

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

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

AGENDA
REGULAR BOARD MEETING

Tuesday, May 15, 2018, 12:00 P.M.
Board Room, UWCD G.I. “Irv” Wilde Headquarters
106 North 8th Street, Santa Paula, California

BOARD MATTERS

Normally, Action (Motion) Items will be considered and acted upon separately; Consent Items will be considered and acted upon collectively, although a Consent Item may be considered and acted upon separately; and Information Items will be considered separately without action.

The Board of Directors in its discretion may change the order of agenda items.

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

Members of the public may address the Board on any matter on the Closed Session agenda or on any non-agenda item 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 in the attached Executive (Closed) Session Agenda (Exhibit A).

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

2.1 Pledge of Allegiance

2.2 Public Comment

Information Item

Members of the public may address the Board on any item on the Consent Calendar or on any non-agenda item within the jurisdiction of the Board. No action will be taken by the Board on any non-agenda item. All comments are subject to a five-minute time limit.

2.3 Approval of Agenda

Motion

2.4 Oral Report Regarding Executive (Closed) Session

Information Item

Presented by District Legal Counsel David D. Boyer.

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 General Manager's Report

Information Item

The General Manager will present information on his activities of possible interest to the Board and that may have consequence to the District.

2.7 Consider Amending the General Manager's Total Compensation Package Including Any Step Increase, Performance Merit Pay, and Other Compensation

Motion

Board to determine and consider approving an amendment to the General Manager's compensation package, including 1) a performance merit pay of between zero and five percent of his FY 2017-18 salary and 2) a step increase within the current salary range based on performance, as well as 3) other compensation amendments, as deemed appropriate by the Board.

2.8 District Outreach and Public Relations presentation from Stacy Miller Public Affairs

Information Item

Stacy Miller Public Affairs' Stacy Miller will deliver a presentation to the Board on the District's Outreach and Public Relations efforts.

2.9 Recognition of the Retirement of Lourie Schaffer

Ceremonial Item

The Board will recognize Lourie Schaffer Hyde, who will be retiring on May 18, 2018, after nearly 16 years as District staff.

3. CONSENT CALENDAR: All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item 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 for the Regular Board meeting of April 11, 2018.

B. Groundwater Basin Status Reports

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. Third Quarter FY 2017-18 Financial Report & Budget Amendments

Information Item

Receive and review the FY 2016-17 Third Quarter Financial Report for the period of July 1, 2016 through March 31, 2017 and approve the proposed modifications to the FY 2016-17 Budget.

D. Resolution No. 2018-02 Requesting Consolidation of the United Water Conservation District General Election with the Statewide General Election

Motion

Adoption of Resolution 2018-02, consolidating the District's November 6, 2018 election with the county and thereby substantially reducing District election costs.

4. MOTION ITEMS (By Department)

Administration Services – Tina Rivera and Christy Ramirez

4.1 Consideration of Property Purchase and Sale Agreement

Motion

The Board shall consider 1) approving the Purchase and Sale Agreement (PSA) relative to the property at 1701 Lombard Street in Oxnard CA, and 2) authorize the General Manager to sign the PSA on behalf of the District, and 3) provide feedback on financing options.

Engineering Department – Jim Grisham

4.2 El Rio Asphalt Remove and Replace Slurry Project Award of Contract to Pavement Coatings Company

Motion

Board to consider authorizing the General Manager to execute a contract with Pavement Coatings Company, Inc. in the amount of \$78,392.50 for the El Rio Asphalt Remove and Replace Slurry Project (Specification 18-01).

4.3 Award Design Contract for the Iron and Manganese Treatment for Deep Wells of the El Rio Water Treatment Plant and Oxnard Hueneme (OH) Pipeline System

Motion

Board to consider 1) authorizing the General Manager to execute a professional services agreement in the not-to-exceed amount of \$521,995 to Kennedy/Jenks Consultants, Inc. for the engineering design of an iron and manganese treatment plant for deep wells at the El Rio Water Treatment Plant and Groundwater Recharge Facility and 2) authorizing staff to transfer \$45,000 currently allocated under In-House Salaries, \$40,000 currently allocated under CEQA/Permitting and \$15,000 currently allocated under Equipment to the project's Design budget.

4.4 Amendment to Right of Way between United Water Conservation District ("Grantor") and Southern California Gas Company (SoCal Gas), a California Corporation ("Grantee")

Motion

Board to consider (1) approving the Amendment of Right of Way with Southern California Gas Company to construct a new 20-inch diameter natural gas pipeline and abandon two existing 14-inch diameter natural gas pipelines within existing right of way and (2) Direct the General Manager to execute the Amendment on behalf of the District.

