

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT NO. 1  
APRIL 16, 2019 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, 2019** in the Conference Room at 1070 Faraday Street, Santa Ynez.

Trustees Present:	Harlan Burchardi Brad Joos	Michael Burchardi Jeff Clay	
Trustees Absent:	None		
Others Present:	Paeter Garcia Gary Kvistad Bruce Porter Jay Freeman	Mary Martone Eric Tambini Frances Komoroske Brian Schultz	Karen King Brett Marryme Kevin Crossley

**I. CALL TO ORDER AND ROLL CALL:**

Vice President Clay called the meeting to order at 3:00 p.m., he stated this was a Regular Meeting of the Board of Trustees. Mrs. Martone reported that four members of the Board were present.

**II. PLEDGE OF ALLEGIANCE:**

Vice President Clay led the Pledge of Allegiance.

**III. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE AGENDA:**

Mrs. 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 Resolution No. 340 of the District. The affidavit was filed as evidence of the posting of the agenda items contained therein.

**IV. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF MARCH 19, 2019:**

The Minutes of the Regular Meeting of March 19, 2019 were presented for consideration.

Vice President Clay asked if there were any changes or additions to the Regular Meeting Minutes of March 19, 2019. There were no corrections or additions requested.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 4-0-0 voice vote, to approve the Regular Meeting Minutes of March 19, 2019 as presented.

**V. CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETING OF MARCH 26, 2019:**

The Minutes of the Special Meeting of March 26, 2019 were presented for consideration.

Vice President Clay asked if there were any changes or additions to the Special Meeting Minutes of March 26, 2019. There were no corrections or additions requested.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 4-0-0 voice vote, to approve the Special Meeting Minutes of March 26, 2019 as presented.

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

There were no additions or corrections.

**VII. PUBLIC COMMENT:**

Mr. Brian Schultz provided comments to the Board.

**VIII. CONSENT AGENDA:**

The Consent Agenda report was provided in the Board packet.

Mr. Paeter Garcia, District Legal Counsel, reviewed the information included in the Consent Agenda Report for the month of April.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee M. Burchardi and carried by a unanimous 4-0-0 voice vote to approve the Consent Agenda as presented.

**IX. MANAGER'S REPORT - STATUS, DISCUSSION AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**

**A. DISTRICT ADMINISTRATION:**

1. Board of Trustees Reorganization

a) Notice of Vacancy

Mr. Garcia reported on the vacancy for the Division 3 Trustee position. He indicated that a vacancy for the Division 3 Trustee position has occurred due to Mr. Kevin Walsh resigning his Division 3 Trustee position effective April 1, 2019. Mr. Garcia explained that the resignation prompts certain procedural steps that must be followed to fill the vacancy. He reported that the Santa Barbara County Elections Office must be notified that a vacancy has occurred within 15 days of the effective date of the vacancy. He stated that ID No.1 sent written notification of the vacancy on April 12, 2019 to both the Elections Office and the Santa Ynez River Water Conservation District (Parent District). Mr. Garcia explained that the Parent District Board of Directors is tasked with making the appointment for the vacant ID No.1 position. Mr. Garcia outlined the steps that will occur in the near future related to posting the public notice of vacancy, the application process, and selection and appointment by the Parent District Board of Directors. The public notice of vacancy will be posted at least 15 days prior to the public meeting to be held where the Parent District Board of Directors will make the appointment. He stated that once the Parent District Board of Directors makes their appointment, the last step in the process is to inform the Santa Barbara County Elections office within 15 days of the appointment. Mr. Garcia explained that the person selected to fill the vacancy will serve until a Division 3 Trustee is elected and qualified as part of the next general election which is scheduled for November 2020.

b) Appointment of Representatives to Participating Agencies & Organizations

Mr. Garcia stated that the Division 3 vacancy impacts Board representation to certain participating agencies and organizations, and thus there is a need to select new representatives. He indicated that Trustees will need to be selected to represent ID No.1 on the Sustainable Groundwater Management Act (SGMA) Eastern Management Agency and the Association of California Water Agencies (ACWA).

