

REGULAR MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT SEPTEMBER 6, 2023

A regular meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, September 6, 2023, at 6:30 p.m. at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

Directors Present: Cynthia Allen, Steve Jordan, Larry Lahr, and Brett Marymee

Director Absent: Mark Altshuler

Others Present, in-person: Assistant General Manager Bill Buelow,
Board Secretary Amber Thompson, and General Manager Kevin Walsh

Others Present, remote participation: Legal Counsel Michelle Gearhart (Adamski Moroski Maden Cumberland & Green LLP) and Legal Counsel Steve Torigiani (Young Wooldridge LLP)

1. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:30 pm. Ms. Thompson called roll. Four Directors were present providing a quorum.

2. CLOSED SESSION

At 6:31 p.m., President Allen closed the Open Session and the Board convened into Closed Session from 6:31 p.m. to 6:58 p.m. to discuss the following items:

- a. Conference with Legal Counsel - Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)): Wolff vs SYRWCD, Superior Court of California, County of Santa Barbara, Case No. 20CV01552 and Case No. 22CV02062

3. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT PUBLIC COMMENT

President Allen reconvened into Open Session at 6:58 p.m. and reported that Agenda Item No. 12, Closed Session, and Item No. 13, Reconvene/Report were moved to be addressed after Agenda Item No. 2a during the first agenzized Closed Session. There was no action taken to report.

4. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

5. PUBLIC COMMENT

There were no public comments. Ms. Thompson reported that no public comments were received prior to the meeting.

6. CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 15, 2023

President Allen submitted the minutes of the Special Meeting of August 15, 2023, for Board approval. There was no discussion or public comment.

Director Lahr made a **MOTION** to approve the minutes of the Special Meeting of August 15, 2023, as presented. Director Marymee seconded, there was no discussion, and the motion passed 4-0-1, with Director Altshuler being absent.

7. GENERAL MANAGER REPORT

a. Water Rights Release 2023

Mr. Kevin Walsh announced that there were no Water Rights Releases in 2023 nor are any being planned for, at this time. Discussion followed. There was no public comment or action.

b. Surface Water Report

Mr. Walsh presented the Winter 2023-24 Precipitation Outlook, an update on Santa Barbara County Cloud Seeding plans for winter of 2023-24, Rainfall and Reservoir Status Report dated August 28, 2023, Cachuma Daily Operations for August 2023, Downstream Users Accounting for June 2023, and Dewatered Groundwater Storage Charts through June 2023. There was discussion but no public comment or action.

c. Financial Reports

i. Update on Fiscal Year 2022-23 Audit

Mr. Walsh reported that a formal presentation of the Fiscal Year 2022-23 Audit by the accounting firm, Bartlett Pringle, Wolf is scheduled for the December 6, 2023 meeting. Discussion followed. There was no public comment or action.

ii. Quarterly Investment Reports – 4th quarter of FY 2022-2023

Mr. Walsh presented the Certification for Fiscal Year 2022-23, 4th Quarter Investment Report. There was no discussion, public comment, or action.

iii. Quarterly Comparison Balance Sheet

Mr. Walsh presented the Balance Sheet - Quarterly Comparison of March 31,

2023, and June 30, 2023, Balance Sheets. There was no discussion, public comment, or action.

iv. Balance Sheet & Profit/Loss Statement, FY 2023-24 Period 1, July 2023

Mr. Walsh presented the Balance Sheet and Profit & Loss Budget vs. Actual report as of July 31, 2023. There was no discussion, public comment, or action.

v. Approval of Warrant Lists for May, June, and July 2023

Mr. Walsh presented the Warrant Lists for May, June, and July 2023. Discussion followed. There was no public comment.

Director Jordan made a **MOTION** to approve the May, June and July 2023 warrant lists which include check #s 1143-1175 plus ACH transactions totaling \$360,125.92. Director Marymee seconded the motion and it passed 4-0-1, with Director Altshuler being absent.

8. GROUNDWATER PROGRAM MANAGER REPORT

a. Groundwater Production, Reporting and Charges Update

Mr. Bill Buelow reported that \$270,333.04 in Groundwater Charges for the production period of January 1 through June 30, 2023, has been received to date at the unified rate of \$14.14 per acre-foot water produced. He explained that receipts are lower than anticipated due to less pumping during the wet winter. Most large producers have submitted their statements and payments. He reported that Santa Ynez River Water Conservation District, Improvement District No. 1 (ID No. 1) submitted its payment for January 1 through June 30, 2022, under protest. Delinquent reports are currently being followed up on.

