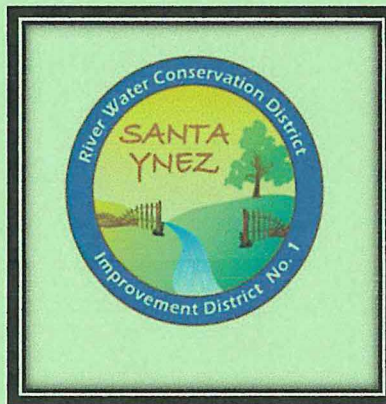


**SANTA YNEZ RIVER WATER CONSERVATION
DISTRICT,**

IMPROVEMENT DISTRICT No. 1

FINANCING CORPORATION

BOARD PACKET



NOTICE AND AGENDA
ANNUAL MEETING OF THE BOARD OF DIRECTORS
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
FINANCING CORPORATION

will be held at **2:30 P.M., Tuesday, December 20, 2022**
In-Person - 1070 Faraday Street, Santa Ynez, CA - Conference Room

OR VIA TELECONFERENCE
TELECONFERENCE PHONE NUMBER: 1-669-900-9128
MEETING ID: 929 0039 9487#
PARTICIPANT ID No.: 180175#
MEETING PASSCODE: 180175#

Important Notice Regarding Public Participation in This Meeting: For those who may not attend the meeting in person or teleconference but wish to provide public comment on an Agenda Item, please submit any and all comments and written materials to the District via electronic mail at general@syrwd.org. All submittals should indicate “December 20, 2022 Financing Corporation Board Meeting” in the subject line. Public comments and materials received by the District will become part of the post-meeting Board packet materials available to the public and posted on the District’s website. In the interest of clear reception and efficient administration of the meeting, all persons participating via teleconference are respectfully requested to mute their voices after dialing-in and at all times unless speaking.

1. **CALL TO ORDER AND ROLL CALL**
2. **REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA**
3. **CONSIDERATION OF RESOLUTION NO. 05-2022 – A Resolution of the Board of Directors of the Santa Ynez River Water Conservation District, Improvement District No.1 Financing Corporation Authorizing Remote Teleconference Meetings under the Ralph M. Brown Act in accordance with AB 361**
4. **CONSIDERATION OF THE MINUTES OF THE ANNUAL MEETING OF DECEMBER 21, 2021**
5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
6. **PUBLIC COMMENT** - Any member of the public may address the Board relating to any non-agenda matter within the Corporation’s jurisdiction. The total time for all public participation shall not exceed fifteen (15) minutes and the time allotted for each individual shall not exceed three (3) minutes. The Corporation is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any public comment item.
7. **MANAGER’S REPORT – STATUS, DISCUSSION, AND POSSIBLE ACTION ON THE FOLLOWING SUBJECTS:**
 - A. Annual Report – Verbal Report by the General Manager
 - B. Update on Required Annual Federal & State Filings
8. **ADJOURNMENT**

This Agenda was posted at 3622 Sagunto Street, Santa Ynez, California, and notice was delivered in accordance with Government Code Section 54950, Corporations Code Section 5211, and Section 3.11 of the Financing Corporation By-Laws. This Agenda contains a brief general description of each item to be considered. The Board reserves the right to change the order in which items are heard. Copies of the staff reports or other written documentation relating to each item of business on the Agenda are on file with the Corporation and available for public inspection during normal business hours at 3622 Sagunto Street, Santa Ynez. Such written materials will also be made available on the Santa Ynez River Water Conservation District’s website, subject to staff’s ability to post the documents before the regularly scheduled meeting. Question concerning any of the Agenda items may be directed to the Corporation’s General Manager at (805) 688-6015. If a court challenge is brought against any of the Board’s decisions related to the Agenda items above, the challenge may be limited to those issues raised by the challenger or someone else during the public meeting or in written correspondence to the Board prior to or during the public meeting. In compliance with the Americans with Disabilities Act, any person needing special assistance to review Agenda materials or participate in this meeting may contact the Corporation Secretary at (805) 688-6015. Notification 72 hours prior to the meeting will best enable the Corporation to make reasonable arrangements to ensure accessibility to this meeting.

