



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

**REVISION II AGENDA**  
**REGULAR BOARD MEETING**

**Wednesday, May 12, 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>

Meeting number: 126 404 6142

Password: Direct (347328 from phones)

Join by phone (audio only) +1-408-418-9388 (toll rates apply)

Access code: 126 404 6142

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 1:00 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 Resolution 2021-10 Consider Amending the General Manager's Total Compensation Package Including Any Step Increase, Performance Merit Pay, and Other Compensation**  
**Motion**

The Board will consider adopting Resolution 2021-10, approving an amendment to the General Manager's compensation package, including 1) a performance merit pay of seven and one half percent (7.5%) of his FY 2020-2021 salary and 2) a step increase to step 4 of the Tier One Management salary schedule, as well as 3) other compensation amendments, as deemed appropriate by the Board.

**2.8 Scheduling AB 1825 Harassment Prevention and AB 1234 Ethics Training for Board Members**  
**Motion**

The Board of Directors will consider whether 1) to participate in on-demand online instruction or live training, and, if live training is preferred, 2) select a date for the Special Board Meeting to facilitate this required training.

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 April 14, 2021.

B. **Groundwater Basin Status Reports**

**Information Item**

Receive and file Monthly Hydrologic Conditions Report for the District.

C. **Monthly Investment Report (March 2021)**

**Information Item**

The Board will receive and review the Districts' investment portfolio and cash position as of March 31, 2021.

D. **Third Quarter FY 2020-21 Financial Report and Budget Amendments**

**Motion**

The Board will receive and review the FY 2020-21 Third Quarter Financial Report for the period of July 1, 2020 through March 31, 2021 and approve the proposed modifications to the FY 2020-21 Budget.

4. **MOTION ITEMS (By Department)**

4.1 **PUBLIC HEARING**

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

In accordance with the District's principal act in the California Water Code, 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 Secretary/Treasurer of the Board on March 30, 2021 and has been available for public review and comment. This Public Hearing was initially opened at the April 14, 2021 Board of Directors meeting and was continued to the regular May 2021 Board meeting and will again be continued to the June 2021 Board meeting.

At this meeting, staff will give a report on current groundwater conditions, and members of the public will be permitted to give testimony. At its June 9, 2021 meeting, the Board may choose to close the hearing and consider the establishment of zones and the levying of groundwater extraction charges in those zones.

**Public comment will be accepted at this time.**

This hearing will be continued until Wednesday, June 9, 2021. No Board decisions will be made until the final hearing on June 9, 2021.

**Administration Services – Joseph Jereb**

**4.2 FY 2021-22 Proposed Budget Workshop**

**Motion**

Staff will present an overview and discuss with the Board issues concerning the Proposed FY 2021-22 District Budget. Pertinent information with respect to the budget will be discussed. The Board may provide guidance and direction on various budget issues and recommendations. However, the Board will not consider adoption of the District budget until its June 9, 2021 Regular Board Meeting. The overview will consist of:

- Introduction and review related to the development of the proposed budget, reserve needs, corresponding rates to be charged, the budget process and related issues.
- Review of Capital Improvement Plan and recommended funding for FY 2021-22.
- Additional information in connection with and in support of the proposed FY 2021-22 Budget and the District's groundwater extraction charges.
- Questions from the Board
- Public Comments/Questions
- Board direction to staff
- Next steps for completing the District budget for FY 2021-22

**Engineering Department – Dr. Maryam Bral**

**4.3 PUBLIC HEARING**

**For the Purpose of Receiving Public Comment and Discussion of the Proposed 2020 Urban Water Management Plan and the Water Shortage Contingency Plan for the Oxnard Hueneme Pipeline**

**Motion**

The Board will conduct a Public Hearing for the purpose of receiving public comment and discussion of the proposed 2020 Urban Water Management Plan and the Water Shortage Contingency Plan for the Oxnard Hueneme (OH) Pipeline System.

**4.4 Resolution 2021-09 Approving CEQA Notice of Categorical Exemption Determination for the Emergency Power Supply for UWCD Drinking Water Treatment and Supply Facilities Project**

**Motion**

The Board will consider adopting Resolution 2021-09, approving the California Environmental Quality Act (CEQA) Notice of categorical exemption determination for the Emergency Power Supply for UWCD Drinking Water Treatment and Supply Facilities Project at the three (3) project locations and allowing staff to file a Notice of Exemption (NOE) with the Ventura County Clerk and Recorder's Office.

**5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

**Administrative Services Department – Joseph Jereb and Josh Perez**

**5.1 Monthly Administrative Services Department Report – Joseph Jereb and Josh Perez**

**Information Item**

Staff report and presentation to the Board 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, 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 report and presentation to the Board 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 Services Department – Linda Purpus**

**5.3 Monthly Environmental Services Department Report**

**Information Item**

Staff report and presentation to the Board on environmental and regulatory issues of note to the District, including 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, and any interactions with Rancho Temescal and Rancho Camulos.

**Operation and Maintenance Department - Brian Collins**

**5.4 Monthly Operation and Maintenance Department Report**

**Information Item**

Summary report regarding the 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**

**5.5 Monthly Park and Recreation Department Report**

**Information Item**

Summary report regarding operations and items of note relative to the Lake Piru Recreation Area. Items may include, but are not limited to, 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 regarding 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; and user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups).

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

**Information Item**

Summary report regarding 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 the 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. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting** scheduled for **Wednesday, June 9, 2021** 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:



**Assistant General Manager Anthony Emmert**

Posted: (date) May 6, 2021 (time) 10:00a.m. (attest) *Kris Sofley*

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

Posted: (date) May 6, 2021 (time) 10:30a.m. (attest) *Kris Sofley*

At: **www.unitedwater.org**

**EXHIBIT A**  
**EXECUTIVE (CLOSED) SESSION AGENDA**

**1. PERSONNEL MATTERS**

- 1.1 Public Employee Performance Evaluation** (Government Code 54957) Title: General Manager

**2. LITIGATION**

- 2.1 Conference with Legal Counsel-Anticipated Litigation**  
Pursuant to Government Code Section 54956.9(d)(2), one (1) case.

- 2.2 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: 2.2 A and B consolidated in the California Supreme Court, 2<sup>nd</sup> 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