



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

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

MINUTES
REGULAR BOARD MEETING
Wednesday, March 13, 2024, 12:00 p.m.
Board Room, UWCD Headquarters
1701 N. Lombard Street, Oxnard CA 93030

ROLL CALL

Present: Directors Hasan, Maulhardt, Kimball, Keeling, and President Berger

Absent: None

1. FIRST OPEN SESSION: 12:00 p.m.

1.1 Public Comments: None

1.2 EXECUTIVE (CLOSED) SESSION: 12:01 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: 1:04 p.m.

2.1 Pledge of Allegiance: Director Hasan

2.2 Public Comment: Margie Bartels

2.3 Approval of Agenda

Action: M/S/C (Keeling/Maulhardt) to approve the agenda.

Voice Vote: All Ayes

2.4 Oral Report Regarding Executive (Closed) Session

District Legal Counsel David D. Boyer stated there was no reportable action.

2.5 Board Members' Activities Report

Received and filed.

2.6 General Manager's Report

Received and filed.

3. CONSENT CALENDAR

3.1 Approval of the February 14, 2024, Regular Meeting Minutes

Action: M/S/C (Maulhardt/Hasan) to approve the minutes.

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes:
None; Absent: None

3.2 Groundwater Basin Status Reports

Receive and filed.

3.3 Monthly Investment Reports for Month Ending January 31, 2024

Receive and filed.

3.4 Fiscal Year Second Quarter 2023-2024 Financial Reports (October 1, 2023 – December 31, 2023)

Receive and filed.

4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

4.1 Operations and Maintenance Department Monthly Report

Chief Operations Officer Craig Morgan gave the presentation.

4.2 Park and Recreation Department Monthly Report

No presentation given.

4.3 Water Resources Department Monthly Report and Update on Activities of Local Groundwater Sustainability Agencies (GSAs)

Senior Hydrologist Bram Sercu gave the presentation.

4.4 Administrative Services Department Monthly Report

Chief Financial Officer Brian Zahn and Chief Human Resources Officer Josh Perez gave the presentation.

4.5 Engineering Department Monthly Report

No presentation was given.

Public speaker: Bert Perello

4.6 Environmental Services Department Monthly Report

No presentation was given.

5. MOTION ITEMS

Finance Department – Brian Zahn

5.1 PUBLIC HEARING

Proposed Order to Cease Extraction of Groundwater at Well No. 03N20W02H05S (Water Code § 75637, subdivision (b))

The Public Hearing was opened.

Assistant General Manager Tony Emmert gave the staff report.

No public speakers.

The Public Hearing was closed.

Action: M/S/C (Hasan/Keeling) to approve Resolution No. 2024-02 ordering an operator of Well No. 03N20W02H05S to cease extraction of groundwater due to delinquent groundwater extraction charges.

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes: None; Absent: None

Finance Department – Brian Zahn

5.2 Approve a Payment Plan for Southside Improvement Company January 2024 Groundwater Billing

Action: M/S/C (Maulhardt/Kimball) to approve a payment plan for Southside Improvement Company’s January 2024 Groundwater billing.

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes: None; Absent: None

Engineering Department – Dr. Maryam Bral

5.3 Authorize Approval of a Professional Consulting Services Agreement with Stantec Consulting Services, Inc. to Develop the 30% Design of the Lake Piru Recreation Area Facilities Improvement Project – Lake Piru Recreation Area Facilities Improvement Project (CIP 8055)

Action: M/S/C (Maulhardt/Keeling) to authorize the General Manager to execute an agreement with Stantec Consulting Services, Inc., in the amount of \$407,000 to develop the 30% design package of the Lake Piru Recreation Area Facilities Improvement Project (CIP 8055).

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes: None; Absent: None

Engineering Department – Dr. Maryam Bral

5.4 Authorize Approval of a Construction Contract with ABC – Liovin Drilling, Inc. for EBB Phase 1 Monitoring Wells (CIP 8019)

Action: M/S/C (Maulhardt/Hasan) to authorize the General Manager to award a construction contract to the lowest responsive bidder, ABC Liovin Drilling Inc, in the amount of \$2,746,539 [\$2,692,685 plus 2% contingency] for the construction of the Extraction Barrier Brackish Water Treatment Phase 1 Monitoring Wells. A California Department of Water Resources Sustainable Groundwater Management Round 1 grant will offset approximately 40% of project costs.

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes: None; Absent: None

Administration Services Department – Tracy Oehler

5.5 Director Vacancy - Division 6

Action: M/S/C (Kimball/Hasan) to open the recruitment process to have an individual fill the vacancy.

Vote: Ayes: Hasan, Keeling, Kimball, Maulhardt, and Berger; Noes: None; Absent: None

Administration Services Department – Tracy Oehler

5.6 Conduct Board of Directors Division 5 Applicant Interviews and Select an Applicant for Appointment

Separate interviews were conducted with the two applicants: Steve Huber and Don Villafana. Discussion by the Board followed.

UWCD Board of Directors Meeting Minutes

March 13, 2024

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Action: M/S/C (Keeling/Kimball) to select Steve Huber to be appointed to fill the Board of Directors Division 5 vacancy with the term of office ending December 2024.

Vote: Ayes: Keeling, Kimball, Maulhardt, and Berger; Noes: Hasan; Absent: None

6. BOARD OF DIRECTORS READING FILE

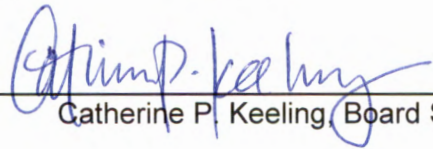
7. FUTURE AGENDA ITEMS

8. ADJOURNMENT

The meeting was adjourned at 3:22 p.m.

I certify that the above is a true and correct copy of the minutes of the UWCD Board of Directors meeting of March 13, 2024.

ATTEST:



Catherine P. Keeling, Board Secretary

ATTEST:



Tracy J. Oehler, Clerk of the Board

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) cases.