RESOLUTION NO. 05-2022

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1 FINANCING CORPORATION
AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER THE RALPH M. BROWN ACT IN ACCORDANCE WITH AB 361**

WHEREAS, the Santa Ynez River Water Conservation District, Improvement District No.1 Financing Corporation (Corporation) is committed to promoting and preserving complete public access and participation in meetings of the District's Board of Directors, as required and set forth by the Ralph M. Brown Act (Gov. Code § 54950 et seq.) (Brown Act); and

WHEREAS, the Brown Act contains special provisions for remote teleconference participation in meetings when the Governor of the State of California has declared a state of emergency pursuant to Government Code section 8625 and either state or local officials have imposed or recommended measures to promote social distancing, or where in-person meetings would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency for the COVID-19 pandemic, which state of emergency has not been rescinded; the County Health Officer for the County of Santa Barbara has issued numerous Health Orders regarding health and safety requirements and protocols since the beginning of and throughout the COVID-19 pandemic, including recent Health Officer Order No. 2022-10.1, effective February 16, 2022, which incorporates guidance issued on February 7, 2022 by the California Department of Public Health (CDPH) requiring unvaccinated persons to wear masks in all indoor public settings, requires universal masking in only specified settings, and recommends continued indoor masking when the risk of COVID-19 transmission is high; and

WHEREAS, on April 20, 2022, CDPH issued updated Guidance for the Use of Face Masks which provides, among other things, that effective March 1, 2022, the requirement that unvaccinated individuals mask in indoor public settings will move to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking, and that universal making shall remain required in specified high-risk settings, and that after March 11, 2022, the universal masking requirement for K-12 and Childcare settings will terminate, and that CDPH strongly recommends that individuals in these settings continue to mask in indoor settings when the universal making requirement lifts; and

WHEREAS, on September 28, 2021 the County Health Officer and County Public Health Director issued a Health Official AB 361 Social Distance Recommendation which states, among other things, that utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from COVID-19, and that such recommendation is further intended to satisfy the requirements of the Brown Act which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act, where such recommendation is also based in part on the increased case rate of the highly transmissible Delta variant of COVID-19 within the nation and the County; and

WHEREAS, the District finds that the current circumstances relating to COVID-19 and variants thereof can cause, and can continue to cause, risks to the health and safety of persons within the County, and therefore the District may conduct its meetings to allow remote teleconference participation in the manner authorized by AB 361, specifically including Government Code section 54953(e); and

WHEREAS, this Resolution is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the exemption set forth under Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines) because remote teleconference meetings during a declared state of emergency do not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Ynez River Water Conservation District, Improvement District No.1, Financing Corporation as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The District may conduct its meeting to allow remote teleconference participation in the manner authorized by AB 361, specifically including Government Code Section 54953(e).
3. This Resolution shall take effect immediately upon its adoption and shall remain in effect for up to thirty (30) days as provided in Government Code section 54953(e)(3).

WE, THE UNDERSIGNED, being the duly qualified President and Secretary, respectively, of the Board of Directors of the Santa Ynez River Water Conservation District, Improvement District No.1 Financing Corporation, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of said Corporation at a Regular meeting held on December 20, 2022 by the following roll call vote:

Mary Martone - Secretary to the Board of Directors

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1
FINANCING CORPORATION
DECEMBER 21, 2021 ANNUAL MEETING MINUTES

DIRECTORS PRESENT: Michael Burchardi Jeff Clay
 Jeff Holzer Brad Joos
 Lori Parker

DIRECTORS ABSENT: None

OTHERS PRESENT: Mary Martone Paeter Garcia
 Eric Tambini Gary Kvistad
 Karen King

1. CALL TO ORDER AND ROLL CALL:

Director Clay called the meeting to order at 2:33 p.m. and stated that this was the Annual Meeting of the Board of Directors. Ms. Martone conducted roll call and reported that all Directors were present.

2. 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 the meeting. She reported that the Agenda was posted in accordance with applicable law and in compliance with AB 361. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

3. CONSIDERATION OF RESOLUTION NO. 04-2021 - A Resolution of the Board of Directors of the Santa Ynez River Water Conservation District, Improvement District No.1 Financing Corporation Authorizing Remote Teleconference Meetings under the Ralph M. Brown Act in accordance with AB 361

Mr. Garcia explained Assembly Bill 361 (AB 361) was signed into law which extends the ability of public agencies to conduct remote public meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. Mr. Garcia stated that remote meetings can be held provided that a state of emergency is still in effect, and that state and/or local officials have imposed or recommended measures to promote social distancing, or the local agency determines that meeting in person would present imminent risk to public health and safety. In addition to these specific requirements, to continue meeting remotely under the provisions of AB 361, a local agency must review and reconsider its determinations at least every 30 days. Mr. Garcia reported that the State and Santa Barbara County remain under a declared state of emergency in connection with the COVID-19 pandemic and that Santa Barbara County Health Order No. 2021-10.7 is effective through January 2, 2022.

