

Special Meeting of the
BOARD OF DIRECTORS
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
will be held at **4:00 pm, Wednesday, May 6, 2020**

AGENDA

TELECONFERENCE MEETING ONLY – NO PHYSICAL MEETING LOCATION

Public Participation Dial-In Number: 1-267-866-0999

Passcode: 4519 04 9404

Teleconference Meeting During Coronavirus (COVID-19) Emergency: As a result of the COVID-19 emergency and Governor Newsom’s Executive Orders to protect public health by issuing shelter-in-home standards, limiting public gatherings, and requiring social distancing, this meeting will occur solely via teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20.

Important Notice Regarding Public Participation in Teleconference Meeting: Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the Board of Directors, may participate in the meeting using the dial-in number and passcode above. Those wishing to submit written comments instead, please submit any and all comments and materials to the District via electronic mail at athompson@syrwcd.com. All submittals of written comments must be received by the District no later than 5:00 p.m. on Tuesday, May 5, 2020, and should indicate “**May 6, 2020 Board Meeting**” in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record 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 in this teleconference are respectfully requested to mute their phones after dialing-in and at all times unless speaking.

- I. Call to Order and Roll Call
- II. Additions, if any, to the Agenda
- III. Public Comment (Any member of the public may address the Board relating to any non-agenda matter within the Board’s jurisdiction. The total time for all public participation shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Board at this meeting on any public item.)
- IV. Consideration of the Minutes of the Regular Meeting of March 4, 2020
- V. Public Hearing on the 42nd Annual Engineering Survey and Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, 2019-2020.
- VI. Consider Resolution No. 697 – Establishing a Purchasing Policy and Procedures
- VII. Groundwater Program Manager Report:
 - A. Consider Resolution 698 - Authorizing Groundwater Program Manager and/or General Manager or designee to execute an Amendment to Grant Agreement between the State of California Department of Water Resources (DWR) and the Santa Ynez River Water Conservation District.

- B. Consider authorizing the General Manager or Designee to enter into contract(s) with Ramboll (or its US subsidiary) and SkyTEM (or its US subsidiary) or at the option of the General Manager, authorize Stetson Engineers to subcontract those firms as a contract amendment.
- VIII. Reports, acts by Board members, questions of staff, status reports, announcements, observations, and other matters, and/or communications not requiring action
- IX. Requests from the Board of Directors for items to be included on the next Agenda. The next Regular Meeting is scheduled for June 3, 2020, via Teleconference Call.

In compliance with the California Water Code, regular meetings are scheduled for the first Wednesday in March, June, September and December at various locations within the District. Special meetings may be held at any location within the District.

X. Closed Session

To accommodate the teleconferencing format of this meeting, the public participation phone line will be closed for sixty (60) minutes while the Board of Directors convenes into closed session. Upon the conclusion of the 60-minute period, the public participation phone line will be reopened of the remaining Agenda Items.

The Board will hold a closed session to discuss the following items:

- A. Conference with Legal Counsel – Pending Litigation (Government Code section 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; 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.
- B. Conference with Legal Counsel - Pending Litigation (Government Code section 54956.9, subd. (d)(1)): Wolff vs SYRWCD, Superior Court of California, County of Santa Barbara, Case No. 20CV01552
- C. Conference with Legal Counsel – Anticipated Litigation: Possible initiation of litigation (Government Code section 54956.9, subd. (d)(4) (one item).

The public participation phone line (Dial-In Number and Passcode above) will be reopened sixty (60) minutes after the Board of Directors convenes into closed session.

XI. Reconvene into Open Session / Closed Session Report

XII. Adjournment

[This agenda was posted on the District’s website (www.syrwcd.com) and at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and notice delivered in accordance with Government Code Section 54954. In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the District at (805) 693-1156. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.]

MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

March 4, 2020

A regular meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, March 04, 2020, at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

Directors Present: Cynthia Allen Mark Altshuler Art Hibbits Steve Jordan Brett Marymee

Others Present: General Manager Kevin Walsh, Groundwater Program Manager Bill Buelow, Board Secretary Amber Thompson, Legal Counsel Steve Torigiani, and 1 member of the public

I. CALL TO ORDER AND ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. ADDITIONS, IF ANY, TO THE AGENDA

There were no additions to the agenda.

IV. PUBLIC COMMENT

There was no public comment.

V. APPROVAL OF MINUTES

Director Allen submitted the minutes of the special meeting of December 4, 2019 for Board approval. Director Marymee made a MOTION to approve the minutes. Director Hibbits seconded the motion and it passed unanimously.

