

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



UNITED WATER CONSERVATION DISTRICT
“Conserving Water since 1927”

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

MINUTES
REGULAR BOARD MEETING
Wednesday, April 11, 2018, 12:00 P.M.

Directors Present:

Robert Eranio, President, Division 3
Daniel C. Naumann, Vice President, Division 6
Michael W. Mobley, Secretary/Treasurer, Division 2
Bruce E. Dandy, Division 5
Lynn Maulhardt, Division 4
Edwin T. McFadden, Division 1

Directors Absent:

Sheldon G. Berger, Division 7

Staff Present:

Mauricio E. Guardado, Jr., General Manager
David Boyer, Legal Counsel, AALRR
Anthony Emmert, Deputy General Manager
Tony Morgan, Deputy General Manager/Groundwater Resources Manager
Tina Rivera, Chief Financial Officer
Mike Ellis, Chief Operations Officer
Jim Grisham, Engineering Manager
Christy Ramirez, Executive Coordinator
Clayton Strahan, Senior Park Services Officer
Katherine Ayers, Assistant Ecologist
Dan Detmer, Senior Hydrogeologist
Erin Gorospe, Senior Accountant
Beatriz Jimenez, Accountant
Linda Purpus, Senior Environmental Scientist
Kris Sofley, Executive Assistant/Clerk of the Board

Visitors Present:

David Birch, City of Oxnard
Kevin Brown, Ventura Water
Christina Eilar, City of Santa Paula
Jeanette Lombardo, Global Water Innovations
Phil McGrath, McGrath Family Farms
Aubrey Mescher, Rincon Consultants
Tony Morgan, Consultant
Jennifer Tribo, Ventura Water

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1. FIRST OPEN SESSION 12:00 P.M.

President Eranio called the first open session to order.

1.1 Public Comments

Information Item

President Eranio asked if there were any public comments. None were offered.

District's Legal Counsel David D. Boyer announced the items to be discussed by the Board in Executive Session as outlined in Agenda Exhibit A.

President Eranio then adjourned the meeting to Executive session at 12:05p.m.

1.2 EXECUTIVE (CLOSED) SESSION 12:05 P.M.

The Board discussed matters outlined in the attached Executive (Closed) Session Agenda (Exhibit A).

President Eranio called the second open session to order at 1:35p.m.

2. SECOND OPEN SESSION AND CALL TO ORDER 1:35 P.M.

2.1 Pledge of Allegiance

Director Naumann led the Board in the Pledge of Allegiance

2.2 Public Comment

Information Item

Phil McGrath, of McGrath Family Farms, asked to address the Board regarding a presentation that GM Mauricio E. Guardado had made to several farmers from the Oxnard Plain. Mr. McGrath stated that Mr. Guardado's presentation to Oxnard Plain farmers at the Reiter Bros.' office, on the economic impact of reductions in diversions at the Freeman was very informative. Mr. McGrath wanted to convey to the Board that the public needs to be made aware of this negative impact on the whole of Ventura County. Mr. McGrath also stated that he hopes United does more of this public outreach in the future.

No other public comments were offered.

2.3 Approval of Agenda

Motion

Motion to approve the agenda, Director Mobley; Second, Director McFadden. Voice vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent. Motion carries unanimously 6/0/1.

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2.4 Oral Report Regarding Executive (Closed) Session Information Item

President Eranio asked District Legal Counsel David D. Boyer to report on Executive Session. Mr. Boyer reported that, in compliance with the Brown Act, there were no actionable items to report.

2.5 Board Communication Information Item

Director Dandy reported that during April he attended the CSDA-VC meeting and discussed its RDAs and the possibility of a Special District representative; and the District's Operation and Finance Committee and Board meetings.

Director McFadden attended the March 16 FPB GSA Special Board Meeting for a Budget Review and Basin Boundary Modification Workshop immediately following; he also attended the regular FPB GSA Board meeting on March 26. He also attended the District's Recreation Committee on the 4th of April and Operations Committee meetings on the 9th of April.

Director Maulhardt reported that he had a meeting with Mr. Guardado regarding District business.

Director Mobley attended the regular Mound Basin GSA Board meeting and a Basin Boundary workshop on the 13th; Fox Canyon prep meeting and Board meeting on the 28th; Finance Committee meeting yesterday; Environmental Committee meeting on the 20th and the Executive Committee meeting on the 26th.

Director Naumann reminded everyone of the AWA Symposium on the 19th of this month. He had meetings with Ventura County Supervisors Parks and Zaragoza on State Water issues; he will be visiting with Supervisor Long tomorrow on the same subject. He also attended the Recreation, Environmental and Executive Committee meetings and the presentation that Mr. Guardado gave to the farmers on the Oxnard Plain.

President Eranio attended the Executive committee meeting on the 26th; he participated in two Fox Canyon GMA meetings – a Special Board meeting on the 9th and the Regular board meeting on the 28th as well as an agenda preview or prep; he attended the AWA Waterwise Breakfast on the 19th and the Water Issues committee on the 20th. President Eranio also reported spending two days meeting with Oxnard and Pleasant Valley stakeholders regarding the OPV allocations proposed by the FCGMA. With regard to the AWA Symposium, he will be unable to attend and appointed Director Naumann as his substitute in presenting the Laubacher Award during the luncheon at the Symposium.

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2.6 General Manager's Report

Information Item

The General Manager began by thanking Mr. McGrath for hosting the event for Oxnard Plain farmers and for encouraging his fellow farmers to do what they can to help the District, especially in its efforts to secure regulatory resolutions. The group was very supportive of the District's Strategic Plan and encouraged the District to move forward on many of its important projects. A similar response was evoked from the Farmer's Irrigation group when he presented the same information to their group. Mr. Guardado also reported that he continues to get the message out and build awareness with stakeholders and others in the community regarding the challenges the District is facing as well as where it is going with regard to identifying and bringing new sources of water to the District.

Mr. Guardado then invited CFO Tina Rivera to introduce a new staff member to the Board. Ms. Rivera introduced Beatriz Jimenez, a Santa Paula native and recent graduate from UC Merced who was valedictorian of her Santa Paula High School class and has joined the District's finance team as an accountant. She is currently being trained by Lourie Schaffer Hyde. Ms. Jimenez thanked the Board and expressed her appreciation for the opportunity to work with the District.

Mr. Guardado said that Ms. Jimenez and Anthony Emmert were both valedictorians of their graduation class at Santa Paula High School.

2.7 California Special Districts Association (CSDA) Board Nominations

Motion

Ms. Ramirez presented an overview of the requirements for those elected to the CSDA Board, including meeting and travel commitments throughout the three year term.

None of the Board members expressed an interest in running for a seat on the CSDA Board and there were no volunteers in the room either, so the Board passed on the opportunity to nominate a candidate for the CSDA Board.

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).**

Motion to approve the items within the Consent Calendar, Director Dandy; Second, Director Mobley. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley,

Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

A. Approval of Minutes

Motion

Approval of the Minutes for the Regular Board meeting of March 14, 2018.

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)

Administrative Department – Christy Ramirez and Tina Rivera

4.1 District Organization

Motion

Ms. Ramirez explained that the motion was simply a title change from Deputy General Manager/Groundwater Resources Manager to Chief Engineer and has no fiscal impact, as it is the same executive management tier and is already in the budget.

President Eranio asked if there were any public comments or questions. None were offered. He then asked the Board if they had any comments or questions. None were offered.

Motion to approve a position title change from Deputy General Manager/Groundwater Resources Manager to Chief Engineer, Director McFadden; Second, Director Naumann. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

4.2 Ventura Local Agency Formation Commission (LAFCo) Countywide Oversight Board Nominations

Motion

Ms. Ramirez shared information regarding the formation of a Countywide Oversight Board for Ventura LAFCo to help with the dissolution of

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redevelopment agencies' assets, assuming the responsibility of oversight of the successor agencies essentially. Ms. Ramirez spoke with staff at the County (Executive Director of the Oversight Board) regarding the duties and responsibilities of this position, and the benefits of having the District represented on the board, but was directed to another staff member and had not heard back from that person prior to today's meeting.

Director Dandy then provided further insight, stating that at the recent Ventura County Special Districts Association's meeting, Auditor/Controller Jeff Berg and Deputy Director Michelle Yamaguchi spoke about redevelopment agency's winding down of this group. That the County has, for the first time, created this one representative position and there is no alternate. He added that Mike Mishler, current president of the VCSDA, has nominated himself. Director Dandy said that the vote is similar to LAFCo member special district vote, requiring at least 30 agency members to vote for this position. The Board member will have oversight of about \$6.7 million of appropriations to special districts, and of that, \$1.8 million is still going to the redevelopment agencies that are being dissolved, which is what they're trying to wind down. In the case of United, we have two particular areas where it is not receiving \$117,000 and \$262,000. But its oversight of winding down the agencies that possible future legislation will recreate in 2019 or 2010. There is no alternate, there is no term specified with this position. LAFCo is a six year term. In essence, they serve at the pleasure of the Board, which in this case, is all the special districts. There are no rules but there are concerns about how this will be managed.

Ms. Rivera then added that, as she had participated in an Oversight Board project area, she thinks there is value in participating. Decisions regarding financial matters and how property is disposed of have a financial impact on the participants. From that perspective, it might be to the District's benefit to have someone on that committee, especially in light of the potentially significant amount of assets that might be out there when considering the City of Camarillo and the City of Oxnard.

