

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1
SEPTEMBER 21, 2021 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, September 21, 2021** via video/teleconference.

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

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Eric Tambini
 Bob Drews Karen King
 Austin McCollum

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:04 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all members of the Board were present.

2. PLEDGE OF ALLEGIANCE:

President Clay let 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 54950 and pursuant to District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

Ms. Martone added that as a result of the COVID-19 emergency and Governor Newsom's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, the Board meeting would occur via teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20 and applicable amendments to the California Brown Act as set forth in those Executive Orders.

4. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:

Mr. Garcia stated there were no additions or corrections to the Agenda.

5. PUBLIC COMMENT:

President Clay welcomed any members of the public participating telephonically 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 stated that the Notice and Agenda for this Regular Meeting requested members of the public that are not attending the meeting in person or who are participating telephonically and wish to provide public comment on an Agenda item to submit written comments to the District via electronic mail. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

6. **CORONAVIRUS (COVID-19) UPDATE:**

A. General Manager's Report

Mr. Garcia reported on the current information related to the COVID-19 pandemic and the District's actions. He announced that the Santa Barbara County Public Health Department issued Health Officer Order No. 2021-10.4 which went into effect at 5:00 p.m. on September 5, 2021. Mr. Garcia explained the Health Order extends the requirement for the use of face coverings indoors, regardless of vaccination status, to prevent the spread of COVID-19. He stated that the Health Order would remain in effect through 5:00 p.m. on October 5th or until it is extended, rescinded, superseded, or amended. He reported that all employees, Trustees, and customers are following the masking requirement as set forth by current Health Orders.

7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 17, 2021**

The Regular Meeting Minutes from August 17, 2021 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of August 17, 2021. No changes or additions were requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 5-0-0 roll call vote, to approve the August 17, 2021 Regular Meeting 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 September.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, 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

The monthly financial statements were included in the handout materials and emailed to the Board members attending the meeting via phone conference. Ms. Martone announced that the reports were 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 August. She highlighted various line-items related to revenue and expense transactions that occurred during the month. Ms. Martone reported that the District revenues exceeded the expenses by \$358,031.86 and the year-to-date net income was \$689,964.85, which will be earmarked and utilized for the District's annual State Water Project and COMB Series 2004A Bond payments which are due in June 2022.

b) Approval of Accounts Payable

Ms. Martone reported that the Board was provided the Warrant List for August 18, 2021 through September 21, 2021 in the handout materials and emailed to the Board members attending the meeting via phone conference.

The Board reviewed the Warrant List which covered warrants 24016 through 24075 in the amount of \$625,396.17.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the Warrant List for August 18, 2021 through September 21, 2021.

2. Purchase of Fleet Vehicle

a) Consideration and Award of Bid

The Board packet included bid results for the purchase of one new fleet vehicle.

Ms. Martone explained that a request for bids was opened for the purchase of one 2022 Ford F250 Regular Cab, 4wd Truck equipped with a service body and lift gate. She indicated that funds for this purchase were included in the adopted Fiscal Year 2021/2022 Budget. Ms. Martone reported that bid requests were sent to nine potential vendors and five bid responses were received by the deadline date.

Ms. Martone stated that after thoroughly comparing all bid submittals, the bid results reflect that Perry Ford was the lowest responsive and responsible bid in the amount of \$44,800.30. Mr. Garcia reminded the Board that according to the District's Purchasing Policy, the District is required to award the bid to the lowest responsive and responsible bidder. Mr. Garcia indicated that this purchase will complete the District's fleet by replacing a vehicle that has been in service for 17 years. Mr. Garcia recommended acceptance of the bid from Perry Ford and authorization to purchase the fleet vehicle.

Trustee Joos requested delaying action on this item until after the Board has reviewed the next agenda item regarding the electrical panel upgrades and additional funding needed for that project. The Board agreed with this suggestion.

After a discussion on Agenda Item 9.B.1.a, it was **MOVED** by Trustee Holzer, seconded by Trustee Burchardi, and carried by a unanimous 5-0-0 roll call vote, to accept the lowest responsive and responsible bid of \$44,800.30 from Perry Ford of San Luis Obispo for the purchase of a 2022 Ford F250 Regular Cab 4wd Truck with service body and lift gate.