After Board discussion, it was **MOVED** by Trustee Clay, seconded by Trustee M. Burchardi and carried by a unanimous 4-0-0 voice vote to designate Trustee Brad Joos as the ID No.1 representative for SGMA Eastern Management Agency.

It was **MOVED** by Trustee Joos, seconded by Trustee M. Burchardi and carried by a unanimous 4-0-0 voice vote to designate Trustee Jeff Clay as the ID No.1 representative for Association of California Water Agency (ACWA).

Mr. Jay Freeman provided comment to the Board.

c) Appointment of Board Ad Hoc Committees

Mr. Garcia reviewed the current Board representatives for certain Ad Hoc Committees. He identified the Ad Hoc Committees which require a new Board member to be assigned, including the City of Solvang, COMB, and Cachuma Contract Ad Hoc Committees.

After Board discussion, it was MOVED by Trustee Clay, seconded by Trustee M. Burchardi and carried by a unanimous 4-0-0 voice vote to appoint Trustee Brad Joos to the City of Solvang Ad Hoc Committee.

It was MOVED by Trustee M. Burchardi, seconded by Trustee Joos and carried by a unanimous 4-0-0 voice vote to appoint Trustee Jeff Clay to the COMB Ad Hoc Committee.

It was MOVED by Trustee Clay, seconded by Trustee Joos and carried by a unanimous 4-0-0 voice vote to appoint Trustee Mike Burchardi to the Cachuma Contract Ad Hoc Committee.

2. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

Mrs. Martone reviewed the Statement of Revenues and Expenses for the month of March. She reported the revenues exceeded the expenses by \$32,274.58 for the month and the year to date net income is \$1,949,027.12. Mrs. Martone reported the water sales increased by 10% from the prior month; however, water production was 168 AF less for the month which is significantly less than the 10-year running average. Mrs. Martone reported the Statement of Revenues and Expenses also reflect income from new services, capital facilities and the sale of scrap metal and increased expenses for maintenance projects as the field crew was busy with three significant mainline breaks during the month. She indicated that the year-to-date surplus revenue will be utilized to cover the District's annual State Water Project and 2004 Series A Bond payment which are due in June.

b) Approval of Accounts Payable

The Warrant List was provided in the handout material for Board action. The Warrant List covered warrants 22135 through 22210, for the period of March 20, 2019 through April 16, 2019 in the amount of \$474,806.74.

Ms. Frances Komoroske provided comment to the Board.

It was MOVED by Trustee Clay, seconded by Trustee M. Burchardi and carried by a 4-0-0 voice vote, to approve the Warrant List as presented.

c) Resolution No. 787 – Authorizing Signatures for Operating Account at Rabobank

The Board packet included draft Resolution No. 787.

Mrs. Martone explained that all checks issued by the District from the general operating account require two (2) authorized signatures for processing. She reviewed the current signatories and explained that with the recent resignation of one of the signers and availability issues that can occur with the remaining two signatories, District management, in discussion with the District's auditors, believe it would be more efficient and beneficial to increase the number of District officials authorized as signatories. She reported that Resolution 787 removes Kevin Walsh as an approved signer and designates Trustees Harlan Burchardi, Clay and Joos; as well as Chris Dahlstrom, General Manager/Treasurer and Mary Martone, Administrative

Manager/Secretary to the Board of Trustees as authorized signatories for the District's general operating account held at Rabobank.

Mrs. Martone stated staff recommends approval of Resolution No. 787 authorizing signatures for the operating account at Rabobank.

It was **MOVED** by Trustee Clay, seconded by Trustee H. Burchardi, to adopt Resolution No. 787 Authorizing Signatures for Operating Account at Rabobank.

