13, 14, 16 & 17. No action was taken.
7. **FY 2016/17 BUDGET FIRST DRAFT** – B. Rapp presented the highlights of the first draft of the FY 2016/17 budget including reactivation of the valve/hydrant replacement projects, initiation of a healthcare cafeteria plan, employees pay the 7% employee share of CalPERS retirement and receive equivalent 7% pay adjustment so the District and employees see no net change. The Board requested that a budget workshop be scheduled for the end of April. No action was taken.
8. **PENDING BOARD VACANCY – DIRECTOR JAMISON SEAT** – T. Jamison has indicated that he will resign effective June 1, 2016. B. Rapp reported that the Board could appoint a replacement, participate in the June 7, 2016 primary election or call a special election. In all cases the candidate would be required to run in the November 8th election. The cost for the election options is about \$20,000 to \$35,000. M. Hanson moved to have the General Manager advertise the vacancy, have the Board interview and appoint a candidate. Seconded by B. Kuebler. Motion carried 5-0. E. Lee appointed M. Hanson and B. Kuebler to serve on a selection committee who will recommend the top candidates to the Board.
9. **GENERAL MANAGERS REPORT ON WELLS, WATER STATUS** – Well #2 was 87.9 feet below the ground surface on March 1, 2016. Well #1 is producing 613 gpm and is the only well pumping. Conservation in February was 30% below 2013 usage. Supplemental Casitas water was turned off during February. Revenues for February were about 5% below budget.
10. **OLD & NEW BUSINESS** – The AWA meeting and Matilija Dam meeting are on Thursday March 17th. B. Kuebler, J. Curtis and B. Rapp will attend.

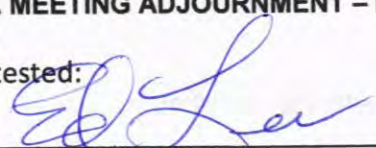
The Board adjourned to Executive Session at 4:58 P.M.

11. **EXECUTIVE SESSION** – A closed session was held regarding: Pending litigation pursuant to Government Code Section 54956.9 (b) (Small v. VRWD case # 56-2015-00464077-CU-EI-VTA); Pending litigation pursuant to Government Code Section 54956.9 (b) (City of Ventura v. VRWD, CPF-14-513875, Friend of the Court filing); and review General Manger performance under Govt. Code Section 54957 subdivision B-1.

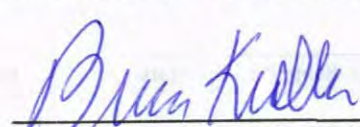
The Board came out of Executive Session at 5:37 P.M. No decisions were made. J. Curtis requested that the General Manager prepare a resolution for the April 13, 2016 meeting addressing the vacation allotment for the General Manager effective after his fifth year of service.

12. **MEETING ADJOURNMENT** – Meeting adjourned at 5:40 P.M. to Wed. April 13, 2016 at 3:00 P.M.

Attested:



Ed Lee, President



Bruce Kuebler, Vice President