

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT JANUARY 25, 2024

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Thursday, January 25, 2024, at 6:30 p.m. at the Santa Ynez River Water Conservation District, Conference Room, 3669 Sagunto Street, Suite 101, Santa Ynez, California.

Directors Present (in person): Mark Altshuler, Larry Lahr, and Brett Marymee

Directors Present (teleconference): Steve Jordan

New Appointment to the Board: Robert Dunlap

Others Present (in-person): Cynthia Allen, Bill Buelow, Michael Burchardi, Jeff Clay, Paeter Garcia, Alex Pappas, Justin Ruhge, Amber Thompson, and Legal Counsel Steve Torigiani (Young Wooldridge LLP)

1. CALL TO ORDER AND ROLL CALL

President Lahr called the meeting to order at 6:31 pm. Ms. Thompson called roll. Four Directors were present providing a quorum.

Director Jordan attended the meeting via teleconference from El Dorado Country Club, 4600 Fairway Drive, Indian Wells, CA 92210. The teleconference location was properly noticed on the meeting agenda and no members of the public joined Director Jordan at that location.

2. PLEDGE OF ALLEGIANCE

President Lahr led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 6, 2023

President Lahr submitted the minutes of the Regular Meeting of December 6, 2023, for Board approval. There was no discussion or public comment.

Director Altshuler made a **MOTION** to approve the minutes of the Regular Meeting of December 6, 2023, as presented. Director Marymee seconded, there was no discussion, and the motion passed 3-0-1, by the following roll call vote:

AYES, Directors: Altshuler, Jordan, Lahr,

NOES, Directors: None

ABSTAIN, Director: Marymee

4. PUBLIC COMMENT

There were no public comments.

5. APPOINTMENT OF BOARD REPRESENTATIVES TO CMA GSA JPA BOARD

Mr. Bill Buelow reported that the Central Management Area Groundwater Sustainability Agency (CMA GSA) reformed from operating under a Memorandum of Agreement (MOA) to a Joint Exercise of Powers Agreement (JPA). The appointments of representatives from the SYRWCD, Director and Alternate Director, to the CMA GSA JPA Board of Directors are needed. Discussion followed on both Agenda Item No. 5 and No. 6. There were no public comments.

Director Marymee made a **MOTION** to appoint Larry Lahr as Director to the Santa Ynez River Valley Groundwater Basin Central Management Area Groundwater Sustainability Agency JPA Board and Steve Jordan as Alternate Director. Director Altshuler seconded the motion. There was no discussion or public comment. The motion passed 4-0-0 by roll call vote.

6. APPOINTMENT OF BOARD REPRESENTATIVES TO WMA GSA JPA BOARD

Mr. Bill Buelow reported that the Western Management Area Groundwater Sustainability Agency (WMA GSA) reformed from operating under a Memorandum of Agreement (MOA) to a Joint Exercise of Powers Agreement (JPA). The appointments of representatives from the SYRWCD, Director and Alternate Director, to the WMA GSA JPA Board of Directors are needed. Discussion occurred during discussion of Agenda Item No. 5. There were no public comments.

Director Marymee made a **MOTION** to appoint Steve Jordan as Director to the Santa Ynez River Valley Groundwater Basin Western Management Area Groundwater Sustainability Agency JPA Board and Mark Altshuler as Alternate Director. Director Lahr seconded the motion. There was no discussion or public comment. The motion passed 4-0-0 by roll call vote.

7. APPOINTMENT TO FILL DIVISION 1 DIRECTOR VACANCY PURSUANT TO GOVERNMENT CODE SECTION 1780(D)

- a. Review and consider information from and regarding applicants and selection of appointee to fill the vacancy in the position of Division 1 Director

President Lahr welcomed the two candidates to fill the position of SYRWCD Division 1 Director, Mr. Justin Rughe and Mr. Robert Dunlap. No other candidates presented themselves or submitted interest for serving. President Lahr invited the candidates to introduce themselves to the Board of Directors. Both Mr. Justin Rughe and Mr. Robert Dunlap addressed the Board. Directors asked follow-up questions of the candidates. Discussion followed. There was no public comment.