1.2 Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9 (d)(1)

- A. 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).
- B. 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.
- C. United Water Conservation District v United States, U.S. Court of Federal Claims, Case No. 22-542L; Complaint for Just Compensation under the 5th Amendment.
- D. State of California Department of Transportation v. Santa Elena Farms, LLC, County of Ventura, Case No. 2024CUE1019827 (assigned to Department 41); Complaint in Eminent Domain (Parcels 81213-1, 81213-2, and 81213-3).



United Water
CONSERVATION DISTRICT

BOARD OF DIRECTORS MEETING
March 13, 2024

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OPERATIONS AND MAINTENANCE DEPARTMENT UPDATE



March 13, 2024

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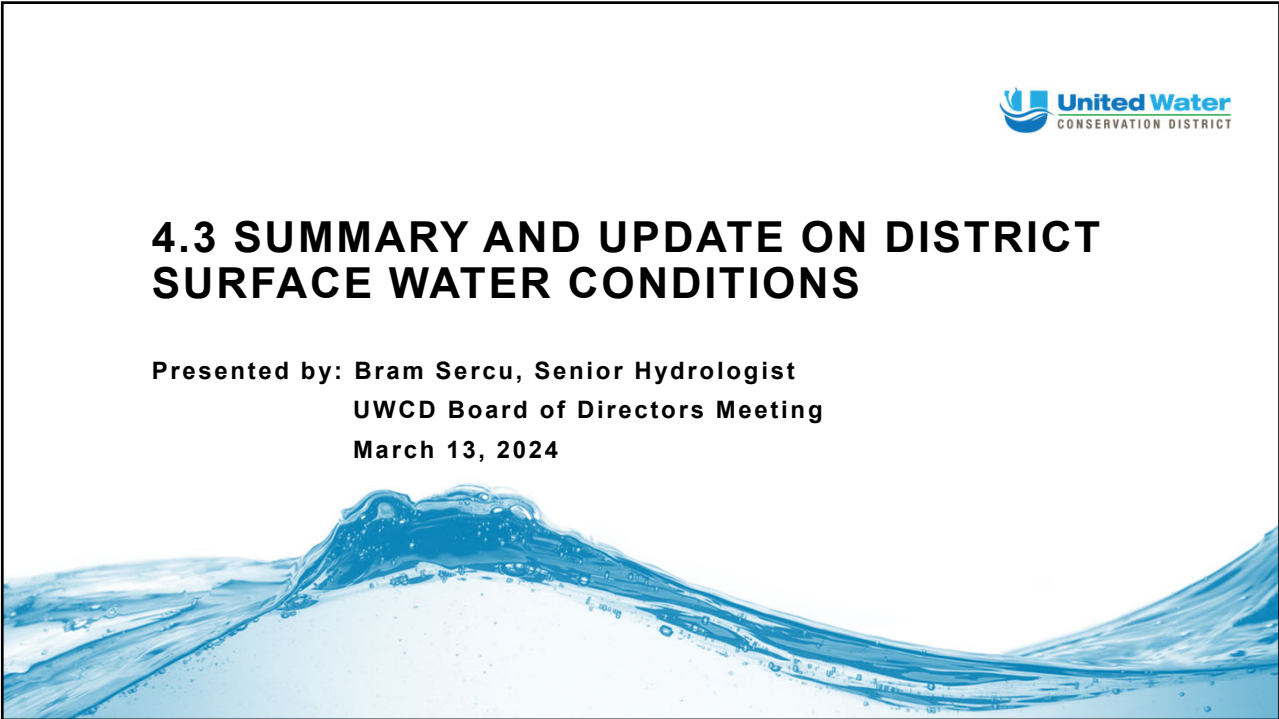
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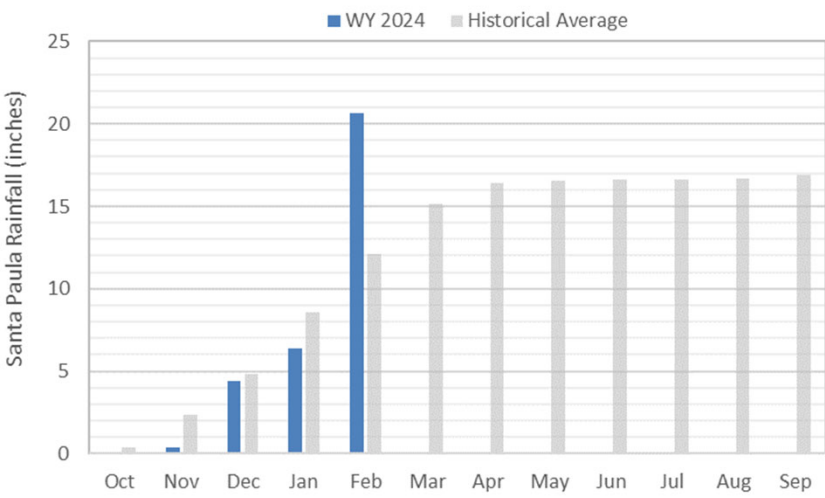


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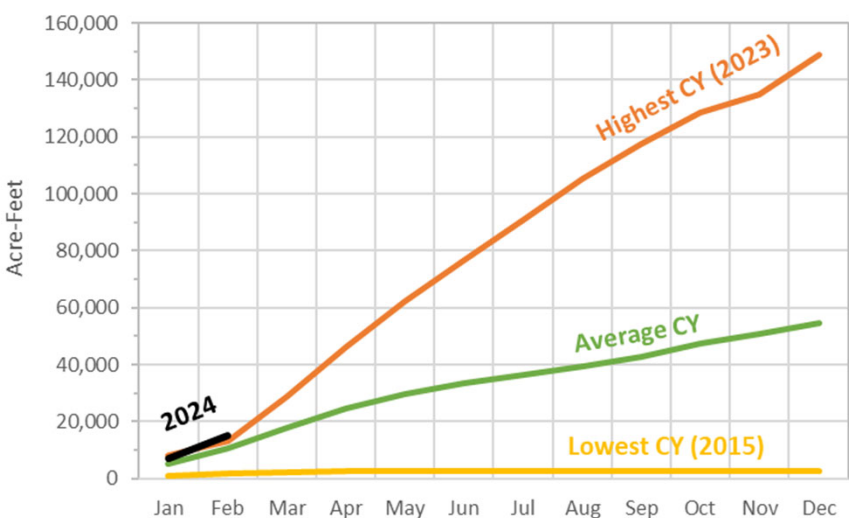
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Seasonal Rainfall

