



Board of Directors  
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Edwin T. McFadden III

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

**AGENDA**  
**REGULAR BOARD MEETING**

**Wednesday, April 10, 2019, 12:00 P.M.**  
**Board Room, UWCD G.I. "Irv" Wilde Headquarters**  
**106 North 8<sup>th</sup> 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 1:30 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 ACWA Update from new ACWA Executive Director Dave Eggerton and ACWA Regional Affairs Representative Brian Sanders and Information Item**

The Board will receive an update on ACWA activities from its new Executive Director Dave Eggerton and ACWA Regional Affairs Representative Brian Sanders.

**2.6 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.

**2.7 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.

**2.8 California Special Districts Association Board Nominations Motion**

The Board will consider submitting a nomination for a seat on the California Special Districts Association Board of Directors for the 2020-2022 term, representing the Coastal Network. Alternatively, the District may choose to not present a nominee.

**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 March 20, 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.

**D. 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 Thursday, May 23, 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 Wednesday, May 22.

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

**Groundwater Department – Maryam Bral**

**4.1 PUBLIC HEARING**

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

In accordance with the District's principal act in 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 Secretary/Treasurer of the Board on March 20, 2019 and has been available for public review and comment. This hearing will be opened and continued to the regular May 2019 and June 2019 Board meetings. At this meeting, staff will give a report about current groundwater conditions, and members of the public will be permitted to give testimony. At its June 12, 2019 meeting, the Board 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 first until Thursday, May 23, 2019, and again to Wednesday, June 12, 2019. No Board decisions will be made until the final hearing on June 12, 2019.

**Administration Services – Anthony Emmert**

**4.2 Cooperative Agreement with Santa Clarita Valley Water Agency**

**Motion**

The Board will consider authorizing the General Manager to enter into a cooperative agreement with Santa Clarita Valley Water Agency to coordinate deliveries of State Water Project (SWP) water supplies.

**4.3 Creation and Funding of 401(a) Deferred Compensation Program**

**Motion**

The Board will consider authorizing the creation and funding of a new 401(a) Defined Compensation Program with Lincoln Financial Group as an addition to its existing deferred compensation benefit options.

**4.4 Supplemental FY 2018-19 Budget Appropriations for Legal Expenditures related to Wishtoyo Litigation, City of Ventura Litigation, and Las Posas Valley Water Rights Legal Costs**

**Motion**

The Board will consider approving a supplemental appropriations totaling \$420,000 for legal expenditures related to the Wishtoyo and City of Ventura lawsuits, and Las Posas Valley Water Rights Legal Costs.

**Engineering Department – Maryam Bral**

**4.5 Authorize a Contract with GEI Consultants, Inc. to Develop 10 Percent Design for the Santa Felicia Dam Outlet Works Improvement Project**

**Motion**

The Board will consider authorizing the General Manager to execute a Professional Services Agreement with GEI Consultants, Inc. in the amount of \$486,682.00 to develop 10 percent design documents of the Santa Felicia Dam (SFD) Outlet Works Improvement Project.

**4.6 Authorize a Contract with GEI Consultants, Inc. to Develop 10 Percent Design Documents for the Santa Felicia Dam Spillway Improvement Project**

**Motion**

The Board will consider authorizing the General Manager to execute a Professional Services Agreement with GEI Consultants, Inc. in the amount of \$553,605.00 to develop 10 percent design documents for the Santa Felicia Dam (SFD) Spillway Improvement Project.

**4.7 Authorize a Contract with Catalyst Environmental Solutions for the Santa Felicia Dam Safety Improvement Project NEPA Documentation and Processing**

**Motion**

The Board will consider authorizing the General Manager to execute a Contract with Catalyst Environmental Solutions (Catalyst) in the amount of \$321,912 for providing support with the federal processes associated with the preparation of the National Environmental Policy Act (NEPA) compliance documents required for implementation of the Santa Felicia Dam (SFD) outlet works and spillway projects that are collectively referred to as the Santa Felicia Dam Safety Improvement Project (Project).

**4.8 Lake Piru Recreation Area 2019 Pavement Maintenance Program Award of Contract to BC Rincon Construction, Inc.**

**Motion**

The Board will consider authorizing the General Manager to execute a contract with BC Rincon Construction, Inc. in the amount of \$174,368.29 for the Olive Grove Campground Road pavement repair as part of the Lake Piru Recreation Area 2019 Pavement Maintenance Program, and the Quagga Mussel Decontamination Area pavement repair in accordance with Specification 19-02.

**4.9 Contract with MDJ Management, LLC for Ramada Rehabilitation at the Lake Piru Recreation Area**

**Motion**

The Board will consider authorizing the General Manager to execute an agreement with MDJ Management, LLC (MDJ) in the amount of \$182,153.78 to perform the rehabilitation of all of the ramadas at the Lake Piru Recreation Area.

**Environmental Planning and Conservation Department – Anthony Emmert**

**4.10 Multiple Species Habitat Conservation Plan Support and Associated Jurisdictional Waters Permits Amendment to Agreement with Rincon Consultant Inc. - \$78,450**

**Motion**

The Board will consider authorizing the General Manager to execute an amendment to the professional services agreement with Rincon Consultants, Inc. in the amount of \$78,450 to assist with live edit meetings for completion of the public administrative draft of the Multiple Species Habitat Conservation Plan (MSHCP), support for associated jurisdictional water permits, production services, and as-needed state and federal environmental review support

## **5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

### **Administration Services – Anthony Emmert**

#### **5.1 Monthly Administrative Services Department Report – Anthony Emmert 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 – Anthony Emmert**

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

Staff will 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**

#### **5.3 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.

### **Operations and Maintenance – Brian Collins**

#### **5.4 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.

**Environmental Planning and Conservation Department – Anthony Emmert**

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

Summary 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.

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

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

**Groundwater Department – Maryam Bral**

**5.7 Monthly Groundwater Department Report  
Information Item**

Summary 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.

**5.8 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)  
Information Item**

Summary 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.

**Park and Recreation Division – Clayton Strahan**

**5.9 Monthly Park and Recreation Department Report**

**Information Item**

Summary 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.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting rescheduled for Thursday, May 23, 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 8<sup>th</sup> 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) April 5, 2019 (time) 11:00a.m. (attest) Kris Sofley  
At: United Water Conservation District Headquarters, 106 No. 8<sup>th</sup> St., Santa Paula, CA

Posted: (date) April 5, 2019 (time) 11:15a.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 8<sup>th</sup> 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, 2<sup>nd</sup> 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): three (3) cases.