VI. GENERAL MANAGER REPORT

A. Receive and File Fiscal Year 2018-19 Audit

Director Jordan MOVED to receive and file the Fiscal Year 2018-19 Independent Auditor's Report and Report on Internal Controls presented to the Board on December 4, 2019 by Ms. Nina Pisani of Bartlett, Pringle & Wolf, LLP. The motion was seconded by Director Marymee and passed by the following roll call vote:

AYES, Directors: Cynthia Allen
Mark Altshuler
Art Hibbits
Steve Jordan
Brett Marymee
NOES, Directors: None
ABSENT, Directors: None

B. Surface Water Report

Mr. Walsh presented the Surface Water Report section of the General Managers Report dated March 04, 2020. He advised that the District is anticipating the need to make a longer water rights release in late July or early August 2020 to both Above and Below Narrows Accounts. The rate, timing, and amounts of releases may be subject to the recent SWRCB Order. Current, weather predictions indicate that 2020 likely will not be an above average or wet year, which is needed to recharge the Lompoc Plain.

Discussion followed.

C. Financial Report

a. FY 2019-20 Financial Reports

Mr. Walsh presented, and the Board reviewed the financial reports for January 2020. Discussion followed.

b. Quarterly Investment Report

The Board received the Quarterly Investment Report for the second quarter of FY 2019-20 (October, November, December 2019).

c. The Board Warrants

The Board reviewed the Warrant Lists for December 2019, January and February 2020. Director Jordan made a MOTION to ratify the Warrants as presented (nos. 4922-5011). Director Marymee seconded and the motion was passed unanimously.

Mr. Walsh presented a Memorandum dated January 02, 2020 regarding changes to the District's payroll processing and payment via direct deposit. Discussion followed.

D. Consider Resolution No. 696 – Investment Policy

The Board reviewed and briefly discussed the Investment Policy.

Director Hibbits waived reading of the Resolution. Director Hibbits MOVED to adopt Resolution No. 696: RE-ADOPTING AN INVESTMENT POLICY.

The motion was seconded by Director Jordan and the resolution was adopted and passed by the following roll call vote:

AYES, Directors: Cynthia Allen
Mark Altshuler
Art Hibbits
Steve Jordan
Brett Marymee
NOES, Directors: None
ABSENT, Directors: None

E. Draft Preliminary Budget FY 2020-21

Mr. Walsh presented a Draft Preliminary Budget for Fiscal Year 2020-21. Discussion followed.

F. Required Ethics Training and Conflict of Interest

Mr. Walsh reviewed required training and Conflict of Interest filings for Board of Directors. Discussion followed.

VII. GROUNDWATER PROGRAM MANAGER REPORT

A. Sustainable Groundwater Management Act (SGMA) Update

Mr. Buelow reviewed the District's SGMA efforts. Individual plans are being developed for the three Management Areas, Eastern, Central and Western areas. The progress on plans for all three areas are tracking similarly and are due in January 2022. A separate website (www.SantaYnezWater.org) for communication of SGMA activities in all three GSAs is live and maintained by the District. There is also a link from the District's website.

For both the Central Management Area (CMA) and Western Management Area (WMA), Stetson Engineers' Team (Stetson) finalized the Outreach and Engagement and Data Management System Plans as DRAFT FINAL. The documents will be incorporated into the Final Groundwater Sustainability Plans for the CMA and WMA. Stetson will prepare a Draft Technical Memorandum summarizing the data compilation for the CMA/WMA and begin work on the numeric groundwater model. The DMS upload process is taking longer than anticipated because there is so much data available for these areas, much of the data exists only in paper form which needs to be input to a digital format.

For the Eastern Management Area (EMA), GSI's Team (GSI) finalized the Communication and Engagement and the Data Management System Plans as DRAFT FINAL. The documents will be incorporated into the Final Groundwater Sustainability Plan for the EMA. The County of Santa Barbara, County Water Agency is funding the GSP effort in the EMA. To ensure coordination between the three GSAs, the District, on behalf of ID No. 1 and the City of Solvang hired the CMA/WMA consultant, Stetson

Engineers, to coordinate with the County's consultant team.

The Stetson and GSI Teams have coordinated on the 3D visualization model and are using the same software, the same colors to represent lithologic units and the same approach to interpreting geologic logs to ensure consistency between the three Management Areas in the Basin. They have held monthly meetings with staff in attendance.

Discussion followed.

