

ORDINANCE NO. 2018-01

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER  
CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1  
REGARDING PER-MEETING COMPENSATION FOR THE BOARD OF TRUSTEES

WHEREAS, the Santa Ynez River Water Conservation District, Improvement District No.1 ("District") is a special improvement district of the Santa Ynez River Water Conservation District and is organized and operates pursuant to Water Code section 74000 et seq.; and

WHEREAS, the District carries out its mission to provide domestic and agricultural customers throughout its service area with reasonably priced, reliable, high quality water supplies, and efficient and economical public services related to the provision of water; and

WHEREAS, water districts and agencies throughout California, including the District, are statutorily authorized to pay compensation to members of their legislative bodies for attendance at board meetings, advisory and committee meetings, conferences and organized educational activities, and other types of occurrences and occasions that constitute the performance of official duties; and

WHEREAS, on July 16, 1985 the District's Board of Trustees duly adopted District Resolution No. 314 which set compensation for members of the Board of Trustees in the amount of one hundred dollars (\$100) for each day's attendance at meetings of the Board of Trustees or for each day's service rendered by request of the Board, not exceeding a total of six days in any calendar month; and

WHEREAS, Water Code sections 20201 and 20202 expressly authorize the District to adopt an ordinance to increase the compensation received by members of the Board of Trustees above the amount of \$100 per day, and provide that such an increase in the amount of compensation may not exceed an amount equal to five percent (5%) for each calendar year following the operative date of the last adjustment, where no such ordinance shall authorize compensation for more than a total of 10 days in any calendar month; and

WHEREAS, the current compensation rate for the District's Board of Trustees in the amount of \$100 per day has not been adjusted since 1985; and

WHEREAS, in comparison to 1985, the scope, complexity, and intensity of matters currently handled by the District's Board of Trustees has substantially increased to include, by way of example and without limitation, myriad issues related to: prolonged, contested, and ongoing multi-phase water right proceedings before the State Water Resources Control Board (SWRCB) from the late 1980s to present relating to contractual water supplies available from the Cachuma Project and operation of the Project to ensure protection of public trust resources and downstream water rights below Bradbury Dam; the 1991 formation of the Central Coast Water Agency (CCWA) and related and ongoing planning, financing, design, construction, governance, contracting, litigation, and management activities to secure, maintain, and deliver critical State Water Project (SWP) supplies to the Santa Ynez Valley; beginning in 1993, the development of a comprehensive multi-agency investigation, planning, and management program for fisheries and fisheries habitat in the Lower Santa Ynez River; development, negotiation, implementation, and various dispute resolution activities relating to the 1996 Master Contract between the United States Bureau of Reclamation (USBR) and the Santa Barbara County Water Agency (SBCWA), and related Member Unit contracts for the provision of Cachuma Project water supplies; the 1997 listing of the Southern California Steelhead Distinct Population Segment under the federal Endangered Species Act (ESA) and designation of critical habitat below Bradbury Dam; issuance and ongoing compliance with the 2000 Biological Opinion issued by the National Marine Fisheries Service (NMFS) for operation of the Cachuma Project; ongoing federal ESA re-consultation process beginning in 2013 between NMFS and USBR regarding Cachuma Project operations and pending issuance of a new Biological Opinion threatening unprecedented impacts to water rights and water supplies; current and ongoing work with local agencies and related proceedings before the SWRCB regarding downstream appropriative water rights and permitting processes; Chromium-6 water quality regulatory process and related studies; increasing water rated complexity and constraints under

Proposition 218; passage of the 2014 Sustainable Groundwater Management Act (SGMA) and related and ongoing work among multiple agencies and stakeholders to form and manage a Groundwater Sustainability Agency (GSA) and develop and implement a Groundwater Sustainability Plan (GSP) to achieve statutory groundwater management objectives and requirements by 2022; beginning in 2017, the initiation of a comprehensive multi-party process to negotiate a new Master Contract with USBR for the provision of Cachuma Project water supplies; and

WHEREAS, notwithstanding substantial increases in the scope, complexity, and intensity of matters currently handled by the District, the per-day rate of compensation payable to the District's Board of Trustees has not been increased for more than thirty-two years despite the specific authorization in Water Code sections 20201 and 20202 to receive annual increases; and

WHEREAS, an increase in the per-day rate of compensation for the Board of Trustees can be accommodated by the District's financial budget and budget process; and

WHEREAS, in accordance with Water Code section 20203 and Government Code 6066, notice of a public hearing to be conducted on May 22, 2018 to consider an increase in the per-day rate of compensation for the District's Board of Trustees was published in a newspaper of general circulation within the District once a week for two successive weeks, with at least five days intervening between the respective publication dates, where such published notification was commenced at least fourteen days prior to the public hearing; and

WHEREAS, in accordance with Water Code section 20203 and Government Code 6066, a noticed public hearing was conducted on May 22, 2018 at 3:00 p.m., or soon thereafter, at 1070 Faraday Street, Santa Ynez, California to consider an increase in the per-day rate of compensation for the District's Board of Trustees as reflected in this Ordinance.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, as follows:

**Section 1.** The District's Board of Trustees shall be compensated at the rate of two hundred dollars (\$200.00) per day for attendance at meetings, conferences, activities, events, and other occurrences as authorized by statute and specified by written policies of the District's Board of Trustees, as may be amended from time to time, which compensation rate does not exceed an amount equal to a five percent increase for each calendar year since the date of the last adjustment and thus is below a rate that otherwise would be authorized by statute. Each member of the Board of Trustees may receive compensation for up to and not exceeding six (6) calendar days of service in a calendar month. Notwithstanding the foregoing provisions of this Section 1, a member of the Board of Trustees may receive compensation for a total of only one (1) meeting, conference, activity, event, or other occurrence per calendar day.

**Section 2.** This Ordinance supersedes District Resolution No. 314 and any and all other prior actions by the District pertaining to compensation of the District's Board of Trustees.

**Section 3.** In accordance with Water Code section 20204, this Ordinance shall become effective and have full force and effect sixty (60) days after the date of its adoption.

**Section 4.** Within ten (10) days following adoption of this Ordinance, it shall be published once in full in a newspaper of general circulation within the District, and the Ordinance shall be posted for at least ten (10) days in three (3) public places within the District.

Introduced and approved on May 22, 2018, and passed and adopted by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, on this 22nd day of May, 2018 by the following roll call vote:

AYES, Trustees:

Harlan Burchardi  
Kevin Walsh  
Jeff Clay  
Michael Burchardi  
Brad Joos

NOES, Trustees:

None

ABSENT, Trustees:

None



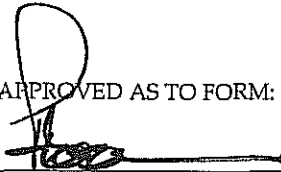
Kevin Walsh, President

ATTEST:



Mary Martone - Secretary to the Board of Trustees

APPROVED AS TO FORM:



Paeter Garcia, Legal Counsel