B. OPERATIONS AND MAINTENANCE

1. Motor Control Center Upgrades – Electrical Panels

a) Bid Results Summary

The Board was provided a September 21, 2021 staff report and bid summary for the Motor Control Center and Service Upgrades.

Mr. Garcia reviewed the Staff Report that was included in the Board packet. He explained that the Request for Bids (RFB) was issued on August 15, 2021, four contractors attended the mandatory pre-bid meeting on September 1, 2021, and a total of four bids were received by the September 15, 2021 deadline. Mr. Garcia reviewed the bid summary results, an evaluation of the bids resulted in and indicated that the lowest responsive and responsible bidder meets all the RFB requirements. He stated that the low bid is \$375,837, which is approximately 37% higher than the FY 2021/2022 budgeted amount for the project. He stated that the difference between the budgeted amount and the range in bid prices received by the District is due to a number of factors including, but not limited to: the initial quotes utilized for the project budget are now more than a year old; since that time material costs have increased substantially; the scope of work outlined in the initial quotes provided less detail than the Engineer's Specifications for each of the project sites; and the current construction

market is extremely busy which commonly results in elevated quotes from contractors.

Mr. Garcia stated that based on the factors discussed and the information contained in the bid summary, staff believes the District has received a competitive bid for the proposed project.

Mr. Garcia indicated that staff's recommendation is to increase the estimated project budget by \$102,662 using the projected revenue surplus in FY 2021/2022 of \$341,874 (resulting in \$239,212 of projected revenue surplus for reserves) and authorize the award of the Project to Electricraft, Inc. as the lowest responsive and responsible bidder, and authorize the General Manager to execute a contract with Electricraft, Inc. in the amount of \$375,837 to complete the project.

Discussion and comments ensued among the Board on whether to increase the project budget by not purchasing the new fleet vehicle, using funds from the projected revenue surplus, or by reallocating funds from the FY 2021/2022 budget item for potential Chromium 6 expenditures.

Following discussion, the Board revisited Agenda Item 9.A.2.a, and as reflected above, it was **MOVED** by Trustee Holzer, seconded by Trustee Burchardi, and carried by a unanimous 5-0-0 roll call vote, to accept the lowest responsive and responsible bid of \$44,800.30 from Perry Ford of San Luis Obispo for the purchase of a 2022 Ford F250 Regular Cab 4wd Truck with service body and lift gate.

- b) Award of Contract and Authorization to Execute Contract Documents for the Motor Control Center and Electrical Service Upgrades.

Mr. Garcia summarized the options discussed by the Board for increasing the budget for the Motor Control and Electrical Service Upgrade project by \$102,662. After discussion, it was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to authorize the award of the Motor Control Center and Electrical Service Upgrade project to the lowest responsive and responsible bidder, Electrocraft Inc.; to authorize the General Manager to execute an agreement with Electrocraft Inc. in the amount of \$375,837; and to direct staff to perform a budget transfer from CIP Account 100333 Cr6 Treatment Station/Facilities in the amount of \$102,662 to cover the cost of the Motor Control Center and Electrical Service Upgrade project.

2. Zone 1 and Zone 2 Improvements

- a) Reservoir Cleaning and Mixer Installations

The Board packet included a PowerPoint presentation on the Zone 1 and 2 Reservoir Improvements.

Mr. Garcia stated that Mr. Eric Tambini, Water Resources Manager, and Mr. Austin McCollum, Water Resources Technician, prepared a PowerPoint presentation on the reservoir cleaning, electrical upgrades, and mixer installations work that was recently completed at the Zone 1 and Zone 2 reservoirs.

Mr. Tambini provided an overview of the PowerPoint presentation. Upon completion of the presentation, the Board was provided time for questions and comments. The Board expressed their appreciation to the field staff, Mr. Tambini, and Mr. McCollum

for a job well done on the presentation and the improvement work done on the reservoirs.

b) **Notice of Completion - Zone 1 Electrical Upgrade**

The Board packet included a Notice of Completion for the Zone 1 Electrical Upgrade project.