Director Maulhardt asked if the Board position has to be a staff member or elected official. Director Dandy said he thought it could be either. Then Director Maulhardt asked about the term length and Ms. Rivera said that once the assets are disposed of, then the Board is eliminated. Director Maulhardt then said that he thought Ms. Rivera should be nominated, based on her financial acumen, which could be of benefit to the District. Director Dandy said he encouraged Board members to lobby for and promote Ms. Rivera's nomination among other special district members.

Motion to nominate Tina Rivera to represent independent special districts on the Ventura LAFCo Countywide Oversight Board, Director Naumann; Second, Director Dandy. Roll call vote: six ayes (Dandy, Maulhardt,

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McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger).
Motion carries unanimously 6/0/1.

Engineering Department – Jim Grisham

4.3 Santa Felicia Dam Outlet Works Improvement Project Phase 2 Design – Request for Supplemental Funding of \$11,600 and Amendment to Agreement with GEI Consultants, Inc.

Motion

Motion to 1) authorize funding of \$11,600 to cover engineering activities associated with the Santa Felicia Dam Outlet Works Improvement Project, and 2) authorize the General Manager to amend the professional services agreement with GEI Consultants, Inc. (GEI) to document the penstock hydraulic parameters to support findings of the Environmental Impact Report (EIR) for the project, Director Maulhardt; Second, Director Naumann. Voice vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent. Motion carries unanimously 6/0/1.

Environmental Planning and Conservation Department – Anthony Emmert

4.4 Multiple Species Habitat Conservation Plan (HCP) Development and Support

Motion

Mr. Emmert explained that, after spending two days with regulators, staff was informed on how to move forward over the next six months to get the HCP plan completed.

Director Naumann said that the time frame for this project needs to be faster than six months and requires a full court press.

Mr. Emmert explained that this portion of the project dovetails with other elements, and didn't think this portion of the HCP would hold up the completion of the HCP.

Director Naumann added that as mid-term elections are occurring in November, the District has to accelerate delivery of the HCP. Director Maulhardt added that he agreed with Director Naumann, and stated that the District is playing a poker game with NMFS and the District needs to call them on their bluff by delivering the HCP. President Eranio agreed as well, urging for the delivery of the HCP prior to mid-term elections. Director Maulhardt reiterated that if the District could deliver the HCP as soon as possible it would be to the District's advantage. He reminded the Board that this project has been ongoing for six years or more and that the only

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way to win is by spending the money required to get the HCP done, which forces the hand of NMFS.

President Eranio asked Mr. Emmert about the critical elements or lynchpin for the HCP, and if it would be deliverable under this updated scheduled. Mr. Emmert said he thought it was doable, but may cost more in additional staff time and consultants.

Mr. Guardado said he understood the direction of the Board and, if required, further issues could be addressed at Special Board meetings.

President Eranio asked if there were any comments or questions from the public. None were offered. He asked if there was further discussion required by the Board. No request was made.

Motion to authorize the General Manager to execute an Amendment to the Agreement with R2 Resources Consultants, Inc. (R2 Resources) in the amount of \$149,850 for support in revising Chapters 5 (Conservation Program) and 6 (Effects Analysis) of the District's Multiple Species Habitat Conservation Plan (MSHCP) and providing technical assistance with hydrology modeling, with the addition of a clearly defined reprisal that if the aggressive time schedule to complete this portion of the assignment in three months or less is not met, the consultants will receive nothing; Director Maulhardt; Second, Director Naumann. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

4.5 Quagga Mussel Monitoring and Control Planning and Management – Professional Services Agreement - \$117,400

Motion

Mr. Emmert stated that since Katherine Ayres volunteered to be the editor of the HCP, the District needed someone to step up and assume her responsibilities in continuing the efforts of Quagga mussel monitoring and control planning and management.

Director Maulhardt said he would make a motion but wants to be assured that everyone knows that the HCP delivery date must be adhered to and additional service providers need to understand that provision.

Motion to authorize the General Manager to execute a professional services agreement with Catalyst Environmental Solutions in the amount of \$117,400 to provide consulting services to support United's Quagga Mussel Monitoring and Control Program during 2018 and 2019, Director Maulhardt; Second, Director Dandy. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

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4.6 Quagga Mussel Population Control/Eradication Plan Development and Permitting Support – Professional Services Agreement - \$521,500

Motion

Mr. Emmert explained that this is the next step in permitting for the eradication plan to eventually be executed.

Jeanette Lombardo asked Mr. Emmert to explain more about the chemical chosen for the Quagga eradication program.

Mr. Emmert said the District's dosage experiments with a copper-based product was very effective in 100 percent eradication. It's a combination of chemical and water temperature and this group is being contracted to help with the permitting, which they are very effective in securing.

Director Naumann asked if there were any grants or funding opportunities to offset these costs as surely the results would be beneficial to other entities throughout the country. The District is doing the heavy lifting here and we should benefit from that.

Mr. Emmert said there was pending legislation that would have provided State funding, but that bill died. There is some funding available through the US Bureau of Reclamation, which has issued a challenge grant for studies in chemical application, so that may be available to us.

Ms. Ayres said that it could be done in concert with the dam safety project, when the water level is drawn down, and the water temperature is warmer.

Director Maulhardt reiterated that it must support staffs' efforts in expediting the HCP.

Motion to authorize the General Manager to execute a professional services agreement with Catalyst Environmental Solutions in the amount of \$521,500 to perform an ecological risk assessment, conduct all necessary permitting application processes, and develop a detailed treatment plan for extreme population control aimed at eradication of quagga mussels from Lake Piru, Piru Creek, the Santa Felicia Dam infrastructure, and the Santa Felicia Dam spillway plunge pool, Director Maulhardt; Second, Director McFadden. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

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4.7 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Amendment to Professional Services Agreement with Cramer Fish Sciences - \$277,700

Motion

Director Dandy asked if this was part of a Section 7 consultation, not Section 10, to which Ms. Ayres replied, yes, it is a Section 7 consultation. Mr. Emmert explained that the District was mandated by Biological Opinion (BiOp) and its FERC license to study the technical feasibility of fish passage at the Santa Felicia Dam. The panel involved in the study recommended a ‘trap and transport’ method for fish passage, which the experts also said was technically feasible.

Mr. Emmert cautioned that adult steelhead have not been seen in the area below the dam, which is why Cramer will conduct its study to confirm that the fish are not in this area of the watershed. When there are questions, the assumption is always that the fish are there. This scope of work will address that assumption.

Director Mobley said that the Finance Committee discussed this item and approved of the motion to contract with Cramer Fish Sciences.

Director Maulhardt asked if this impacted the production of the HCP. Mr. Emmert said he thought it would reduce the load on staff, although it doesn’t impact the HCP directly, and assuages the concerns of staff regarding trapping and transporting fish.

Mr. Guardado added that this will help support the information the District already has regarding environmental impacts at the Santa Felicia Dam. It’s also a preventative move in keeping NMFS from its goal of getting to Pyramid Lake.

Director Maulhardt reiterated that this supports the HCP ultimately, and Mr. Guardado agreed.

Motion to authorize the General Manager to execute an amendment to the professional services agreement with Cramer Fish Sciences in the amount of \$277,700 to conduct studies outlined in the “Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan,” Director Mobley; Second, Director Dandy. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent. Motion carries unanimously 6/0/1.

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4.8 Supplemental FY 2017-18 Budget Appropriations for Legal Expenditures Related to Wishtoyo Litigation

Motion

Director Naumann said this is a good example of why the HCP needs to be completed quickly.

Mr. Emmert said that 2017 was a bad year for staff at the District. Mr. Guardado said to date, the District is up to \$4 million in legal expenses, including experts.

Director Mobley said that the Finance Committee realizes this is extortion, but has no recourse except to recommend support of the motion.

Motion to approve supplemental appropriations totaling \$600,000 for legal expenditures related to the Wishtoyo litigation, Director Maulhardt; Second, Director McFadden. Roll call vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

Groundwater Department – Tim Moore

4.9 PUBLIC HEARING

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

President Eranio read the following script into the record of this Board meeting and Public Hearing:

“In accordance with Water Code Section 75573, this is the time and place to begin our annual hearing concerning the groundwater conditions and the surface water supplies of the District, which will culminate in the Board determining whether or not zones should be established in the District and what, if any, groundwater extraction charges should be established in such zones.

Any operator of a water producing facility within the District or any person interested in the conditions of groundwater or surface water supplies of the District may appear in person, or by representative, and submit evidence at this hearing concerning the groundwater conditions and the surface water supplies of the District. Appearances may also be made supporting or protesting the District’s 2018-2019 *Annual Investigation And Report Of Groundwater Conditions Within United Water Conservation District*, also known as the ‘Engineering Investigation and Report.’

The record should show that on March 13, 2018 the Engineering Investigation and Report was received by the Secretary of the Board.

The record of this hearing should also show that the Secretary has published a notice of receipt of the Engineering Investigation and Report and of a public hearing thereon to be held beginning today, April 11, 2018.

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This hearing will be opened today. Anyone wanting to testify or present evidence may do so. The hearing, however, will be continued: first to the Board's meeting in May which will be held on May 15, 2018, and then will be continued again until the Board's meeting scheduled for June 13, 2018. The reason this hearing will be continued until June is to give our staff and Board committees an opportunity to prepare and review the District's budget for the coming year so that the budget can be considered and adopted by the Board before it determines whether or not to establish a zone or zones and in what amounts groundwater extraction charges should be levied in the zone or zones for the coming year.

Is there anyone who wants to testify or present evidence? If so, they should do so now."

