



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

MINUTES
SPECIAL BOARD MEETING

Monday, March 30, 2020 10:00 a.m.
Board Room, UWCD “New” Headquarters
1701 North Lombard Street, Oxnard, California 93030

Directors Present

Michael W. Mobley, President
Bruce E. Dandy, Vice President
Sheldon G. Berger, Secretary/Treasurer (via telephone)
Patrick J. Kelley, Director (via telephone)
Lynn E. Maulhardt, Director
Edwin T. McFadden III, Director (via telephone)
Daniel C. Naumann, Director

Staff Present

Mauricio E. Guardado, General Manager
David D. Boyer, Legal Counsel
Joseph Jereb, Chief Financial Officer
Kris Sofley, Clerk of the Board

Public Present

Bill Clark, CBRE

The Clerk of the Board took roll call to ascertain which Directors were participating telephonically. Directors Berger, Kelley and McFadden were on the phone; Directors Mobley, Dandy, Maulhardt and Naumann were present in the Boardroom as were staff and the public.

FIRST OPEN SESSION 10:02a.m.

President Mobley called the meeting to order at 10:02a.m.

1. Public Comments

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

Director Naumann addressed the Board, saying that he was just made aware of an urgent situation regarding Real Estate, specifically property negotiations for the building at 106 N. Eighth Street in Santa Paula that needed the Board’s immediate attention.

Motion to amend the agenda to add Property Sale/Negotiation to Executive (Closed) Session agenda and reorder the discussion, Director Naumann; Second, Director Dandy. Voice vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed; none absent. Motion carries unanimously 7/0/0.

EXECUTIVE (CLOSED) SESSION 10:05 A.M.

President Mobley adjourned the meeting into Executive (Closed) Session at 10:05a.m.

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.

At 10:30a.m., Director Berger excused himself from the remainder of the meeting.

2. PERSONNEL MATTERS

2.1 Public Employee Performance Evaluation

(Government Code 54957) Title: General Manager

3. LITIGATION

3.1 Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9 (d)(1)

- A. 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)

SECOND OPEN SESSION AND CALL TO ORDER 12:12 P.M.

President Mobley called the second open session to order at 12:12p.m.

4. Pledge of Allegiance

President Mobley led everyone in reciting the Pledge of Allegiance

5. Public Comment

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

6. Oral Report Regarding Executive (Closed) Session

Information Item

District Legal Counsel David D. Boyer stated that the Board took no action in Executive (Closed) Session that is reportable under the Brown Act.

7. **Resolution 2020-04 Finding That an Unreasonable Hardship Will Result Unless the Court's Award of Attorney's Fees and Costs in Wishtoyo Foundation, et al. v. United Water Conservation District is Paid in Annual Installments Pursuant to California Government Code Section 970.6**
Motion

Mr. Boyer provided the Board with a brief overview of the recent events regarding the payment of legal fees in the Wishtoyo Foundation, et al v United Water Conservation District litigation case.

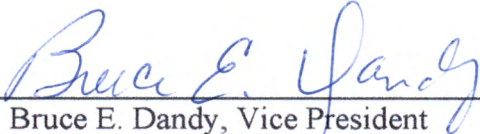
Motion to adopt Resolution 2020-04 finding that an unreasonable hardship will result unless the District is allowed to pay the Court's award of attorney's fees and costs in Wishtoyo Foundation, et al. v. United Water Conservation District, U.S. District Court for the Central District of California, Case No.2:16-cv-03869 GHK (PLAx) in annual installments pursuant to California Government Code section 970.6., Director Naumann; Second, Director Maulhardt.

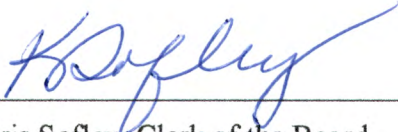
President Mobley asked if there were any questions or comments from the Board. None were offered. He then asked for a roll call vote. Six ayes (Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

ADJOURNMENT 12:15p.m.

President Mobley adjourned the meeting at 12:15p.m. to the Regular Board Meeting of Wednesday, April 8, 2020

I certify that the above is a true and correct copy of the minutes of the UWCD Special Board of Directors meeting of March 30, 2020.

ATTEST: 
Bruce E. Dandy, Vice President

ATTEST: 
Kris Sofley, Clerk of the Board