



Board of Directors  
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Sheldon G. Berger, Vice President  
Lynn E. Maulhardt, Secretary/Treasurer  
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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, April 13, 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.

**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 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 Resolution 2022-18 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 2022-18, 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 2021-2022 salary and 2) a step increase to step 5 of the Tier One Management salary schedule, as well as 3) other compensation amendments, as deemed appropriate by the Board.

**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 March 9, 2022 and the Special Board Meeting of April 5, 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. Resolution 2022-16 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 April 13 through May 11, 2022, pursuant to Brown Act provisions**

**Motion**

The Board will consider adopting Resolution 2022-16 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. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

**Administrative Services Department – Brian Zahn and Josh Perez**

**4.1 Monthly Administrative Services Department Report – Josh Perez and Brian Zahn**

**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, Brian Zahn, Josh Perez**

**5.1 PUBLIC HEARING Combined Public Hearings regarding Proposed Orders to Cease Extraction of Groundwater at Well No. 04N19W31N03S, Well No. 03N20W10D02S, and Well No. 02N21W17M03S (Water Code § 75637, subd. (b))**

The Board President will open the combined public hearings regarding extraction of groundwater at Well No. 04N19W31N03S (“Well N03S”), Well No. 03N20W10D02S (“Well D02S”), and Well No. 02N21W17M03S (“Well M03S” and collectively, the “Wells”) per Water Code section 75637, subdivision (b). After the Board hears a presentation from District staff, the Board will call for public comments first regarding Well N03S, then Well D02S, and then Well M03S. The Board will then close the public hearing.

After the combined public hearings are closed, the Board will consider adopting **Resolution 2022-09**.

**Resolution No. 2022-09 A Resolution of the Board of Directors of United Water Conservation District Ordering the Operator(s) of Well No. 04N19W31N03S (“Well N03S”), Well No. 03N20W10D02S (“Well D02S”), and Well No. 02N21W17M03S (“Well M03S” and collectively, the “Wells”) to Cease Extraction of Groundwater per Water Code Section 75637, Subdivision (b).**

**Motion**

The Board will consider approving **Resolution No. 2022-09** ordering the operator(s) of Well No. 04N19W31N03S (“Well N03S”), Well No. 03N20W10D02S (“Well D02S”), and Well No. 02N21W17M03S (“Well M03S” and collectively, the “Wells”) to cease extraction of groundwater due to delinquent groundwater extraction charges.

**Park and Recreation Department – Clayton Strahan**

**5.2 Resolution 2022-13 Approving the 2022 Lake Piru Recreation Area Fee Schedule, Fee Administration and Loyalty Rewards Program**

**Motion**

The Board will consider adopting Resolution 2022-13, approving the 2022 Lake Piru Recreation Area fee schedule, fee administration and loyalty rewards program, which if approved, will take effect July 1, 2022.

**Water Resources Department – Dan Detmer**

**5.3 PUBLIC HEARING**

**Opening 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 23, 2022 and has been available for public review and comment. This hearing will be opened and continued to the regular May 2022 and June 2022 Board meetings. At this meeting, staff will give a report about current groundwater conditions, and members of the public will be permitted to give testimony. At its June 8, 2022 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 first until Wednesday, May 11, 2022, and again to Wednesday, June 8, 2022. No Board decisions will be made until the final hearing on June 8, 2022.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, May 11, 2022** or call of the President.

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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) April 7, 2022

(time) 4:45p.m.

(attest) *Kris Sofley*

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

Posted: (date) April 7, 2022

(time) 4:30p.m.

(attest) *Kris Sofley*

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

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

Update

**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. 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.
- D. In re Sun Cress Distributors, Inc., United States Bankruptcy Court, Central District of California, Northern Division Case No.9:21-bk-11023-MB.
- E. California Water Impact Network v. City of San Buenaventura, Ventura County Case No. 56-2019-00532905-CU-WM-VTA, pending before the Court of Appeal of the State of California, Second Appellate District, Division 6, Court of Appeal No. B315362.

**2. PERSONNEL MATTERS**

**2.1 Public Employee Performance Evaluation**

(Government Code 54957) Title: General Manager