

**MINUTES OF THE
VINA GROUNDWATER SUSTAINABILITY AGENCY
REGULAR BOARD MEETING**

Meeting of

December 11, 2024, 5:30 p.m.

Conference Room 1 in the Chico City Council Chamber Building, 421 Main Street, Chico CA

IN-PERSON AND ONLINE VIA ZOOM (viewing/listening only)

1. VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) REGULAR BOARD MEETING

1.1. Call to Order

The Vina GSA meeting was called to order by Chair Tuchinsky at 5:41 p.m. in Conference Room 1 due to technical issues in the City Council Chamber.

1.2. Roll Call

Board Members Present:

Evan Tuchinsky
Jeff Rohwer
Kevin Phillips-Durham Irrigation District Alternate
Todd Kimmelshue
Kasey Reynolds

Board Members Absent: None

Management Committee Members Present:

Becky Fairbanks, and Kamie Loeser (Butte County Department of Water & Resource Conservation (BCDWRC), Dillon Raney (Vina GSA Program Mgr.), and Linda Herman and David Kehn (City of Chico).

2. CONSENT AGENDA:

2.1 APPROVAL OF THE 11/13/24 VINA GSA BOARD MEETING MINUTES

Action: Approve the Vina GSA meeting minutes.

Vice-Chair Rohwer informed the Board there was an error in the minutes in that he did not attend this meeting, and his Alternate Steve Koehnen took his place, He also said that he would be abstaining from the vote on the minutes based on his absence from the meeting.

Board Member Kimmelshue's motion to approve the corrected minutes was seconded by Board Member Reynolds.

The Motion carried as follows:

AYES: Board Members Kimmelshue, Reynolds, and Chair Tuchinsky

NOES: None

ABSENT: None

ABSTAIN: Board Member Phillips and Vice Chair Rohwer

3. SPECIAL RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY HONORING MS. LINDA HERMAN

The Board considered a Resolution commending Linda Herman for her 40 years of dedicated public service, including 28 years with the City of Chico. She is retiring as the Parks & Natural Resources Manager for the City of Chico. Linda has been an instrumental representative on the Vina GSA Management Committee, playing a vital role in the development and implementation of the Vina GSA and its Groundwater Sustainability Plan (GSP). The resolution recognizes her exemplary service and contributions as she attends her final Vina GSA Board meeting. **(Report – Kasey Reynolds, Vina GSA Board Director)**

REQUESTED ACTION: Adopt the resolution honoring Linda Herman for her outstanding service and contributions to the Vina GSA and the community.

Board Member Reynolds's motion to adopt the Resolution was seconded by Vice-Chair Rohwer.

The Motion carried as follows:

AYES: Board Members Reynolds Kimmelshue, Phillips, Vice-Chair Rohwer and Chair Tuchinsky

NOES: None

ABSENT: None

ABSTAIN: None

4. **PUBLIC COMMENTS**

Members of the public may address the board at this time on any matter not already listed on the agenda; comments are limited to three minutes. The board cannot take any action at this meeting on requests made under this section of the agenda.

Claudia Rawlins, Emily McCabe, Patrizia Hironimus and Timmarie Hamill (by attached letter submitted) provided Public Comments.

5. **REGULAR AGENDA**

5.1 **CONSIDERATION OF A LONG-TERM FUNDING MECHANISM FOR THE VINA GSA**

The Board considered selecting a preferred funding mechanism for the Vina GSA's long-term fee structure. This decision follows the Board Fee Study Workshop, which presented fee options, results from alternative fee modeling, and feedback gathered from the public and the Stakeholder Advisory Committee (SHAC). The selected funding mechanism will guide Staff and the consultant in finalizing the Fee Study and preparing for implementation. **(Report – Catherine Hansford, Hansford Economic Consulting)**

REQUESTED ACTION: Select a preferred funding mechanism for the Vina GSA's long-term fee structure and provide direction to Staff and consultants to proceed with drafting the Fee Study and preparing for implementation.

The consultants provided a presentation on the work they have been doing to determine what should be evaluated in the new Fee Study. The Board was asked to provide directions on the following items:

1. Should the Part 1 Base Fee Methodology be based on a per parcel or per acre basis?
2. Part 2 Fee Cost Methodology – Round to 90%/10% Split with periodic review or calculate it each year using a running average of recent years data?
3. Hand bill properties that are currently not paying a fee?

