



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

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

MINUTES
SPECIAL BOARD MEETING

Tuesday, February 4, 2020 2:00 P.M.
Board Room, UWCD G.I. "Irv" Wilde Headquarters
106 North 8th Street, Santa Paula, California

Directors Present

Michael W. Mobley, President
Bruce E. Dandy, Vice President
Sheldon G. Berger, Secretary/Treasurer
Lynn E. Maulhardt, Director
Edwin T. McFadden III, Director (arrived at 2:25pm)
Daniel C. Naumann, Director

Staff Present

Mauricio E. Guardado, General Manager
David D. Boyer, Legal Counsel
Anthony Emmert, Assistant General Manager
Robert C. Siemak, Assistant General Manager
Joseph Jereb, Chief Financial Officer
Josh Perez, Human Resource Manager
John Carman, Chief Water Treatment Operator
Kris Sofley, Clerk of the Board

Public Present

Bill Clark, CBRE
Dr. Bill Mathis, consultant
Patrick J. Kelley

1. FIRST OPEN SESSION - CALL TO ORDER 2:00 P.M.

President Mobley called the meeting to order at 2p.m. He asked if there were any public comments, but as no members of the public were present, he proceeded to ask the District's Legal Counsel for an overview of the issues being discussed in Executive session.

1.1 Public Comment
Information Item

None were offered.

Mr. Boyer reported that there was one item regarding the sale of real property negotiations and one case of anticipated legislation. President Mobley adjourned the meeting into Executive Session at 2:05p.m.

**2. EXECUTIVE (CLOSED) SESSION 2:05p.m.
REAL PROPERTY MATTERS**

2.1 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.

2.2 Conference with Legal Counsel-Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): one (1) case.

3. SECOND OPEN SESSION 2:54p.m.

President Mobley called the Second Open Session to order at 2:54p.m. and asked Director Maulhardt to lead the group in the Pledge of Allegiance.

3.1 Pledge of Allegiance

Director Maulhardt led the group in reciting the Pledge of Allegiance.

3.2 Oral Report Regarding Executive (Closed) Session Information Item

Mr. Boyer stated that the Board took no action during Executive session that is reportable under the Brown Act.

**3.3 Appointment of Director for Division 3
Motion**

President Mobley reported that the motion item on today's agenda is the Board's consideration of the appointment of a Director to fill a vacancy on the Board in Division 3 that has been vacant since December 11, 2019. He asked the General Manager and the District's legal counsel to brief the Board.

Mr. Guardado stated that Director Eranio vacation his seat on the Board, representing Division 3, effective December 11, 2019. That staff notified the County Election office of the vacancy in Division 3 within the required 15 days following the vacancy.

Mr. Boyer added that the Board is authorized by Section 72404 of the Water Code and Section 1780 of the Government Code to fill this vacancy by appointment, and that the Board may fill the vacancy within 60 days of the effective date of the vacancy.

Mr. Guardado stated that, as required by law, District staff posted a notice of the vacancy in three conspicuous places in the District affective more than 15 days prior to this meeting. Notice was posted at the Saticoy Public Library in Ventura, the Hill Road Library also in Ventura, and at District headquarters in Santa Paula, and that copies of the notice were included in the record of today's proceedings.

He added that Directors Mobley, Dandy and Berger, the Executive Committee, have reviewed the applications and resumes of the five people expressing interest in the position and are prepared to recommend one of those candidates for appointment today.

Mr. Boyer stated that if the Board does not make an appointment to fill the vacancy, it may call an election to fill the vacancy. If the Board does not fill this vacancy or call an election, the County Board of Supervisors may fill the vacancy or may order an election to fill the vacancy.

President Mobley said that he believed it was the Board's intention to fill this vacancy by appointment today, and asked if there were any objections from the other directors. None were offered. He then asked if any applicant, or any person interested in this matter, would like to address the Board. No one came forward. He then asked if any applicant or anyone else wanted to address the Board about the appointment of a Director to Division 3 and again, no one came forward.

President Mobley said that since no other candidates have come forward, the Board would continue with the appointment procedure.

Director Berger, reporting as Secretary/Treasurer of the Executive Committee, stated that the committee had reviewed the applications submitted by the five candidates and, after careful consideration, had reached a unanimous recommendation to the Board for the appointment of Patrick J. Kelley as a Director to fill the vacancy in Division 3. To that end, he said, he moved that Patrick J. Kelley be appointed to fill the vacancy in Division 3. Director Naumann seconded the motion.

President Mobley asked if there were any other nominations and, hearing none, asked if any Director would care to make a comment. None were offered. President Mobley asked the Clerk of the Board to take a roll call vote. Six ayes (Berger, Dandy, Maulhardt, McFadden, Mobley, Naumann); none opposed. Motion carries unanimously 6/0.

Director Maulhardt stated that he appreciated all the work of the Executive Committee and thought it was a good sign that the District had five applicants interested in serving on the Board. He then thanked staff, legal counsel and Dr. Mathis and remarked that the applicants represented a wide range of talent.

3.4 Oath of Office – United Water Conservation District Division 3

Motion

Newly appointed Director Kelley swore an Oath of Office administered by the Clerk of the Board, confirming his appointment as Director for Division 3.

4. ADJOURNMENT 3:02p.m.

President Mobley adjourned the Special Board Meeting to the **Regular Board Meeting scheduled for Wednesday, February 12, 2020** or call of the President at 3:02p.m.

I certify that the above is a true and correct copy of the minutes of the Special Board of Directors meeting of February 4, 2020.

ATTEST: Bruce E. Dandy
Bruce E. Dandy, Secretary/Treasurer

ATTEST: Kris Sofley
Kris Sofley, Clerk of the Board