



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, June 8, 2022, 12:00 P.M.
Board Room, UWCD Headquarters
1701 N. Lombard Street, Oxnard CA 93030

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 Consider Cancellation of August Board Meeting
Motion**

As has been the District's tradition, the Board shall consider canceling its regular August 2022 Board meeting.

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 May 11, 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 2022-21 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 June 8, 2022 through July 7, 2022, pursuant to Brown Act provisions
Motion**

The Board will consider adopting Resolution 2022-21 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).

3.E Resolution 2022-26 Authorizing Brian Zhan and Daryl Smith as Signatures for Fiscal Year 2022-23 through the County Auditor's Office Local Agencies Form and Wire Transfers Form

Motion

The Board will consider adopting Resolution 2022-26, approving the District's Chief Financial Officer Brian Zahn and Controller Daryl Smith as authorized signers on the District's accounts with the Ventura County Auditor's Office and approving the completed Local Agencies Form and Wire Transfers Form as requested by the County's Auditor-Controller.

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)

Water Resources Department – Dr. Maryam Bral and Dan Detmer

5.1 PUBLIC HEARING Conclusion of Annual Groundwater Hearing, Acceptance of Public Comment and Setting of 2022-23 Zones and Extraction Charges

Motion

In accordance with Part 9 of Division 21 of the California Water Code (Section 75500 et seq.), 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 Board on March 23, 2022 and has been available for public review and comment. This hearing was opened on April 13, 2022 and continued until May 11, 2022, at which time it was again continued to June 8, 2022. During the hearing, the Board will receive information from District staff and consultant(s) in support of the establishment of zone(s) within the District and levying of groundwater extraction charges within such zone(s). Public comment will also be accepted. No Board decisions have yet been made. The Board may choose to conclude the hearing today and consider acting to establish zone(s) within the District and to levy groundwater extraction charges within such zone(s) for the 2022-23 water year.

Resolution 2022-22

Making Findings and Determinations from the Evidence Submitted Concerning the Groundwater Conditions of United Water Conservation District.

Motion

Resolution 2022-23

Making Additional Findings and Determinations from the Evidence Submitted Concerning Groundwater Conditions of United Water Conservation District, Determining and Establishing Groundwater Extraction Charge Zones and Levying, Assessing and Fixing Groundwater Extraction Charges against All Persons Operating Groundwater Producing Facilities within Such Zones for the 2022-23 Water Year

Motion

Administration Services – Brian Zahn and Josh Perez

- 5.2 Resolution 2022-24 Adopting the Proposed District Budget Plan, Financial Policies, Overhead Allocation Method, Staffing Levels and Salary Schedules for Fiscal Year 2022-23 and Appropriation Carryovers for Fiscal Year 2021-22**

Motion

The Board will consider adoption of Resolution 2022-24, adopting the proposed District Budget Plan, Fiscal Policies, Overhead Allocation Method, Staffing Levels and Salary Schedules for Fiscal Year 2022-23 and Appropriation Carryovers for Fiscal Year 2021-22.

- 5.3 Resolution 2022-25 A Resolution of the Board of Directors of UWCD Requesting the Auditor-Controller to Compute and Affix a Tax Rate for the Fiscal Period 2022-23 Sufficient to Satisfy the State Water Project Charges**

Motion

The Board will consider adoption of Resolution 2022-25, requesting the County Auditor-Controller to compute and affix a tax rate for FY 2022-23 to provide approximately \$2,099,000 in property tax revenue sufficient to satisfy a portion of the voter approved debt for State Water Project costs.

- 5.4 Consolidate District’s 457 Plan with Lincoln Finance Group**

Motion

The Board will consider the benefits of consolidating the District’s 457 plan(s), currently available and offered to active and retired employees of the District. At present, the District has two providers of 457 plans -- Lincoln Financial Group and Empower. Staff is recommending the Board consolidate these plans by authorizing the General Manager and/or his designee to formally transition all current participants into a single modernized 457 plan with Lincoln Financial Group.

Environmental Services Department – Linda Purpus

- 5.5 Resolution 2022-27 Approving Adoption of the California Environmental Quality Act (CEQA) Notice of Exemption and the Approval of the Information Collection for the Proposed Extraction Barrier and Brackish Water Project**

Motion

The Board will consider adopting Resolution 2022-27, adopting the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) for the Information Collection for the Proposed Extraction Barrier and Brackish Water Project (Project), approving the Project, and directing staff to file the NOE in accordance with CEQA.

Engineering Department – Dr. Maryam Bral

- 5.6 Resolution 2022-28 A Resolution of the United Water Conservation District Board of Directors Authorizing Entering Into a Funding Agreement with the State Water Resources Control Board and Authorizing and Designating United Water Conservation District’s General Manager For the Phase 1 Pumping of Coastal Brackish Groundwater Wells to Control Seawater Intrusion, Oxnard Basin Project**

Motion

The Board will consider adopting Resolution 2022-28, which is necessary to support the District’s submission of a 2022 Groundwater Grant Program Implementation Round 3 grant application to the State Water Resources Control Board.

Operations and Maintenance Department – Brian Collins

- 5.7 Authorize the Supplemental Appropriation of Funds to Purchase a Replacement Pump for the Pumping Trough Pipeline (PTP) Reservoir**

Motion

The Board will consider recommending approval of the motion item, authorizing a supplemental appropriation in the amount of \$189,000 to support the unbudgeted purchase of a replacement pump and electrical motor for the Pumping Trough Pipeline (PTP) Reservoir, which includes a 10% contingency.

Administration Services – Brian Zahn and Josh Perez

- 5.8 UWCD Proclamation presented to Director Edwin T. McFadden III**
Ceremonial Item

The Board will present a UWCD Proclamation to Director Edwin T. McFadden III in recognition of nearly nine years of service to the United Water Conservation District in his role as Director of Division 1 and, for the past five years, his additional service as the UWCD Member Director to the Fillmore and Piru Basins Groundwater Sustainability Agency.

- 5.9 Appointment of Director for Division 1**

Motion

The Board will consider appointment of a new Director to the Division 1 seat.

- 5.10 New Division 1 Director Oath of Office**

Motion

The newly appointed Director for Division 1 will take an Oath of Office administered by the Clerk of the Board.

- 6. BOARD OF DIRECTORS READING FILE**

- 7. FUTURE AGENDA ITEMS**

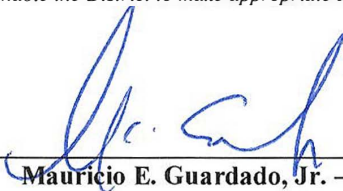
8. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, July 13, 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) June 2, 2022

(time) 4:30p.m.

(attest) *Kris Sofley*

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

Posted: (date) June 2, 2022

(time) 4:45p.m.

(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), one (1) 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. UWCD v United States, U.S. Court of Federal Claims, Case No. 22-542L; Complaint for Just Compensation under the 5th Amendment.