



Board of Directors
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Michael W. Mobley, Vice President
Bruce E. Dandy, Secretary/Treasurer
Sheldon G. Berger
Robert Eranio
Lynn E. Maulhardt
Edwin T. McFadden III

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

REVISED AGENDA
REGULAR BOARD MEETING

Thursday, May 23, 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 Recognition of Retiring Chief Operations Officer Mike Ellis

Ceremonial Item

The Board will recognize Chief Operations Officer Mike Ellis, who retired on May 22, 2019, after over 30 years of service to the District.

2.8 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 2018-19 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.

2.9 Scheduling AB 1825 Harassment Prevention and AB 1234 Ethics Training for Board Members

Motion

The Board of Directors will consider whether 1) to participate in on-demand online instruction or live training, and, if live training is preferred, 2) select a date for the Special Board Meeting to facilitate this required training.

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 10, 2019.

**B. Groundwater Basin Status Reports
Information Item**

Receive and file Monthly Hydrologic Conditions Report for the District.

**C. Third Quarter FY 2018-19 Financial Report and Budget Amendments
Information Item**

Receive and review the FY 2018-19 Third Quarter Financial Report for the period of July 1, 2018 through March 31, 2019 and approve the proposed modifications to the FY 2018-19 Budget.

4. MOTION ITEMS (By Department)

Groundwater Department – Maryam Bral

4.1 PUBLIC HEARING

Continuation 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 Public Hearing was initially opened at the April 10, 2019 Board of Directors meeting and was continued to the regular May 2019 Board meeting and will again be continued to the June 2019 Board meeting.

At this meeting, staff will give a report on 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 until Wednesday, June 12, 2019. No Board decisions will be made until the final hearing on June 12, 2019.

Administration Services – Anthony Emmert

**4.2 FY 2019-20 Proposed Budget Workshop
Motion**

Staff will present an overview and discuss with the Board issues concerning the [Proposed FY 2019-20 District Budget](#). Pertinent information with respect to the budget will be discussed. The Board may provide guidance and direction on various budget issues and recommendations. However, the Board will not consider adoption

of the District budget until its June 12, 2019 Regular Board Meeting. The overview will consist of:

- Introduction and review related to the development of the proposed budget, reserve needs, corresponding rates to be charged, the budget process and related issues.
- Review of Capital Improvement Plan and recommended funding for FY 2019-20.
- Additional information in connection with and in support of the proposed FY 2019-20 Budget and the District's groundwater extraction charges.
- Presentation by John Farnkopf of HF&H - FY 2019-20 Cost of Service Analysis.
- Receive presentation from Dr. Rodney Smith of Stratecon, Inc. - Analysis of the Structure of the District's Proposed Groundwater Extraction Charges for FY 2019-20.
- Questions from the Board
- Public Comments/Questions
- Board direction to staff
- Next steps for completing the District budget for FY 2018-19

Park and Recreation Division – Clayton Strahan

4.3 PUBLIC HEARING

Adoption of Resolution 2019-09 Approving 2019 Lake Piru Recreation Area Fee Increases as proposed

Motion

The Board will consider 1) opening a Public Hearing to receive comments on the proposed fee schedule for the Lake Piru Recreation Area, which will conclude at its June 12, 2019 regular Board Meeting; 2) authorize staff to initiate the process for adopting the proposed 2019 Lake Piru Recreation Area fee schedule, and 3) adopt Resolution 2019-09 approving and adopting the proposed 2019 Lake Piru Recreation Area Fee Schedule pending approval from the California Department of Parks and Recreation – Division of Boating & Waterways.

4.4 Adoption of Revised Job Descriptions, Lexipol Policy Manual and Acceptance of Peace Officers Oath of Office for Park Rangers

Motion

The Board will consider adopting revised job descriptions for Recreation Division staff, including 1) a change from Senior Park Service Officer to Senior Park Ranger; 2) a change from Park Service Officer to Park Ranger; 3) adopting a new job description for a Park Ranger Cadet; 4) adopting the Park Ranger Policy Manual developed by Lexipol LLC., and 5) requiring that employees, before entering upon their duties as Park Rangers, accept and take the Oath of Office as administered by California Peace Officers.

