



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, November 10, 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.

**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.

**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 Members' Activities Report  
Information Item**  
The Board will receive and file information regarding meeting participation provided by each of the Board Members through Monthly Activities (aka per diem) Reports.
- 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 Approving California Special Districts Association's Revised Bylaws  
Motion**  
The Board will consider approving the California Special Districts Association's (CSDA) revised bylaws and authorizing the Clerk of the Board to submit an electronic vote of approval on behalf of the Board to the CSDA by the November 12, 2021 deadline.
- 2.8 Approval of Hourly Rate Increase for General Counsel  
Motion**  
The Board will consider approving an hourly rate increase from \$325 per hour to \$350 per hour for District's General Counsel and authorizing the District's General Manager to execute an amendment to the fees agreement consistent with the Board's approval. .
- 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 October 13, 2021.
  - B. Groundwater Basin Status Reports  
Information Item**  
Receive and file Monthly Hydrologic Conditions Report for the District.

**C. Monthly (September 30, 2021) 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.

**D. First Quarter Fiscal Year 2021-2022 Financial Report (July 1, 2021 – September 30, 2021)**

**Information Item**

Receive and file the Fiscal Year 2021-2022 First Quarter Financial Report for the period of July 1, 2021 through September 30, 2021.

**E. Resolution 2021-21 Subsequent Finding that the Governor of California issued a Proclamation of a State of Emergency on March 4, 2020 relating to the COVID-19 virus and local officials continue to recommend social distancing measures to mitigate the spread of the COVID-19 virus and Authorizing remote teleconference meetings of the legislative bodies of United Water Conservation District for the period of November 10 through December 9, 2021, pursuant to Brown Act provisions**

**Motion**

The Board will consider adopting Resolution 2021-21 continuing subsequent findings that the requisite conditions exist for remote teleconference meetings of the District's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

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

**Environmental Services Department – Linda Purpus**

**4.1 Resolution 2021-22 Adoption of the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) Determination for the Lake Piru Sediment Sampling Project**

**Motion**

The Board will consider approving Resolution 2021-22, adopting the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) for the Lake Piru Sediment Sampling Project (Project), approving the Project, and directing staff to file the NOE in accordance with CEQA.

**4.2 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Sixth Amendment to Professional Services Agreement with Cramer Fish Sciences - \$440,950**

**Motion**

The Board will consider authorizing the General Manager to execute an amendment to the professional services agreement (PSA) with Cramer Fish Sciences in the amount of \$440,950 to re-initiate pre-implementation study activities outlined in the "Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan."

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

### **Operations and Maintenance Department – Brian Collins**

#### **5.1 Monthly Operation and Maintenance Department Report Information Item**

Staff report and presentation on monthly activities of the Operations and Maintenance Department, including but not limited to the District's facilities (Santa Felicia Dam and hydroplant; the Piru Groundwater Recharge facility; the Freeman Diversion; the Saticoy and El Rio Groundwater Recharge facilities; the Pleasant Valley and Pumping Trough Pipeline systems; and the Oxnard Hueneme Pipeline system), encompassing operating plans, the quantity and quality of water diverted and delivered, fish ladder operations, major maintenance problems and repairs, status of Operations and Maintenance projects and safety and training issues.

### **Park and Recreation Department – Clayton Strahan**

#### **5.2 Monthly Park and Recreation Department Report Information Item**

Staff report and presentation on monthly activities of the Park and Recreation Department, including but not limited to the Lake Piru Recreation Area, encompassing 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 – Dan Detmer**

#### **5.3 Monthly Water Resources Department Report Information Item**

Staff report and presentation on the monthly activities of the Water Resources Department including but 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 various user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups).

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

Staff report and presentation 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 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.

**Administrative Services Department – Anthony Emmert and Josh Perez**

**5.5 Monthly Administrative Services Department Report – Josh Perez**

**Information Item**

Summary report on the monthly activities of the Administration Department including but not limited to 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 – Dr. Maryam Bral**

**5.6 Monthly Engineering Department Report**

**Information Item**

Summary report on the various monthly activities of the Engineering Department, including but not limited to water resources, planning efforts and department programs impacting the District, such as project design and construction; dam safety; FERC license compliance; Freeman Diversion; recycled water; pipeline operations and various engineering analysis.

**Environmental Services Department – Linda Purpus**

**5.7 Monthly Environmental Services Department Report**

**Information Item**

Summary report on the various monthly activities of the Environmental Services Department, including but not limited to environmental and regulatory issues of note to the District, 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, and any interactions with Rancho Temescal and Rancho Camulos.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

UWCD Board of Directors Meeting Agenda

November 10, 2021

Page 6

**8. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting** scheduled for **Wednesday, December 8, 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:



**Mauricio E. Guardado, Jr. – General Manager**

**Posted: (date)** November 4, 2021

**(time)** 5:00p.m.

**(attest)** *Kris Sofley*

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

**Posted: (date)** November 4, 2021

**(time)** 5:30p.m.

**(attest)** *Kris Sofley*

**At: [www.unitedwater.org](http://www.unitedwater.org)**

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

**1. LITIGATION**

**1.1 Conference with Legal Counsel-Anticipated Litigation**

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

**1.2 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. 19CV06168, pending before the Court of Appeal of the State of California, Second Appellate District, Division 6, Court of Appeal No. B312471.
- B. 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).
- C. Josey Hollis Dorsey, a minor, through his guardian ad litem Ryan Dorsey; and The Estate of Naya Rivera, through its personal representative, Justin Stiegemeier, 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.
- D. OPV Coalition v Fox Canyon Groundwater Management Agency, Superior Court of the State of California, County of Ventura, Case No. 56-2021-00555357-CU-PT-VTA; Complaint for Comprehensive Groundwater Adjudication of the Oxnard Groundwater Subbasin (No. 4-004.02) and Pleasant Valley Subbasin (No. 4-006) Pursuant to Sections 830, *Et Seq.* of the Code of Civil Procedure; Declaratory Relief; Quiet Title; and Petition for Writs of Mandate.
- E. In re Sun Cress Distributors, Inc., United States Bankruptcy Court, Central District of California, Northern Division Case No.9:21-bk-11023-MB.