[No public testimony was offered]

Tim Moore, Assistant Hydrogeologist, delivered a presentation as part of the Groundwater Public Hearing, detailing the groundwater conditions that exist within the United Water Conservation District boundaries. Mr. Moore reiterated that the report was presented to Director Mobley in March and to the entire Board today in their board packets.

Mr. Moore reviewed terms used in the report, including the term water year, which is defined as the District's fiscal year of July 1 through June 30. Annual overdraft is used to define the amount of water extractions minus basin recharge more or less. As all of the data is not available for the current year, nor final precipitation amounts, staff uses historical data to make assumptions and projections. Using a regression equation formula, Mr. Moore explained that this year, the estimate is a 75,000 AF annual overdraft. Mr. Moore further explained that a positive number on the graph used to plot the data points is overdraft, a negative number would represent a surplus of water. Mr. Moore continued that the BMOs (basin management objectives) are issued by Fox Canyon GMA. The amount needed for replenishment of water supplies (pushing back seawater intrusion), based on historical data since 1987, is 1,518,000AF or 80 percent of the annual overdraft. USGS study shows that not all over drafted water can be recharged to the aquifer due to subsidence. The water balance that is done for this report takes into account the State Water that percolates into the aquifer and also recognizes the 5-6,000 AF diverted at the Conejo Creek. The total groundwater pumping for the current water year, which hasn't ended yet, takes into account last year's totals, so M&I and Ag pumping for the district is 171,000 AF; 64,000AF is the long term average for diversion of the District. Total water diversions for the District is estimated at 64,000AF.

President Eranio then continued reading from the script: "This hearing shall now be continued until the meeting of this Board on Tuesday, May 15, 2018 at approximately 1:30 P.M."

Parks and Recreation Department – Clayton Strahan

4.10 Limited Peace Officer Authority for District Park Services Officer Staff

Motion

Mr. Strahan explained that staff have been working for over two years to define the authority and role of the District's Park Services Officers. Current duties include medical aid, enforcement of Ordinances and protecting visitors to the Lake Piru Recreation area. The current Water Code says the District can pass Ordinances but it doesn't say how to enforce those rules and regulations. One big question is: are staff protected from civil lawsuits in the execution of their duties on behalf of the District? Another is do the current duties of the Park Service Officers warrant limited Peace Officer authority. Mr. Strahan shared an array of photographs documenting the extent of some of the special circumstances which have occurred by visitors to the Lake Piru Recreation area. Use of drugs and alcohol, vandalism and, on occasion, physical violence have occurred, as well as accidents with vehicles and vessels, both in the campgrounds and day use areas as well as on the lake.

Among the issues evaluated, staff examined the legal authority of the District, as well as its authority to adopt and enforce Ordinances, the current job descriptions and the pros and cons of making this change. Staff also spoke with internal and external legal counsel, including Dr. Martinelli, a legal authority specializing in peace officer issues. According to Dr. Martinelli, Mr. Strahan reported that the District and its staff do not have qualified immunity nor are they currently protected from civil litigation. He has also been working with Lexipol, an entity that develops policy and procedure manuals for peace officers.

Staff have been trained in the proper use of OC pepper spray for self-protection and were also subjected to background checks, Federal and State fingerprinting process and psychological evaluations as well as physical evaluations, as recommended by POST (Peace Officers Standards and Training).

Mr. Strahan also reminded the board of efforts to amend the penal code, before realizing it wasn't a necessary step.

Mr. Strahan stated that the District is, as a local agency, a government entity. While the Water Code does authorize the District to adopt Ordinances, it does not specifically address authorities in enforcing those rules and regulations, however, the District's Board can grant limited peace officer authority to enforce Ordinances, and dictate what that authority entails, administered through its General Manager.

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Legal counsel has reservations regarding CalPERS safety retirement and staff is looking for clarification from CalPERS on this issue.

Financial impact of this process is minimal and is substantially less than contracting with Ventura County Sheriff to provide these services, which are very costly, estimated at \$250,000 to \$500,000 for two officers, 8 hours per day, per season (about a five month window).

Remaining steps include Board approval of changes to the job description; formally grant the authority to staff; staff has already met POST requirements of passing the physical battery exam; meet with SEIU to insure the change in job description does not trigger any issues with the existing union agreement; execute an agreement with Lexipol to create/develop policies and meet with staff to train/educate them on the correct procedures and guidelines under those policies; draft and post a revised Ordinance and Bail schedule, which have already been drafted; adopt the Ordinance and then, officially administering the Peace Officer oath of office to appropriate staff.

To date, the District has spent about \$8,800 with another \$1,800 still outstanding in evaluation costs and possible \$2,622 in future costs for Lexipol services and updates.

Director Maulhardt said that he gets the idea and asked Mr. Strahan to “cut to the chase.”

Director Dandy said he had concerns, but those have been answered. He also said that years ago, the Board removed the authority of staff and relied on the County, but thanks to good relationships, staff has been able to change the direction that the Lake was heading in ten, fifteen years ago. He said he was opposed to staff using firearms, but supports this effort.

Mr. Guardado said that the District had tried to incorporate legislation through Monique Limon’s office, but as a result of this new direction, the District no longer needs to pursue that legislation.

Mr. Strahan said that the District still contracts for services from the Sheriff’s Department on the three major summer holidays and at sporadic intervals just to keep visitors on their toes. He also explained that part of the requested expense includes rebadging the vehicles of Lake Piru to look more official as law enforcement.

Ms. Ramirez said SEIU may be interested in negotiating the change in job description to qualify as safety, which would incur higher retirement costs, but staff doesn’t have that information yet.

Mr. Strahan clarified that the costs were already budgeted at \$10,000.

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Motion to authorize the General Manager to 1) initiate the process for granting Park Service Officer staff limited Peace Officer authority per California Penal Code Section 830.31(b); 2) change the Park Service Officer job title to Park Ranger and revise the job description and authorities accordingly; 3) convey changes to job title, description and authorities to Service Employees International Union (SEIU), the District's labor union; and 4) execute an agreement with Lexipol LLC (Lexipol), in the amount of \$2,500. for the development of a Policy Manual for Park Rangers, including an annual subscription for online updates, Director Maulhardt; Second, Director Naumann. Voice vote: six ayes (Dandy, Maulhardt, McFadden, Mobley, Naumann, Eranio); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

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**

Summary report of the Administration Department activities were received and filed by the Board.

President Eranio asked if there were any public comments or Board discussion needed. None were offered.

Outreach, Legislative, Grants and Training Report – Christy Ramirez

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

Summary report of outreach activities, newly proposed legislation, potential grants/grant activity, and staff and director training were received and filed by the Board.

Ms. Ramirez said that she had an update to AB975, addressing national wild and scenic river designation, which died in session last year. Gualco had engaged with the author of bill, who reintroduced it this year as AB2975. In summary, it would provide for a delisted river or exempted river from certain federal provisions, after a public hearing, could be added to State list of scenic river designation.

She used this as an example to depict that when there is a short window request for support (sometimes less than 24 hours), the District should have a Board approved platform policy, outlining the District's position on various legislative topics, which would allow staff to issue letters of support

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on behalf of the District without requiring Board authorization of each specific letter of support. Ms. Ramirez said she is intending to craft this positioning platform and present it to the Board at its May meeting.

Jeanette Lombardo addressed the Board, stating that it seemed like Gualco is already doing this type of legislative analysis and tracking.

Ms. Ramirez clarified that while Gualco does provide a legislative tracker, the District has not as yet developed a legislative platform which would allow the District's GM to respond quickly to fast moving bills.

Ms. Ramirez then provided examples of existing legislative platforms for various entities. She said she would also like to post this on the District's website, along with legislation tracking and demonstrating the impact of the District's support on various legislative bills introduced.

Ms. Lombardo asked if this was being done at the staff level, would rate payers still be paying for the consultant in Sacramento.

Ms. Ramirez clarified that the role of Gualco would not change, that the legislative platform would simply clarify the Board's position on legislative efforts in accordance with its goals and objectives.

Mr. Guardado stated that Gualco is doing a great job and that Ms. Ramirez is saying we need a better mechanism for providing support or opposition responses to proposed legislation in a timely manner instead of having to wait for the monthly board or committee meeting to address these issues and are missing opportunities to lend support. We don't feel comfortable doing that now as we don't have the authorization.

Director McFadden said it is providing the freedom to act based on a pre-determined set of goals, objectives and values of the District. It would serve as a guideline for the General Manager.

President Eranio asked if there were any additional public comments or Board discussion needed. None were offered.

Engineering Department – Jim Grisham

5.3 Monthly Engineering Department Report Information Item

Summary report on various Engineering department activities affecting the District were received and filed by the Board.

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Director Dandy asked Mr. Grisham how the Park Service Officers office project was going. Mr. Grisham said all the cats are going in the same direction.

Director Dandy then asked if there was any progress on the Rice Avenue overpass. Mr. Guardado said that both federal and state legislators were getting involved. There was a \$7 or \$8 million line item for the relocation of utilities. Brownley and Irwin's offices are involved and staff has reached out to both offices to insure that the District's costs are secured in that general line item of the project.

President Eranio asked if there were any additional public comments or Board discussion needed. None were offered.

Environmental Planning and Conservation Department – Anthony Emmert

5.4 Monthly Environmental Planning and Conservation Department Report

Information Item

Linda Purpus provided an overview of the District's water release plan. She reported that there was a lapse in water release and staff issued a notification of that event and will follow up with a formal letter shortly. NMFS had requested further consultation regarding the water release plan, and asked specifically about the June 2017 emergency water quality release. FERC had issued a non-compliance documentation based on NMFS allegation of non-compliance. Staff provided back-up documentation to prove that trigger criteria was not met during the 2017 storm event. Staff also issued a report on dissolved oxygen, which are below basin objectives. Staff is working with State Water Regional Control Board and have proposed to install a small pond aerator, which may take care of the issue and we will continue to monitor the situation.