4.5 Memorandum of Understanding for the Piru Groundwater Basin Storm Water Capture and Recharge Project

Motion

Board to consider authorizing the General Manager to execute the Memorandum of Understanding (MOU) for the Piru Groundwater Basin Storm Water Capture and Recharge Project.

Environmental Planning and Conservation Department – Anthony Emmert

4.6 Multiple Species Habitat Conservation Plan Development and Support – R2 Resources Consultants

Motion

Board to consider 1) approving a supplemental appropriation of \$97,850 and 2) authorize the General Manager to execute an amendment to the professional services agreement for R2 Resources Consultants, Inc. (R2 Resources).

4.7 Multiple Species Habitat Conservation Plan Development Amendment to Agreement with Rincon Consultants Inc.

Motion

Board to consider 1) approving a supplemental appropriation of \$75,000 and 2) authorizing the General Manager to execute an Amendment to the Agreement with Rincon Consultants, Inc. (Rincon), in support of finalizing the third administrative draft of the District’s Multiple Species Habitat Conservation Plan (MSHCP).

4.8 Multiple Species Habitat Conservation Plan Development – Amendment to Agreement with Stillwater Sciences

Motion

Board to consider 1) approving a supplemental appropriation of \$120,000 and 2) authorizing the General Manager to execute an Amendment to the Agreement with Stillwater Sciences for support in finalizing the third administrative draft of the District’s Multiple Species Habitat Conservation Plan (MSHCP).

Groundwater Department – Staff

4.9 PUBLIC HEARING

Continuation of Annual Groundwater Hearing to Accept Comment on Groundwater Conditions within the District

In accordance with the California Water Code, the Board annually conducts a public hearing to consider the conditions of groundwater resources within the District. An “Annual Investigation and Report of Groundwater Conditions” was submitted to the Board on March 13 of this year and has been available for public review and comment. Additionally, a public hearing was opened at the regular Board meeting on April 11 and will be continued through the regular June Board meeting. During the Board’s June meeting, the Board will conduct a continued public hearing, then may choose to close the hearing and consider the establishment of zones and the levying of groundwater extraction charges in those zones.

Public comment will be accepted at this time.

This hearing will be continued to Wednesday, June 13, 2018. No Board decisions will be made until the final hearing on June 13, 2018.

Operations and Maintenance – Mike Ellis

4.10 Architectural Services Contract and Budget Transfer

Motion

Board to consider (1) authorizing the General Manager to execute a professional consulting services contract with Roesling Nakamura Terada Inc. for the assessment, consultation and design of new district headquarters, in an amount of \$200,000 and (2) approve a budget line item transfer in the New Headquarters CIP project from Construction to Design.

Parks and Recreation Department – Clayton Strahan

4.11 Application for Federal Assistance

Motion

Board to consider authorizing the General Manager to pursue United State Fish and Wildlife Funding through the agencies Quagga/Zebra Mussel Action Plan for Western U.S. Waters and referred to as the QZAP funding opportunity F18AS00103.

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Administration Services – Tina Rivera and Christy Ramirez

5.1 Monthly Administrative Services Department Report – Tina Rivera

Information Item

Staff will report on Administration Department activities including issues associated with budget development, financial performance versus budget plan, financial accounting requirements and procedures, potential debt issuance and related financial services, status of District investments and reserves, updates on its capital improvement programs, human resources and safety, District property and facilities maintenance and administration, the search for new District offices, District records and reports, groundwater extraction statements administration, risk management and District liability insurance matters, management of District contracts, policy development, governance procedures, and supporting activities of Board and staff.

Outreach, Legislative, Grants and Training Report – Christy Ramirez

**5.2 Monthly Outreach, Legislative, Grants and Training Report
Information Item**

Staff will report on outreach activities, newly proposed legislation for 2018, pending and chaptered state and federal legislation, state and federal legislative issues of note for the District over the past month, potential grants/grant activity, and staff and director training.

Engineering Department – Jim Grisham

**5.3 Monthly Engineering Department Report
Information Item**

Staff will report on various water resources, planning efforts and department programs affecting the District, including, but not limited to design and construction; dam safety; FERC license compliance; Freeman Diversion; recycled water; pipeline operations and various engineering analysis.

Environmental Planning and Conservation Department – Anthony Emmert

**5.4 Monthly Environmental Planning and Conservation Department
Report
Information Item**

Summary report of environmental and regulatory issues of note to the District. The report will include water releases, operations of the fish ladder at the Freeman Diversion, various monitoring efforts, study plans and issues associated with the Endangered Species Act, including the Section 10 MSHCP process, future fish passage requirements, compliance with the District's FERC license/Biological Opinion, the Santa Felicia Dam, studies and operations in and near Piru Creek, any interactions with Rancho Temescal and Rancho Camulos.

