

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
JANUARY 17, 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, January 17, 2023, in-person at 1070 Faraday Street and via teleconference.

Trustees Present: Jeff Clay Michael Burchardi
 Brad Joos Nick Urton
 Jeff Holzer

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Karen King
 Eric Tambini

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:00 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone 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. 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 54953, as well as District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

4. CONSIDERATION OF RESOLUTION NO. 831: Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 831 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and because state and local recommendations remain in place to reduce the transmission of COVID-19, approval of Resolution No. 831 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, to adopt Resolution No. 831, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

The Motion carried and Resolution No. 831 was adopted by the following 5-0-0 roll call vote:

AYES, Trustees:	Michael Burchardi
	Jeff Clay
	Jeff Holzer
	Brad Joos
	Nick Urton

NOES, Trustees:	None
ABSTAIN, Trustees:	None
ABSENT, Trustees:	None

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

There were no additions or corrections to the Agenda.

6. **PUBLIC COMMENT:**

President Clay welcomed any members of the public participating remotely 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.

7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 20, 2022:**

The Regular Meeting Minutes from December 20, 2022 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of December 20, 2022. There were no changes or additions requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a unanimous 5-0-0 roll call vote to approve the December 20, 2022 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 December.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a unanimous 5-0-0 roll call vote to approve the Consent Agenda as presented.

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. Martone announced that the Financial Statements were emailed to the Board members that morning and 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 December. She highlighted various line-items related to revenue and expense transactions that occurred during the month and also referenced the Fiscal-Year-to-Date Statement of Revenues and Expenses that provides a budget to actual snapshot from July through December. Ms. Martone reported that District revenues for the month of December exceeded the expenses by \$491,041.56 and the year-to-date net

income was \$2,645,244.98, which will be earmarked and utilized for the District's annual State Water Project payment which is due in June 2023. Ms. Martone reported that a Six-Month Budget update will be presented at the February Board Meeting.

b) Approval of Accounts Payable

Ms. Martone announced that the Warrant List was emailed to the Board members that morning and 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.

The Board reviewed the Warrant List which covered warrants 24945 through 24982 in the amount of \$ 332,514.95.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a unanimous 5-0-0 roll call vote to approve the Warrant List for December 21, 2022 through January 17, 2023.

B. OPERATIONS AND MAINTENANCE

1. Operational and Water Service Matters

a) Proposed Water Main Extension and Water Main Extension Agreement

The Board packet included a copy of a water main extension agreement and proposed site plans for the project.

Mr. Garcia reviewed the Board packet materials, including a draft Water Main Extension Agreement for a property located on Bramadero Road which will require a mainline extension in order for the District to provide water service to the property. Mr. Garcia explained that the draft Main Extension Agreement was developed by District management with the assistance of District Legal Counsel. He reviewed the property location, infrastructure in the surrounding area, proposed size and purpose of the mainline extension, and process to complete the project. Mr. Garcia stated that the draft Main Extension Agreement was being presented to the Board for approval and authorization for the General Manager to sign and enter into the agreement on behalf of the District, and for approval of the final engineering plans for the project as included in the Board packet. Board discussion ensued.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote to approve the Water Main Extension Agreement and final plans as included in the Board packet and to authorize the General Manager to execute the Water Main Extension Agreement for APN 135-330-003.

b) Update on Infrastructure Maintenance

Mr. Garcia introduced this item and stated that in December the Board awarded a contract to DN Tanks for the cleaning and maintenance of the District's Zone 3 Reservoir.

Mr. Tambini reported that all the required insurance, bonding and contract paperwork have been received by the District. He indicated that DN Tanks has been provided with a notice to proceed and work will commence on January 23, 2023. He stated that the field crew has been preparing for the first phase of the maintenance project by draining the reservoir to allow for inspection and commencement of the work. Mr. Tambini reported that the project should be completed by the end of February. Mr. Garcia expressed his appreciation and compliments to Mr. Tambini and the entire field staff for their efforts and coordination on this matter.

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

A. STATEWIDE STORM EVENTS AND RELATED PROJECT CONDITIONS

1. Cachuma Project Update

The Board packet included U.S. Bureau of Reclamation Lake Cachuma Daily Operations Reports, Santa Barbara County Flood Control District Rainfall and Reservoir Summary, current photos of Lake Cachuma, and a January 12, 2023 County of Santa Barbara Press Release entitled Preparations Underway for Incoming Storm System.