Discussion followed. District staff and counsel indicated that they are not in agreement with ID No. 1's grounds for protest and will so advise ID No. 1 so that the record is clear on this matter. There was no public comment or action.

b. Sustainable Groundwater Management Act (SGMA) Update

Mr. Buelow provided updates on SGMA efforts in the Basin and the District's involvement. In August 2023, the WMA GSA endorsed a draft Joint Exercise of Powers Agreement (JPA) for the WMA which will be presented to each governing board of the member agencies for consideration of approval by December 2023. The CMA GSA, at the meeting scheduled for September 25, 2023, is expected to consider endorsing a draft JPA for the CMA which will then need to be presented to each governing board of the member agencies for consideration of approval. The EMA GSA does not have a draft JPA prepared for consideration as the member agencies disagree on proposed changes to the current Memorandum of Agreement voting structure. Discussion followed. There was no public comment and no action.

i. Update on Basin Governance from Ad-Hoc Committee

Directors Steve Jordan and Brett Marymee presented an update on basin governance ideas. The top two priorities for items that they would like to see resolved as soon as possible are the approval of a formal cost sharing agreement for the EMA GSA and starting the process to conduct a Rate Study for all three GSAs as a coordinated and combined effort. Discussion followed. There was no public comment or action.

Ad-Hoc Committee recommended that District staff poll current water users to help find agriculture representatives to recommend to the GSA Committees. Mr. Buelow suggested looking at the Citizen Advisory Groups for the agriculture representatives to recommend. The Board directed staff that there should be a two-step plan to secure an agriculture representative for the EMA GSA.

9. REPORTS, ACTS BY BOARD MEMBERS, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, OBSERVATIONS AND OTHER MATTERS, AND/OR COMMUNICATIONS NOT REQUIRING ACTION

Mr. Buelow reported that he attended the CSDA Annual Conference in Monterey, CA. He recommended that Board Members attend this conference next year in Indian Wells. Director Marymee indicated his interest in attending.

10. REQUESTS FROM THE BOARD OF DIRECTORS FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA

There were no requests.

11. NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, DECEMBER 6, 2023, AT 6:30 PM AT THE BUELLTON CITY COUNCIL CHAMBERS, 140 WEST HIGHWAY 246, BUELLTON, CALIFORNIA

The next scheduled regular meeting of the Board meeting will be December 6, 2023, at 6:30 p.m., at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

12. CLOSED SESSION

This agenda item was moved to be discussed after Agenda Item 2a. The Board convened into Closed Session from 6:31 p.m. to 6:58 p.m. to discuss Agenda Item 2a and the following items:

- b. Conference with Legal Counsel – Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)) relating to proceedings pending before the State Water Resources Control Board (SWRCB) regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 of the United States Bureau of Reclamation for the Cachuma Project, and complaints filed by the California Sport Fishing Protection Alliance regarding the

operation of the Cachuma Project and SWRCB Order WR 89-18; proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and Reclamation's Petition for Reconsideration or Rehearing re Order WR 2019-0148; and proceedings related to SWRCB Permit No. 15878 (Application A022423) held by the City of Solvang including the City of Solvang's Petitions for Change and Extension of Time.

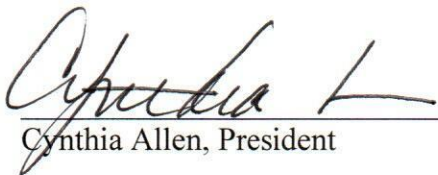
- c. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(2)): Significant exposure to litigation (Two Matters).
- d. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(4)): Possible initiation of litigation (Two Matters).

13. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT PUBLIC COMMENT

This agenda item was moved to be discussed after Agenda Item 2a. President Allen advised there is nothing to report from Closed Session

14. ADJOURNMENT

There being no further business, President Allen adjourned the meeting at 8:09 p.m.


