

Board of Directors
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UNITED WATER CONSERVATION DISTRICT
“Conserving Water since 1927”

Legal Counsel
Anthony H. Trembley

General Manager
E. Michael Solomon

AGENDA
REGULAR BOARD MEETING

Wednesday, July 13, 2011, 12:00 P.M.
UWCD Board Room, 106 North 8th Street, Santa Paula, California

BOARD MATTERS

Normally, Action (Motion) Items and Consent Items will be considered and acted upon separately, and Information Items will be considered separately without action.

1. FIRST OPEN SESSION 12:00 P.M.

Items to be discussed in Executive (Closed) Session will be announced.

1.1 Public Comments
Information Item

The public may address the Board on any matter on the Consent Calendar or otherwise not on the agenda within the jurisdiction of the Board. All comments are subject to a five minute time limit.

1.2 EXECUTIVE (CLOSED) SESSION 12:05 P.M.

The Board will discuss matters outlined on the attached Exhibit A.

2. SECOND OPEN SESSION AND CALL TO ORDER 1:00 P.M.

2.1 Pledge of Allegiance

2.2 Public Comment
Information Item

The public may address the Board on any matter on the Consent Calendar or otherwise not on the agenda within the jurisdiction of the Board. All comments are subject to a five minute time limit.

2.3 Approval of Agenda
Motion

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2.4 Oral Report Regarding Executive (Closed) Session
Information Item

To be given by District Counsel Tony Trembley.

2.5 Board Communication
Information Item

Board members may present non-agenda information including, but not limited to, the following: 1) meetings, workshops, conferences and functions attended during the previous month on behalf of the District; 2) meetings, workshops, conferences and functions Directors plan to attend in the upcoming months; and 3) possible conflicts that Directors might have with respect to issues on the Agenda.

2.6 Recognition of the Retirement of Jim Kentosh
Information Item

The Board will recognize District Resource Planning Manager Jim Kentosh, who is retiring after 17 years as District staff.

2.7 General Manager's Monthly Report
Information Item

The General Manager will present information of possible interest to the Board and consequence to the District, including but not limited to the following:

- Status report on Water Managers' Group
- Upper Santa Clara River Chloride TMDL and Alternative Water Resources Management update
- Outreach/meetings attended by the General Manager
- District governance including policy and regulatory matters
- Updates on local, state and federal water issues
- Project priorities and planning
- Announcements of upcoming events and meetings
- Fox Canyon GMA and other outside agency updates
- GREAT Program updates

2.8 Consider Legal Counsel Services for District
Motion

The Board will consider its options for District legal counsel services due to the recent resignation of current counsel Anthony Trembley from Nordman Cormany Hair & Compton. The Board may reappoint Mr. Trembley to serve as the District's legal counsel and authorize staff to execute a professional services agreement with his new law firm Musick Peeler & Garrett LLP.

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3. **CONSENT CALENDAR: All matters listed under the Consent Calendar are considered to be routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless an item is pulled by a Board member from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)**
- A. **Approval of Minutes**
Motion
Approval of the minutes of the regular Board meeting of June 8, 2011.
- B. **Monthly Investment Report**
Information Item
Report on the District's investments and the availability or restriction of these funds. All investments are in compliance with the District's investment policy, which is reviewed and approved annually by the Board.
- C. **Groundwater Basin Status Reports**
Information Item
A summary of hydrologic information from throughout the District including monthly and annual cumulative precipitation, recharge, diversions and basin specific groundwater levels, groundwater storage and current studies.
- D. **Cancellation of August Board Meeting**
Motion
Cancellation of its regular August Board meeting, as has been the District's tradition.
- E. **CSDA Board Election**
Motion
A vote for one of three candidates for a seat on the board of the California Special Districts Association representing Region 5.
- F. **CSDA Bylaws Change Regarding Membership of New Chapters**
Motion
Approval of a proposed change in the bylaws of the California Special Districts Association which would require any new local chapters of CSDA to have 100 percent of its members as dues paying members of the state association (CSDA). The bylaws change would not affect existing local chapters such as the Ventura County Special Districts Association.

