

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
JUNE 21, 2022 REGULAR MEETING MINUTES**

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, June 21, 2022, in-person at 1070 Faraday Street and via teleconference.

Trustees Present: Jeff Clay Brad Joos
 Lori Parker Michael Burchardi
 Jeff Holzer

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Karen King
 Eric Tambini

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:02 p.m., he stated that this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all Trustees were present.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

3. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA:

Ms. Martone presented the affidavit of posting of the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54953, as well as District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

4. CONSIDERATION OF RESOLUTION NO. 820: – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 820 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and because state and local recommendations remain in place to reduce the transmission of COVID-19, approval of Resolution No. 820 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, to adopt Resolution No. 820, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees: Jeff Clay
Brad Joos
Michael Burchardi
Jeff Holzer
Lori Parker

NOES, Trustees: None

ABSTAIN, Trustees: None

ABSENT, Trustees: None

5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:**

There were no additions or corrections to the Agenda.

6. **PUBLIC COMMENT:**

President Clay welcomed any members of the public participating remotely and offered time for members of the public to speak and address the Board on matters not on the agenda. There was no public comment. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF MAY 17, 2022:**

The Regular Meeting Minutes from May 17, 2022 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of May 17, 2022 as presented. No changes or additions were requested.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Parker, and carried by a 5-0-0 roll call vote, to approve the May 17, 2022 Minutes as presented.

8. **CONSENT AGENDA:**

The Consent Agenda Report was provided in the Board packet.

Mr. Garcia reviewed the Consent Agenda materials for the month of May.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the Consent Agenda.

9. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**

A. DISTRICT ADMINISTRATION

1. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

Ms. Martone announced that the Financial Statements were emailed to the Board members earlier that afternoon and posted on the District’s website in the Board packet materials for any members of the public wishing to follow along or receive a copy.

Ms. Martone reviewed the Statement of Revenues and Expenses for the month of May. She highlighted various line-items related to revenue and expense transactions that occurred during the month and also referenced the Fiscal Year to Date Statement of Revenues and Expenses that provides a budget to actual snapshot from July through May. Ms. Martone reported that District revenues for the month of May exceed the expenses by \$175,919.36 and the year-to-date net income is \$2,778,663.52.

b) Approval of Accounts Payable

Ms. Martone announced that the Warrant List was emailed to the Board members this afternoon and posted on the District's website in the Board packet materials for any member of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 24523 through 24590 in the amount of \$756,641.89.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 5-0-0 roll call vote, to approve the Warrant List for May 18, 2022 through June 21, 2022.

2. Appropriation Limit for the 2022/2023 Fiscal Year - Article XIII B (Proposition 13)

a) Resolution No. 821: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Establishing the Appropriation Limit for Fiscal Year 2022/2023 Pursuant to Article XIII B of the California Constitution

The Board packet included draft Resolution No. 821 and a copy of the Public Notice regarding the FY 2022/2023 Appropriation Limitation Calculation that was published in the Santa Ynez Valley News on June 9, 2022 and June 16, 2022 and posted on the District's website and at the District Office on May 18, 2022.

Mr. Garcia reported that the appropriation limit and related calculations for the FY 2022/2023 were presented to the Board at the May 17, 2022 Board Meeting and were published and publicly noticed in accordance with applicable requirements. He stated that no public comment was received. Mr. Garcia explained that the FY 2022/2023 appropriation limit is \$2,300,918 based on factors and calculations published by the California Department of Finance. He stated that adoption of a Resolution is required pursuant to Government Code Section 7910 to establish an appropriation limit each fiscal year and recommended approval of Resolution No. 821 Establishing the Appropriation Limit for Fiscal Year 2022/2023.

There was no public comment.

It was **MOVED** by Trustee Parker, seconded by Trustee Joos, to adopt Resolution No. 821, Establishing the Appropriation Limit at \$2,300,918 for the Fiscal Year 2022/2023 pursuant to Article XIII of the California Constitution.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees:	Jeff Clay
	Brad Joos
	Michael Burchardi
	Jeff Holzer
	Lori Parker

NOES, Trustees: None
ABSTAIN, Trustees: None
ABSENT, Trustees: None

3. Consider Adoption of the Final Budget for Fiscal Year 2022/2023

a) Final Budget Summary

The Board packet included the Final Budget for Fiscal Year 2022/2023, a related Staff Report, and Draft Resolution No. 822.

Mr. Garcia summarized the Final Budget for FY 2022/2023 that was included in the Board packet. He explained that the Board reviewed the Preliminary Budget at the May 17, 2022 Regular Board meeting, which included a detailed budget narrative, summary of revenues and expenses, debt service, and capital improvement project expenses. He indicated that the Board was asked to provide any comments and/or questions prior to preparation and presentation of the Final Budget in June. Mr. Garcia reported that since the May Board meeting no additional comments were received from the Board or the public. Mr. Garcia recommended approval of Resolution No. 822 approving and adopting the FY 2022/2023 Final Budget and requesting the collection of an assessment levy of \$875,000 for the Fiscal Year 2022/2023.

There was no public comment.

b) Resolution No. 822: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Final Budget for Fiscal Year 2022/2023 and Requesting an Assessment Levy Required to Collect \$875,000

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, to adopt Resolution No. 822, Adopting the Final Budget for Fiscal Year 2022/2023 and Requesting an Assessment Levy Required to Collect \$875,000.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees: Jeff Clay
Brad Joos
Michael Burchardi
Jeff Holzer
Lori Parker

NOES, Trustees: None
ABSTAIN, Trustees: None
ABSENT, Trustees: None

10. **REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update

The Board packet included the May 26, 2022 Notice and Agenda for the Regular Meeting of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA), State of California Executive Order N-7-22, and Santa Barbara County Board of Supervisors May 24, 2022 materials for the County's Temporary Water Well Permitting Ordinance.