**5.5 Quagga Mussel Management Efforts Update
Information Item**

Summary report of the ongoing management and monitoring efforts related to the Lake Piru quagga mussel infestation.

Groundwater Department – Staff

5.6 Monthly Groundwater Department Report

Information Item

Summary report of monthly Groundwater Department activities. Department activities include, but are not limited to, updates to the Ventura Regional Groundwater Flow Model; the Santa Paula Basin Technical Advisory Committee; status of the Santa Paula Basin safe yield and practical measures studies; brackish water treatment feasibility study; upper Santa Clara River Chloride TMDL; hydrologic and well conditions statewide and locally; available Forebay storage; county well ordinance update; Fox Canyon GMA issues; City of Oxnard's GREAT Program; potential recycled water projects, including use of United's terminal reservoirs; user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups); local implementation of the Sustainable Groundwater Management Act of 2014 (including formation of groundwater sustainability agencies in the District's basins, stakeholder and basin user groups, joint powers or governance agreements, development of water markets, and potential basin boundary changes); and potential District solar power facilities.

5.7 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)

Information Item

Summary report of the monthly activities of the two Groundwater Sustainability Agencies (Mound Basin GSA and Fillmore and Piru Basins GSA), for which the District serves as a member director.

Operations and Maintenance – Mike Ellis

5.8 Monthly Operation and Maintenance Department Report

Information Item

Staff will report on monthly operations and maintenance of District facilities including Santa Felicia Dam and hydroplant; the Piru Groundwater Recharge facility; the Freeman Diversion Dam; the Saticoy and El Rio Groundwater Recharge facilities; the Pleasant Valley and Pumping Trough Pipeline systems; and the Oxnard-Hueneme Pipeline 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.

Park and Recreation Division – Clayton Strahan

**5.9 Monthly Park and Recreation Department Report
Information Item**

Summary report of operations and items of note relative to the Lake Piru Recreation Area. Items may include, but are not limited to, discussion of potential revisions to the existing PMC operating agreement, camping and boating policies at the lake; operations and activities; financing and status of facility improvement projects; maintenance activities; security issues; and emergency response activities.

6. BOARD OF DIRECTORS READING FILE

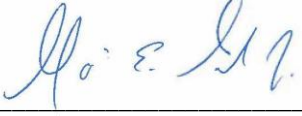
7. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting on Wednesday, June 11, 2018** 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: 
Mauricio E. Guardado, Jr. – General Manager

Posted: (date) May 10, 2018 (time) 9:00a.m. (attest) Kris Sofley
At: United Water Conservation District Headquarters, 106 No. 8th St., Santa Paula, CA

Posted: (date) May 10, 2018 (time) 9:30a.m. (attest) Kris Sofley
At: www.unitedwater.org

EXHIBIT A
EXECUTIVE (CLOSED) SESSION AGENDA

1. PERSONNEL MATTERS

- 1.1** Public Employee Performance Evaluation (Government Code Section 54957)
Title: General Manager.

- 1.2** Conference with Labor Negotiators (Government Code Section 54957.6)
Agency Designated Representatives: President Eranio, District Legal Counsel
Unrepresented Employee: General Manager

2. LITIGATION MATTERS

2.1 Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code §54956.9 (d)(1)

- A. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara County Superior Court Case No. VENCI00401714

- B. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara Superior Court Case No. 1414739 (consolidated for purposes of trial with case in subsection A.)

Note: 2.1 A and B consolidated in the California Supreme Court, 2nd Civil No. S226036, Review granted on June 24, 2015 of published decision of Division Six, Second District of the Court of Appeal of the State of California, 2d Civil No. B251810.

- C. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara County Superior Court Case No. 1467531

- D. Wishtoyo Foundation, et al v. United Water Conservation District, U.S. District Court for the Central District of California, Case No.2:16-cv-03869 GHK (PLAx)

2.2 Conference with Legal Counsel-Anticipated Litigation

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): two cases

3. REAL PROPERTY MATTERS

3.1 Discussion of Real Property Negotiations

[Government Code Section 54956.8]

Property: 1701 N. Lombard St. Oxnard CA 93030

APN: 213-0-081-065

Agency Negotiators: Mauricio E. Guardado, Jr.

Negotiating parties: United Water Conservation District (Buyer) and Edward Banman (Seller) and James D. Gloyd, The Becker Group, Inc. (Seller's Broker)

Under negotiation: instructions to negotiators will concern price and terms of payment for the purchase of the identified property

4. LABOR NEGOTIATIONS

4.1 Conference with Labor Negotiators (Government Code 54957.6)

Agency designated representatives: Mauricio E. Guardado, Jr., Alvertina Rivera and Christy Ramirez. Employee organization: SEIU Local 721.