Jim Brobeck, Richard Coon, Anne Dawson, Tovey Giezentanner, Patrizia Hironimus, Robert Stone, Greg Brislain, and Bruce McGowan provided public comments regarding this item.

Board Member Kimmelshue said he would not be voting on a Part 1 base fee on all user groups to cover the GSA administration costs as he believes only irrigators should pay

Vice-Chair Rohwer and Reynolds like the 90/10% split option for the Part 2 Fee.

*****Board Member Reynolds had to leave the meeting prior to the vote*****

Board Member Phillips made a motion to look at another option not presented by the consultant to establish a per acre fee for domestic and Ag users and a per parcel fee for rangelands.

The Motion was not seconded because the Consultant informed the Board that charging different types of fees for different users may not be legal as everyone should be charged using the same methodology.

Vice-Chair Rohwer made a motion to table this discussion to the next Board meeting to allow consultation with legal counsel on the legality of Board Member Phillips' first motion. Board Member Phillips seconded this motion.

The Motion carried as follows:

AYES: Board Members Kimmelshue, Phillips, Vice-Chair Rohwer and Chair Tuchinsky

NOES: None

ABSENT: Board Member Reynolds

ABSTAIN: None

*****Vice-Chair Rohwer left the meeting*****

5.2 CONSIDERATION OF THE PROPOSED MONITORING NETWORK LOCATIONS

The Board considered approving the finalized proposed monitoring network locations for the Vina Subbasin. These locations were discussed at the previous Board meeting and have been refined based on Board, SHAC and public input received. Additionally, Staff provided an update on the initial application to the California Stream Gage Improvement Program (CalSIP) to support the implementation of the monitoring network expansion. **(Report – Ryan Fulton, Larry Walker & Associates)**

REQUESTED ACTION: Approve the final proposed monitoring network locations for the Vina Subbasin or provide direction to staff.

Richard Coon, Tovey Giezentanner and Patrizia Hironimus provided public comments regarding using local groups to monitor, thanking for the work completed, and considering mapping the Ground Dependent Ecosystems higher upstream on Butte Creek.

Board Member Kimmelshue's motion to approve the final monitoring network locations was seconded by Board Member Phillips.

The Motion carried as follows:

AYES: Board Members Kimmelshue, Phillips, and Chair Tuchinsky

NOES: None

ABSENT: Board Member Reynolds and Vice-Chair Rohwer

ABSTAIN: None

5.3. CONSIDERATION OF AUTHORIZATION FOR THE PROGRAM MANAGER TO CONTRACT WITH LARRY WALKER ASSOCIATES AND APPROVAL OF RESOLUTION NO. 2024-03 VINA GSA STREAM GAGE PROJECT FUNDING

The Board considered authorizing the Program Manager to execute a contract with Larry Walker

Associates (LWA), not to exceed \$15,000, to complete the California Stream Gage Improvement Program (CalSIP) application process. This contract will allow LWA to develop and submit the necessary application materials to secure funding for the proposed monitoring network expansion in the Vina Subbasin.

The Board also considered approving Resolution No. 2024-03, which authorizes the Chair to sign the funding request, acceptance, and execution for the Vina GSA Stream Gage Project. These actions are necessary to meet the December 31, 2024, CalSIP evaluation deadline and to advance the GSA's monitoring network expansion goals. **(Report – Dillon Raney, GSA Program Manager)**

REQUESTED ACTION: Authorize the Program Manager to execute a contract with Larry Walker Associates, not to exceed \$15,000, to complete the CalSIP application process. Approve Resolution No.2024-03, authorizing the Board Chair to sign the resolution for the Vina GSA Stream Gage Project funding request.

Richard Coon, Valerie Meza, Cheeta Chudri and Patrizia Hironimus provided public comments requesting that the Board consider using local groups to perform the monitoring functions of this project.

Chair Tuchinsky made a motion to approve 1) executing a contract with Larry Walker Associate up to for \$15,000 and 2) adopt the CalSIP grant resolution. Board Member Phillips seconded the motion.