Mr. Garcia reported that the Zone 1 Electrical Upgrade Project work is complete and recommended approval of the Notice of Completion and requested authorization to file the notice of completion.

It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve and authorize the General Manager to sign and file the Notice of Completion for the Zone 1 Electrical Upgrade Project.

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

A. UPDATE REGARDING STATEWIDE DROUGHT CONDITIONS:

The Board packet included various information related to the ongoing state-wide drought conditions.

Mr. Garcia reported on the Board packet materials. He discussed the major reservoir conditions within California and noted that several areas are at all time historic low levels due to the current drought. He reviewed the Santa Barbara County Water Agency information included in the Board packet indicating the water supply conservation status of each provider in Santa Barbara County. Mr. Garcia stated that the District currently remains in a Water Supply Alert condition, which requests customers to voluntarily reduce water usage by 10% and establishes various prohibitions on specific types of water use. He reported that the District will continue to encourage customers to conserve and to be prudent with their water use and avoid water waste. He stated that the District's water conservation stage may need to be revised by the Board in the Spring of 2022 depending on rainfall conditions in the upcoming winter months. Mr. Garcia briefly discussed the receipt of a letter from WE Watch requesting the District to join their efforts in raising awareness of the current drought conditions facing the state of California. Mr. Garcia stated that the District will continue providing water conservation information to the Board and District customers via monthly billing notes and bill stuffers, as well as on the District's website.

B. CACHUMA PROJECT - ANNUAL ALLOCATION REQUEST:

1. Update Regarding Cachuma Member Units Allocation Request for Water Year 2021-2022

Mr. Garcia reported there has been no official announcement from the US Bureau of Reclamation (USBR) regarding the Cachuma Member Units allocation for Water Year 2021-2022 which begins on October 1, 2021.

Mr. Garcia reported that a teleconference meeting was held on September 21st with representatives from USBR, the Cachuma Member Units, COMB, and the Santa Barbara County Water Agency regarding the Cachuma Project allocation and assumptions and factors to be used in making the allocation decision. Mr. Garcia anticipates that there will be a decision made by USBR on the Water Year 2021-2022 allocation before October 1, 2021.

C. SUSTAINABLE GROUNDWATER MANAGEMENT ACT:

1. Eastern Management Area Update

The Board packet included an Agenda for the August 26, 2021 Regular Meeting of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) in the Santa Ynez River Valley Groundwater Basin, a Draft GSP Overview presentation, and SGMA Newsletter No. 5.

Mr. Garcia reported that he and Trustee Joos attended the August 26, 2021 teleconference meeting of the EMA GSA. He reviewed the August meeting Board agenda items and reported that the Draft Groundwater Sustainability Plan has been completed, made available to the public, and is open for public comment. Mr. Garcia stated that the draft GSP is a comprehensive document and encouraged everyone to review the electronic draft that is posted on the SGMA website. Mr. Garcia stated the Board will have an opportunity to review the draft GSP in October/November prior to submittal to the Department of Water Resources. Mr. Garcia stated the next meeting of the EMA GSA will be held in October.

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

Trustee Burchardi reported that the City of Solvang's Public Works Director Matt van der Linden announced that he will be retiring on December 31, 2021.

The Board packet included a Public Meeting Notice for the Los Olivos Community Services District Board of Directors meeting of September 15, 2021, and the Family Farm Alliance Monthly Briefing for the month of September 2021.

Mr. Gary Kvistad, District Legal Counsel, reported on AB 361 which was passed on September 16, 2021 to amend provisions of the Ralph M. Brown Act that will apply to the District beginning on October 1, 2021.

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 the next Regular Meeting of the Board of Trustees is scheduled for October 19, 2021 at 3:00 p.m.

15. CLOSED SESSION:

The Board adjourned to Closed Session at 6:05 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

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

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 - ANTICIPATED LITIGATION:

[Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to Litigation – Two Matters]

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 7:39 p.m.

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

17. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, and carried by a 5-0-0 voice vote to adjourn the meeting at 7:41 p.m.

THE SEPTEMBER 21, 2021 REGULAR MEETING MINUTES WERE APPROVED AT THE OCTOBER 19, 2021 MEETING.