In August, NMFS issued a letter to FERC urging some action by the District in January of 2018 with regard to the feasibility assessment of fish passage at the Santa Felicia Dam. It would be irresponsible for staff to make decisions regarding endangered species and there are still some uncertainties. FERC strongly recommended that the District pursue a minimum of three years of study. Cramer, the consultant the District is working with, has a strong relationship with NMFS and we're hoping to have a strongly defensible and highly scientific research report to substantiate the District's position.

Staff notified the Board in the past that a Habitat Improvement Plan was submitted in November 2017 and staff has received no response from NMFS. Currently, the due date is October 10, 2018. Staff completed formal Section 7 consultation and are still addressing some hurdles regarding

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NMFS comments, and have proposed continuing consultations with the goal of limiting or terminating actions (such as turtle trapping) all together.

Katherine Ayres reported that staff is reenergized by the aggressive timeline for the HCP. Staff had meetings with Rincon and R2 Resources who are helping to finalize the easiest chapters 1, 2, 4 and with the motion today, R2 will address chapters 5 and 7, while Ms. Ayres is focusing on the more difficult chapters, which take longer and focus on the final project. Once final engineering reports are received in June, staff will be able to address those items. NMFS staff, Darren Brumback, came up for a discussion that took place in the actual river, and provided some clarity for Ms. Ayers. Mr. Brumback, who is the primary reviewer of the District's HCP, now has a better understanding of the river and staff received feedback from NMFS as well.

Freeman Fish ladder triggers were activated during the February storms, and although the actuator wasn't working properly, staff worked with NMFS' Brumback to figure out how to isolate the fish ladder so it wouldn't be re-watered.

Ms. Purpus said that while staff heard the Board's direction regarding the accelerated deadline for the HCP, a project hasn't even been identified and staff needs to do some real strategizing to determine the level of assistance needed to meet objectives.

Director Maulhardt said he understood the implications of accelerating the deadline for the HCP, but stressed that it is to the District's advantage for a variety of reasons, to deliver the HCP as soon as possible. This is a very important tactical move.

Director McFadden said bringing in outside staff, whatever it takes, Mr. Guardado has the authorization from the Board to do whatever it takes.

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

Ms. Ayres said staff have received proposal for permitting and application documentation prepared and ready to go next year during a hot period when the water temperatures will be most beneficial. While people have expressed concerns about quaggas being found in the Santa Clara River watershed, just below the Torrey bridge. Ms. Ayres said there were no quaggas found in the Newhall property or at the Freeman. Staff is now removing mussels when surveying. Turbidity can help control mussels, and the area near the confluence stays wetted, which may be due to the elevated habitat release. Staff is also now surveying Rancho Temescal property. Warm water and high calcium levels help the eradication effort; and Bram Sercu is working on a model to manage lake levels as a backup plan or in conjunction with the chemical treatment.

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Ecological risk assessment will help us make an argument for permitting. The remaining two items are the chemical and application process.

Groundwater Department – Staff

5.6 Monthly Groundwater Department Report Information Item

Dan Detmer, senior hydrogeologist, reported on monthly Groundwater Department activities. Staff have been working on the groundwater flow model for the past six years and is near completion. The modeling report was submitted to the expert review panel and three national experts will be meeting with staff on April 24 to determine what is working right and what isn't working as expected. Staff have completed calibrations and sensitivities and will be ready within a month of that meeting to embrace the model and offer it as a tool, especially to the Fox Canyon GMA.

Staff comments on the Fox Canyon GMA draft GSP prepared by Dudek were submitted. Incompleteness is a recurring comment and minimum thresholds required were missing as well as costs of potential projects, a detailed timeline is not included. We're pointing to the District's groundwater model for assessment.

President Eranio thanked staff for the comments on the GSP and that it was broken down by basin plans. Dudek will be busy for quite a bit of time in addressing all of the comments received.

Staff is working on the adjudicated basin report for the Santa Paula Basin and are also working towards the 2017 annual report for the Santa Paula Basin TAC.

State Water allocation is still set at 20 percent. Staff is expecting that number to go up, based on current storage levels.

Staff is working on the final report for the Anacapa project, which is definitely a wet year project.

Director Naumann asked for explanation of pumping back to keep seawater intrusion at bay. Mr. Detmer said that with SGMA, it may be more difficult and if the Board wishes to pursue this project, staff will have to build a model and do different simulations to see where the water goes.

Director Maulhardt thanked Mr. Detmer saying this was good public information and is important for people to know.

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Mr. Detmer said that a good deal of the storm water isn't available to us, either because of regulatory issues or physical ability because the District can't take a big enough gulp.

Mr. Guardado added that there is an opportunity, having identified one of the mitigation measures of the HCP, which is diverting at 750cfs. Mr. Detmer confirmed that earlier high flows of more turbid water could be a way around the current regulatory guidelines.

Mr. Guardado added that having met with US Fish and Wildlife, there is funding available for watershed projects, which could assist with NMFS and could help fund infrastructure and/or new fish passage funding.

Jeanette Lombardo asked Mr. Detmer to explain his comment about overdraft and drought assessment. Mr. Detmer said that the basins are so depleted they could not recovery with just one year of good rain, so the drought assessment is it persists.

President Eranio asked if there were any public comments or Board questions. None were offered.

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

Regarding the draft GSP for Fox Canyon GMA, both the District and Calleguas' models were done and expect to be used shortly. Staff spoke with the Technical Advisory Group (TAG) about the District doing forward modeling for the GSPs, considering future land use and asking questions like how much is it going to rain, how much reclaimed water will be available, how the reservoirs are going to operate, how much water will be pumped and how will water be used. Staff doesn't want to decide what the future will be, so we're asking for direction from TAG and once we receive that, we can do the modeling and run the scenarios, which will be a little different than what is typically done. District will run scenarios but need community buy in on future projections.

One of the issues facing GSAs is the differences in groundwater extraction reporting and DWR's reporting preferences, which need to be resolved. The District's pumpers report biannually. Most likely, Fox Canyon GMA will be shifting to conform to DWR, asking for quarterly meter reads in addition to the biannual reporting, which will require data manipulation and more assumptions on seasonal water use. Staff suggests that pumpers are asked to provide meter reading one additional time to conform to DWR reporting requirements rather than completely redo the financial model that currently exists.

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The Mound Basin GSA's next meeting is being held April 19 in the City of Ventura. The Fillmore and Piru Basins GSA's next meeting is April 30 at Fillmore City Hall.

Director McFadden advised the Board that the pumping fee assessment agreed to by the Fillmore and Piru Basins GSA, \$8.50 per acre fee, that's just for the first couple of years while the GSP is being put together and then is expected to drop to about half of that. It was projected out over a number of years.

Operations and Maintenance – Mike Ellis

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

Summary report on monthly operations and maintenance of District facilities received and filed by the Board.

President Eranio asked if there were any public comments or Board discussion needed. None were offered.

Park and Recreation Division – Clayton Strahan

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


Mr. Strahan reported that PMC has submitted a draft budget for Lake Piru operations. Fee Tubes are being used as of Sunday, April 8. Staff reported on operations and items of note relative to the Lake Piru Recreation Area. PMC has revised its website with several videos which are being linked to via the District's Facebook page and visitors can now reserve campsites online.

ADJOURNMENT 4:50p.m.

The Board will adjourn to the **Regular Board Meeting on Tuesday, May 15, 2018** or call of the President.

ATTEST: 
Director Michael W. Mobley, Secretary/Treasurer

I certify that the above is a true and correct copy of the minutes of the Board of Directors meeting of April 11, 2018.

ATTEST: 
Kris Sofley, Clerk of the Board

Legal Counsel
David D. Boyer



UNITED WATER CONSERVATION DISTRICT

“Conserving Water since 1927”

ATTENDANCE LIST

MEETING DATE: Wednesday, April 11, 2018

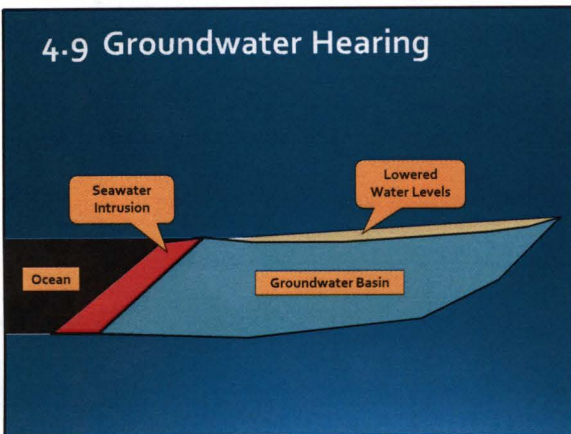
MEETING: Board of Director Meeting

The signing or registering of your name on this sign-up form is not required but is voluntary. All persons may attend the meetings of the Board of Directors of United Water Conservation District without signing or registering their names on this form.

