



Board of Directors
Michael W. Mobley, President
Bruce E. Dandy, Vice President
Sheldon G. Berger, Secretary/Treasurer
Mohammed A. Hasan
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, January 13, 2021, 12:00 P.M.
Board Room, UWCD 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=m24ae5db158b3b25f5fb45bb9ca5412ca](https://unitedwaterconservationdistrict.my.webex.com/unitedwaterconservationdistrict.my/j.php?MTID=m24ae5db158b3b25f5fb45bb9ca5412ca)

Use Meeting number: 126 404 6142 **Password:** Direct (347328 from phones)
Join by phone (audio only): +1-408-418-9388 (Toll rates apply) **Password:** Direct (347328)

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 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 Election of Officers
Motion**

The Board will accept nominations and elect officers for 2021.

**2.9 Staff Service Awards for 2020
Ceremonial Item**

The Board will present service awards to staff.

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 December 9, 2020.

B. **Groundwater Basin Status Reports**

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. **Monthly Investment Report**

Information Item

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)**

Engineering Department – Dr. Maryam Bral

4.1 **Resolution 2021-02 Accepting California Environmental Quality Act (CEQA) Notice of Categorical Exemption Determination for the Oxnard Hueneme (OH) Backup Generator Project at the El Rio Booster Plant**

Motion

The Board will consider approving Resolution 2021-02 accepting the California Environmental Quality Act (CEQA) Notice of categorical exemption determination for the Oxnard Hueneme (OH) Backup Generator project at the El Rio Booster Plant and allowing staff to file a Notice of Exemption (NOE) with the Ventura County Clerk and Recorder's Office.

4.2 **Contract Amendment with Northwest Hydraulic Consultants for the Freeman Diversion Hardened Ramp Physical Modeling Support**

Motion

The Board will consider authorizing the General Manager to execute an amendment to the professional services agreement with Northwest Hydraulic Consultants (NHC) in the amount of \$125,595 to provide further analysis and support for the physical modeling of the Hardened Ramp as a Freeman Diversion Fish Passage Facility alternative

4.3 Contract Amendment with Stantec for the Freeman Diversion Modeling and Design of Vertical Slot Fish Ladder and Intake

Motion

The Board will consider authorizing the General Manager to execute an amendment to the professional services agreement with Stantec in the amount of \$403,879 to provide further analysis and support of the physical modeling of the Vertical Slot as a Freeman Diversion Fish Passage Facility alternative.

Operations and Maintenance Department – Brian Collins

4.4 Resolution 2021-03 Authorization of a Purchase of Carryover Water from Ventura Water and Casitas Municipal Water District and Finding that the Associated State Water Project is Statutorily Exempt from CEQA

Motion

The Board will consider approving Resolution 2021-03 authorizing the General Manager or his designee to execute a contract for the purchase of carryover water from Ventura Water and/or Casitas Municipal Water District; and finding that the associated single year State Water Project (SWP) transfer from Ventura Water and/or Casitas Municipal Water District to the District is exempt from the California Environmental Quality Act (CEQA) and direct staff to post a Notice of Exemption consistent with applicable requirements.

4.5 Execution of a Contributed Funds Agreement for the Physical Modeling of the Freeman Diversion Rehabilitation Project with the Bureau of Reclamation.

Motion

The Board will consider authorizing the General Manager or his designee to execute a contributed funds agreement (CFA) with the Bureau of Reclamation (Bureau) for the physical modeling of the two proposed project alternatives for the Freeman Diversion Rehabilitation Project, currently under engineering design by Stantec and Northwest Hydraulic Consultants.

5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Administrative Services Department - Anthony Emmert

5.1 Monthly Administrative Services Department Report – Anthony Emmert

Information Item

Staff will report on and provide a presentation to the Board regarding 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

Staff will report on and provide a presentation to the Board regarding 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 Services Department – Linda Purpus

5.3 Monthly Environmental Services Department Report

Information Item

Staff will report on and provide a presentation to the Board regarding 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.

Operations and Maintenance Department – Brian Collins

5.4 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 Department – Clayton Strahan

5.5 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 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.

Water Resources Department – Maryam Bral

5.6 Monthly Water Resources Department Report

Information Item

Summary report on monthly Water Resources 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.

5.7 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.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

8. SECOND EXECUTIVE (CLOSED) SESSION*

In the event that the Board does not conclude its discussion of Anticipated and Existing Litigation during the first 90-minute Executive Session, the Board will adjourn to a Second Executive Session to conclude its discussion of the matters listed in Exhibit A (Executive Session Agenda)

9. Oral Report Regarding Second Executive (Closed) Session*

Information Item

Presented by District Legal Counsel David D. Boyer.

10. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, February 10, 2021** or call of the President.

- If needed

UWCD Board of Directors Meeting Agenda

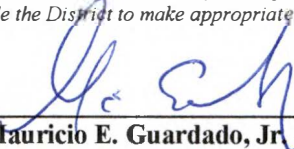
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All testimony given before the Board of Directors is recorded. Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent 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: _____


Mauricio E. Guardado, Jr. – General Manager

Posted: (date) January 8, 2021

(time) 9a.m.

(attest) *Kris Sofley*

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

Posted: (date) January, 8, 2021

(time) 9:15a.m.

(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: 1.2 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. Josey Hollis Dorsey, a minor, through his guardian ad litem Ryan Dorsey;
and The Estate of Naya Rivera, through its personal representative, Justin
Stiegemeyer, v. County of Ventura, a California public entity; United Water
Conservation District, a California public entity; and Parks and Recreation
Management, d/b/a Parks Management Company, a California corporation;
and Does 1-20, inclusive, Superior Court of the State of California for the
County of Ventura Case No. 56-2020-00547077-CU-PO-VTA

1.2 Conference with Legal Counsel-Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(2), two (2) cases.