B. DWR Grant Updates

Mr. Buelow reported that the District is involved with two grant efforts with DWR. The District was awarded a \$1 million grant through Prop 1 funds as well as tentative \$400K through Prop 68.

For the Prop 1 Grant, the District on behalf of the GSAs, has prepared and submitted three invoices to DWR with over \$1.1M in cost share receipts and billable hours. All participating GSA member agencies have participated in providing invoices for the local cost share component as required by the grant. To date, the total expected reimbursement for submitted invoices is \$376K.

For the Prop 68 Grant, the District and its consultants on behalf of the WMA and CMA, prepared and submitted a \$400K grant proposal for Aerial Electro-Magnetic (AEM) surveys of the WMA and CMA to compliment an AEM survey for the EMA to be conducted by the County of Santa Barbara. The grant has a 25% cost share, with the GSAs responsible for the first \$100K of the project. Staff received notification that the District's proposal was tentatively accepted with the final funding amount expected to be announced in March. Staff and consultants are attempting to combine efforts for AEM surveys of the EMA and CMA/WMA to lower costs for all.

Discussion followed.

C. Intra-Basin Administrative Agreement Update

Mr. Buelow announced that all eight GSA participating agencies have approved the Intra-Basin Administrative Agreement (IBAA). This document will help with on-going coordination efforts to prepare the three GSPs in the Basin and formalize how grant funds and expenses will be shared.

Mr. Buelow reported that Staff will now initiate work on the SGMA coordination agreement and a Draft Joint Powers Agreement (JPA). The Coordination agreement is required if more than one GSP is submitted for a Basin, as is planned for the Santa Ynez River Valley Groundwater Basin. The JPA is necessary to implement SGMA post GSP submittal.

D. Confidentiality Agreement for Eastern Management Area Groundwater Sustainability Agency

Mr. Buelow reported the legal counsels for agencies of the EMA have prepared a Confidentiality Agreement (Agreement) for the EMA. The parties to the Agreement are the District, the County Water Agency, ID No. 1, and the City of Solvang. This agreement supersedes previous Confidentiality Agreements between the District and the other agencies.

Director Marymee made a MOTION to authorize the General Manager and General Counsel for the District to sign the Agreement. Director Jordan seconded and the motion was passed unanimously.

E. Preliminary 42nd Annual Engineering Survey and Report, FY 2019-2020

Mr. Buelow presented the Preliminary 42nd Annual Engineering Survey and Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, Fiscal Year 2019-2020 dated March 4, 2020. He further stated that data collection is to be completed in March, the final report will be written in April and presented to the Board in May.

Discussion followed.

F. Semi-annual Groundwater Pump Charge Program Update

Mr. Buelow presented an update on the District's Semi-Annual Groundwater Pump Charge Program. For the period of July 1, 2019 through December 31, 2019, the District has received to date approximately \$273K in groundwater pump charges. To make payments of groundwater pumping charges easier, the District is now set up to accept payments by Credit Card in addition to cash or checks. Presently, processing fees incurred for credit card payments will be absorbed by the groundwater rates.

Discussion followed.

VIII. ATTORNEY REPORT

Mr. Steve Torigiani of Young Wooldridge reported the State Board Order 2019-0148, became effective October 25, 2019 and all entities are currently operating under the Order. The State of California has 90 days to accept or reject the Petition for Reconsideration filed by the Federal Bureau of Reclamation shortly after the Order was released.

Mr. Torigiani advised that he anticipates an increased amount of California legislation coming out soon regarding Water Bond, SGMA funding, and water quality issues, to name a few.

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

Director Allen reported that her term as Alternate on the LAFCO Board is ending soon and she will be running for reelection. She was also recently elected as Secretary to the Santa Barbara County CSDA which now meets quarterly.

Director Marymee reported that he drove past the California Aqueduct recently and it is full and flowing.

Director Hibbits requested clarification on the post storm Lake Cachuma inflow numbers reported in a recent Santa Barbara News Press article. Discussion followed regarding surface and formation inflow.

Mr. Buelow reported he was asked by We Watch to be one of six panelist to discuss water for “How Does Climate Change Threaten the Santa Ynez Valley?” co-hosted by Citizens Planning Association and WE Watch on Thursday, March 5, 2020 7-9 PM at St. Mark’s Church in Los Olivos.

Ms. Thompson announced Special District Leadership Academy through SDRMA is hosting two conferences for Elected Officials. She will email link to all Directors.

X. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA

Correction was made to this Agenda Item. The next Board meeting will be a Special meeting (not Regular) and will be held May 6, 2020 (not March 4, 2020). No requests were made for items to be included in the next agenda.

XI. CLOSED SESSION

The Board adjourned into Closed Session at 8:35 p.m. to discuss the following topics:

- A. Conference with Legal Counsel – Existing litigation (Government Code section 54956.9, subd. (d)(1)) relating to quasi-adjudicatory and other 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; and proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and proceedings related to SWRCB Permit No. 15878 held by the City of Solvang.
- B. Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation (Government Code section 54956.9, subd. (d)(2)): One Claim

- C. Conference with Legal Counsel – Anticipated Litigation: Possible initiation of litigation (Government Code section 54956.9, subd. (d)(4) (one item).
- D. Conference with Legal Counsel – Labor Negotiations

XII. RECONVENE OPEN SESSION/REPORT FROM CLOSED SESSION

Open session reconvened at 9:34 p.m. President Allen stated there is nothing to report.

XIII. ADJOURNMENT

There being no further business, Director Jordan MOVED to adjourn the meeting at 9:35 p.m. The motion was seconded by Director Marymee.

Cynthia Allen, President

Amber M. Thompson, Secretary

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RESOLUTION NO. 697

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
ESTABLISHING POLICIES AND PROCEDURES OF SAID DISTRICT FOR
PURCHASES OF SUPPLIES, EQUIPMENT, MATERIALS AND SERVICES**

WHEREAS, Government Code section 54202 provides that, “Every local agency shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency.”

WHEREAS, consistent with section 54202, the Board of Directors of the Santa Ynez River Water Conservation District desires to adopt a policy establish methods to provide for a more formal process for the procurement of equipment, service, and materials for the operation of the District’s business; and

WHEREAS, a proposed draft of “The Santa Ynez River Water Conservation District Purchasing Policy and Procedures Including Competitive Bidding Requirements” (the “Purchasing Policy”) is attached to this Resolution as Exhibit A; and

WHEREAS, the Board of Directors has reviewed the Purchasing Policy.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Santa Ynez River Water Conservation District, as follows:

1. The attached Purchasing Policy is hereby adopted.
2. District staff shall implement the Purchasing Policy immediately upon adoption of this Resolution.
3. Changes or revisions in the Purchasing Policy shall be adopted by further Resolution of this Board.

The foregoing resolution being on motion of Director _____, seconded by Director _____, was authorized by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT/ABSTAINING, Directors:

I HEREBY CERTIFY that the foregoing resolution is the resolution of said district as duly passed and adopted by said Board of Directors the 6th of May, 2020.

Cynthia Allen, President

Amber M. Thompson, Secretary

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
PURCHASING POLICY AND PROCEDURES
INCLUDING COMPETATIVE BIDDING REQUIREMENTS

1. PURPOSE AND SCOPE

This Purchasing Policy and Procedures provides for the purchase of supplies and equipment, as required by Government Code Section 54202, and also addresses securing services and public works contracts. Nothing herein shall abrogate state or federal law establishing a more stringent purchasing procedure. The District's General Manager or designee shall be the Purchasing Agent (PA). As used herein, the definition of Public Works Contract shall be as found in California Public Contract Code section 1101, i.e., "an agreement for erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind."

2. PURCHASES OF \$3,000.00 OR UNDER

The PA may purchase supplies, services, equipment and enter into a Public Works Contract estimated to cost \$3,000.00 or less without solicitation of bids.

3. PURCHASES COSTING MORE THAN \$3,000.00, BUT NOT MORE THAN \$50,000.00

Supplies, services, equipment and a Public Works Contract estimated to cost more than \$3,000.00 but less than \$50,000.00 may be purchased by the PA after receiving at least three proposals. Services may also be purchased by the PA by sole source process on the basis of demonstrated competence and having the professional qualifications necessary for satisfactory performance of the services required.

4. SUPPLIES, SERVICES, AND EQUIPMENT PURCHASES COSTING MORE THAN \$50,000.00

Supplies, services, and equipment estimated to cost more than \$50,000.00 may be purchased by the Board of Directors (Board) after the PA has provided at least three written proposals based upon written specifications provided to vendors. Services may also be purchased by the Board by sole source process on the basis of demonstrated competence and having the professional qualifications necessary for satisfactory performance of the services required.

