



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, June 10, 2020, 12:00 P.M.
Board Room, UWCD NEW Headquarters
1701 N. Lombard Street, Oxnard CA 93030

Meeting attendees should be aware that the meetings of the Board are, as required by law, open to the public and the District has very limited powers to regulate who attends Board meetings. Therefore, attendees must exercise their own judgement with respect to protecting themselves from exposure to COVID-19, as the District cannot ensure that all attendees at public meetings will be free from COVID-19.

**In addition to its public Regular Board of Directors meeting,
people may choose to participate virtually
using the Webex video conferencing application.**

To participate in the Board of Directors meeting via Webex, please access:
<https://unitedwaterconservationdistrict.my.webex.com/unitedwaterconservationdistrict.my/j.php?MTID=m53044b6b349870a88f2a083b924a4c9e>

Use Meeting number: 126 386 2399 **Password:** WaterMgmt (92837646 from phones)

To hear just the audio portion of the meeting,
call +1-408-418-9388 (Toll Charges apply)
and use Access code: 126 386 2399

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. Virtual participants, please use "raise hand" option in "participants" menu.

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 1:30 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 Update on Public Health Mandates regarding Coronavirus pandemic (COVID-19)
Information Item**

The Board of Directors will receive an update on the latest measures being taken and recommended by the State of California Department of Public Health, Center for Disease Control and World Health Organization, among other sources, as well as executive orders from County Public Health officials, CA Governor Newsom and President Trump regarding the COVID-19 virus.

**2.8 Consider Cancellation of August Board Meeting
Motion**

As has been the District's tradition, the Board shall consider cancelling its regular August 2020 Board meeting.

3. **CONSENT CALENDAR: All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)**

A. **Approval of Minutes**

Motion

Approval of the Minutes for the Regular Board Meeting of May 13, 2020 and the Special Board Meeting – Budget Workshop on May 27, 2020.

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)**

Groundwater Department – Maryam Bral

PUBLIC HEARING

4.1 **Conclusion of Annual Groundwater Hearing, Acceptance of Public Comment and Setting of 2020-21 Zones and Extraction Charges**

Motion

In accordance with Part 9 of Division 21 of the California Water Code (Section 75500 et seq.), the Board annually conducts a public hearing to consider the conditions of groundwater resources within the District. An "Annual Investigation and Report of Groundwater Conditions" was submitted to the Board on March 25, 2020 and has been available for public review and comment. This hearing was opened on April 8, 2020 and continued until May 13, 2020, at which time it was again continued to June 10, 2020. During the hearing, the Board will receive information from District staff and consultant(s) in support of the establishment of zone(s) within the District and levying of groundwater extraction charges within such zone(s). Public comment will also be accepted. No Board decisions have yet been made. The Board may choose to conclude the hearing today and consider acting to establish zone(s) within the District and to levy groundwater extraction charges within such zone(s) for the 2020-21 water year.

Resolution 2020-10

Making Findings and Determinations from the Evidence Submitted Concerning the Groundwater Conditions of United Water Conservation District.

Motion

Resolution 2020-11

Making Additional Findings and Determinations from the Evidence Submitted Concerning Groundwater Conditions of United Water Conservation District, Determining and Establishing Groundwater Extraction Charge Zones and Levying, Assessing and Fixing Groundwater Extraction Charges against All Persons Operating Groundwater Producing Facilities within Such Zones for the 2020-21 Water Year

Motion

Administration Services – Anthony Emmert

4.2 Resolution 2020-12

Adopting the Proposed District Budget Plan, Financial Policies, Overhead Allocation Method, Staffing Levels and Salary Schedules for Fiscal Year 2020-21 and Appropriation Carryovers for Fiscal Year 2019-20

Motion

The Board will consider adoption of Resolution 2020-12, adopting the proposed District Budget Plan, Fiscal Policies, Overhead Allocation Method, Staffing Levels and Salary Schedules for Fiscal Year 2020-21 and Appropriation Carryovers for Fiscal Year 2019-20.

4.3 Resolution 2020-13 A Resolution of the Board of Directors of UWCD Requesting the Auditor-Controller to Compute and Affix a Tax Rate for the Fiscal Period 2020-21 Sufficient to Satisfy the State Water Project Charges

Motion

Board will consider adoption of Resolution 2020-13, requesting the County Auditor-Controller to compute and affix a tax rate for FY 2020-21 to provide approximately \$719,000 in property tax revenue sufficient to satisfy a portion of the voter approved debt for State Water Project costs.

4.4 Resolution 2020-14 Transfer of Remaining Fox Canyon Groundwater Management Agency Grant from the General/Water Conservation Fund to the Water Purchase Fund

Motion

The Board will consider adopting Resolution 2020-14 approving the transfer of the Fox Canyon Groundwater Management Agency's grant balance of \$1,271,196 from the General/Water Conservation Fund to the Water Purchase Fund.

4.5 Resolution 2020-15 Interfund Loan from General/WC Fund to Freeman Diversion Fund

Motion

The Board will consider adopting Resolution 2020-15, authorizing the General Manager to execute an interfund loan agreement for up to \$1,694,000 from the General/Water Conservation Fund to the Freeman Diversion Fund for the payment of the first two installments of the payment of a legal judgement against the District and the Freeman Diversion Fund's portion of the new Headquarters project.

4.6 Request from JAM Mutual Water Company to Waive Penalties and Interest Charges for Late Payment

Motion

The Board will consider a request from JAM Mutual Water Company to waive penalties and interest charges of \$6,071 for a late payment and filing.

4.7 Naumann Family Farms request for credit

Motion

The Board will review and consider whether to approve Naumann Family Farms' request for a credit plus interest at an unspecified rate regarding State Well No. 04N19W31N03S.

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Administrative Services Department - Anthony Emmert

5.1 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

5.2 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.

Environmental Planning and Conservation Department – Anthony Emmert

**5.3 Monthly Environmental Planning and Conservation Department Report
Information Item**

Summary 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

**5.4 Monthly Groundwater Department Report
Information Item**

Summary report on monthly Groundwater Department activities. Department activities include, but are not limited to, updates to the Ventura Regional Groundwater Flow Model; brackish water treatment feasibility study; upper Santa Clara River Chloride TMDL; hydrologic and well conditions statewide and locally; available Forebay storage; Ventura County well ordinance update; Fox Canyon GMA issues; City of Oxnard's recycled water program; potential water supply and recycled water projects, including use of United's terminal reservoirs; user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups); and potential District solar power facilities.

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

Summary 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.

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, July 08, 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 1701 N. Lombard Street, Suite 200, 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: _____


Anthony Emmert, Assistant General Manager

Posted: (date) June 5, 2020

(time) 4:15pm

(attest) *Kris Sofley*

At: United Water Conservation District Headquarters, 1701 N. Lombard Street, Oxnard CA 93030

Posted: (date) June 5, 2020

(time) 4:15pm

(attest) *Kris Sofley*

At: www.unitedwater.org

EXHIBIT A
EXECUTIVE (CLOSED) SESSION AGENDA

1. LITIGATION

1.1 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: 1.1 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)
- E. United Water Conservation District v. Federal Energy Regulatory Commission, US Court of Appeals for the DC Circuit Case No. 10-1027

1.2 Conference with Legal Counsel-Anticipated Litigation

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