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- G. Resolution No. 2011-14 Election of Directors to SDRMA Board of Directors
Motion**
Consideration of casting votes for up to three different candidates among seven individuals nominated for election to the Board of Directors of the Special Districts Risk Management Agency, the District's carrier for liability and workers compensation insurance.
- H. Verizon Request for Cell Tower Utility Easement
Motion**
Direction to staff to prepare an easement agreement along the access road at the District's Saticoy Facility to allow Verizon to install and maintain underground utilities for cell tower operations on adjacent property.
- I. Addendum No. 1 to Agricultural Lease Agreement with Gean Farm for Additional Acres
Motion**
Approval of Addendum No. 1 to the lease agreement with Gean Farm for two additional acres at a cost of \$150 per acre per year.
- J. Resolution No. 2011-15 Requesting the County Auditor-Controller to Affix a Tax Rate for the Fiscal Period 2011-12 Sufficient to Satisfy the State Water Project Charges
Motion**
Adoption of Resolution No. 2011-15, requesting the County Auditor-Controller to compute and affix a tax rate for the fiscal period 2011-12 to provide property tax revenue sufficient to satisfy a portion of the voter approved debt for State Water Project costs.
- K. CEQA Notice of Exemption Determination for Forebay Surface Geophysical Survey Project per Fox Canyon Groundwater Management Agency GSEAP Grant
Motion**
Approval of CEQA Notice of Exemption determination for the District's upcoming surface geophysical survey program in the Forebay Basin and direction to staff to file the notice with the Clerk of the Board of Supervisors.
- L. Agreement with Calleguas Municipal Water District for Senior Hydrogeologist – Groundwater Policy Support Services
Motion**
Approval of agreement between the District and Calleguas Municipal Water District for Senior Hydrogeological – Groundwater Policy position support services and authorization of the General Manager to execute the agreement pending final non-substantive language changes by the District's legal counsel.

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- M. Agreement with Calleguas Municipal Water District for Professional Hydrogeologist Support Services**
Motion
Approval of agreement between the District and Calleguas Municipal Water District (CMWD) to allow CMWD access to the District's Groundwater Department personnel and expertise to support CMWD's groundwater projects and authorization of the General Manager to execute agreement pending final non-substantive language changes by District's legal counsel.
- N. Agreement with Stillwater Sciences to Study the Effects of Freeman Diversion Operations on the Santa Clara River Estuary for the Habitat Conservation Plan - Not to Exceed \$122,000**
Motion
Authorization of the General Manager to execute a professional services agreement with Stillwater Sciences to study the effects of the Freeman Diversion operations on the Santa Clara River Estuary for the Habitat Conservation Plan (HCP) and authorization of expenditure of an amount not to exceed \$122,000 for such study.
- O. Desilting Basin Cleanout Project – Not to Exceed \$40,000**
Motion
Authorization of an amount not to exceed \$40,000 for equipment rental and incidental expenses associated with cleanout of the Freeman Diversion desilting basin.
- P. Resolution No. 2011-16 CalPERS Employer Pickup for Pre-Tax Payroll Deduction Plan**
Motion
Adoption of Resolution No. 2011-16, committing the District's participation in and adherence requirements and restrictions of the pre-tax payroll deduction plan by reporting per-tax payroll deductions for employees covered by the District's employee retirement plan.
- Q. Purchase of Replacement Van for Instrumentation – Not to Exceed \$38,500**
Motion
Authorization of an amount not to exceed \$38,500 for purchase of a new Ford E350 cut-a-way van for Instrumentation.
- R. Agreement with CardnoENTRIX to Assist with Development of Habitat Conservation Plan - Not to Exceed \$75,000**
Motion
Authorization of the General Manager to execute a professional services agreement with CardnoENTRIX to assist with development of the Habitat

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Conservation Plan (HCP) and authorization of expenditure of an amount not to exceed \$75,000 for the assistance.

S. Agreement with Normandeau Associates, Inc., to Continue Preparation of FERC Required Plans - Not to Exceed \$30,000

Motion

Authorization of the General Manager to execute a professional services agreement with Normandeau (previously Thomas R. Payne and Associates) to complete development of two plans, "Ramping Rate and Water Release Effectiveness Monitoring Plan" and "Water Release Adaptive Management Plan", and authorization of the expenditure of an amount not to exceed \$30,000 for the work.

**4. ENVIRONMENTAL RESOURCES & CONSERVATION DEPARTMENT-
Catherine McCalvin**

4.1 Monthly Water Resource Planning Report – Jim Kentosh

Information Item

Staff will give its monthly report on the District's ongoing engineering and planning studies, water resource studies, management plans, permitting efforts, water resource issues, State Water purchases, seawater barrier pilot well, potable and recycled water programs, new surface water recharge facilities, partnerships with other agencies, the Riverpark JPA, hydrologic conditions, right-of-way matters and issues pertaining to District properties, weather, status of grants, water rights, and public outreach.

4.2 2011 Santa Felicia Dam Water Conservation Release Plan – Murray McEachron

Information Item

Staff will provide a presentation on planning for the fall 2011 release of water from Lake Piru.

4.3 Resource Planning Department Project Status Report – Jim Kentosh

Information Item

Staff will provide an update of District projects being led by the Resource Planning Department, including the possible importation of additional State Water.

4.4 Monthly Environmental Issues – Catherine McCalvin

Information Item

Staff will give a monthly report on environmental and regulatory issues of note over the past month. The report will include operations of the fish ladder at the Freeman Diversion, various monitoring efforts, and issues associated with the

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Endangered Species Act, including the Section 10 HCP process and compliance with the District's FERC license/Biological Opinion.