Mr. Garcia presented Resolution No. 04-2021 for Board consideration.

No public comment was provided.

It was **MOVED** by Director Burchardi, seconded by Director Joos, to adopt Resolution No. 04-2021, a Resolution of the Board of Directors of the Santa Ynez River Water Conservation District, Improvement No.1. Financing Corporation Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

1 The Resolution was adopted and carried by the following 5-0-0 roll call vote:
2

3 **AYES, DIRECTORS:** Michael Burchardi
4 Jeff Clay
5 Jeff Holzer
6 Brad Joos
7 Lori Parker
8

9 **NOES, DIRECTORS:** None

10 **ABSTAIN, DIRECTORS:** None

11 **ABSENT, DIRECTORS:** None
12

13 **4. CONSIDERATION OF THE MINUTES OF THE ANNUAL MEETING OF DECEMBER 15, 2020**

14 The Minutes of the Annual Meeting of December 15, 2020 were presented for consideration. Director
15 Clay asked if there were any changes or additions to the minutes of December 15, 2020. There were
16 no additions or corrections requested.
17

18 It was **MOVED** by Director Burchardi, seconded by Director Joos, and carried by a unanimous 5-0-0
19 roll call vote, to approve the December 15, 2020 Annual Meeting Minutes as presented.
20

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

22 Mr. Garcia stated that there were no additions or corrections to the Agenda.
23

24 **6. PUBLIC COMMENT:**

25 Director Clay welcomed any members of the public participating via video or telephonically and
26 offered time for members of the public to speak and address the Board of Directors on matters not on
27 the Agenda.
28

29 There were no comments received from the public.
30

31 Mr. Garcia stated that the Notice and Agenda for this Annual Meeting of the Board of Directors invited
32 members of the public to submit written comments to the District via electronic mail. Mr. Garcia
33 reported that no written comments were submitted to the District for this meeting.
34

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

36 **A. Annual Report - Verbal Report by the General Manager**

37 Mr. Garcia stated this was the Annual Meeting of the Financing Corporation. He gave a brief
38 history of the Financing Corporation, stating that it was established in FY 2016 for the purpose of
39 issuing Revenue Certificates of Participation (bonds) to finance the construction and
40 implementation of a water treatment plant that would be required to comply with a Chromium 6
41 Maximum Contaminant Level (MCL) of 10 parts per billion (ppb) that was adopted by the State
42 Water Resources Control Board in 2014. He explained that the MCL was later invalidated by a
43 state court decision for failing to adequately consider the economic feasibility of the 10 ppb
44 standard. He indicated that the State Board has been working to develop and issue a new
45 Chromium 6 MCL which could occur in the near future.
46

47 Mr. Garcia reminded the Board that as part of the 2020 Annual Meeting of the Financing
48 Corporation the Board of Directors decided to keep the Financing Corporation active based upon
49 the State's proposal to adopt a new Chromium 6 MCL, which in turn would require the District to
50 finance and construct treatment facilities to ensure drinking water compliance. He indicated that
51 in November 2021 the State Board issued a Notice of Preparation of a Draft Program
52 Environmental Impact Report for a new Chromium 6 MCL with a potential effective date of FY
53 2023.

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B. State of California Franchise Tax Board Exempt Determination

Ms. Martone reported that in mid-September of 2020 staff applied for tax-exempt status with the State of California. She reported that in April of 2021 the District received an official determination letter indicating that the District’s application was approved. Ms. Martone reported that there have been no financial transactions or commitments made by the Financing Corporation during the year. She also reported that staff has filed the required Annual Statement with the State of California for FY 2021.

C. Form 990-N Filing

Ms. Martone reported that annually the Financing Corporation must also file a form with the Internal Revenue Service. She stated that staff has filed the required Form 990N with the Internal Revenue Service for FY 2021.

8. ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:50 p.m.

**SECRETARY - MARY MARTONE
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1 FINANCING CORPORATION**

DRAFT