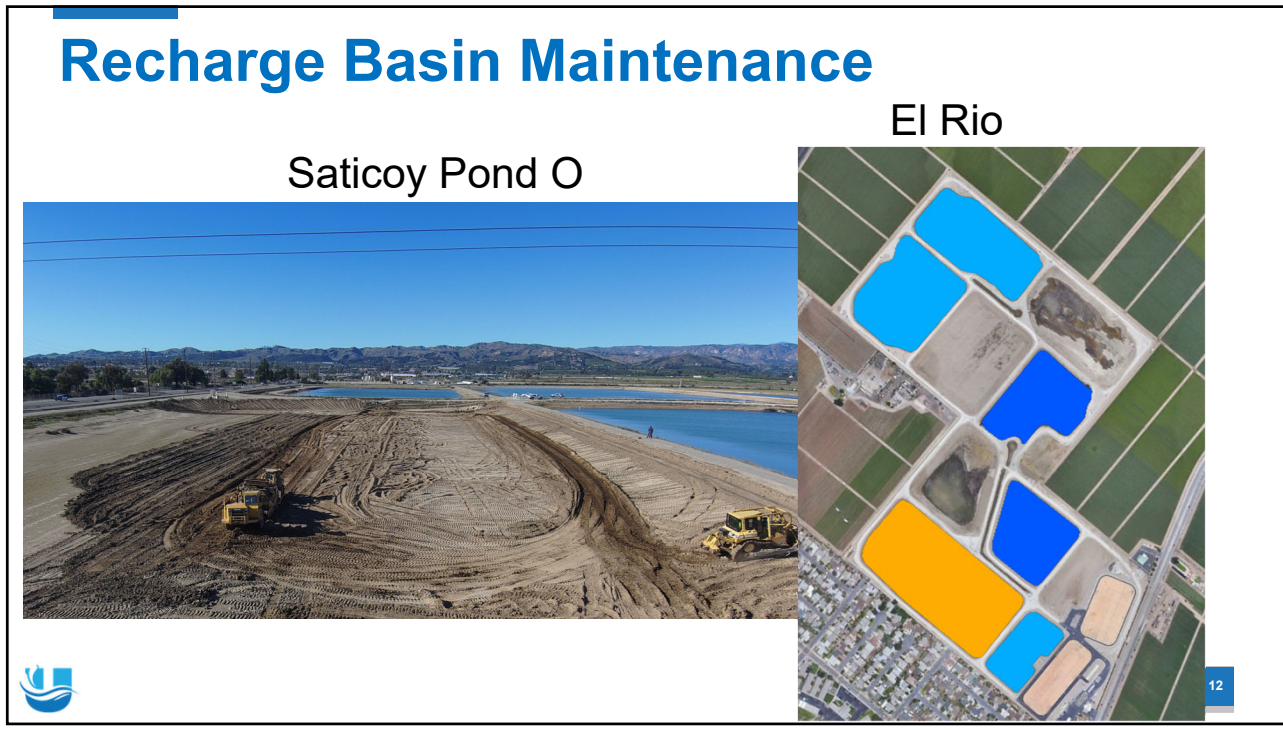
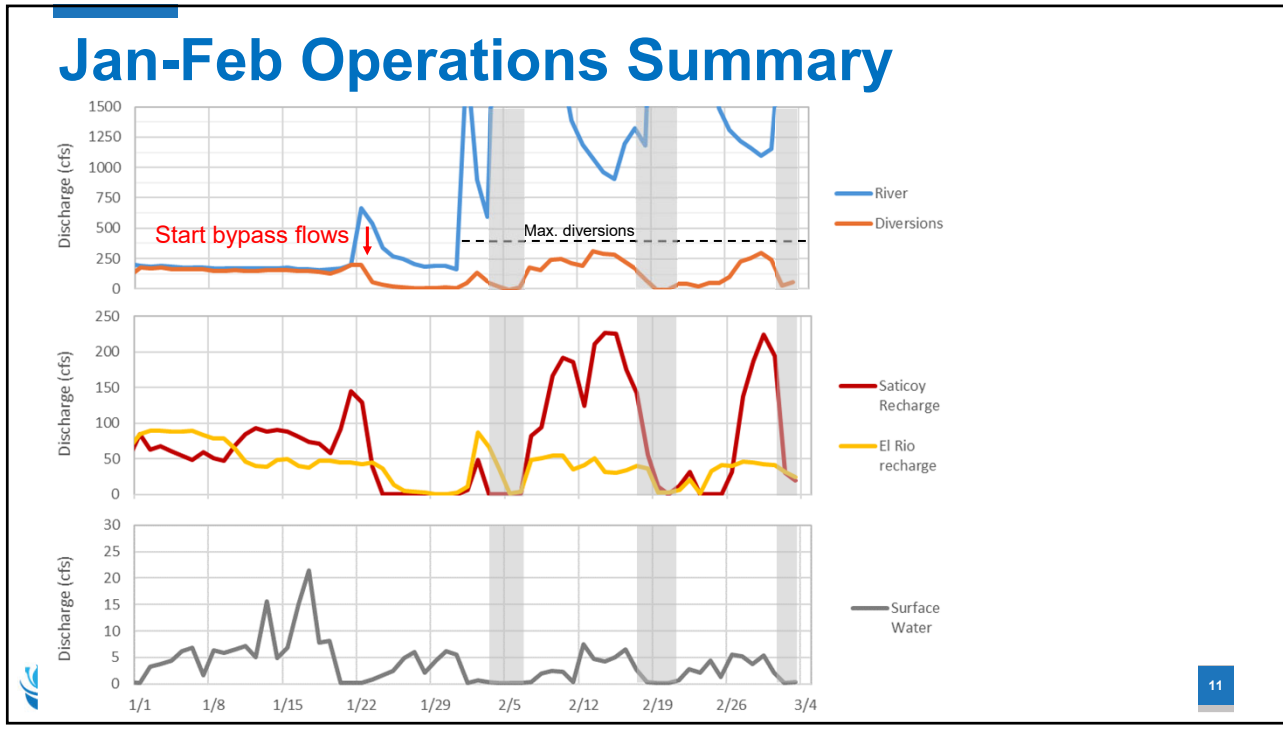


