



Board of Directors
Michael W. Mobley, President
Bruce E. Dandy, Vice President
Sheldon G. Berger, Secretary/Treasurer
Patrick J. Kelley
Lynn E. Maulhardt
Edwin T. McFadden III
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

AGENDA
REGULAR BOARD MEETING

Wednesday, February 12, 2020, 12:00 P.M.
Board Room, First Floor of UWCD's "New" Headquarters
1701 Lombard Street, Oxnard, California 93035

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 Mid-Year Review – Mauricio E. Guardado, Jr.

Information Item

The Board will receive an update from its General Manager on the achievements and accomplishments aligned with the District's Strategic Planning objectives.

2.8 Public Hearing

Proposed Ordinance No. 24 - 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 \$215.25 to \$226. per day.

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 January 15, 2020 Board of Directors meeting and the February 4, 2020 Special Board meeting.

B. Groundwater Basin Status Reports

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. Second Quarter FY 2019-20 Financial Report and Budget Amendments and Investment Reports

Motion Item

The Board will review the FY 2019-20 Second Quarter Financial Report for the period of July 1, 2019 through December 31, 2019, review the monthly investment report, and consider approving budget modifications as recommended.

D. Appointment of Standing Committees and Representatives to Outside Organizations for 2020

Motion

The President will appoint membership for the District's 2020 standing committees and appoint representatives and alternates to the following organizations: Association of Water Agencies of Ventura County Board of Directors; Association of Water Agencies of Ventura County Water Issues Committee; Fox Canyon Groundwater Management Agency; Ventura County Special Districts Association; Oxnard Chamber Water Committee; and ACWA JPIA Board of Directors.

4. MOTION ITEMS (By Department)

Administration Services – Anthony Emmert

4.1 PUBLIC HEARING – Public Hearing to Receive and Accept Information, Analysis and Public Comment regarding Setting of Zone and Extraction Charges for FY 2011-12 and FY 2012-13

Motion

On October 1, 2019, the County of Santa Barbara Superior Court in City of San Buenaventura v. United Water Conservation District (Case No. VENCI00401714 and 1414793) issued an Order on remittitur, remanding the matter to the District “for a new public hearing on the groundwater extraction charges the District imposed pursuant to Water Code section 75500 et seq. for water years 2011-2012 and 2012-2013 (the Challenged Rates) to supplement the administrative record in this matter consistent with the decisions of the California Supreme Court and the Court of Appeal in this matter.”

This public hearing is being held pursuant to the court's Order. During the public hearing, the Board will review and consider information in connection with and in support of the District's FY 2011-12 and FY 2012-13 groundwater extraction charges, including a presentation by Dan Detmer –Technical Memorandum, Infiltration Potential of 2010 Precipitation Falling on Developed Lands and the Fate of Applied Groundwater within UWCD; a presentation by Rick Simonson of HF&H - FY 2011-12 and FY 2012-13 Cost of Service Analysis; a presentation from Dr. Rodney Smith of Stratecon, Inc. - Analysis of the Structure of the District's Proposed Groundwater Extraction Charges for FY 2011-12 and FY 2012-13; questions from the Board and Public Comments and questions.

After all information has been considered and all public comments have been heard, the Board will consider accepting and supplementing the administrative record with the analyses and public comments provided at the public hearing by adoption of Resolution 2011-12 Groundwater Rates and by adoption of Resolution 2012-13 Groundwater Rates.

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Environmental Planning and Conservation Department – Anthony Emmert

5.1 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.

Groundwater Department – Maryam Bral

5.2 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.

5.3 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

**5.4 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

**5.5 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

**5.6 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.

Park and Recreation Division – Clayton Strahan

**5.7 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 scheduled for Wednesday, March 11, 2020** 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 1071 Lombard Street in Oxnard, CA 93030 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) February 7, 2020 (time) 12noon (attest) *Kris Sofley*
At: United Water Conservation District Headquarters, 106 No. 8th St., Santa Paula, CA

Posted: (date) February 7, 2020 (time) 12:30p.m. (attest) *Kris Sofley*
At: www.unitedwater.org

EXHIBIT A
EXECUTIVE (CLOSED) SESSION AGENDA

1. REAL PROPERTY MATTERS

1.1 Discussion of Real Property Negotiations

[Government Code Section 54956.8] Property: [106 N 8th Street, Santa Paula, CA]
Agency Negotiators: Robert C. Siemak, Joseph Jereb
Negotiating parties: United Water Conservation District (Seller)
Under negotiation: instructions to negotiators will concern price and terms of sale.

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.