5. PUBLIC WORKS CONTRACT COSTING MORE THAN \$50,000.00

Although procedures for soliciting and awarding a Public Works Contracts is not provided for California Water Conservation Districts in the Public Contract Code, unless otherwise provided by the Board, a Public Works Contracts with estimated to cost more than \$50,000.00 may be purchased by the Board from the lowest responsive and responsible bidder after the publication of a notice inviting proposals, once a week for two successive weeks, the last publication to be made not less than one week prior to the opening of proposals.

All bids shall be opened publicly and the dollar amount of each bid shall be read aloud at the designated time for opening bids. Under no circumstances shall a bid which is received at the designated place of opening after the closing time be opened or considered.

7. **EXCEPTIONS**

The requirements of Sections 3, 4 and 5 of this policy shall not be applicable if:

- (a) Procedures relating to the purchase of supplies, services, equipment or a Public Works Contract may be dispensed with when the price is established by federal, state or local laws, regulations or ordinances.
- (b) An emergency exists which has the potential to have a negative impact on life or property, the General Manager may purchase the supplies, services, and public works necessary to meet the emergency without soliciting bids.
- (c) The purchase is associated with obtaining engineering, scientific, technical, surveying, accounting, bookkeeping, management, legal, artistic or similar services of a specialized nature.
- (d) The purchase is associated with obtaining services to be performed by persons with special education, training, or experience. May include professional services by vendors with specific knowledge of a project due to their involvement in pre-construction services or performance of services on similar projects.
- (e) The purchase is associated with obtaining services on a month to month basis.
- (f) The Board determines that the best interests of the District would be served by not securing competitive bids or issuing a request for proposals.
- (g) The PA finds that the cost of preparing and administering a competitive bidding process in a particular case is disproportional to the estimated contract amount or is otherwise not likely to result in a savings to the District.
- (h) A statutory exemption to obtaining bids or proposals is applicable, including pursuant to Government Code section 4525 et seq.

8. **OTHER PROCEDURES**

The procedure and forms used in the purchasing of supplies, equipment, services or a public works contract shall be approved by the PA and in clear and concise written form consistent with these Purchasing Procedures. The PA may at any time require more stringent procedures be followed than those outlined in this document.

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

MEMORANDUM

DATE: 06 May 2020

TO: Cynthia Allen Mark Altshuler Art Hibbits
Brett Marymee Steve Jordan Steve Torigiani

FROM: Bill Buelow, Groundwater Program Manager

SUBJECT: Groundwater Program Manager Report

AGENDA ITEM VII

A. Proposition 68 Grant Award and Amendment to December 2018 Grant Agreement

The State of California Department of Water Resources (DWR) produced a third round of grant funds under Proposition 68 (Prop 68) to help cover costs of preparing Groundwater Sustainability Plans. The District Board passed resolution No. 695 on December 4, 2019 directing staff to, on behalf of the WMA and CMA, to apply for the Grant. Staff prepared a \$400K proposal for Aerial Electro-Magnetic (AEM) surveys of the WMA and CMA to compliment an AEM survey planned for the EMA funded by the County of Santa Barbara. The WMA and CMA surveys will complement the EMA survey and would be used to fill data gaps anticipated in the hydrogeologic conceptual models. The AEM survey data will be used to update the hydrogeologic conceptual model and may make optional work proposed by the consultants unnecessary, such as additional well installation. The AEM data collected by geophysical methods would accomplish more data collection over a wider area at a similar or lower cost than other investigative options, such as well installation or deep borings. The grant application and proposal were submitted on November 15, 2019.

The District was notified on March 18, 2020 that its \$296,000 proposal for *Airborne Electromagnetic Survey of the WMA and CMA of the Santa Ynez River Valley Basin* was awarded in full by DWR. The grant requires a 25% cost match or just under \$100K which would be paid by local funds. As per the WMA/CMA GSA formation agreements, SYRWCD would be responsible for 50% of the cost match or approximately \$50K. The remaining cost match would be paid for by the other GSA partner agencies. Letters of support were obtained by the City of Buellton, Mission Hills CSD, the City of Lompoc and the County Water Agency.

This Prop 68 award will be added to the \$1M Proposition One (Prop 1) award as an amendment to the original Grant Agreement (Number 4600012741) between the State of California Department of Water Resources (DWR) and the Santa Ynez River Water Conservation District signed by the District on November 28, 2018 and executed by

DWR on December 17, 2018. The District as Grantee will continue to administer both grant-awards on behalf of the three GSAs in the Basin. The Prop 68 award will be invoiced to DWR for reimbursement separately from the Prop 1 award and its cost share and reimbursements are planned to be tracked separately from the Prop 1 grant.