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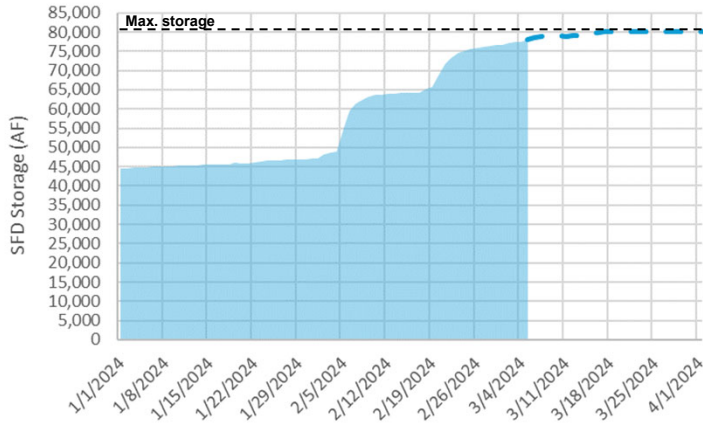
2024 CY Diversions



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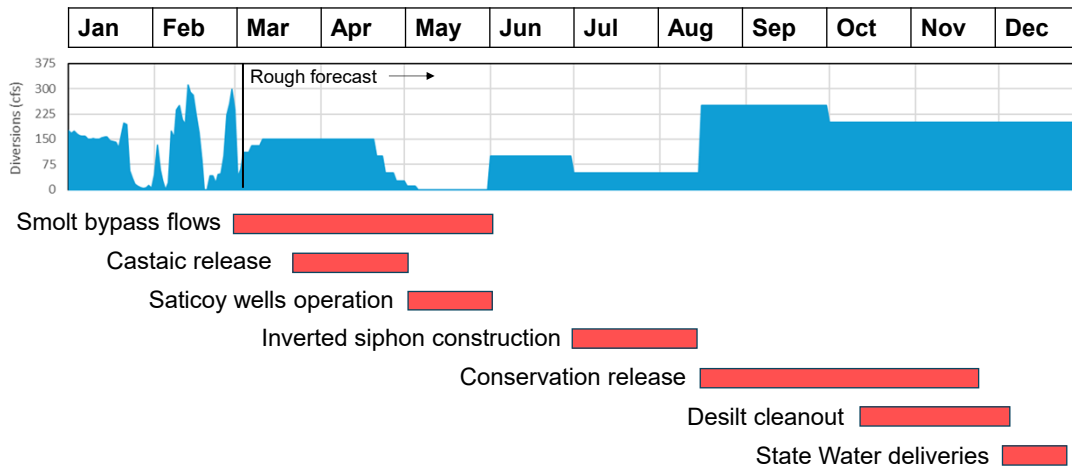
Lake Piru almost full



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WY 2024 Planning*



*Tentative approximate schedule for planning purposes

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Questions?

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Finance
Department
Q2 2023-24
Financial Review

MARCH 13, 2024

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Highlights

FEMA REIMBURSEMENT AND GRANTS REVENUE DRIVE UNFAVOURABILITY TO BUDGET



REVENUE

Total operating revenue is \$3.2M or 35% unfavorable to budget.

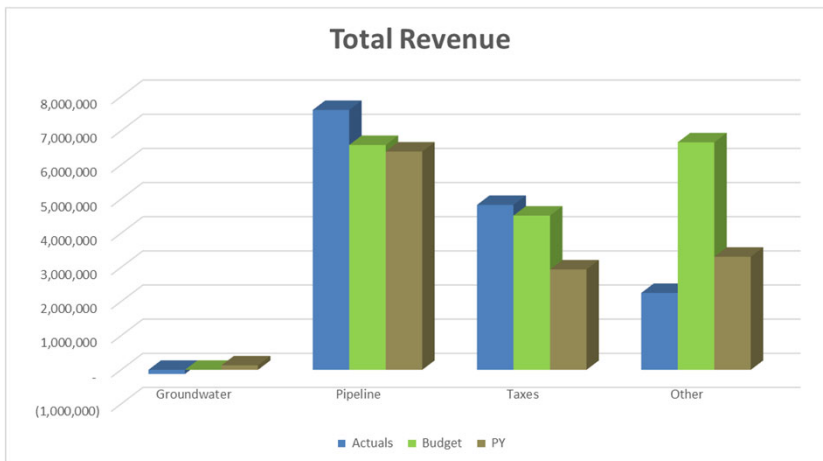
- Pipeline revenue is favorable to budget by \$1.0M or 16%.
- Groundwater revenue is flat to budget (first billing in January 2024).
- Taxes are flat to budget by \$0.3M or 7%.
- Other Operating Revenue is flat to budget by \$55K or 13%.
- Non-Operating Revenue is unfavorable to budget by \$4.4M or 70% primarily due \$2.0M in FEMA reimbursement and \$0.6M in State Grants that did not materialize yet along with \$3.0M due to funding not requested yet from the WIFIA loan which is off-set by positive variances in Interest income.

| in \$000's | Q2 FY23-24 Actual | Q2 FY23-24 Budget | Q2 FY22-23 Actual |
|---------------------------|-------------------|-------------------|-------------------|
| Taxes | 4,830 | 4,517 | 2,940 |
| Water Delivery/Fixed Cost | 7,610 | 6,585 | 6,393 |
| Groundwater | (120) | - | 132 |
| Other Operating Revenue | 382 | 437 | 354 |
| Non-Operating Revenue | 1,870 | 6,226 | 2,959 |
| Total Revenue | \$ 14,572 | \$ 17,766 | \$ 12,778 |

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Total Revenue



- Groundwater revenue starts in January 2024.
- Pipeline favorable \$1.0M or 16%
- Taxes favorable \$313K or 7%
- Other Revenue unfavorable \$3.0M or 70%

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Highlights

PROFESSIONAL FEES AND CAPITAL SPEND DRIVE FAVORABILITY TO BUDGET

EXPENDITURE

Total expenditures are \$14.3M or 39% favorable to budget.