The Resolution was adopted and carried by the following 4-0-0 roll call vote:

<b>AYES, Trustees:</b>	Harlan Burchardi Michael Burchardi Brad Joos Jeff Clay
<b>NOES, Trustees:</b>	None
<b>ABSENT, Trustees:</b>	None

**B. OPERATIONS AND MAINTENANCE**

1. Upland Water Well 29 - Update

Mr. Garcia reported that Mr. Eric Tambini, Water Resources Manager, will provide an update on the Water Well 29. Mr. Tambini stated the well site is complete and clean-up of the site will be finished by the end of the week. He stated water chemistry testing is occurring and is expected to be completed next week. Mr. Tambini reported the 12-hour pump test was at 950 gpm. Mr. Garcia expressed his appreciation to Mr. Tambini for coordinating the contractors and overseeing the process. The Board members concurred with compliments to Mr. Tambini.

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

A. Cachuma Project - U.S. Bureau of Reclamation Continuing Operations

1. Cachuma Project Water Service Contract No. I75r-1802R, Water Deliveries, Exchange Agreement, Entitlement, Water Storage, Accounting, Water Supply Projections

Mr. Garcia indicated that there was no new information to discuss under this agenda item from what was already reported under the Agenda Item VIII - Consent Agenda.

B. Sustainable Groundwater Management Act

1. Eastern Management Area Update

Mr. Garcia reported that the next meeting of the SGMA Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) will be held on April 25, 2019 at 6:30 p.m. He stated that he and Trustee Joos will attend the meeting. Mr. Garcia explained that, among other things, the GSA Committee will address the status of consultant work in the EMA and the involvement of a citizen advisory group. He stated that all meetings will be posted on the SYRWCD website and the public is welcome and encouraged to attend.

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

The Board packet included a March 29, 2019 letter from Mr. David Bertrand to the District re: compliments to staff.

The Board packet included the Family Farm Alliance Monthly Briefing for March 2019.

Mr. Garcia stated the 2019 ACWA Spring Conference is scheduled for May 7-10, 2019 in Monterey. He provided a brief review of the conference and stated that if any of the Board Members were interested in attending to please contact Mrs. Martone so the appropriate registrations and reservations could be made.

**XII. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS THE ITEMS NOT MARKED WITH AN ASTERISK (\*) FOR FILE:**

The Correspondence list was received by the Board.

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

There were no requests from the Board.

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

Vice President Clay stated the next Regular Meeting of the Board of Trustees is currently scheduled for May 21, 2019 at 3:00 p.m. Trustee Clay indicated that he would not be able to attend the May 21<sup>st</sup> meeting as he would be out of town.

**XV. CLOSED SESSION:**

The Board adjourned at 4:48 p.m. for a brief recess. At 5:01 p.m., the Board reconvened and adjourned to closed session to discuss XV.A. 1., 2., 3. and 4.

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

[Subdivision (d)(1) of Section 54956.9 of the Government Code – 4 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 and complaints filed by the California Sport fishing Protection Alliance regarding the operating of the Cachuma Project and State Board Orders WR73-37, 89-18 and 94-5; and proposed changes to the place of use of waters obtained through aforementioned permits 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 regarding petitions for change and extension of time and protests to the petitions
3. Name of Case: Santa Barbara Superior Court Case No. 18CV05437, Santa Ynez River Water Conservation District, Improvement District No.1 v. Holland, et al.
4. Name of Case: Santa Barbara Superior Court Case No. 19CV01873, Cachuma Operation and Maintenance Board v. Santa Ynez River Water Conservation District, Improvement District No.1

**XVI. RECONVENE INTO OPEN SESSION:**

[Sections 54957.1 and 54957.7 of the Government Code]

The Board reconvened to open session at 6:25 p.m. Mr. Garcia, District Legal Counsel, announced there was no reportable action on Agenda items XV.A. 1., 2., 3. and 4.

**XVII. ADJOURNMENT:**

Being no further business, it was MOVED by Trustee M. Burchardi, seconded by Trustee Joos and carried by a unanimous 4-0-0 voice vote, to adjourn the meeting at 6:26 p.m.

**THE APRIL 16, 2019 REGULAR MEETING MINUTES WERE APPROVED AT THE SPECIAL MEETING OF MAY 29, 2019.**