

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
APRIL 16, 2024 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, April 16, 2024, in-person at 1070 Faraday Street.

Trustees Present: Michael Burchardi
 Jeff Clay
 Brad Joos
 Mark Moniot
 Nick Urton

Trustees Absent: None

Others Present: Paeter Garcia Mary Robel Racel Cota
 Karen King Dan Drugan Vince Cerda
 Gary Kvistad

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 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. Robel reported that the Agenda for this meeting 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. EMPLOYEE SPOTLIGHTS: WATER RESOURCES SPECIALIST VINCE CERDA AND ADMINISTRATIVE AND FINANCIAL MANAGER RACEL COTA

Mr. Garcia informed the Board that Employee Spotlights are intended to provide an opportunity for members of the District Team to be introduced to the Board and the public, and to discuss their experience and highlight their respective areas of responsibility within the District. He introduced Ms. Racel Cota, Administrative & Financial Manager, and Mr. Vince Cerda, Water Resources Specialist. Mr. Garcia explained that Ms. Cota and Mr. Cerda are the newest additions to the District Team. Mr. Garcia provided an overview of their respective work histories, experience, special certifications, and roles and responsibilities within the District. Mr. Garcia and the Board welcomed Ms. Cota and Mr. Cerda to the District.

7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF MARCH 19, 2024**

The Regular Meeting Minutes from March 19, 2024 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of March 19, 2024. There were no changes or additions requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Moniot, and carried by a unanimous 5-0-0 voice vote, to approve the March 19, 2024 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 March.

It was **MOVED** by Trustee Urton, seconded by Trustee Joos, and carried by a unanimous 5-0-0 voice 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. Robel announced that the Financial Statements were provided to the Board via email earlier in the day, and also included in the meeting handout materials and posted on the District’s website.

Ms. Robel reviewed the Statement of Revenues and Expenses for the month of March. 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 month of March. Ms. Robel reported that the District expenses for the month of March exceeded the revenues by \$154,311.16 and the year-to-date net income was \$1,447,114.40.

b) Approval of Accounts Payable

Ms. Robel announced that the Warrant List was provided to the Board via email earlier in the day, and also included in the meeting handout materials and posted on the District’s website.

The Board reviewed the Warrant List which covered warrants 25792 through 25849 in the amount of \$603,206.33.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, and carried by a unanimous 5-0-0 voice vote, to approve the Warrant List for March 20, 2024 through April 16, 2024.

2. Personnel Matters

a) Staffing Structure Updates

b) Personnel Policy Manual Updates

The Board packet included an April 16, 2024 Staff Memorandum regarding Updates to the Staffing Structure, Personnel Policy Manual, and Organization Chart.

Mr. Garcia summarized the Staff Memo, including: an organizational structure with three executive level managers and related salary scales; temporary deactivation of the Assistant General Manager position; retitling the Board Administrative Assistant to Executive Assistant; revisions to the Personnel Policy Manual (PPM) to ensure all employees are eligible for annual step/merit increases; and the creation of a third tier for the existing Administrative Assistant position series. Mr. Garcia explained that the proposed modifications promote equity, employee satisfaction, and organizational retention. Board discussion ensued.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 voice vote to approve the recommendations set forth in the Staff Memo.

- c) Resolution No. 842 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Amending the District’s Personnel Policy Manual

Mr. Garcia reviewed the proposed changes to the District’s Personnel Policy Manual (PPM) Section 1.9(c)(1) – Step Increases, Section 3.19 – Retirement, and the removal of references to “Assistant General Manager” throughout the PPM. Discussion ensued regarding CalPERS retirement contributions related to PEPRA vs. Classic employees. Trustee Joos requested that information be presented at a future Board meeting regarding the CalPERS program and related financial implications for the District.

No public comment was provided.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Moniot, to adopt Resolution No. 842, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1 Amending the District’s Personnel Policy Manual.

The Motion carried and Resolution No. 842 was adopted by the following 5-0-0 roll call vote:

AYES, Trustees:	Mike Burchardi Jeff Clay Brad Joos Mark Moniot Nick Urton
NOES, Trustees:	None
ABSTAIN, Trustees:	None
ABSENT, Trustees:	None

After a brief discussion, it was determined that the Resolution should be amended to include removal of references to “Assistant General Manager” throughout the Personnel Policy Manual and replacement with “General Manager or his/her designee.”

It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote to adopt Resolution No. 842 as amended.

B. OPERATIONS UPDATE

1. Motor Control Center and Service Upgrades – Change Orders
The Board packet included a February 28, 2024 Change Order No.1 in the amount of \$2,851.23 from Electricraft, Inc. and a March 27, 2024 Change Order No.1 in the amount

of \$2,345.61 from Smith MEP, both related to the Motor Control Center and Service Upgrades Project.

Mr. Dan Drugan, Water Resources Manager, reported on the status of the Motor Control Center (MCC) Project. He indicated that the Meadowlark Booster Pump Station work will be postponed until the fall in order to keep the pump station operational during the high water demand that is typical for the upcoming summer months.

Mr. Drugan explained the basis of the two Change Orders, one relating to the Alamo Pintado Booster Pump Station in the amount of \$2,851.23, and the other relating to Well 28 in the amount of \$2,345.61.