- Professional and legal fees are favorable to budget \$0.6M or 7% due to underspending across all departments.
- Operations expenses are below budget \$11.0M or 50% due completely to favorable Capital spend \$11.1M (design, construction and CEQA permits).

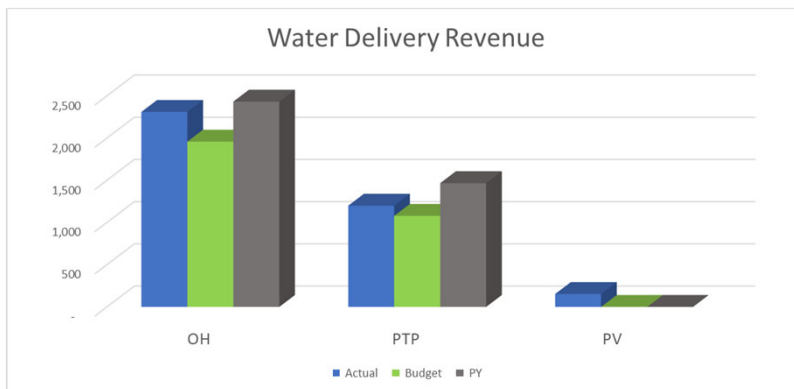
| in \$000's | Q2 FY23-24 Actual | Q2 FY23-24 Budget | Q2 FY22-23 Actual |
|--------------------------|-------------------|-------------------|-------------------|
| Personnel Expense | 7,150 | 7,723 | 5,937 |
| Professional Fees | 4,558 | 4,887 | 1,366 |
| Operating Expense* | 10,874 | 21,849 | 2,989 |
| Allocated Overhead | 2,604 | 3,554 | 2,318 |
| Debt Service | 296 | 1,515 | 83 |
| Other | 1,466 | 1,690 | 1,020 |
| Total Expenditure | \$ 26,947 | \$ 41,217 | \$ 13,713 |

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Pipeline Revenue

EXCLUDING IN-LIEU OF PUMPING CHARGES

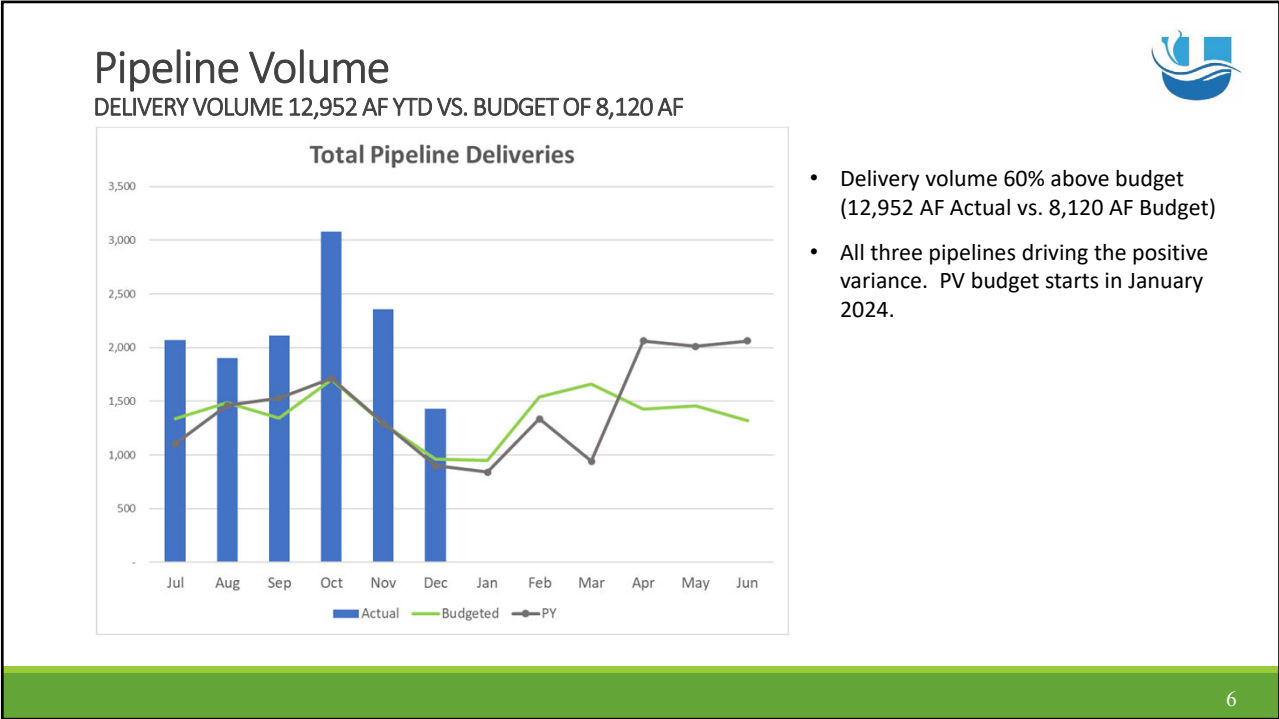


- Pipeline revenue up 21% against the budget
- OH 18% favorable
- PTP 11% favorable
- PV exceeding budget

| Pipeline | Actual | Budget | PY | vs Budget | vs PY | % var Budget | % var PY |
|----------|-----------------|-----------------|-----------------|---------------|-----------------|--------------|------------|
| OH | 2,310 | 1,957 | 2,432 | 352 | (122) | 18% | -5% |
| PTP | 1,199 | 1,078 | 1,466 | 121 | (267) | 11% | -18% |
| PV | 153 | - | - | 153 | 153 | #DIV/0! | 0% |
| | \$ 3,662 | \$ 3,036 | \$ 3,898 | \$ 626 | \$ (236) | 21% | -6% |