The Motion carried as follows:

AYES: Board Members Kimmelshue, Phillips, and Chair Tuchinsky

NOES: None

ABSENT: Board Member Reynolds and Vice-Chair Rohwer

ABSTAIN: None

5.4 **CONSIDERATION OF APPOINTMENT TO THE STAKEHOLDER ADVISORY COMMITTEE (SHAC)**

The Vina Groundwater Sustainability Agency (GSA) currently has two vacancies on its Stakeholder Advisory Committee (SHAC): one for a Domestic Well User Representative and one for a Nonirrigated/Rangeland Representative. Applications for the Domestic Well User position were accepted through November 30, 2024, while applications for the Non-irrigated/Rangeland Representative position are being accepted on a rolling basis. The Board reviewed the four applications received for the Domestic Well User position and considered appointing one applicant to fill the vacancy. **(Report - Dillon Raney, GSA Program Manager)**

REQUESTED ACTION: Review the applications for the Domestic Well User position and appoint one applicant to the SHAC.

Applicants Jim Graydon, Susan Schrader, and Robert Stone presented their qualifications and reasons for applying for the position to the Board. Applicant Eric Johnson was unable to present due to technical difficulties with the Zoom online meeting.

Board Member Phillips' motion to appoint Jim Graydon as a Domestic Well User Representative on the SHAC was seconded by Board Member Kimmelshue.

The Motion carried as follows:

AYES: Board Members Kimmelshue, Phillips, and Chair Tuchinsky

NOES: None

ABSENT: Board Member Reynolds and Vice-Chair Rohwer

ABSTAIN: None

5.5. CONSIDERATION OF THE 2025 VINA GSA BOARD AND SHAC MEETING CALENDAR

The Board considered the Management Committee’s recommended meeting calendars for the Vina GSA Board and SHAC for 2025. **(Report - Dillon Raney, GSA Program Manager)**

REQUESTED ACTION: Adopt the 2025 Vina GSA Board meeting calendar and approve the 2025 SHAC meeting calendar or provide direction to Staff.

Richard Coon, and Patrizia Hironimus provided public comments requesting the Board consider holding more meetings to allow the public more options to provide input on the Fee Study and other items.

It was the consensus of the Board present to approve the 2025 calendars, with the changes that the Vina GSA January 8th Board Meeting be moved to January 15, 2025 to allow time for legal consultation regarding the Board Member Phillips’ long-term funding option provided under Agenda Item 5.1 and to have an additional SHAC meeting in December of 2025.

6. COMMUNICATIONS AND REPORTS

6.1. GSA Program Manager’s Report (Verbal Report – Dillon Raney, GSA Program Manager)

6.2. Update on SGM Grant Projects (Information Only)

6.3. Butte County Public Health Department Quarterly Well Permit Summary (Information Only)

There were no public comments on these items

There was no action or direction given by the Board on these agenda items.

7. REGULAR MEETING ADJOURNMENT:

The Vina GSA Regular Board meeting adjourned to a Closed Session in Conference Room 1 after tonight’s Vina GSA Board Meeting.

1. CLOSED SESSION PUBLIC COMMENTS OR BOARD DISQUALIFICATIONS:

Members of the public may address the board at this time on the closed session item only; comments are limited to three (3) minutes, or time limit as determined by the chair.

There were no public comments or Board disqualifications

2. ADJOURN TO CLOSED SESSION:

3. CLOSED SESSION

3.1 Call to Order

Chair Tuchinsky called the Closed Session to order with Board Members Kimmelshue and Phillips in attendance.

4. CLOSED SESSION AGENDA

- 4.1 **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
- 4.2 **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Butte County Superior Court #23CV02789.**
- 4.3 **PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Butte County Superior Court #22CV00321.**

5. CLOSED SESSION ANNOUNCEMENT:

Report on any action taken during the closed session.

Chair Tuchinsky reported that no action was taken, or direction was given on these agenda items.

6. ADJOURNMENT:

The Vina GSA Closed Session adjourned at 8:00 p.m to a Vina GSA Regular Board Meeting on January 15, 2025, at 5:30 p.m. at the Chico City Council Chamber Building at 421 Main Street., Chico, CA and online via Zoom for viewing only.