



Board of Directors  
Bruce E. Dandy, President  
Sheldon G. Berger, Vice President  
Lynn E. Maulhardt, Secretary/Treasurer  
Mohammed A. Hasan  
Catherine P. Keeling  
Gordon Kimball  
Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

**AGENDA**  
**REGULAR BOARD MEETING**

**Wednesday, March 8, 2023, 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.

**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 May 2023 Board Meeting Date Change**

**Motion**

The Board will consider authorizing a change of date for the District's regular May 2023 Board meeting from Wednesday, May 10, to Wednesday, May 17, 2023, to accommodate Board members participation at the Association of California Water Agencies Spring Conference May 9 through 11, in Monterey, CA.

**2.8 Ordinance No. 27 - Consideration to Increase the Compensation of the Board of Directors**

**Motion**

A Public Hearing was held on February 8, 2023 as part of the Regular UWCD Board of Directors meeting. No public comments on the proposed Ordinance No. 27 were offered at that time. The Public Hearing was closed and President Dandy asked the Board for a motion to agenda consideration of adoption of Ordinance 27, approving an increase in the Board of Director's per diem from \$248 to \$260 per day at its March 8 Board meeting. The motion passed with six Directors voting in favor of agendaing Ordinance 27 and one Director voting not to agenda Ordinance 27. If Ordinance 27 is approved at the March 8 Board meeting, the increase in the Director's per diem will take effect in 60 days (May 8, 2023).

**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 February 8, 2023 and the Special Board Meeting – Board Norms Workshop of February 9, 2023.

**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. FY 2022-23 Second Quarter Financial Report and Request of Budget Modifications**

**Motion**

The Board will receive and review the FY 2022-23 Second Quarter Financial Report for the period of July 1, 2022, through December 31, 2022, and consider approving the motion for modifications to the FY 2022-23 budget.

**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 Administrative Services 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) and the activities of the three local Groundwater Sustainability Agencies (GSAs) – 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

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

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

**5.1 January 2023 Storm Damage Cleanup, Contracts with McNabb Construction Inc. and Summer Construction Inc. for Debris Removal at the Lake Piru Recreation Area**

**Motion**

The Board will consider approving the motion to approve the District's use of the \$6,184,000 Replacement, Capital Improvement and Environmental Project reserve to fund the clean-up efforts at the Lake Piru Recreation Area. The supplemental appropriation for the first two contracts would be \$1,254,400 and once the District is reimbursed by FEMA, the funds will be returned to the reserve.

**5.2 Agreement with Santa Clarita Valley Water Agency for Coordinated Delivery of State Water Project Water Supplies**

**Motion**

The Board will consider approving the motion authorizing the General Manager to enter into an agreement with Santa Clarita Valley Water Agency for coordinated deliveries of State Water Project water supplies.

**5.3 Freeman Diversion Budget Transfer and Inter-fund Loan Request**

**Motion**

The Board will consider approving the below budget transfer and Inter-fund Loan for the FY 2022-23 budget to fund additional work required for the Freeman Diversion project.

**Engineering Department – Dr. Maryam Bral**

**5.4 Authorize Approval of the Draft Agreement between the City of San Buenaventura, United Water Conservation District, and Calleguas Municipal Water District for Construction and Operation of an Interconnection to Convey Water between the Water Systems; and Authorize the General Manager to Execute the Final Agreement.**

**Motion**

The Board will consider approving the draft agreement between the City of San Buenaventura, United Water Conservation District, and Calleguas Municipal Water District for Construction and Operation of an Interconnection to convey water between the water systems; and authorize the General Manager to execute the final agreement upon District's legal counsel review and approval of the final language, should any changes be made by any of the participating agencies.

**5.5 Contract Amendment to the Engineering Design Support Contract with Stantec Consulting Services, Inc. for the Vertical Slot Fish Passage Alternative**

**Motion**

The Board will consider approval of the motion authorizing the General Manager to execute an amendment to the professional consulting services agreement with Stantec Consulting Services, Inc. (Stantec) in the amount of \$91,756 to provide continued engineering design support of the Vertical Slot as a Freeman Diversion Fish Passage Facility alternative.

**Environmental Services Department – Linda Purpus**

**5.6 Resolution 2023-05 Determining that Emergency Work at Reasoner Creek is Exempt from the Provisions of the California Environmental Quality Act and Approving Emergency Work at Reasoner Creek**

**Motion**

The Board will consider approving Resolution 2023-05, determining that Emergency Work at Reasoner Creek (“Project”) is exempt from the provisions of the California Environmental Quality Act (“CEQA”), approving the Project, and directing staff to file a Notice of Exemption in accordance with CEQA.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, April 12, 2023** 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: 

**Anthony Emmert, Assistant General Manager of behalf of GM Mauricio E. Guardado, Jr.**

**Posted: (date)** March 3, 2023

**(time)** 9am

**(attest)** *Kris Sofley*

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

**Posted: (date)** March 3, 2023

**(time)** 9:15am

**(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), 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. United Water Conservation District v United States, U.S. Court of Federal Claims, Case No. 22-542L; Complaint for Just Compensation under the 5<sup>th</sup> Amendment.
- E. United Water Conservation District v. California Fish and Game Commission, Los Angeles County Superior Court Case No. 2STCP02661; Petition for Writ of Mandate (CESA)
- F. State of California-Department of Transportation v. United Water Conservation District and Southern California Edison, Superior Court of the State of California, County of Ventura, Case No. 56-2023-00575593-CU-EI-VTA; Complaint in Eminent Domain (parcels 81216-1 and 81216-2)