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Personnel Expenses

| \$000's | Q2 2023-24 Actual | Q2 2023-24 Budget | PY Actual | Var to Budget | % Var to Budget | Var to PY | % Var to PY |
|---------------------------|-------------------|-------------------|-----------------|---------------|-----------------|-----------------|-------------|
| Regular Salary | 4,309 | 4,537 | 3,451 | 228 | 5% | 858 | 25% |
| Over-time Salary | 116 | 129 | 81 | 12 | 10% | 35 | 44% |
| Part-time | 229 | 291 | 153 | 63 | 21% | 76 | 50% |
| Salaries | \$ 4,654 | \$ 4,957 | \$ 3,685 | 303 | 6% | \$ 969 | 26% |
| Retirement- Classic | 1,279 | 960 | 349 | (319) | -33% | 930 | 266% |
| Retirement - PEPRA | 174 | 172 | 1,096 | (2) | -1% | -922 | -84% |
| Soc Sec/457b Expense | 242 | 272 | 191 | 30 | 11% | 51 | 27% |
| Medicare Expense | 66 | 70 | 53 | 4 | 6% | 13 | 25% |
| SUI Expense | 3 | 10 | 1 | 7 | 67% | 2 | 236% |
| Medical Ins Exp | 488 | 602 | 381 | 114 | 19% | 107 | 28% |
| LTD | 13 | 12 | 10 | (1) | -11% | 3 | 30% |
| Life Insurance | 11 | 15 | 10 | 4 | 27% | 1 | 11% |
| Worker's Comp Expense | 124 | 156 | 93 | 32 | 20% | 31 | 34% |
| OPEB | 30 | - | 31 | (30) | 0% | -1 | -2% |
| Deferred Comp | 33 | 12 | 38 | (21) | -175% | -5 | 0% |
| Other | 31 | 484 | - | 453 | 0% | 31 | 0% |
| Employee Benefits | \$ 2,495 | \$ 2,766 | \$ 2,253 | 271 | 10% | \$ 242 | 11% |
| Personnel Expenses | \$ 7,150 | \$ 7,723 | \$ 5,938 | 574 | 7% | \$ 1,212 | 20% |

- Salaries are favorable to budget \$0.3M or 6%.
- Employee Benefits are favorable to budget \$0.2M or 10% primarily due to:
 - Medical Insurance Expense

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Operating Expenses

PROFESSIONAL AND LEGAL FEES DRIVE BUDGET FAVORABILITY



| 000's | Q2 2023-24 Actual | Q2 2023-24 Budget | PY Actual | Var to Budget | % Var to Budget | Var to PY | % Var to PY |
|-----------------------------------|----------------------|----------------------|-----------------|-------------------|--------------------|-----------------|----------------|
| Profess Fees - Engineering | 47 | 154 | 134 | (107) | -70% | (87) | -65% |
| Prof. Fees - Environmental | 528 | 1,270 | 244 | (742) | -58% | 284 | 116% |
| Prof. Fees - IT consulting | 29 | 74 | 10 | (46) | -62% | 19 | 185% |
| Prof. Fees - GW Consulting | 11 | 35 | 8 | (24) | -69% | 3 | 36% |
| Prof. Fees - Other | 494 | 1,196 | 252 | (702) | -59% | 242 | 96% |
| Professional Fees | \$ 1,108 | \$ 2,729 | \$ 648 | \$ (1,622) | -59% | \$ 460 | 71% |
| Legal Fees | \$ 3,450 | \$ 2,157 | \$ 719 | \$ 1,293 | 60% | \$ 2,731 | 380% |
| Utilities | 904 | 1,216 | 797 | (312) | -26% | 107 | 13% |
| Maintenance | 900 | 1,225 | 583 | (324) | -26% | 317 | 54% |
| Field Supplies | 511 | 511 | 23 | 0 | 0% | 488 | 2122% |
| Insurance | 777 | 498 | 696 | 279 | 56% | 81 | 12% |
| Office Expenses | 418 | 759 | 84 | (341) | -45% | 334 | 397% |
| Miscellaneous | 114 | 184 | 516 | (70) | -38% | (402) | -78% |
| Travel, Trainings and Meetings | 47 | 148 | 35 | (101) | -68% | 12 | 35% |
| Gasoline, Diesel, Fuel | 91 | 103 | 94 | (11) | -11% | (3) | -3% |
| Fox Canyon GMA | 142 | 269 | (81) | (127) | -47% | 223 | -276% |
| Safety, supplies, clothing | 75 | 68 | 73 | 7 | 11% | 2 | 100% |
| Telephone | 39 | 41 | 33 | (2) | -5% | 6 | 19% |
| General Operating Expenses | \$ 4,019 | \$ 5,020 | \$ 2,853 | \$ (1,001) | -20% | \$ 1,166 | 41% |
| State Water Import Costs | \$ 3,569 | \$ 2,139 | \$ 572 | \$ 1,430 | 67% | \$ 2,997 | 100% |
| Total Operating Expenses | \$ 12,147 | \$ 12,046 | \$ 4,792 | \$ 101 | 1% | \$ 7,355 | 153% |

- Professional Fees are favorable to budget by \$1.6M.
- Legal Fees are unfavorable to budget by \$1.2M.
- Operating Expenses are favorable to budget \$1.0M.
Key variances include:
 - Office Exp \$341K favorable
 - Maintenance \$324K favorable
 - Utilities \$312K favorable
 - Off-set by unfavorable Insurance \$279K
- State Water cost higher due to state water purchases.

