

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
SEPTEMBER 19, 2023 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 19, 2023, in-person at 1070 Faraday Street.

Trustees Present: Jeff Clay
 Brad Joos
 Nick Urton

Trustees Absent: Jeff Holzer
 Michael Burchardi

Others Present: Paeter Garcia Mary Robel
 Karen King Eric Tambini
 Gary Kvistad Elizabeth Orona

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:00 p.m., he stated that this was a Regular Meeting of the Board of Trustees. Ms. Robel conducted roll call and reported that three Trustees were present, and that Trustees Burchardi and Holzer were absent.

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. Robel presented the affidavit of posting 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.

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

There were no additions or corrections to the Agenda.

5. PUBLIC COMMENT:

President Clay welcomed any members of the public 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.

6. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 15, 2023:

The Regular Meeting Minutes from August 15, 2023 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of August 15, 2023. There were no changes or additions requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a 3-0-0 voice vote, with Trustees Burchardi and Holzer absent, to approve the August 15, 2023 Regular Meeting Minutes as presented.

7. **CONSENT AGENDA:**

The Consent Agenda Report was provided in the Board Packet.

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

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a 3-0-0 voice vote, with Trustees Burchardi and Holzer absent, to approve the Consent Agenda as presented.

8. **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. Robel announced that the Financial Statements were provided to the Board via email earlier today and were included in the handout materials and posted on the District’s website in the Board packet materials section for any member of the public wishing to follow along or receive a copy.

Ms. Robel 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 and referred to the Fiscal-Year-to-Date Statement of Revenues and Expenses that provides a budget to actual snapshot for the fiscal year. Ms. Robel reported that the District revenues for the month of August exceeded the expenses by \$526,061.82 and the year-to-date net income was \$736,870.91.

b) Approval of Accounts Payable

Ms. Robel announced that the Warrant List was provided to the Board via email earlier today and also included in the handout materials and posted on the District’s website in the Board packet materials section for any member of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 25377 through 25431 in the amount of \$577,513.67.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a 3-0-0 voice vote, with Trustees Burchardi and Holzer absent, to approve the Warrant List for August 16, 2023 through September 19, 2023.

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area (EMA) Update

The Board packet included letters dated March 3, 2023, April 5, 2023, April 24, 2023, and May 3, 2023 from the Santa Ynez Water Group, Santa Barbara County Farm Bureau, Santa Barbara Vintners, and Santa Barbara County Cattlemen’s Association; a letter dated September 7, 2023 from the Santa Ynez Water Group; a September 20, 2023 Draft Joint Exercise of Powers Agreement for the Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency; and Notice and Agenda for the September 28, 2023 EMA GSA Committee meeting.

Mr. Garcia welcomed and introduced Ms. Elizabeth Orona, Councilmember for the City of Solvang, to the meeting and expressed his appreciation for her attendance at the meeting. He stated that Councilmember Orona serves as the City of Solvang's primary representative on the EMA SGMA Committee.

Mr. Garcia reported on the August 24, 2023 EMA GSA Meeting. He discussed the status of negotiations regarding a new JPA governance structure for the EMA GSA and stated that several issues still need to be addressed. Mr. Garcia explained that the voting structure continues to be a significant issue of disagreement that is delaying finalization of the JPA. With regard to voting, the District continues to advocate for governance according to "One Director, One Vote" because that structure promotes fairness, collaboration, trust, and other important policy factors in the GSA's decision-making process. He reported that the Santa Ynez Water Group attended the GSA Committee meeting, wherein they expressed frustration that a JPA has not been finalized and renewed their request to have an agricultural landowner seat on the JPA Board of Directors. Mr. Garcia referred to several letters included in the Board packet showing requests from agricultural/landowner groups for a "One Director, One Vote" structure. Mr. Garcia stated that the next regular meeting of the EMA GSA is scheduled for September 28, 2023. He stated that further information will be provided at the October meeting.

B. PROPOSED DRINKING WATER REGULATION - HEXAVALENT CHROMIUM

1. Proposed Maximum Contaminant Level (MCL) Issued by the State Water Resources Control Board for Hexavalent Chromium

The Board packet included various correspondence and materials related to the State Water Resources Control Board (SWRCB) Proposed Maximum Contaminant Level for Hexavalent Chromium, including an August 18, 2023 Joint Comment Letter from the Association of California Water Agencies, AWWA, CMUA, and CWA, and an August 4, 2023 City of Winters Comment Letter regarding the proposed regulation.

Mr. Garcia recapped the past and current activities related to the Hexavalent Chromium MCL. He reported that the SWRCB held a public workshop on August 2, 2023 and noted that the public comment period for the proposed regulation and related draft Environmental Impact Report closed on August 18, 2023. Mr. Garcia stated that the final regulation may be proposed for adoption sometime after January 2024. Mr. Garcia stated that in light of the pending new MCL, District staff will resume preparations for regulatory compliance, including the engagement of consulting experts to review treatment options/technologies, construction alternatives, capital and annual operating costs, and financing alternatives, as well as incorporating all associated costs into the next water rate study.

C. PROPOSED STATEWIDE URBAN WATER CONSERVATION

1. Assembly Bill 1572

The Board packet included a September 13, 2023 Los Angeles Times article entitled "California is moving to outlaw watering some grass that's purely decorative" and Assembly Bill 1572 regarding nonfunctional turf.

Mr. Garcia reviewed Assembly Bill 1572 with the Board and explained that once the bill is passed by the Governor, it would make legislative findings and declarations concerning water use, including a finding that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with State water conservation policy.

He stated that the bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. He also explained that the legislation includes exceptions for grass in sports fields, parks, cemeteries, areas used for activities, and other “community spaces.” Mr. Garcia noted that there are very few commercial/industrial properties within the District where this law would apply; however, once the bill passes the District will notify customers of the new prohibitions.

10. 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 September 9, 2023 Los Angeles Times article entitled “Lawmakers approve plan to strengthen oversight of California water rights” and Senate Bill No. 389.

The Board packet included the September 2023 Family Farm Alliance Monthly Briefing.

Mr. Garcia expressed his appreciation and reported that District employee Mr. Roy Johnson passed his Water Distribution (D2) Certification, which is a significant accomplishment, as he took the initiative to test for this certification on his own accord which is not a prerequisite for his current position.

Ms. Robel stated that the annual audit fieldwork was conducted by Bartlett, Pringle, Wolf, LLP the second week of September and she expects a draft audit to be presented to the Board in November or December.

11. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:

The Correspondence List was received by the Board.

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

There were no requests from the Board.

13. NEXT MEETING OF THE BOARD OF TRUSTEES:

President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for October 17, 2023 at 3:00 p.m.

14. CLOSED SESSION:

The Board adjourned to closed session at 4:35 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 LITIGATION

[Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to Litigation Against the Agency – One Matter]

C. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

[Subdivision (d)(4) of Section 54956.9 of the Government Code - Potential Initiation of Litigation By the Agency - One Matter]

15. RECONVENE INTO OPEN SESSION:

[Sections 54957.1 and 54957.7 of the Government Code]

The Board reconvened to open session at approximately 5:40 p.m.

Mr. Garcia announced that the Board met in closed session in accordance with Agenda Items 14.A.1, 14.A.2, 14.B, and 14.C and that there was no reportable action from the closed session.

16. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee Joos, seconded by President Clay, and carried by a 3-0-0 voice vote, with Trustees Burchardi and Holzer absent, to adjourn the meeting at approximately 5:41 p.m.

THE SEPTEMBER 19, 2023 MINUTES WERE APPROVED AT THE OCTOBER 17, 2023 REGULAR MEETING.