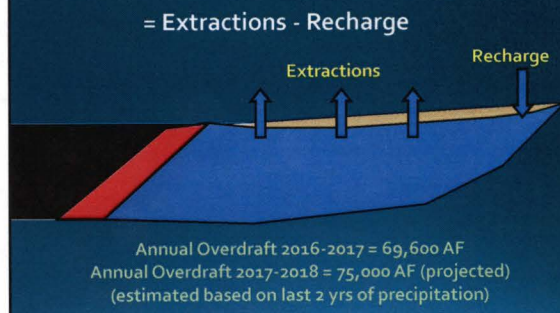
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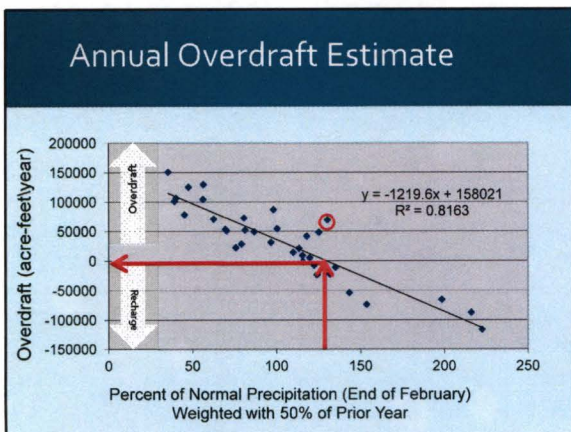
4.9 Groundwater Hearing



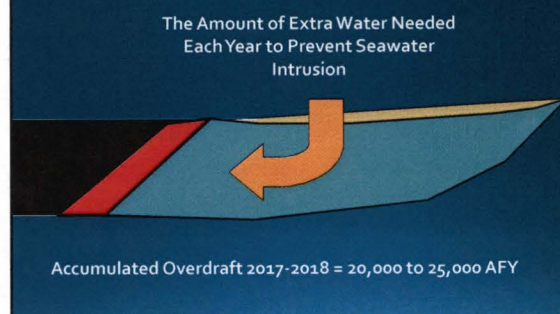
(b) Annual Overdraft



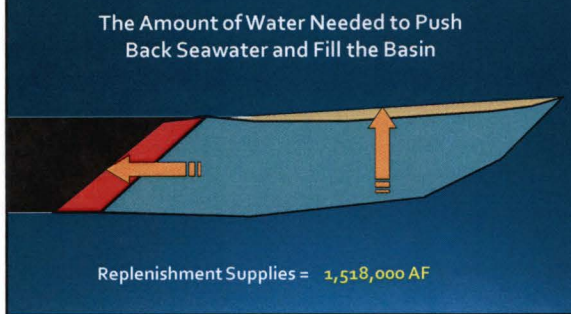
Annual Overdraft Estimate



(e) Accumulated Overdraft



(i) Amount Needed for Replenishment of Groundwater Supplies



Total of Annual Overdrafts

Year 1 = 20,000 AF
 Year 2 = 10,000 AF
 Year 3 = (10,000) AF
 Year 4 = 5,000 AF
 Total = 25,000 AF

Example calculation

Total Annual Overdrafts: 1,897,000 AF

Estimated Total of
Groundwater Pumping (2017-18)

Agriculture = 135,000 AF

M&I = 36,000 AF

Total = 171,000 AF

**Total Surface Water Distribution estimated
at much less than:**

64,000 AF

Total Water Distribution estimated to
be less than:

235,000 AF

LAKE PIRU PARK SERVICE OFFICER AUTHORITY WHO, WHY, WHAT

Who

- Presently 3 Park Services Officers (PSO's) and 3-5 Seasonal Park Service Officer Assistants are employed at Lake Piru
- PSO's respond to requests for medical aid, enforce District ordinances, maintain peace and compliance within the park and perform an array of maintenance tasks necessary to maintain infrastructure

Why

To determine if United has legal authority to enforce its ordinances, Rules & Regulations per Water Code

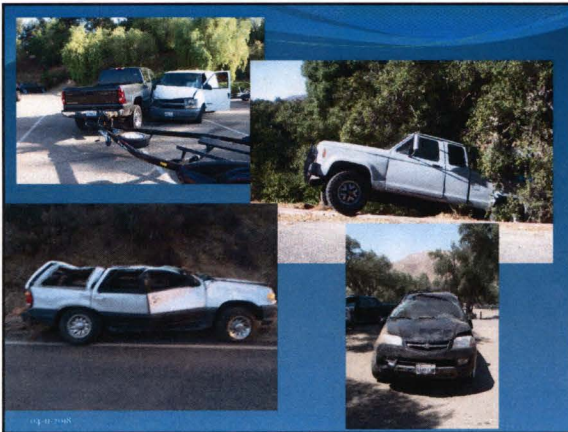
Do staff have qualified immunity (Civil) per the Water Code & is the District exposed to liabilities

Per statute or by definition, is United a "Local Agency"

To determine if the duties of staff warrant a change

- Do the nature of staff's actions require greater authority?
- Do the encounters staff face warrant greater authority?





WHAT WAS EVALUATED

- Legal authority of the District
- United's authority to both adopt & enforce ordinances
- To determine whether United is deemed a "Local Agency"
- Evaluation of legislation, laws and regulations
- Evaluation of the term "limited peace officer"
- Evaluation of Potential changes to PERS retirement
- Current training, tools, uniforms & equipment
- Current job descriptions
- Duties of staff
- Financial Impacts
- Pro's & Cons

What's at stake if nothing changes & what's at stake if an authority change is made?

WHAT WAS DONE

- Consultation with legal counsel
- Review of principal legislation and founding documents
- Sought legal opinion with subject matter expert Dr. Martinelli
- Consultation with partner agencies with similar authority
- Consultation with California Peace Officer Standards and Training (POST)
- Prepared draft legislation for consideration to seek a change in the code
- Consultation with PERS
- Consultation with County Sheriff's Office representatives
- Consultation with Law Enforcement policy expert, Lexipol

WHAT ELSE HAS BEEN DONE

Regardless of any authority change staff completed the following to ensure compliance with the rule of law, based on existing duties. These measures will also assist the District if an authority change moves forward.

- All staff have all completed OC spray training with the County Sheriff
- All staff have all completed and passed background investigations
- All staff have completed state and federal fingerprinting requirement
- All staff have passed and completed POST approved psychological evaluations deeming them fit to perform the duties of a limited peace officer
- Staff has consulted with policy subject matter expert Lexipol regarding the development of a Park Ranger Policies Manual. Pending approval by the Board and GM, this process is ready to be completed.

WHAT'S BEEN DISCOVERED

- PSOs do NOT have qualified immunity
- The California Water Code does not grant clear authority to enforce District ordinances
- Local agency is defined as any local government agency
- Limited authority does NOT mean a gun and authority to perform as a cop.
- Initial evaluation has revealed there are no impacts associated with PERS
 - Additional evaluation is being conducted
- Financial impacts
 - Minimal cost associated with an authority change for District staff.
 - Significant additional costs associated with expanding the role of Ventura County Sheriff's Office at the Recreation Area.
- The District may grant such authority if it chooses.

WHAT STEPS REMAIN

If approved, the following will be needed to make a legal change to authority:

- Approval of changes to job descriptions
- Formally grant staff limited peace officer authority
- Completion of physical battery exams
- Execution of an agreement with Lexipol for policy development
- Meet and confer with labor bargaining unit (SEIU)
- Draft & post a revised ordinance for public review
- Adopt a revised & restated District ordinance
- Adopt a Ranger Policy Manual (Lexipol)
- Swear in and "Pin" Rangers

FISCAL IMPACTS

PAST

- Martinelli Analysis & Opinion Letter: \$3,859 (2016)
- Background Checks: \$3,100 (2016 & 2017)
- Psychological Evaluations: \$1,200 (2016 & 2017)
- Livescan Fingerprinting: \$100 (2017)
- Arrest & Control Training: \$600 (2015 & 2017)

TOTAL = \$8,859

PRESENT

- PERS evaluation: Anticipated to be \$500 (2018)
- Livescan Fingerprinting: Anticipated to be \$300 (2018)
- Public Noticing : \$1,350(2018)

TOTAL = \$1,800

FUTURE

- Uniform costs annually: \$3,000. This is a routine budgeted cost - no new costs associated with the change.
- Printing: New Ordinance Costs \$750
- Lexipol Costs: \$2,122 Copyright fee (\$500) and annual fee for software and updates (\$1,622)

TOTAL = \$2,622

WFO 1908 Proof 1 - Please review the proof and let me know of your approval or any changes.

QTY:1 - 46.5" x 24" DIABOND ALUMINUM PANEL

PLEASE CAREFULLY CHECK THIS LAYOUT. CHECK ALL SPELLING AND BE SURE ALL COLORS AND PROPORTIONS ARE TO YOUR SPECIFICATIONS. IF ORDER IS CHANGED OR CANCELLED AFTER ISSUED APPROVAL, SBR SIGNS RESERVES THE RIGHT TO CHARGE FOR WORK AND/OR MATERIALS ALREADY ORDERED. SBR SIGNS WILL MAKE CHANGES TO THIS LAYOUT TWO TIMES AT NO COST CHARGES MAY APPLY FOR ADDITIONAL CHANGES.

PLEASE CHECK SPELLING & SIGN YOUR APPROVAL BELOW IF APPROVED

Customer: Clayton W. Strahan Date: 3/14/2018

Approval: ☒

United Water Conservation District

California Law Enforcement Policy Manual and Training Solutions

Rosie Curran
Senior Account Executive

February 6, 2018

Who is Lexipol?

- Law Enforcement Risk Management Solution - Founded in 2003
- Provide legally defensible, state-specific policy content and training for Law Enforcement, Custody and Fire agencies in 28 states
- Regular policy updates in response to changing statutes, laws, regulations and best practices
- Web-based daily training tool to keep personnel up-to-date and compliant with your agency policy

Predictable is Preventable.