Cynthia Allen, President


Amber M. Thompson, Secretary

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
MAY 2023 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	5/2/2023	Payroll	April 16-31, 2023 Salary	\$ 10,097.86
ACH	5/2/2023	Cynthia Allen	Meeting: 4/26 & 4/28 SYRWCD; 4/27 EMA	\$ 207.79
ACH	5/2/2023	Steve Jordan	Meeting: 4/28 SYRWCD	\$ 69.26
ACH	5/2/2023	Brett Marymee	Meeting:4/28 SYRWCD; 4/27 EMA	\$ 138.52
ACH	5/2/2023	Employment Development Dept.	EDD Tax Deposit (April 16-31, 2023)	\$ 979.87
ACH	5/2/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (April 16-31, 2023)	\$ 5,635.23
ACH	5/2/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (4/31/23) & Employer Match (partial due 4/31/23)	\$ 3,045.34
ACH	5/2/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 4/31/23)	\$ 483.23
1143	5/10/2023	Alex Pappas	April 2023 Support with SGMA TSS Grant	\$ 504.00
1144	5/10/2023	Pacific Gas & Electric	April 2023 Electric Service	\$ 90.84
1145	5/10/2023	Stetson Engineers	March 2023 Engineering Service	\$ 7,205.32
1146	5/10/2023	Bartlett Pringle Wolf	FY 2021-22 Financial Audit	\$ 324.00
1147	5/10/2023	Jim Heyerly	May 2023 Rent	\$ 1,500.00
1148	5/10/2023	Shirley Scales Bookkeeping	April 2023 GWAdmin Service	\$ 2,916.50
1149	5/10/2023	US Bank Corp	April 2023 CalCard	\$ 1,117.00
1150	5/10/2023	Valley Bookkeeping Services	April 2023 Bookkeeping	\$ 380.00
1151	5/10/2023	Young Wooldridge	April 2023 Legal Service	\$ 19,241.50
ACH	5/17/2023	Payroll	May 1-15, 2023 Salary	\$ 10,097.86
ACH	5/17/2023	Employment Development Dept.	EDD Tax Deposit (May 1-15, 2023)	\$ 979.87
ACH	5/17/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (May 1-15, 2023)	\$ 5,566.37
ACH	5/17/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 5/15/23)	\$ 483.23
ACH	5/17/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (5/15/23) & Employer Match (partial due 5/15/23)	\$ 3,045.34
ACH	5/17/2023	SDRMA	June 2023 Insurance - Employee Benefits	\$ 606.29
TOTAL				\$ 74,715.22

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
JUNE 2023 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>FY</u> <u>2023-24</u>
ACH	6/2/2023	Payroll	May 16-31, 2023 Salary	\$ 10,097.86	
ACH	6/2/2023	Cynthia Allen	Meeting: 5/22 CMA	\$ 69.26	
ACH	6/2/2023	Art Hibbits	Meeting: 5/22 CMA	\$ 69.26	
ACH	6/2/2023	Employment Development Dept.	EDD Tax Deposit (May 16-31, 2023)	\$ 979.87	
ACH	6/2/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (May 16-31, 2023)	\$ 5,589.33	
ACH	6/2/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 5/31/23)	\$ 483.23	
ACH	6/2/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (5/31/23) & Employer Match (partial due 5/31/23)	\$ 3,045.34	
1152	6/12/2023	Alex Pappas	May 2023 San Lucas Creek Monitoring, Expense Reimbursement mileage, and SGMA TSS Grant Support	\$ 311.00	
1153	6/12/2023	Central Coast Water Authority	Lake Cachuma - CCWA Alternate Release Point Project Cost Share	\$ 25,509.00	
1154	6/12/2023	Onsite Computers & Design	Technology Services - new Comcast modem install	\$ 187.50	
1155	6/12/2023	Pacific Gas & Electric	May 2023 Electric Service	\$ 96.96	
1156	6/12/2023	Amber Thompson	Expense Reimbursement April - May 2023	\$ 234.49	
1157	6/12/2023	Jim Heyerly	June 2023 Rent	\$ 1,500.00	
1158	6/12/2023	Shirley Scales Bookkeeping	May 2023 GWAdmin Service	\$ 3,030.50	
1159	6/12/2023	US Bank Corp	May 2023 CalCard	\$ 3,098.94	
1160	6/12/2023	Valley Bookkeeping Services	May 2023 Bookkeeping	\$ 380.00	
1161	6/12/2023	Young Wooldridge	May 2023 Legal Service	\$ 27,116.50	
1162	6/12/2023	Stetson Engineers	April 2023 Engineering Service	\$ 12,760.01	
ACH	6/20/2023	SDRMA	July 2023 Insurance - Employee Benefits	\$ 606.29	\$ 606.29
ACH	6/20/2023	Payroll	June 1-15, 2023 Salary	\$ 10,097.86	
ACH	6/20/2023	Employment Development Dept.	EDD Tax Deposit (June 1-15, 2023)	\$ 979.87	
ACH	6/20/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (June 1-15, 2023)	\$ 5,566.37	
ACH	6/20/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 5/15/23)	\$ 483.23	
ACH	6/20/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (5/15/23) & Employer Match (partial due 5/15/23)	\$ 3,045.34	
TOTAL				\$ 115,338.01	\$ 606.29
				FY 2022-23	\$ 114,731.72
				FY 2023-24	\$ 606.29