District staff and legal counsel have been working with DWR staff on the draft grant amendment. The District submitted its comments to DWR on its proposed amendments. The final amendment is expected in mid-May.

Staff Recommendation: Consider passing Resolution No. 698 authorizing the General Manager or Groundwater Program Manager, or Designee to execute an amendment to the grant agreement of December 17, 2018 between DWR and the District, to accept the Proposition 68 grant funds.

B. Contracts for AEM Work

Once the grant amendment has been finalized and fully executed, SkyTEM and Ramboll (or their U.S. subsidiaries) will each need a contract to perform the work in the CMA and WMA including the AEM survey, and the processing and interpretation of the geophysical data. Additionally, Stetson Engineers (Stetson) will require a modification to its current contract for a new scope of work incorporate the AEM data into the GSPs. As part of the grant proposal effort the District received a cost proposal from each of the three firms. SkyTEM submitted a \$200K proposal to perform the data collection. This includes mobilizing the geophysical equipment and personnel, as well as hiring a helicopter to fly the proposed survey routes in the WMA and CMA. Ramboll submitted a \$145K proposal to work with SkyTEM to coordinate the data collection, and then process and interpret the collected data. Ramboll will work with Stetson to integrate the AEM data into existing models. Stetson submitted an \$55K proposal to work with Ramboll and update the two hydrogeologic conceptual models. District Staff and Stetson are currently in discussions on the contracting for this project.

There are two options for contracting the AEM work. **Option 1:** At the request of the District, Stetson will subcontract SkyTEM and Ramboll, and will integrate the AEM survey data under a change order; or **Option 2:** District will separately contract SkyTEM and Ramboll for the AEM work and issue Stetson a change order for the integration of AEM data into the existing models. Under either option, District staff will follow guidelines of the newly adopted procurement policy. The contracts will be issued consistent with the sole source provisions described in parts (4) and (7)(c) of the purchasing policy, as the consultants provide specialized scientific services.

Staff Recommendation: Consider authorizing the General Manager or designee, to contract SkyTEM, Ramboll and Stetson for the AEM project using either **Option 1** or **Option 2**, whichever is in the best interest of the District and subject to review as to the form of the contracts by Legal Counsel. Such authorization is consistent with District's purchasing policy. Total authorization for AEM work is not to exceed \$425K without Board approval.

RESOLUTION NO. 698

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
AMDENDING THE DECEMBER 2018 GRANT AGREEMENT BETWEEN THE
DISTRICT AND STATE OF CALIFORNIA**

WHEREAS, the State of California enacted the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.), as amended, which became effective January 1, 2015, pursuant to which certain public agencies may become Groundwater Sustainability Agencies (GSA) and adopt Groundwater Sustainability Plans (GSP) in order to manage and regulate groundwater in underlying groundwater basins; and

WHEREAS, SYRWCD, as the Coordinating Agency in the SY Basin, intends to develop and produce one or more GSPs and a Coordination Agreement, as appropriate for the SY Basin, which GSP(s) shall be well coordinated and fully comply with GSP Regulations and be approvable by DWR;

WHEREAS, the Board of Directors for SYRWCD under Resolution 695 authorized District Staff to pursue the Proposition 68 Grant Funds;

WHEREAS The Santa Ynez River Water Conservation District entered into an agreement with the Department of Water Resources on December 17, 2018 for the original \$1M grant; and

WHEREAS The Santa Ynez River Water Conservation District was awarded an additional \$296,000 grant by the California Department of Water Resources under the 2019 Sustainable Groundwater Management Grant Program pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code Section 79700 et seq.) and/or the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018 (Proposition 68) for the Santa Ynez River Valley Groundwater Basin, Aerial Electromagnetic Survey of the Western and Central Management Areas in the Santa Ynez River Valley Groundwater Basin.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors as follows:

1. The Groundwater Program Manager and/or the General Manager of the Santa Ynez River Water Conservation District or designee is hereby authorized to execute an amendment to the December 2018 grant agreement between the District and the California Department of Water Resources in substantially the form as reflected in Exhibit A, attached hereto.

The foregoing resolution being on motion of Director _____, seconded by Director _____, was authorized by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT/ABSTAINING, Directors:

CERTIFICATION

I HEREBY CERTIFY that the foregoing resolution is a full, true, and correct copy of a resolution of said district as duly passed and adopted by the Board of Directors of the Santa Ynez River Water Conservation District at a meeting held on the 6th of May, 2020.

Cynthia Allen, President

Amber M. Thompson, Secretary