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Top 10 Accounts Payable Vendors



| Vendor | Payment Amount |
|---|----------------|
| CITY OF VENTURA | \$ 2,054,686 |
| ATKINSON, ANDELSON, LOYA, RUUD AND ROMO | \$ 1,103,297 |
| GSE CONSTRUCTION COMPANY INC | \$ 601,057 |
| GEI CONSULTANTS, INC | \$ 592,586 |
| BAKERSFIELD WELL & PUMP C | \$ 584,965 |
| CASITAS MUNICIPAL WATER | \$ 543,807 |
| FOX CANYON GW MGMNT AGENC | \$ 356,734 |
| SO. CALIFORNIA EDISON | \$ 294,151 |
| PACIFIC VISTA LANDSCAPE SERVICES, INC. | \$ 184,892 |
| ASCENT ENVIRONMENTAL INC | \$ 171,464 |

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SUPPLEMENTAL WATER PURCHASE FUND STATUS UPDATE

| | <u>Revenue (\$000'S)</u> |
|---|--------------------------|
| Beginning Balance - July 1, 2023 | \$3,582 |
| Changes in Surcharge | \$517 |
| Other | \$0 |
| Ending Balance - December 31, 2023 | \$4,099 |



Questions

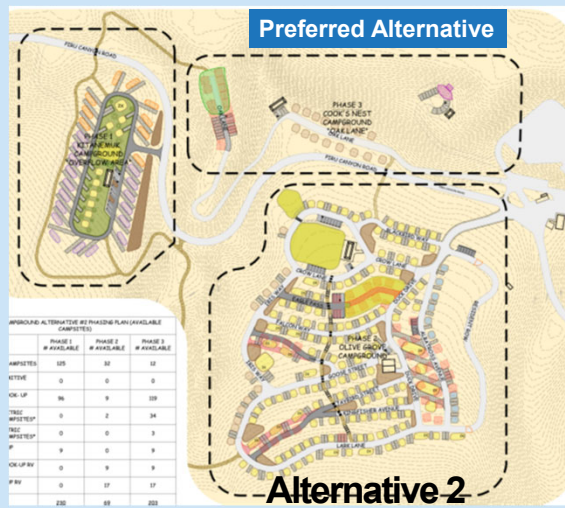
System Reliability and Fiscal Responsibility

Motion Item 5.3

Authorize Approval of a Professional Consulting Services Agreement with Stantec Consulting Services, Inc. to develop the 30% Design of the Lake Piru Recreation Area Facilities Improvement Project – (CIP 8055)

Draft Lake Piru Recreation Area Facilities Improvement Plan (FIP) was adopted by the Board in June 2023. Alternative 2 was selected to be advanced to 30 and 60% design levels.

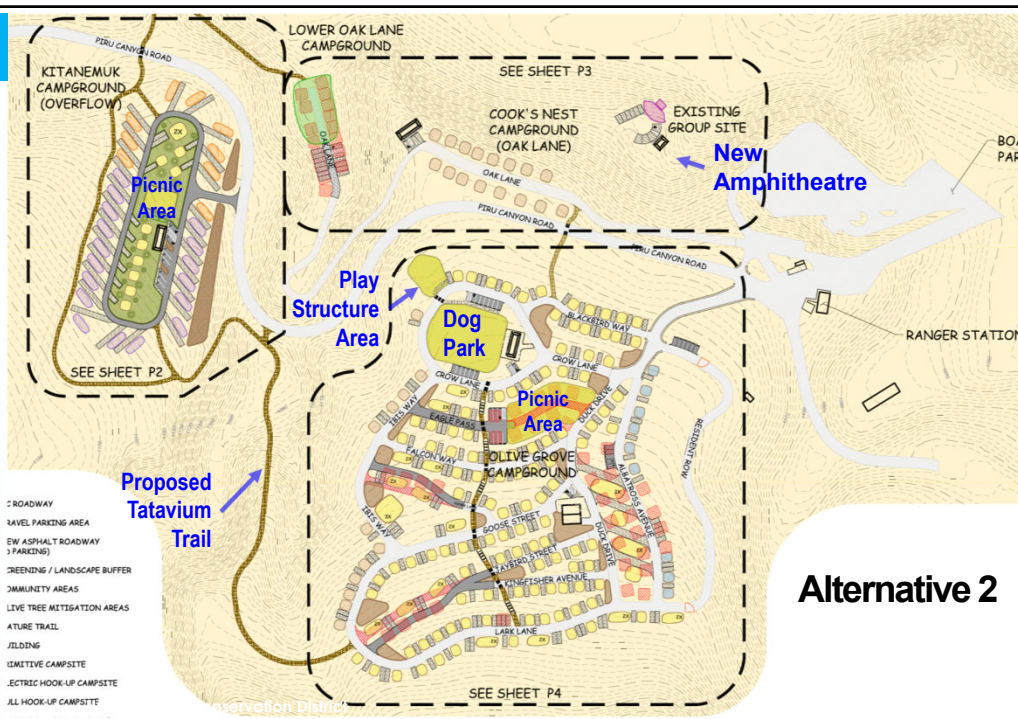
- 30% Design Package includes:
 - 30% Design Plans
 - Topographic Survey
 - Geotechnical Investigation
 - Electrical and Water Systems Analyses
- Contract Fee not to exceed \$407,000
- Completion: March to December 2024
- Sufficient funds available in FY 2024/25 budget to subsequently begin 60% design phase