The Lexipol Advantage

- CALIFORNIA SPECIFIC LAW ENFORCEMENT POLICY CONTENT
- COMPLIANCE WITH CURRENT LAWS & COURT DECISIONS
- ADHERENCE TO BEST PRACTICES IN LAW ENFORCEMENT
- DEPARTMENT CUSTOMIZATION & EASY EDITING TOOLS

Common Agency Challenges

Member Speech, Expression and Social Networking

Outdated Policies

Lack of Consistency

Lack of Accountability

Time-Consuming to

Lack of Assistance or

1046.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with member speech, expression and social networking and to provide guidelines for the regulation and management of the Department.

Nothing in this policy is intended to prohibit expression that is protected or privileged under state or federal constitutions. For example, this policy does not limit an employee as an authorized member of a recognized labor organization or a public official, such as a police officer, from expressing a public concern, such as a safety issue, or from expressing a public concern, such as a safety issue.

Members are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

Policy Updates

- Issued automatically in response to new legislation, case law or evolving best practices
- Detailed release notes explain the recommended changes
- Changes presented in mark-up form and side-by-side comparison against existing policy
- Agency can accept, reject or customize each update

Daily Training Bulletins (DTBs)

Daily Training Bulletins are based on Lexipol's belief that **high risk, low frequency** events are the events that **pose the greatest risk to agencies and their personnel.**
"Every day should be a training day."

<u>Content</u>	<u>Structure</u>
<ul style="list-style-type: none">• Scenario• Policy Reference• Analysis• Learning Objective• Test	<ul style="list-style-type: none">• 360 Unique LE Scenarios• Agency/Department can author then add/replace DTBs with customized topics• High Risk / Low Frequency Events• Officer/Deputy Tracking• Flexible Reporting

UWCD Legislative Platform

Goal – Proactive vs. Reactive to Legislation

Issues – Gut and Amend Bills, Monthly Board Meetings

Solution – Legislative Platform

Process – Board adopts Platform in line with District goals/mission

Board authorizes General Manager to act on behalf of the District in accordance with the Legislative Platform

Staff analyzes bills and makes position recommendation

If bill is within scope of Platform, the GM may send letter of support/opposition regarding the bill

If bill is outside of scope of Platform, staff returns to Board for position

CITY OF BURBANK LEGISLATIVE PLATFORM

COUNCIL ADOPTED: DECEMBER 4, 2010

Progress is only built by People, Pride, and Progress.

AIRPORT

- Plan and engage in legislative and regulatory initiatives and processes that secure meaningful legislative action for the City of Burbank and surrounding communities.

BUDGET/MUNICIPAL FINANCE

- Recognize and advocate for legislative and budget initiatives to protect the state from bankruptcy, trading or otherwise affecting local government funds (local sales, property taxes, etc.). Continue to promote increased funding for the education of economically disadvantaged students (e.g., Public Education in Government for and Every Young Tax).

ENERGY

- As redevelopment, or the business incubator, has proven to be of value to this community, economic efforts to create legislation that will generate funding mechanisms to promote continued economic development, including initiatives to provide financing for infrastructure and affordable housing.

ECONOMIC DEVELOPMENT

- Advocate for measures that support the City's continued efforts to retain and promote the success of local businesses.

PUBLIC EMPLOYMENT

- Support legislation that reduces corporate tax burden and provides incentives for public funds following the creation of economically competitive programs for corporate public officials in the City of Burbank and other municipalities.

CITY OF TORRANCE: LEGISLATIVE RESULTS

October 1, 2016 – September 30, 2017 Session

Policy Area of All Positions
Cycle 1: October 1, 2016 – September 30, 2017

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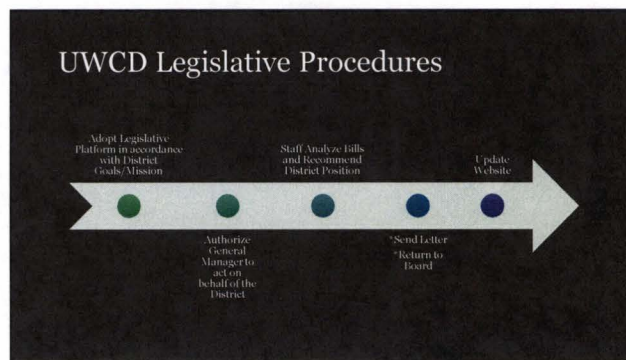
- Part 1: Breakdown of Legislation – 1
- Part 2: Breakdown by Legislation – 2
- Part 3: Breakdown by Legislation – 3

Outcome of All Letters
Cycle 1: October 1, 2016 – September 30, 2017

Support Letters: 17
Opposition Letters: 1
Total: 18

City of Torrance
Legislative Platform Outcomes: October 1, 2016 – September 30, 2017 Session

Bill Number	Topic	City Position	Final Outcome	Recommendation	Support	Oppose	Not Taken	Not Taken
August 16, 2017	AB 10 (Biology) – The Capital Funding Allocation Act	Support	Opposition	Not Taken	Not Taken	Not Taken	Not Taken	Not Taken
August 16, 2017	AB 10 (Biology) – The Capital Funding Allocation Act	Support	Opposition	Not Taken	Not Taken	Not Taken	Not Taken	Not Taken
August 16, 2017	AB 10 (Biology) – The Capital Funding Allocation Act	Support	Opposition	Not Taken	Not Taken	Not Taken	Not Taken	Not Taken



Agenda Item #5.4 EPCD Update

April 11, 2018



Santa Felicia Project FERC License Update



Photo credit: John Carman

- Water Release Plan
 - Migration water release not triggered during March 2018
 - 3/27/2018 - Slight temporary lapse in min required water release
 - 9/13/2017 - NMFS filed letter requesting further consultation
 - 2/26/2018 - FERC issued letter to United re: allegation of non-compliance

• SFD Fish Passage Feasibility Assessment

- April 2017 – feasibility report provided to FERC, NMFS, and CDFW
 - United stated intent to pursue panel's recommended alternatives and pre-implementation process to resolve uncertainties
- Aug 2017 – NMFS issued comment letter to FERC urging action



Pre-implementation Studies - Middle Piru Creek

12/17/2017 - Contracted with Cramer Fish Sciences to develop preliminary studies

Objectives – fill in knowledge gap

- Population dynamics – number, size, and timing of emigration (fish movement)
- The number and size class of *O. mykiss* that can be removed without jeopardizing viability of the existing population
- Identify most effective sampling methods, locations, and seasons

High caliber and scientifically-defensible research

- Collaboration with NMFS SWFSC
- Optimally lead to peer reviewed publication



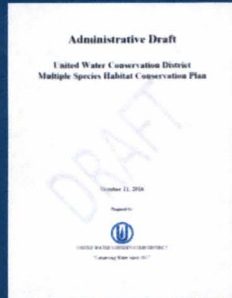
Important Considerations for Potential Future Fish Passage Facilities

- Effects on other sensitive species
- Invasive species
- Hydrology/topography for site selection
- Potential need to obtain property access
- Reliable accessibility to site



- Monitoring and Adaptive Management
 - 4/27/2017 – Re-initiation meeting with NMFS and CDFW
 - NMFS has prioritized its efforts toward completion of HIP consultation first; has put work on the Monitoring and Adaptive Management Plan on hold
 - 11/30/2017 – United filed schedule update with FERC
 - Proposed due date: final plan filed with FERC 10/10/2018
- Formal section 7 consultation for use of road
 - 9/9/2017 – NMFS issued non-jeopardy biological opinion (BO)
 - 3/9/2018 – USFWS issued non-jeopardy BO
- Ongoing implementation
 - Aquatic exotics control
 - Invasive plant removal
 - Water releases
 - Dissolved Oxygen Monitoring Plan
 - March 2018 – monitoring results from 2017 delivered to SWRCB
 - Propose small pond aeration device and continued monitoring

Habitat Conservation Plan Update



Habitat Conservation Plan

- Admin Draft MSHCP completed 10/11/2016
- Meeting with resources agencies
 - 12/20/16 – NMFS, USFWS, CDFW
 - 3/23/2017 – UFWS Freeman tour
- Comments from agencies
 - NMFS – 2/13/2017 and 3/1/2017
 - CDFW – 2/1/2017
- 6/23/2017 – United response to NMFS comments
- 10/4/2017 – Meeting with NMFS, USFWS, CDFW re fish passage design
- 10/10/2017 – Meeting with NMFS re Freeman operations (2017 recap, 2018 projection)
- 10/20/2017 – Meeting with NMFS, USFWS, CDFW re comments on MSHCP
- 11/13/2017 – Meeting with NMFS re Freeman operations
- 3/8 and 9/ 2018 – Operations Effects Analysis Workshop (Riverine and Estuary Effects)
- 3/12/2018 – Provided FOM/HOSS software package to the agencies
- March 2018 – Re-engaged consultant assistance (R2 and Rincon) to help finalize HCP