Mr. Garcia recommended that the Board ratify the General Manager's approval of the Change Orders.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, and carried by a 5-0-0 voice vote to approve and ratify the General Manager's signature on Change Order No.1 in the amount of \$2,851.23 for Electricraft, Inc. and Change Order No.1 in the amount of \$2,345.61 for Smith MEP.

10. 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 the Notice and Agenda for the March 28, 2024 Special Meeting of the Groundwater Sustainability Agency for the Eastern Management Area.

Mr. Garcia summarized several topics that were discussed at the recent EMA GSA meeting, including: review and approval of the Third Annual Report for the EMA; updates on SGMA governance and negotiation of a Draft Joint Powers Agreement; and the Department of Water Resources SGMA Implementation Grant funding. He reported that discussions continue regarding agricultural representation on the EMA JPA Board and finalization of the JPA. Mr. Garcia noted that the Santa Ynez River Water Conservation District has indicated that it is preparing a proposed sub-grant agreement to address grant project implementation and how grant funding may be allocated among the three Management Areas in the Basin.

B. HEXAVALENT CHROMIUM (CR6) – PROPOSED MAXIMUM CONTAMINANT LEVEL (MCL)

1. Update on SWRCB Proposed Drinking Water MCL for Cr6 of 10 parts per billion

The Board packet included an announcement of an April 17, 2024 Public Hearing, SWRCB Staff Memorandum, Draft SWRCB Resolution, CEQA Findings and Facts, Proposed language of the Regulation, Final Environmental Impact Report for adoption of 10 ppb, and excerpts from "responses to comments".

Mr. Garcia referred to the materials included in the Board packet and indicated that the State Water Resources Control Board is close to adopting a new 10 parts per billion (ppb) Maximum Contaminant Level (MCL) for Hexavalent Chromium (Cr6) in drinking water. He then summarized the next procedural steps the State Board will take in adopting a final MCL for Cr6.

Board discussion ensued regarding the current federal (100 ppb) and state (50 ppb) standards for Hexavalent Chromium in drinking water in comparison to the proposed MCL of 10 ppb. The Board also discussed the proposed three year period if the new MCL is adopted, treatment options, construction of a treatment facility, annual maintenance

and operational costs, potential legal challenges, impacts to mutual water companies, relation to the District's upcoming water rate study, funding, and public outreach.

Mr. Garcia stated that District staff is in the process of re-engaging consulting experts to review treatment options/technologies, planning and construction schedules for treatment facilities, capital and annual operating costs, and financing alternatives.

C. CONSERVATION DISTRICT (SYRWCD) DRAFT FORTY-SIXTH ANNUAL REPORT

1. Update on Draft Report

The Board packet included the Draft Santa Ynez River Water Conservation District Forty-Sixth Annual Engineering and Survey Report on Water Supply Conditions and April 26, 2023 ID No.1 Comments submitted relating to the 45th Annual Report.

Mr. Garcia provided a brief overview of the Conservation District's Draft Forty-Sixth Annual Engineering and Survey Report. He indicated that ID No.1 staff has conducted a cursory review of the Draft Report and noted that, similar to last year's Forty-Fifth Annual Report, certain statements in this year's Draft Report may not be accurate. Mr. Garcia reviewed the comments that ID No.1 submitted to the Conservation District on last year's Report and indicated that ID No.1 staff will likely provide similar comments for this year's Draft Report. He stated that the Conservation District has scheduled an April 24, 2024 Special Meeting and Public Hearing on the Forty-Sixth Annual Report.

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 various materials, including an LA Times news article about increasing water rates, a Best Best & Krieger Legal Alert discussing SB 477, and the April 2024 Family Farm Alliance Monthly Briefing.

Trustee Burchardi reported that he attended the Los Olivos Community Services District (LOCSD) meeting on April 10th and that LOCSD is evaluating treatment options and reconsidering an option to connect to the City of Solvang.

Trustee Burchardi indicated that the District is planning to participate in this year's "Airport Day" event as it has done for the last two years. This year's event is scheduled to be held at the Santa Ynez Airport on May 18, 2024.

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

Staff noted that a presentation regarding CalPERS matters will be provided at a future Board meeting to address the questions raised by Trustee Joos.

14. NEXT MEETING OF THE BOARD OF TRUSTEES:

President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for May 21, 2024 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 – 3 Cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 to the United States Bureau of Reclamation for the Cachuma Project
2. 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
3. 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]

16. RECONVENE INTO OPEN SESSION:

[Sections 54957.1 and 54957.7 of the Government Code]

The Board reconvened to open session at approximately 6:16 p.m. Mr. Garcia announced that the Board met in closed session in accordance with Agenda Items 15.A.1, 15.A.2, 15.A.3, 15.B., and 15.C. He reported that there was no reportable action for any of the closed session Agenda Items.

17. ADJOURNMENT:

Being no further business, it was **MOVED** by President Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 voice vote to adjourn the meeting at approximately 6:17 p.m.

THE APRIL 16, 2024 MINUTES WERE APPROVED AT THE MAY 21, 2024 REGULAR MEETING.