

AGENDA
REGULAR BOARD MEETING

Wednesday, March 20, 2019, 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 1:00 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 Public Hearing

Proposed Ordinance No. 23 -- Consideration to Increase the Compensation of the Board of Directors

Motion

The Board will conduct a Public Hearing on the recommended adoption of an ordinance authorizing an increase in Directors' compensation from \$205.00 to \$215.25 per day.

2.8 2019 Richard V. Laubacher Water Conservation Award

Motion

The Board will consider possible recipients for the Laubacher Award and conduct a vote to determine the 2019 recipient.

2.9 May 2019 Board Meeting Date Change

Motion

Board to consider authorizing a date change of the District's regular May 2019 Board meeting from Wednesday, May 9, to Wednesday, May 15, to accommodate Directors and staff attending the Association of California Water Agencies (ACWA) spring conference, which is held May 7-10 in Monterey. Board should note that staff is also recommending the May Finance Committee meeting be moved to Tuesday, May 14.

2.10 New Headquarters Update

Information Item

Receive an update from staff on the District's property located at 1701 Lombard Street, in the City of Oxnard.

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 Special Board Meeting of February 12, 2019, and the Minutes for the Regular Board meeting of February 13, 2019.

B. **Groundwater Basin Status Reports**

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. **Monthly Investment Report**

Information Item

Receive and file 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.

4. **MOTION ITEMS (By Department)**

Administration Services – Anthony Emmert and Christy Ramirez

4.1 **Resolution 2019-04 United Water Conservation District Concurring in Nomination of Scott H. Quady of Calleguas Municipal Water District to the California Water Insurance Fund Board, an ACWA JPIA Captive Insurance Company**

Motion

The Board will consider adopting Resolution 2019-04, concurring in nomination of Scott H. Quady of Calleguas Municipal Water District to the California Water Insurance Fund Board, an ACWA JPIA Captive Insurance Company.

4.2 **Resolution 2019-05 A Resolution Authorizing Entering into a Funding Agreement with the State Water Resources Control Board and Authorizing and Designating the General Manager as its Representative for the Coastal Brackish Water Treatment Plant Project.**

Motion

The Board will consider adopting Resolution 2019-05, authorizing entering into a funding agreement with the State Water Resources Control Board and authorizing and designating the General Manager as its Representative for the Coastal Brackish Water Treatment Plant Project.

4.3 Staffing Level Increase Request

Motion

The Board will consider the creation of one additional Executive Assistant position to provide additional executive administrative support to the District's executive management team and Board of Directors.

Engineering Department – Maryam Bral

4.4 Contract with Northwest Hydraulic Consultants for the 30 Percent Design for Freeman Diversion Hardened Ramp

Motion

The Board will consider authorizing the General Manager to execute a professional services agreement with Northwest Hydraulic Consultants (NHC) in the amount of \$567,859 to provide further analysis of the Hardened Ramp as a Freeman Diversion Fish Passage Facility alternative.

Environmental Planning and Conservation Department – Anthony Emmert

4.5 Multiple Species Habitat Conservation Plan National Environmental Policy Act Support – Amendment to Agreement with ICF Jones & Stokes Inc.

Motion

The Board will consider authorizing the General Manager to execute an Amendment to the Agreement with ICF Jones & Stokes, Inc. (ICF) of \$12,260 to assist the federal regulatory agencies with National Environmental Policy Act (NEPA) compliance for incidental take permit issuance under the Endangered Species Act, Section 10(a)(1)(B).

4.6 Strategic Support to Habitat Conservation Plan - \$158,674

Motion

The Board will consider authorizing the General Manager to execute a professional services agreement with ICF Jones & Stokes, Inc. in the amount of \$158,674 to advise on strategy regarding the Multiple Species Habitat Conservation Plan (MSHCP), attend and assist with agency meetings, revise the administrative draft MSHCP's Alternatives to Take Chapter, and provide an optional task of leading an HCP training workshop for District and relevant regulatory agency staff.