Freeman Fish Ladder Operations

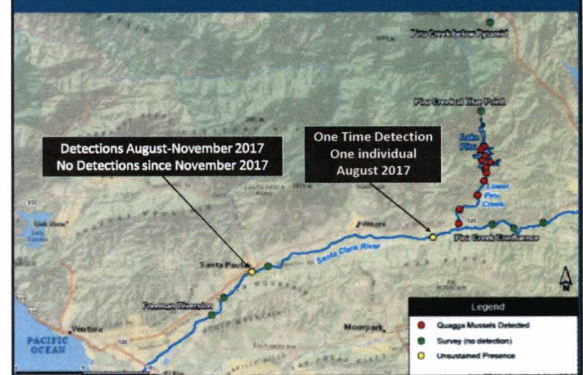
- March 23 – Fish ladder operations initiated
 - Discovered the fish ladder exit gate actuator non-functional
- March 28 – NMFS site tour
- March 29 – Fish ladder operations ceased
 - Ladder shut-down and surveyed by EPCD staff
 - No *O. mykiss* observed
- March 30 – Fish exit gate actuator replaced
 - Use of temporary isolation panels to avoid re-watering the fish ladder
 - EPCD staff onsite for survey
 - No *O. mykiss* observed

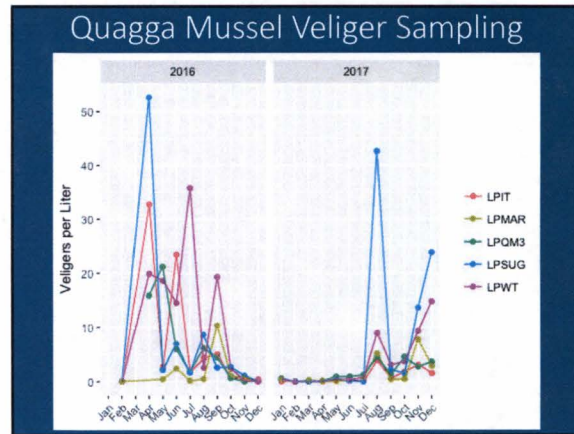
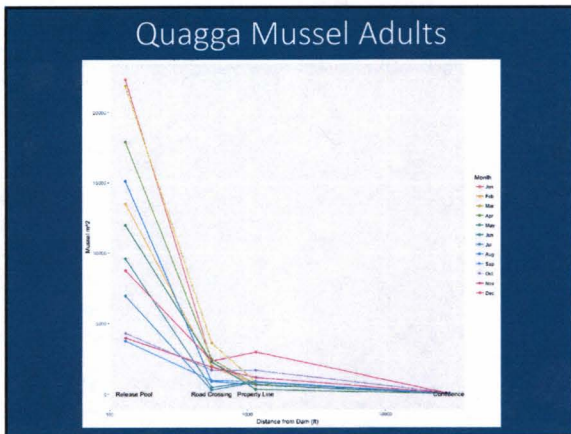
Agenda Item #5.5 Quagga Mussel Management Efforts Update

Quagga Mussel Monitoring and Control Plan

- 10/27/2017 – 6th Draft Monitoring and Control Plan submitted to CDFW
- 1/16/2018 – CDFW Response that Plan “does not satisfy the statutory requirements...” of Fish and Game Code Section 2301(d)(1)(B)
- 11/27/2017 – RFQ for consultant/applcator services to assist
- 2/6/2018 – RFP from the 2 most qualified teams
- 3/1/2018 – Proposals Submitted for permitting and planning
- 3/16 & 21/2018 – In-Person Interviews
- 3/22/2018 – Catalyst/ASI/RNT Consulting team identified as most qualified (Motion 4.5)

Quagga Mussel Presence/Absence





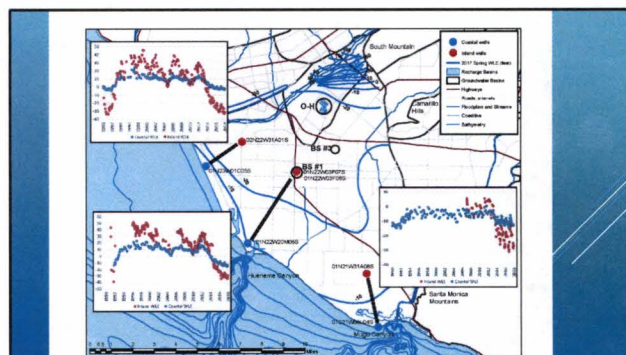
Quagga Mussel Treatment Planning

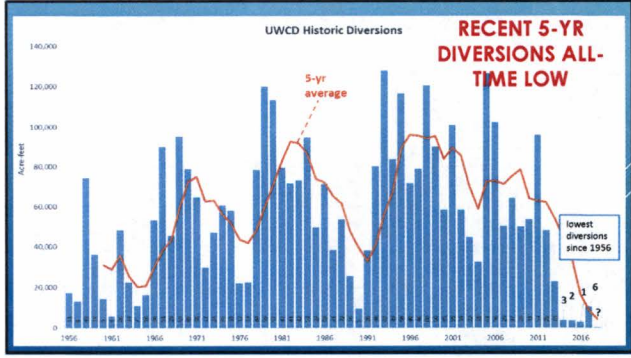
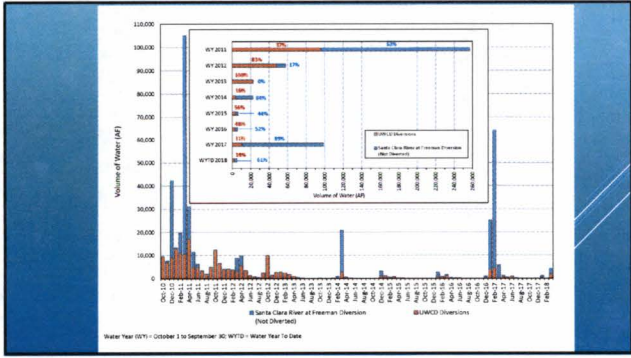
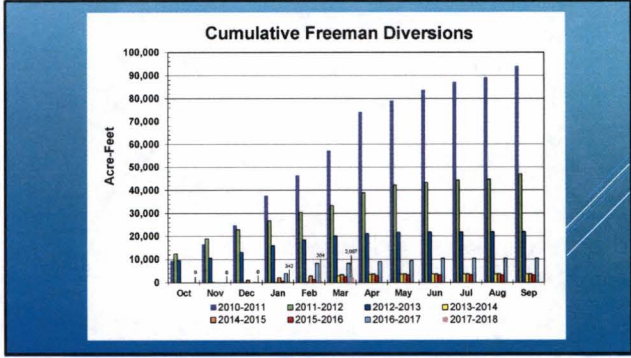
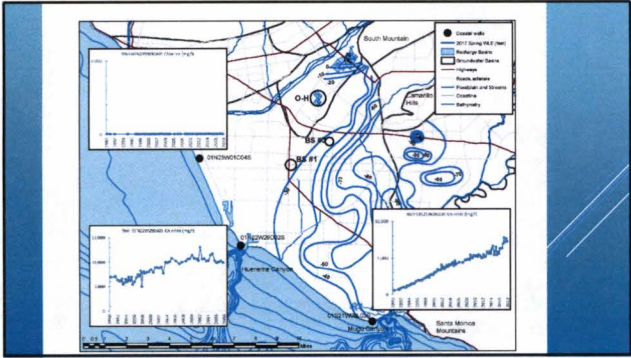
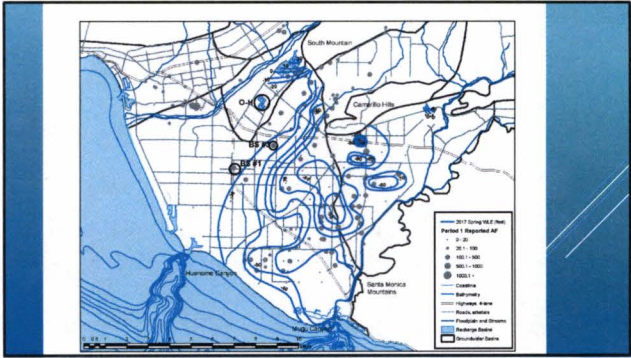
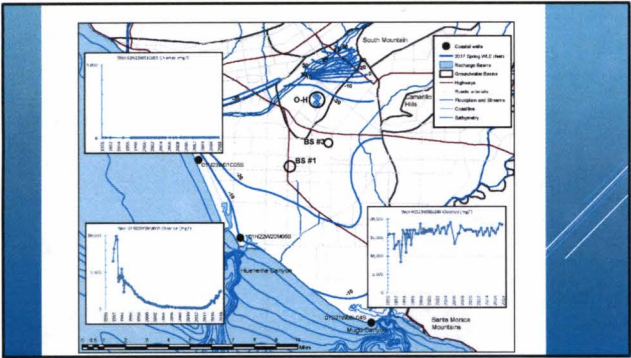
1. Ecological Risk Assessment
2. Permitting:
 - ❖ Special Local Need Permit:
 - ❖ ESA Section 7 Support
 - ❖ NEPA Support
 - ❖ NPDES – SIP
 - ❖ CEQA
3. Treatment Plan
4. Product and Application

