

Board of Directors
Robert Eranio, President
Daniel C. Naumann, Vice President
Lynn Maulhardt, Secretary/Treasurer
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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, September 7, 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 1:30 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 Presentation by Calleguas Municipal Water District General Manager
Information Item

The Board will receive presentation by Calleguas MWD General Manager Susan Mulligan and ask questions as appropriate. Ms. Mulligan will thank the Board for assisting Calleguas by sharing the District's Groundwater Department staff and other resources, provide an update on the Los Posas Basin Management Plan and update the Board on other recent developments at Calleguas.

2.7 Consider Division Redistricting Following 2010 Census
Motion

Following a report by District General Counsel, the Board will provide direction to staff with respect to possible realignment of District division boundaries based upon data provided through the 2010 U.S. Census.

2.8 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

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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 July 13, 2011, and the minutes of the special Board meeting of August 18, 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. ACWA Region 5 Election**
Motion
Casting the District's ballot in the election of the Chair, Vice Chair and five board members for ACWA's Region 5 for 2012-13.
- E. Fish Auxiliary Gate Traveling Screen – Not to Exceed \$38,000**
Motion
Approval of a budgeted expense in an amount not to exceed \$38,000 for purchase of a Fish Auxiliary Gate Traveling Screen for the Freeman Diversion.
- F. Amendment to Right of Entry Agreement with Rancho Temescal**
Motion
Authorization of the General Manager to execute an amendment to the District's Right of Entry Agreement with Rancho Temescal extending the agreement through November 30, 2011.
- G. FY 2010-11 Disclosure of Reimbursements**
Information Item
Report of activities to comply with Government Code Section 53065.5 governing disclosure of reimbursements to Board and staff during the previous fiscal year.

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H. CEQA Notice of Exemption Determination for Monitoring Well Installation Project along the Santa Clara River in the Forebay Basin

Motion

Approval of a CEQA Notice of Exemption for the District's upcoming monitoring well installation program near the Santa Clara River in the Forebay Basin and direct staff to file the notice with the Ventura County Clerk of the Board of Supervisors.

I. CEQA Notice of Exemption Determination for El Rio Booster Plant Seismic Retrofit

Motion

Approval of CEQA Notice of Exemption determination for the District's seismic retrofit of the El Rio gas booster plant and direction to staff to file the notice with the Clerk of the Board of Supervisors.

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

4.1 Monthly Environmental Issues – Sara Gray

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 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.

5.2 Resolution No. 2011-17 Groundwater Extraction Fee Payment Policy

Motion

The Board will consider changes to District policy with regard to timing of payment of Groundwater Extraction Charges.

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Finance Division – Christine Williams

**5.3 Monthly Finance Division Report
Information Item**

Staff will present a report of monthly Finance Division activities.

Park & Recreation Division – Clayton Strahan

**5.4 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.

**5.5 Park Service Officer Manual
Motion**

The Board will consider approval of a procedures manual for the District's Lake Piru Recreation Area park service officers.

Outreach & Legislative Report – Ken Breitag

**5.6 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.

6. ENGINEERING & WATER RESOURCES DEPARTMENT - John Dickenson

**6.1 Engineering & Water Resources Monthly 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.

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6.2 PTP Valve Replacement near Sturgis and Wolff Roads Supplemental Budget Appropriation and Contract – Not to Exceed \$32,500

Motion

The Board will consider awarding a contract in an amount not to exceed \$32, 500 for the replacement of a valve on the Pumping Trough Pipeline near the intersection of Sturgis and Wolff Roads and approving a supplemental appropriation to the PTP budget in the same amount.

6.3 Santa Felicia Dam Probable Maximum Flood Site Specific Evaluation Contract Amendment – Not to Exceed \$25,003

Motion

The Board will consider authorization of the General Manager to execute addenda to existing professional services agreement with GEI Consultants and increase the contract by \$25,003 and the total contract amount not to exceed \$102,946.

6.4 Santa Felicia Dam Vulnerability Assessment Update – Not to Exceed \$20,000

Motion

The Board will consider authorization of the General Manager to execute a professional services agreement with Milner-Villa Consulting in an amount not to exceed \$20,000 for assessment and report services relative to the security of Santa Felicia Dam.

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.

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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, October 12, 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) September 1, 2011 (time) 1:45 p.m. (attest) Ofelia Leon

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

Posted: (date) September 1, 2011 (time) 2:15 p.m. (attest) Ofelia Leon

At: www.unitedwater.org

EXHIBIT A
CLOSED SESSION AGENDA

Litigation Matters
and Real Property Negotiations

1. LITIGATION MATTERS

1.1 Conference with Legal Counsel – Initiation of Litigation

Possible initiation of litigation pursuant to Government Code 54956.9 (c): 2 cases

1.2 Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code 54956.9 (a)

A. City of San Buenaventura v. United Water Conservation District, et al,
Ventura County Superior Court Case No. 56-2011-00401714-CU-WM-
VTA

B. California Trout, Inc. v. Bureau of Reclamation and United Water
Conservation District, United States District Court for the Central District
of California Case No. CV09-0312GHK.

C. Armando Vaca v. United Water Conservation District, State of California
Department of Industrial Relations Workers' Compensation Appeals
Board, WCAB#: ADJ7866570, Reference # 234814-6.

1.3 Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Govt. Code Section 54956.9(b): 1
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 payment

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3.2 Property: Rancho Temescal property below Santa Felicia Dam, Portions of Assessor Parcel Numbers 016-0-210-020, 055-0-080-060, 055-0-080-070, 055-0-070-020, and 055-0-070-0230

Agency Negotiators: Mike Solomon, Tony Trembley, Catherine McCalvin

Negotiating Parties: Tim Cohen, Rancho Temescal

Under Negotiation: Price and terms of payment