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
JULY 2023 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>FY</u> <u>2023-24</u>
ACH	7/3/2023	Payroll	June 16-30, 2023 Salary	\$ 10,097.86	
ACH	7/3/2023	Cynthia Allen	Meetings: 6/7, 6/27 SYRWCD; 6/22 EMA	\$ 207.79	
ACH	7/3/2023	Mark Altshuler	Meetings: 6/7, 6/27 SYRWCD	\$ 138.52	
ACH	7/3/2023	Art Hibbits	Meetings: 6/7, 6/27 SYRWCD	\$ 138.52	
ACH	7/3/2023	Steve Jordan	Meetings: 6/7, 6/27 SYRWCD	\$ 138.52	
ACH	7/3/2023	Brett Marymee	Meetings: 6/7 SYRWCD; 6/22 EMA	\$ 138.52	
ACH	7/3/2023	Employment Development Dept.	EDD Tax Deposit (June 16-30, 2023)	\$ 979.87	
ACH	7/3/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (June 16-30, 2023)	\$ 5,692.63	
ACH	7/3/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 6/30/23)	\$ 483.23	
ACH	7/3/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (6/30/23) & Employer Match (partial due 6/30/23)	\$ 3,045.34	
ACH	7/10/2023	SDRMA	FY 23-24 Workers Compensation Insurance	\$ 4,466.46	\$ 4,466.46
ACH	7/10/2023	SDRMA	FY 23-24 Property and Liability Insurance	\$ 15,988.89	\$ 15,988.89
1163	7/12/2023	GSI Water Solutions Inc.	January-May 2023 Satellite Imagery Water Use Study	\$ 4,571.50	
1164	7/12/2023	Onsite Computers & Design	Technology Services - replace 2 desktop/laptop systems, replace older network system	\$ 8,102.12	
1165	7/12/2023	Pacific Gas & Electric	June 2023 Electric Service	\$ 99.65	
1166	7/12/2023	Stetson Engineers	May 2023 Engineering Service	\$ 23,843.67	
1167	7/12/2023	Amber Thompson	Expense Reimbursement June 2023	\$ 20.96	
1168	7/12/2023	EMA GSA	Cost Share Contribution	\$ 1,257.00	
1169	7/12/2023	Inklings Printing Co.	GW forms and envelopes; business cards	\$ 227.59	
1170	7/12/2023	Jim Heyerly	July 2023 Rent	\$ 1,600.00	\$ 1,600.00
1171	7/12/2023	Shirley Scales Bookkeeping	June 2023 GWAdmin Service	\$ 4,598.00	
1172	7/12/2023	US Bank Corp	June 2023 CalCard	\$ 1,085.62	
1173	7/12/2023	Valley Bookkeeping Services	June 2023 Bookkeeping	\$ 380.00	
1174	7/12/2023	Young Wooldridge	June 2023 Legal Service	\$ 38,984.08	
1175	7/17/2023	Stetson Engineers	June 2023 Engineering Service	\$ 19,097.52	
ACH	7/17/2023	SDRMA	August 2023 Insurance - Employee Benefits	\$ 644.24	\$ 644.24
ACH	7/18/2023	SDRMA	July 2023 Insurance - Employee Benefits (Balance Due)	\$ 37.95	\$ 37.95
ACH	7/17/2023	Payroll	July 1-15, 2023 Salary	\$ 12,426.13	\$ 12,426.13
ACH	7/18/2023	Employment Development Dept.	EDD Tax Deposit (July 1-15, 2023)	\$ 1,150.39	\$ 1,150.39
ACH	7/18/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (July 1-15, 2023)	\$ 6,472.89	\$ 6,472.89
ACH	7/18/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 5/15/23)	\$ 525.32	\$ 525.32
ACH	7/18/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (5/15/23) & Employer Match (partial due 5/15/23)	\$ 3,431.91	\$ 3,431.91
TOTAL				\$ 170,072.69	\$ 46,744.18

FY 2022-23 \$ 123,328.51

FY 2023-24 \$ 46,744.18