4.5 Resolution 2019-06 Approving Amended and Restated Ordinance No. 15, A Penalty Fee Schedule, and Authorizing Ordinance No. 15 Penalty Fee Schedule

Motion

The Board will consider 1) approving an amended and restated Ordinance No. 15, establishing rules and regulations for the Lake Piru Recreation Area; 2) adopting a penalty fee schedule for the amended and restated Ordinance No. 15 and 3) adopting Resolution 2019-06 officially confirming the amended rules, regulations and fee schedule for the Lake Piru Recreation Area.

Engineering Department – Maryam Bral

4.6 Accept Utility Easement Deeds at Pumping Trough Pipeline (PTP) Turnout No. 160 and No. 111

Motion

The Board will consider authorizing the General Manager to sign and record utility easement deeds granted to the United Water Conservation District by Donlon Property Management Co., LLC related to Pumping Trough Pipeline (PTP) Turnout No. 160 and Burke Roger P-Elizabeth E TR. related to PTP Turnout No. 111.

4.7 Southern California Gas Company Request for a Permanent Easement (APN 109-0-010-070)

Motion

The Board will consider granting Southern California Gas Company a twenty-five foot (25-foot) wide easement along the entire length of the Los Angeles Avenue portion of the Saticoy Basins fence line and grant a temporary right of entry for construction activities.

4.8 Easement Acquisition Services for Pumping Trough Pipeline (PTP) System Turnouts

Motion

The Board will consider authorizing the General Manager to execute a Professional Services Agreement with Hamner, Jewell & Associates, Inc. in the amount of \$284,235 (\$258,395 contract amount plus 10% management contingency) for services related to the acquisition of easements at 43 Pumping Trough Pipeline (PTP) turnouts.

Environmental Planning and Conservation Department – Anthony Emmert

4.9 National Environmental Policy Act Support for Federal Agency Decisions to Issue Permits Related to the Multiple Species Habitat Conservation Plan Covered Activities – Professional Services Agreement with ICF Jones & Stokes Inc. for \$644,200

Motion

The Board will consider authorizing the General Manager to nullify the existing contract dated September 10, 2014, and execute a new, updated Professional Services Agreement with ICF Jones & Stokes, Inc. (ICF) for \$644,200 to assist the federal regulatory agencies (National Marine Fisheries Service, United States Fish and Wildlife Service, and Army Corps of Engineers) with National Environmental Policy Act (NEPA) compliance and prepare an Environmental Impact Statement for their decisions to issue incidental take permits pursuant to the Endangered Species Act, Section 10(a)(1)(B) and to issue a 404 permit pursuant to the Clean Water Act.

Operations and Maintenance – Brian Collins

4.10 Approval of Amendment to 1701 Lombard Street Tenant Agreement

Motion

The Board will consider approving the amendment to the 1701 Lombard Street Tenant Agreement and authorizing the General Manager to execute the agreement with Unilab Corporation (d/b/a as Quest Diagnostics).

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Park and Recreation Division – Clayton Strahan

5.1 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.

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

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.

Engineering Department – Maryam Bral

5.7 Monthly Engineering Department Report
Information Item

Summary 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

5.8 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 scheduled for Wednesday, June 12, 2019** or call of the President.

UWCD Board of Directors Meeting Agenda

May 23, 2019

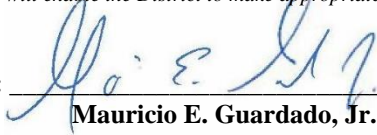
Page 9

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 20, 2019

(time) 2:50 p.m.

(attest) Kris Sofley

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

Posted: (date) May 20, 2019

(time) 2:55 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. LITIGATION

2.1 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: 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 Section 54956.9(d)(2): three (3) cases.