**5. ADMINISTRATIVE SERVICES DEPARTMENT – Mary Lindley
Administration Services**

**5.1 Monthly Administrative Services Department Report
Information Item**

Staff will present an update on Administration Division activities.

Finance Division – Christine Williams

**5.2 Monthly Finance Division Report
Information Item**

Staff will present a report of monthly Finance Division activities.

Park & Recreation Division – Clayton Strahan

**5.3 Park & Recreation Monthly Division Report
Information Item**

Staff will give a report on operations and items of note relative to the Lake Piru Recreation Area. Items may include but not be limited to discussion of camping and boating policies at the lake, status of quagga mussel and other invasive species issues, financing and status of facility improvement projects, maintenance activities, security issues and emergency response activities.

Outreach & Legislative Report – Ken Breitag

**5.4 Outreach & Legislative Report
Information Item**

Staff will give a report on outreach activities and legislative issues of note for the District over the past month.

**5.5 Consider Division Redistricting Following 2010 Census
Motion**

The Board will consider providing direction to staff with respect to developing recommendations for possible alignment of District division boundaries based upon data provided through the 2010 U.S. Census.

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6. ENGINEERING & WATER RESOURCES DEPARTMENT - John Dickenson

6.1 Monthly Engineering Department Report

Information Item

Staff will give a report on the status of various Engineering Department programs including developments in and possible implications of Piru Creek Site Specific Probable Maximum Precipitation and Possible Maximum Flood studies, design and construction projects at District facilities, engineering investigations, capital improvement projects and property issues, and Santa Felicia Dam issues, including, but not limited to, FREC license compliance and intake tower.

7. GROUNDWATER DEPARTMENT – Tony Morgan/Steve Bachman

7.1 Groundwater Policy Manager Report – Steve Bachman

Information Item

The Groundwater Policy Manager will present information of possible interest to the Board and consequence to the District, including but not limited to the following:

- Status report on hydrologic conditions to statewide/locally
- Upper Santa Clara River Chloride TMDL and Alternative Water Resources Management update
- Outreach/meetings attended by the Groundwater Policy Manager
- Information regarding local groundwater basins, policies and projects
- Updates on local, state and federal water issues
- Fox Canyon GMA and other outside agency updates

7.2 Monthly Groundwater Departmental Report – Tony Morgan

Information Item

Staff will present a report of monthly Groundwater Department activities, including but not limited to, technical activities associated with updates to the Ventura Regional Groundwater Flow Model, the Santa Paula TAC, and the Local Groundwater Assistance seismic reflection survey.

7.3 Groundwater Flow Model Update – Tony Morgan

Information Item

Staff will present a status on efforts to update the District's Groundwater Model.

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8. OPERATIONS & MAINTENANCE DEPARTMENT – Mike Ellis

**8.1 Monthly Operations Report and Reading File
Information Item**

Staff will give its monthly report on the operations and maintenance of District facilities including Santa Felicia Dam and hydroplant, the Piru Spreading Grounds, the Freeman Diversion Dam, the Saticoy and El Rio Spreading Grounds, the Pleasant Valley and Pumping Trough Pipeline systems, and the Oxnard-Hueneme system. The report covers operating plans, the quantity and quality of water diverted and delivered, fish ladder status, major maintenance problems and repairs, status of O&M projects and safety and training issues.

9. ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting on Wednesday, September 14, 2011** or call of the President.

All testimony given before the Board of Directors is recorded.

Materials which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at the District's offices at 106 North 8th Street in Santa Paula during normal business hours.

The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the District Office at (805) 525-4431. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved: EMS

Posted: (date) 7/7/2011 (time) 2:10 p.m. (attest) Michelle Kinnun

At: United Water Conservation District Headquarters, 106 No. 8th St., Santa Paula, CA

Posted: (date) 7/7/2011 (time) 2:20 p.m. (attest) Michelle Kinnun

At: www.unitedwater.org

EXHIBIT A
CLOSED SESSION AGENDA

Personnel Matters, Litigation Matters
and Real Property Negotiations

1. PERSONNEL MATTERS

1.1 Conference with Labor Negotiators [Govt. Code Sec. 54957.6]

Agency Designated Representatives: General Manager
Employee organization: SEIU Local 771
Unrepresented Employees: District Management Staff

2. LITIGATION MATTERS

2.1 Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code 54956.9 (b):
One case

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8.

3.1 Property: District property consisting of portions of APNs 016-0-0170-040 and 016-0-180-020 and Los Padres National Forest property consisting of portions of APNs 016-0-180-010, 016-0-180-030 and 016-0-200-010

Agency Negotiators: Mike Solomon, John Dickenson
Negotiating Parties: U. S. Dept. of Agriculture
Under Negotiation: Price and terms of exchange

3.2 Property: District property consisting of portions of APNs 109-0-010-030 and 109-0-010-070

Agency Negotiators: Mary Lindley
Negotiating Parties: Verizon
Under Negotiation: Price and terms of easement