



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

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

AGENDA REGULAR BOARD MEETING

Wednesday, May 15, 2024, 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.

ROLL CALL

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 Executive (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
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 Standing Committee Assignments and Appointments of Board Representation to Outside Agencies**
Information Item
The Board President will designate the 2024 Standing Committee assignments to 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)**

 - 3.1 Approval of the April 10, 2024 Regular Meeting Minutes and the April 30, 2024 Special Meeting Minutes**
Motion
Approve the minutes.
 - 3.2 Groundwater Basin Status Reports**
Information Item
Deferred to June 2024 Board of Directors meeting.
 - 3.3 Monthly Investment Report for Month Ending March 31, 2024**
Information Item
Receive and review the most current investment report.
 - 3.4 Adopt Resolution No. 2024-05 Requesting the Board of Supervisors of the County of Ventura to Consolidate a Special District General Election**
Motion
Adopt Resolution No. 2024-05 requesting the Board of Supervisors of the County of Ventura to consolidate a Special District General Election to be held on Tuesday, November 5, 2024, with the Statewide General Election to be held on that date.

4. MONTHLY REPORTS BY DEPARTMENT

4.1 Operations and Maintenance Department Monthly Report

Craig Morgan

Information Item

Summary report and presentation 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.

4.2 Park and Recreation Department Monthly Report

Craig Morgan

Information Item

Summary report and presentation 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.

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

John Lindquist

Information Item

Summary report and presentations on the monthly activities of the Water Resources Department including but not limited to updates to the District's Groundwater Flow Model; reservoir releases; importation of State Water Project (SWP) water; optimization of diversion and recharge operations; hydrologic and well conditions; available Forebay storage; support of design of the Extraction Barrier and Brackish (EBB) Water Treatment Project; other potential water supply and sustainability water projects; outreach and educational activities; and various user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups) including 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).

4.4 Administrative Services Department Monthly Report

Josh Perez and Brian Zahn

Information Item

Summary report and presentation 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.

4.5 Engineering Department Monthly Report

Dr. Maryam Bral

Information Item

Summary report and presentation 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.

4.6 Environmental Services Department Monthly Report

Marissa Caringella

Information Item

Summary report and presentation 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.

5. MOTION ITEMS

Finance Department – Brian Zahn, Chief Financial Officer

5.1 Request from the City of Santa Paula to Waive Penalties and Interest Charges for Late Submission and Payment

Motion

Approve a request from the City of Santa Paula (City) to waive penalties and interest charges of \$25,299.82 for a late payment and filing for wells 03N21W09R05S, 03N21W11J02S, 03N21W15C06S, 03N21W16A02S, and 03N21W16A03S.

Finance Department – Brian Zahn, Chief Financial Officer

5.2 Request to Write-Off Unrecovered Fraud Payment

Motion

Approve writing off \$13,734.68 of unrecovered funds erroneously issued to a fraudulent individual claiming to be the employee of an established United Water Conservation District vendor.

Engineering Department – Dr. Maryam Bral, Chief Engineer

5.3 Adopt Resolution No. 2024-06 Determining that the Santa Felicia Dam 72-inch Butterfly Valve Redundancy and Seismic Resiliency Project (“Project”) is Exempt from the Provisions of the California Environmental Quality Act and Approving the Project

Motion

Adopt Resolution 2024-06 determining the Santa Felicia Dam 72-inch Butterfly Valve Redundancy Project is exempt from the provisions of the California Environmental Quality Act (CEQA) and approving the Project and directing staff to file a Notice of Exemption in accordance with CEQA.

Engineering Department – Dr. Maryam Bral, Chief Engineer

5.4 Amendment to Agreement with Northwest Hydraulic Consultants for Professional Consulting Services in Connection with the Freeman Conveyance System Upgrade - Freeman to Ferro Recharge Basin Project

Motion

Authorize the General Manager to sign an Amendment to the current agreement with Northwest Hydraulic Consultants for consulting services in connection with the Freeman Conveyance System Upgrade - Freeman to Ferro Recharge Basin Project.

Engineering Department – Dr. Maryam Bral, Chief Engineer

5.5 Authorize a Supplemental Appropriation of Funds for the Iron and Manganese Treatment Project (CIP 8007)

Motion

Authorize a supplemental appropriation of \$344,126 for the Iron and Manganese Treatment Project (CIP 8007).

Engineering Department – Dr. Maryam Bral, Chief Engineer

5.6 Authorize General Manager to Award a Construction Management and Inspection Services Contract for Phase 1 of the PTP Recycled Water Connection - Laguna Road Pipeline Project (CIP 8043)

Motion

Authorize the General Manager to award a construction management and inspection services contract to the most qualified proposer, as recommended by staff, in support of the Phase 1 of the PTP Recycled Water Connection - Laguna Road Pipeline Project (CIP 8043).

5.7 PUBLIC HEARING

**Water Resources Department – Dr. Maryam Bral and John Lindquist
Continuation of Annual Groundwater Hearing to Accept Public
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 7, 2024, and has been available for public review and comment. This hearing was opened on April 30, 2024, and continued to the regular May 15, 2024, and will be continued again to the regular June 12, 2024 Board meeting. 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 12, 2024, 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 again be continued to Wednesday, June 12, 2024. No Board decisions will be made until the final hearing on June 12, 2024.

**BOARD OF DIRECTORS OF THE UNITED WATER CONSERVATION DISTRICT AND
PUBLIC FACILITIES FINANCING CORPORATION:**

**5.8 Amend the 2020 Revenue Certificates of Participation Bond
Agreement for the Rebate Arbitrage Analysis
Motion**

As the Public Facilities Financing Corporation:

- a. Adopt Public Facilities Financing Corporation Resolution No. 2024-01 approving an amendment of the 2020 Revenue Certificates of Participation Bond Agreement to adjust the Rebate Arbitrage Analysis computation from an annual requirement to every five years requirement.

As the Board of Directors of the United Water Conservation District:

- b. Adopt Resolution No. 2024-07 approving an amendment of the 2020 Revenue Certificates of Participation Bond Agreement to adjust the Rebate Arbitrage Analysis computation from an annual requirement to every five years requirement.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

UWCD Board of Directors Meeting Agenda

May 15, 2024

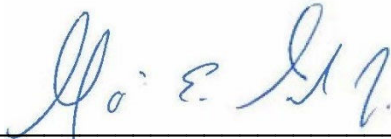
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8. ADJOURNMENT

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

This agenda was posted Thursday, May 9, 2024, at 1:00 p.m. at the United Water Conservation District Headquarters, Oxnard, CA and www.unitedwater.org.



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).