



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Edwin T. McFadden III
Michael W. Mobley
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

AGENDA
REGULAR BOARD MEETING

Wednesday, February 9, 2022, 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.

To Access the UWCD Board of Directors Meeting Virually, Click on this Zoom link:
<https://us02web.zoom.us/j/89904529820?pwd=N0cvYmpubHp0UWtxWjY4T1AwRWdwQT09>

Meeting ID: 899 0452 9820 Passcode: 20220209

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 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 United Water Conservation District's Mid-Year Achievements

Information Item

The Board will receive an informational update from Department Managers on the achievements and accomplishments for the first half of Fiscal Year 2021-22, as aligned with the District's Strategic Planning objectives.

2.8 Standing Committee Assignments and Appointments of Board

Representation to Outside Agencies

Motion

The Board President will designate 2022 Standing Committee schedules and assignments to the Board.

2.9 Public Hearing

Proposed Ordinance No. 26 - Consideration to Increase the Compensation of the Board of Directors

Motion

Open Public Hearing and receive public comments on the proposed adoption of Ordinance No. 26, approving an increase in the Board of Director's per diem from \$237 to \$248 per day. After receiving public comments, the Board may move to close the Public Hearing and agendaize adoption of Ordinance No. 26 at the March 9, 2022 Regular Board meeting. If approved at the March 2, 2022 Regular Board meeting, the increase in the Director's per diem will take effect in 60 days (May 11, 2022).

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 Special Board Meeting of January 5, 2022 and the Regular Board Meeting of January 12, 2022.

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.

D. **Second Quarter Fiscal Year Financial Report (July 1 – December 31, 2021)**

Information Item

The Board will review the FY 2021-22 Second Quarter Financial Report for the period of July 1, 2021 through December 31, 2021.

E. **Resolution 2022-04 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 February 9 through March 9, 2022, pursuant to Brown Act provisions**

Motion

The Board will consider adopting Resolution 2022-04 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).

F. Resolution 2022-07 Requesting an Amendment to the District's List of Authorized Signers on the District's Local Agency Investment Fund (LAIF) account with the California State Treasurer's Office

Motion

The Board will consider approving Resolution 2022-07 requesting an amendment of the District's list of authorized signers on the District's Local Agency Investment Fund (LAIF) account with the California State Treasurer's Office.

4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Administrative Services Department – Anthony Emmert and Josh Perez

4.1 Monthly Administrative Services Department Report – Josh Perez and Daryl Smith

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

4.2 Monthly Engineering Department Report

Information Item

Summary report on the 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

4.3 Monthly Environmental Services Department Report

Information Item

Summary report on the 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.

Operations and Maintenance Department – Brian Collins

**4.4 Monthly Operation and Maintenance Department Report
Information Item**

Summary report 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

**4.5 Monthly Park and Recreation Department Report
Information Item**

Summary report 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

**4.6 Monthly Water Resources Department Report
Information Item**

Summary report 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).

**4.7 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 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

5. MOTION ITEMS (By Department)

Administrative Services Department – Anthony Emmert

5.1 Resolution 2022-05 A Resolution of the Board of Directors of United Water Conservation District Placing in Nomination Director Daniel C. Naumann as a Member of the Association of California Water Agencies (ACWA) Region 5 Board

Motion

The Board will consider adopting Resolution 2022-05, approving the nomination of Director Daniel C. Naumann to fill the vacancy for the Association of California Water Agencies (ACWA) Region 5 Board seat.

Engineering Department – Dr. Maryam Bral

5.2 Approve Submission of an Application to the United States Environmental Protection Agency (EPA) Water Infrastructure Finance and Innovation Act (WIFIA) Loan Program and Authorize the General Manager to approve the estimated application fee of \$125,000 in Support of the Santa Felicia Dam Safety Improvement Project

Motion

The Board will consider authorizing staff to submit an application to the United States Environmental Protection Agency (EPA) for the Water Infrastructure Finance and Innovation Act (WIFIA) low interest loan for \$62 million, including a 20 percent contingency, or not to exceed 49 percent of the total eligible cost of the Santa Felicia Dam Safety Improvement Project, and authorize the General Manager to approve the loan application fee of approximately \$125,000.

5.3 Resolution 2022-06 A Resolution of the United Water Conservation District Board of Directors supporting the submission of the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Round 1 application to the California Department of Water Resources

Motion

The Board will consider adopting Resolution 2022-06, supporting the submission of a 2021 Sustainable Groundwater Management Act (SGMA) grant program's SGMA Implementation Round 1 grant application to the California Department of Water Resources.

Operations and Maintenance Department – Brian Collins

5.4 Authorize an Amendment to the Bureau of Reclamation's Agreement for the Physical Modeling of the Hardened Ramp for the Freeman Expansion Project

Motion

The Board will consider authorizing an amendment to the Bureau of Reclamation's (BoR) agreement for the physical modeling of the Hardened Ramp for the Freeman Expansion Project in the amount of \$683,633.

5.5 Authorize an Amendment to the Iowa Institute of Hydraulic Research Contract for the Physical Modeling of the Vertical Slot for the Freeman Expansion Project

Motion

The Board will consider authorizing an amendment to the Iowa Institute of Hydraulic Research (IIHR) contract for the physical modeling of the Vertical Slot for the Freeman Expansion Project in the amount of \$1,004,495.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

8. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, March 9, 2022** 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)February 4, 2022 (time) 10:00am (attest) *Kris Sofley*
At: United Water Conservation District Headquarters, 1701 N. Lombard Street, Oxnard CA 93030

Posted: (date)February 4, 2022 (time) 10:10am (attest) *Kris Sofley*
At: 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.