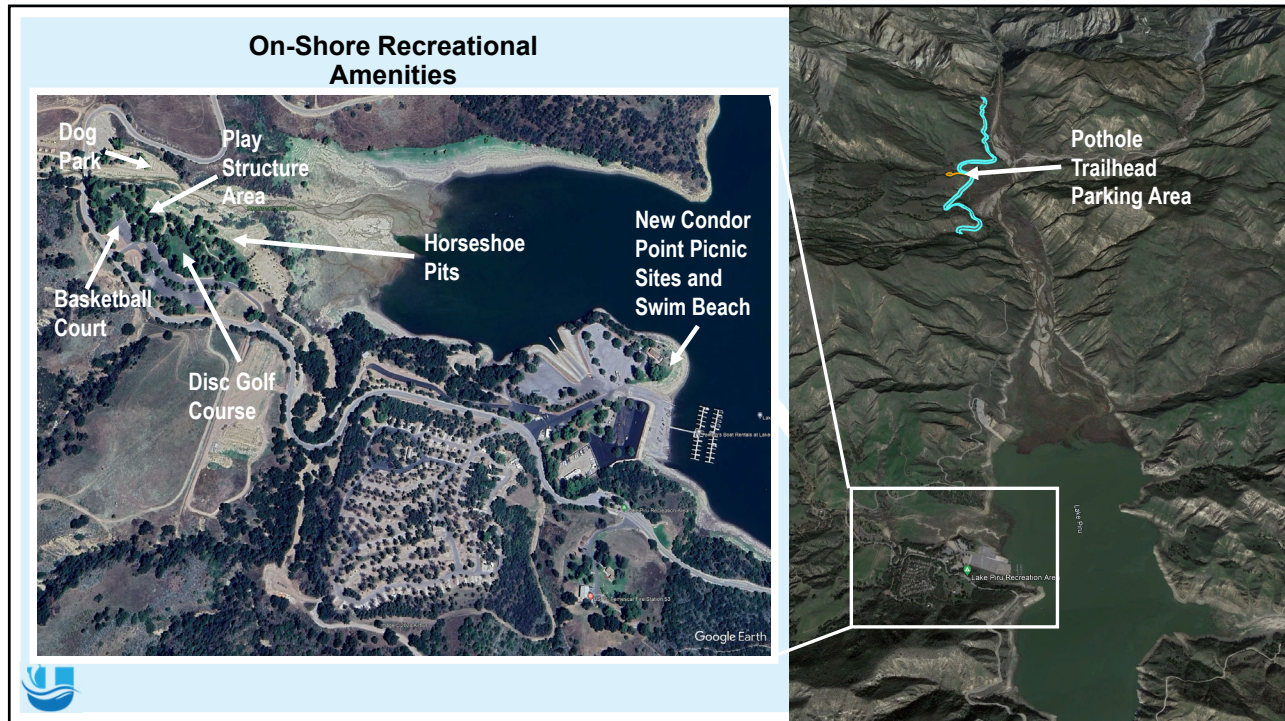
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System Reliability and Fiscal Responsibility

Motion Item 5.3



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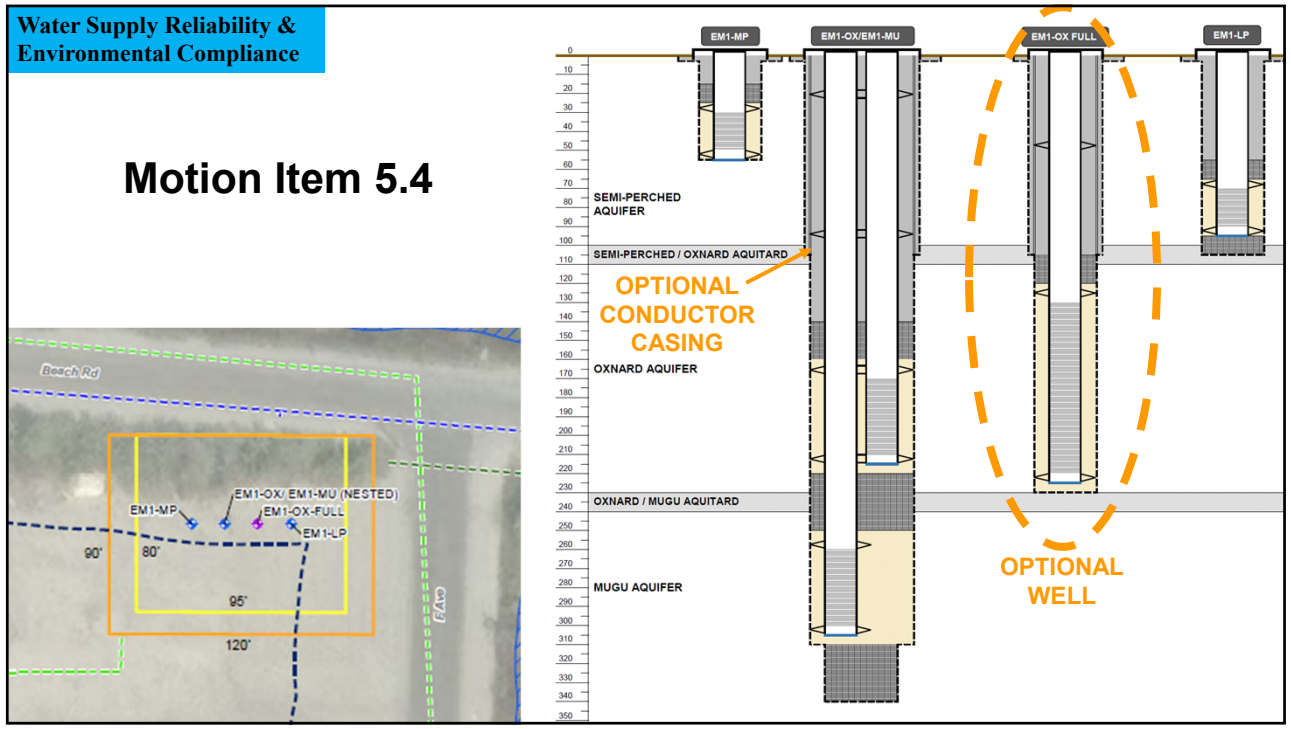
Water Supply Reliability & Environmental Compliance

Motion Item 5.4

Construction Contract with ABC – Liovin Drilling, Inc. for EBB Phase 1 Monitoring Wells (CIP 8019)

- Drilling, Construction and Development of 18 Monitoring Wells and 2 Test/Monitoring Wells
- ABC Liovin Drilling Inc. lowest responsive bid.
- Contract Fee not to Exceed \$2,746,539
- Grant Funding:
DWR SGM Phase 1 grant: \$1,317,900
- Sufficient funds available in FY 2023/24 budget

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