Mr. Garcia reported on the activities related to the EMA GSA. He stated that he and Trustee Joos attended the May 26, 2022 EMA Meeting and reported on the topics discussed. Mr. Garcia stated that the Santa Barbara County Board of Supervisors adopted a Temporary Water Well Permitting Ordinance on May 24, 2022 in response to Governor Newsom's Executive Order N-7-22. He reviewed the County's well permitting process under the Temporary Ordinance and reported the next EMA GSA Committee will address a proposed EMA process and set of criteria for administering requests for written verifications under Executive Order N-7-22.

B. CALIFORNIA DROUGHT CONDITIONS

1. Update Regarding Statewide Drought Conditions

The Board packet included the Department of Water Resources (DWR) Current Reservoir Conditions, recent State Water Resources Control Board Drought Emergency Regulations, and the Santa Ynez River Water Conservation District, Improvement District No.1 Water Supply Alert.

Mr. Garcia reviewed the Board packet materials, including the current and historical conditions of the major reservoirs in California as published by DWR. He reviewed the State Water Resources Control Board Water (SWRCB) Emergency Conservation Regulations issued on May 24, 2022 and June 14, 2022 related to wasteful and unreasonable water use and related restrictions, and the ban on watering non-functional turf at commercial, industrial, and institutional properties. Mr. Garcia referenced the District's Water Supply Alert that has been in place since 2017. He reported that the recent water conservation regulations adopted by the SWRCB are similar to the District's Water Supply Alert requirements. Mr. Garcia reported that staff will be preparing additional correspondence to District customers regarding ongoing drought conditions and compliance with applicable regulations and water conservation measures. He explained that the District's diversified water supply portfolio and reduced water use throughout the District compared to historic patterns indicate that the District is not currently compelled to transition to a more restrictive stage of water use restrictions; provided, however, that such a transition may be necessary depending on hydrologic conditions and forecasts for the upcoming fall/winter season. The Board discussed the District's current water conservation restrictions and those of neighboring water agencies and requested that staff develop updated information on the District's different stages of water use restrictions that could be implemented if drought conditions continue.

C. CENTRAL COAST WATER AUTHORITY

1. Update Regarding CCWA's Temporary Warren Act Contract for the Cachuma Project

The Board packet included Central Coast Water Authority (CCWA) Agenda for the June 9, 2022 Special Meeting Board of Directors Meeting, June 6, 2022 CCWA Board of Directors Memorandum and a Temporary Contract between the United States and the Central Coast Water Authority providing for Storage and Conveyance of Non-Project Water.

Mr. Garcia provided an overview of the existing CCWA Warren Act Contract with the United States Bureau of Reclamation (USBR) for the Cachuma Project. He explained that CCWA has been working with USBR to negotiate an interim contract extension as the current 25-year contract is set to expire in June 2022. He reported that the CCWA Board of Directors approved the Interim Contract at their June 9, 2022 meeting. He explained that the National Marine Fisheries Services (NMFS) became involved in the interim contract process and has imposed new restrictions that were not previously discussed or addressed during the negotiation process. Mr. Garcia stated that the new restrictions will require

discussion on mixing and other operational issues and how to mitigate impacts to downstream water quality. He stated that CCWA, USBR, the Santa Ynez River Water Conservation District, and other affected parties will need to work together to address the issues and develop solutions. Mr. Garcia indicated that more information would be provided as it becomes available.

11. **REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION**

The Board packet included a June 8, 2022 Los Olivos Community Services District Regular Meeting Agenda, June 8, 2022 Wastewater Treatment Workshop Agenda and Board packet materials, and the June 2022 Family Farm Alliance Monthly Briefing.

Mr. Garcia reported that the Santa Ynez River Water Conservation District (SYRWCD) will be holding a Special Meeting on June 23, 2022 to discuss their groundwater charge rates for FY 2022-2023. He stated that there was a recent Court of Appeal decision in City of San Buenaventura vs. United Water Conservation District, where the Court ruled that the Water Code provision relied upon by SYRWCD to charge M&I pumpers at least three times more than agricultural pumpers is unconstitutional. Mr. Garcia reported that he has communicated with SYRWCD about the Court of Appeal decision and related issues. He noted that further information will be provided as it becomes available.

12. **CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:**

The Correspondence List was received by the Board.

13. **REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**

There were no requests from the Board.

14. **NEXT MEETING OF THE BOARD OF TRUSTEES:**

President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for July 19, 2022 at 3:00 p.m.

15. **CLOSED SESSION:**

The Board adjourned to closed session at 5:35 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Subdivision (d)(1) of Section 54956.9 of the Government Code - 2 Cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL INITIATION OF LITIGATION BY THE AGENCY

[Subdivision (d)(4) of Section 54956.9 of the Government Code - 1 Matter]

16. **RECONVENE INTO OPEN SESSION:**

[Sections 54957.1 and 54957.7 of the Government Code]

The public participation phone line was re-opened, and the Board reconvened to open session at approximately 6:16 p.m.

Mr. Garcia announced that the Board met in closed session concerning Agenda Items 15.A.1, 15.A.2, and 15.B., and that there was no reportable action from closed session.

17. **ADJOURNMENT**

Being no further business, it was **MOVED** by Trustee Parker, seconded by Trustee Joos, and carried by a 4-0-0 roll call vote, with Trustee Holzer absent at the time of the vote, to adjourn the meeting at approximately 6:17 p.m.

THE JUNE 21, 2022 REGULAR MEETING MINUTES WERE APPROVED AT THE JULY 19, 2022 MEETING.