Groundwater Department – Maryam Bral

4.7 Approve a Consulting Agreement between United Water Conservation District and Mound Basin Groundwater Sustainability Agency, to Provide Additional Technical Support for Groundwater Sustainability Plan

Motion

The Board will consider approving a Consulting Agreement between United Water Conservation District (District) and the Mound Basin Groundwater Sustainability Agency (MBGSA) to provide technical support for the Sustainability Plan (GSP) that will be prepared for the Mound basin.

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Park and Recreation Division – Clayton Strahan

5.1 Monthly Park and Recreation Department Report

Information Item

Staff will report on 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.

Environmental Planning and Conservation Department – Anthony Emmert

5.2 Monthly Environmental Planning and Conservation Department Report

Information Item

Staff will report on 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.

5.3 Quagga Mussel Management Efforts Update

Information Item

Staff will report on the ongoing management and monitoring efforts related to the Lake Piru quagga mussel infestation.

Groundwater Department – Maryam Bral

5.4 Monthly Groundwater Department Report

Information Item

Staff will report on monthly Groundwater Department activities. Department activities include, but are not limited to, updates to the Ventura Regional

Groundwater Flow Model; brackish water treatment feasibility study; upper Santa Clara River Chloride TMDL; hydrologic and well conditions statewide and locally; available Forebay storage; Ventura County well ordinance update; Fox Canyon GMA issues; City of Oxnard's recycled water program; potential water supply and recycled water projects, including use of United's terminal reservoirs; user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups); and potential District solar power facilities.

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

Information Item

Staff will report on the monthly activities of the three local Groundwater Sustainability Agencies (Mound Basin GSA, Fillmore and Piru Basins GSA, and the Fox Canyon Groundwater Management Agency), for which the District serves as a member director, and Santa Paula basin (adjudicated) Technical Advisory Committee (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). Staff may also report on state-wide issues related to the implementation of the Sustainable Groundwater Management Act of 2014.

Administration Services – Anthony Emmert and Christy Ramirez

5.6 Monthly Administrative Services Department Report – Anthony Emmert

Information Item

Summary 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

5.7 Monthly Outreach, Legislative, Grants and Training Report

Information Item

Summary report on outreach activities, newly proposed legislation for 2019, 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 – Maryam Bral

**5.8 Monthly Engineering Department Report
Information Item**

Summary 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.

Operations and Maintenance – Brian Collins

**5.9 Monthly Operation and Maintenance Department Report
Information Item**

Summary 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.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

8. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting on Wednesday, April 10, 2019** 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: _____

Anthony Emmert – Assistant General Manager on behalf of Mauricio E. Guardado, Jr. – General Manager

Posted: (date) March 14, 2019 (time) 1:30 p.m. (attest) Kris Sofley
At: United Water Conservation District Headquarters, 106 No. 8th St., Santa Paula, CA

Posted: (date) March 14, 2019 (time) 1:45 p.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 54957) Title: General Manager

2. LABOR NEGOTIATIONS

- 2.1 Conference with Labor Negotiators (Government Code 54957.6)**
Agency designated representatives: Robert C. Siemak, Joseph Jereb and Christy Ramirez.
Employee organization: SEIU Local 721.

3. REAL PROPERTY MATTERS

- 3.1 Discussion of Real Property Negotiations**
[Government Code Section 54956.8] Property: [106 N 8th Street, Santa Paula, CA]
Agency Negotiators: Mike Ellis, Joseph Jereb
Negotiating parties: United Water Conservation District (Seller) and City of Santa Paula (Purchaser)
Under negotiation: instructions to negotiators will concern price and terms of sale.

4. LITIGATION

4.1 Conference with Legal Counsel – Existing Litigation

- Pursuant to Government Code Section 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: 4.1 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)
- E. Las Posas Valley Water Rights Coalition, et al v. Fox Canyon
Groundwater Management Coalition, Santa Barbara County Superior
Court Case No.VENCI00509700

4.2 Conference with Legal Counsel-Anticipated Litigation

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