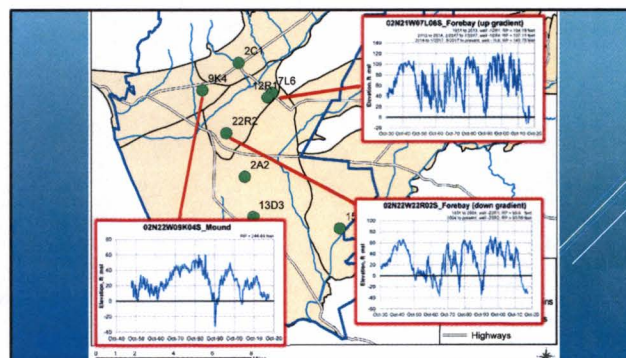
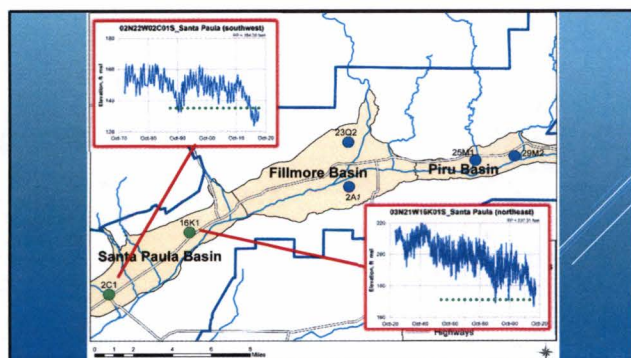
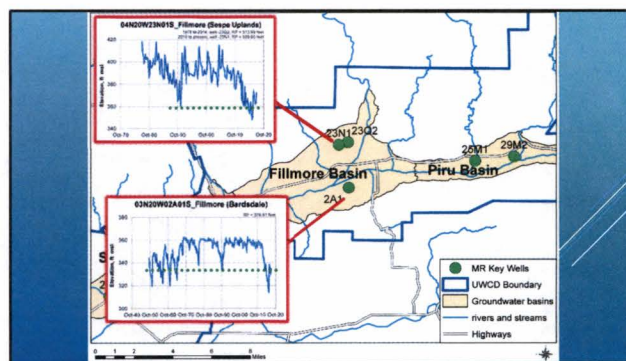
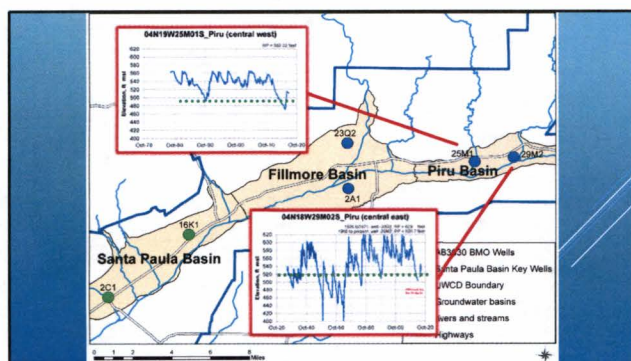
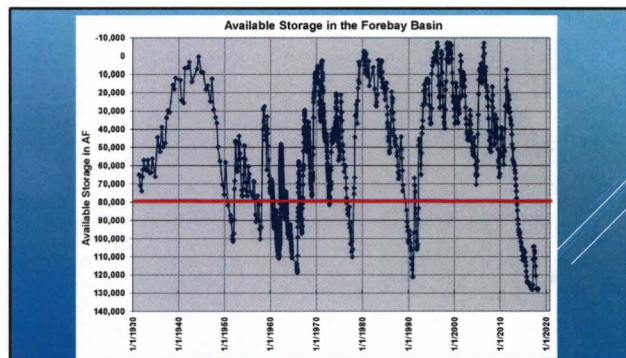
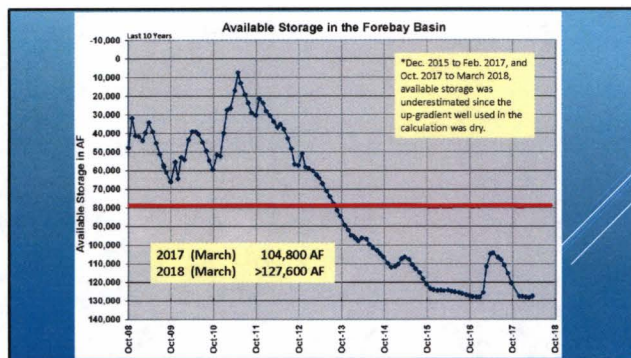
5.6 GW DEPT UPDATE

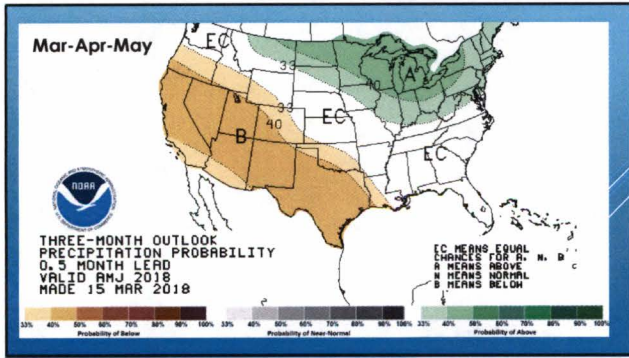
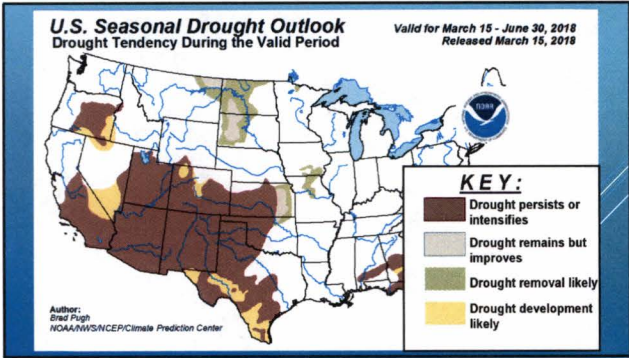
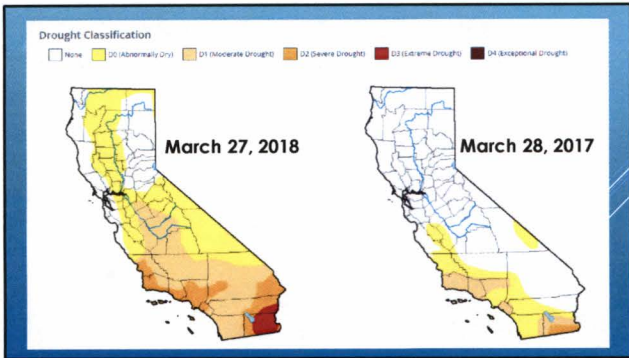
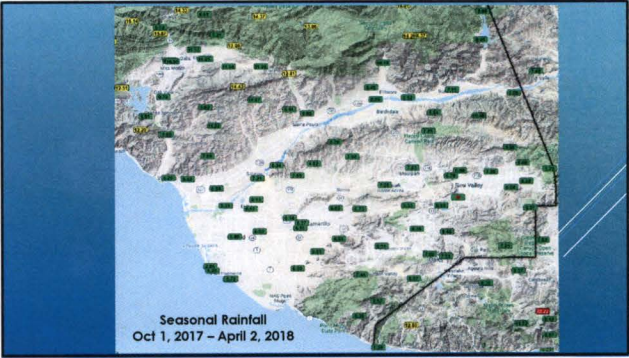
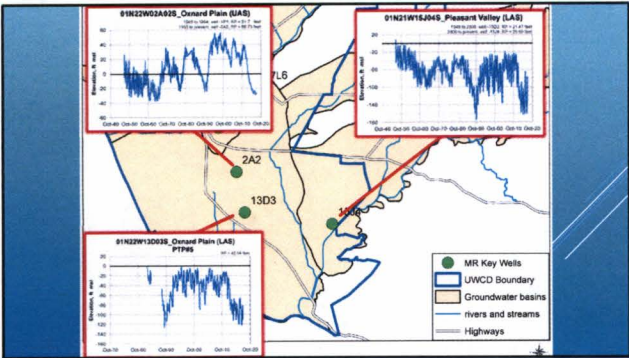
5.6 GW Dept Update

SANTA PAULA BASIN









5.7 GSA Updates

FCGMA / GSA
TAG

- ✓ Review of Preliminary Draft GSPs for OF, PV & LP basins completed
- ✓ GW models being developed by Calleguas MWD & UWCD nearly done, preserve published model version for GSP use
- ✓ GW modeling scenario to simulate hypothetical future conditions must include:
 - Land use, reclaimed water use, hydrology
 - GW extractions
 - Potential water supply projects

5.7 GSA Updates

GW Extraction Reporting

- ✓ SGMA / DWR requirement to report GW extractions by Water Year (Oct-Sept)
- ✓ UWCD receives GW extractions semi-annually on Calendar Year basis (Jan-Jun & Jul-Dec)
- ✓ GSAs will need Water Year data, FCGMA adopting this schedule
- ✓ GSAs desire to rely on GW extraction reporting already submitted to UWCD – minimizes chance for errors, avoids redundant efforts
- ✓ Options to meet SGMA requirements – monthly recordation with semi-annual submittals to UWCD / GSAs require separate GW extraction reporting to their agencies
- ✓ Intend to discuss at the next GW Committee meeting

	Mound Basin GSA	Fillmore & Piru Basins GSA
Prop 1 Grant Application	Prelim award - \$758,000 with 50% matching fund requirement	Prelim award - \$1,500,000 with 27% matching fund requirement
Basin Boundary Modification	NOI filed / Board workshop in Feb 2018	NOI filed / workshop in Feb/Mar 2018
Legal Counsel	Proposals solicited	Legal counsel retained
Budget	Adopted for Jan-Jun 2018	Adopted for Jan-June 2018
Liability Insurance	Options being reviewed	Coverage obtained
Conflict of Interest Code	Under review	Adopted
Next meeting(s)	April 19, 2:30am – BOD meeting, Santa Cruz Room, Ventura City Hall (time unconfirmed)	April 30, 6:00pm – BOD meeting, City Council Chambers, City of Fillmore City Hall
BOD Officers	Mike Mobley-Chair Kevin Brown– VC/Secy	Kelly Long, Chair Ed McFadden, VC/Secy
Interim Executive Director	Jennifer Tribo, City of VIA	Kris Solley, UWCD