Mr. Garcia reviewed the Board packet materials and reported on the current water supply conditions for December and early January. He stated that the recent storms in the first week of January have accumulated 10.48 inches of precipitation at Cachuma Reservoir. He reported that Cachuma storage level is currently at 91.7 percent, which is remarkably higher than the 31.5 percent storage level reported in December 2022. Mr. Garcia stated that the County Executive Office provided a Press Release on January 12, 2023 predicting that Cachuma will fill and spill over the weekend (January 13-14, 2023). Mr. Garcia stated that Cachuma last spilled in 2011. Discussion ensued regarding spill conditions, capacity of the reservoir, modified storm operations, and historical rain events.

2. State Water Project Update

The Board packet included Department of Water Resources Current Reservoir Conditions, excerpts from CCWA Operating Committee Water Supply Situation Report, and related news articles regarding the recent storms in Santa Barbara County.

Mr. Garcia discussed the current Cachuma Reservoir conditions report for January 12, 2023 as compared to the December 14, 2022 conditions. He reviewed the CCWA Water Supply Situation Report that included the Northern Sierra, San Joaquin, and Tulare Basin Station Precipitation Index reports and explained that the snowpack level is nearly 250 percent of normal. Mr. Garcia stated that the recent storms have significantly increased reservoir storage levels across California, although it is not enough to bring the State out of the extended drought conditions we have seen over the last several years.

B. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area (EMA) Update

The Board packet included notice of a January 26, 2023 Regular meeting of the Groundwater Sustainability Agency for the Eastern Management Area.

Mr. Garcia reported that a Regular Meeting of the Groundwater Sustainability Agency for the Eastern Management Area will be held on January 26, 2023. He indicated that topics for discussion at the meeting may include an update on groundwater level conditions and messaging in response to the recent storms.

C. CHUMASH CULTURAL CENTER

1. Request to Abandon Unutilized Utility Easement

Mr. Garcia reviewed the Board packet materials regarding a request for the District to abandon an unused water line easement that runs across the property being developed for the Chumash Cultural Center. He reviewed a map of the property, historical information regarding the District's easement, and activities over the last several years in developing the 6.9 acre parcel where the newly constructed Chumash Cultural Center exists. Mr. Garcia noted that the District's easement is no longer used or necessary for the District and that abandonment of this easement has been contemplated for several

years. He explained that Board approval is needed to authorize management to finalize and record the necessary documents to formally abandon the water line water easement.

It was **MOVED** by Trustee Clay, seconded by Trustee Joos, and carried by a 5-0-0 roll call vote, to authorize the General Manager, with the assistance of Legal Counsel, to prepare, finalize, and record the documents necessary to formally abandon the water line easement on the Chumash Cultural Center property.

D. HEXAVALENT CHROMIUM (CR6)

1. Review and Comments on Environmental Protection Agency’s Integrated Risk Information System Draft Toxicological Assessment of Hexavalent Chromium

Mr. Garcia reviewed the draft report from the U.S. Environmental Protection Agency entitled “IRIS Toxicological Review of Hexavalent Chromium (Cr6)” included in the Board packet. He referenced the Executive Summary of the Report and highlighted the comment letters submitted by the Coachella Valley Water District, American Chemistry Council, American Water Works Association, and Tox Strategies. Mr. Garcia stated that the draft Report is yet another indication that the State Water Resources Control Board is advancing to adopt 10 parts per billion (ppb) drinking water standard for Chromium 6. He reported that the federal MCL for Chromium 6 remains at 50 ppb and that Canada is at 100 ppb. Mr. Garcia stated that many California water agencies will be affected by a lower MCL, including ID No.1. He stated that staff continues to monitor the State’s progress in establishing a new MCL and that further information will be provided as it becomes available.

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:

Mr. Garcia reported on the activities of the Los Olivos Community Services District.

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

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 that the next Regular Meeting of the Board of Trustees is scheduled for February 21, 2023 at 3:00 p.m.

15. CLOSED SESSION:
The Board adjourned to closed session at 5:04 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

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 approximately 5:43 p.m.

Mr. Garcia announced that the Board met in closed session concerning Agenda Items 15.A.1 and 15.A.2, and that there was no reportable action from closed session.

17. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee Urton, seconded by Trustee Joos, and carried by a 3-0-0 voice vote, with Trustees Burchardi and Holzer absent, to adjourn the meeting at approximately 5:45 p.m.

THE JANUARY 17, 2023 MEETING MINUTES WERE APPROVED AT THE FEBRUARY 21, 2023 REGULAR MEETING.