The Directors thanked both candidates for their interest in serving as a Director

for the SYRWCD and commended them on their qualifications.

b. Consideration of adoption of Resolution No. 726 Making an Appointment to Fill the Vacancy in the Office of Director of Division 1

The two candidates chose to leave the room during Board deliberation during open session. Discussion continued. There was no public comment. The candidates returned to the room. After deliberations, the Directors selected Mr. Robert Dunlap to fill the vacancy in the Office of Director of Division 1.

Director Marymee **MOVED** to nominate Robert Dunlap to Office of Director of Division 1, add ROBERT DUNLAP to the blanks of Resolution No. 726, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPOINTING ___ TO FILL THE VACANCY IN THE OFFICE OF DIRECTOR OF DIVISION 1, and to adopt Resolution No. 726, **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPOINTING ROBERT DUNLAP TO FILL THE VACANCY IN THE OFFICE OF DIRECTOR OF DIVISION 1.** Director Jordan seconded the motion. There was no public comment or additional discussion. The motion passed 4-0-0 by the following roll call vote:

AYES, Directors: Altshuler, Jordan, Lahr, Marymee

NOES, Directors: None

ABSENT, Directors: None

Director Marymee complimented Mr. Justin Rughe on his qualifications and community involvement and invited him to consider involvement with the WMA GSA Citizen Advisory Group (CAG) and asked him to contact Mr. Buelow regarding any interest in participating in the WMA GSA CAG. Mr. Rughe left the meeting.

c. Oath of Office of Person Appointed to Fill Division 1 Director Vacancy

Ms. Amber Thompson, Secretary to the Board, administered the Oath of Office to Director Rober Dunlap and he took his seat on the dais for the remainder of the meeting.

8. APPOINTMENT TO FILL DIVISION 1 TRUSTEE VACANCY FOR SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1 (ID NO. 1) PURSUANT TO GOVERNMENT CODE SECTION 75166.2

a. Review and discuss recommendations, if any, from ID No. 1 pertaining to the selection of a candidate to fill the position of Trustee for Division 1 of ID No. 1

Ms. Thompson reviewed documents received from Santa Ynez River Water Conservation District, Improvement District No. 1 (ID No. 1) regarding a vacancy to the ID No. 1 Board of Trustees, Division 1, effective December 26, 2023; a formal

recommendation to appoint Mark Moniot as Division 1 Trustee for ID No. 1 Board of Trustees, made by the ID No. 1 Board of Trustees on January 16, 2024, during a regularly scheduled Board of Trustees meeting; and the application submitted by Mark Moniot for consideration as Division 1 Trustee for ID No. 1 Board of Trustees.

b. Consideration of candidates and selection of individual to fill the vacancy for Division 1 of the Board of Trustees of ID No. 1

President Lahr opened a public comment period. ID No. 1 Trustee Michael Burchardi and ID No. 1 General Manager Paeter Garcia provided comments regarding the ID No. 1 Board of Trustees recommendation of Mr. Mark Moniot to fill the vacancy. President Lahr thanked them for comments and closed public comment period. No discussion followed.

Director Marymee MOVED to accept the recommendation of Board of Trustees of ID No. 1 to appoint the candidate Mark Moniot to fill the vacancy for Division 1 of the Board of Trustees of ID No. 1. Director Altshuler seconded the motion. There was no public comment or additional discussion. The motion passed 5-0-0 by the following roll call vote:

AYES, Directors: Altshuler, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

c. Consideration of Resolution No. 727 Appointing Trustee for Division 1 of ID No.1

Ms. Thompson presented Resolution No 727, RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPOINTING MARK MONIOT TO THE POSITION OF TRUSTEE OF DIVISION 1 OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1 BOARD OF TRUSTEES.

Director Marymee MOVED to adopt Resolution No. 727, RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPOINTING MARK MONIOT TO THE POSITION OF TRUSTEE OF DIVISION 1 OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1 BOARD OF TRUSTEES and authorize staff to do all things necessary to carry out the appointment. The motion was seconded by Director Lahr and the Resolution was adopted and passed 5-0-0 on the following roll call vote:

AYES, Directors: Altshuler, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

9. UPDATE FROM GROUNDWATER SUSTAINABILITY AGENCY GOVERNANCE AD-HOC COMMITTEE

Mr. Buelow provided an introduction. President Larry Lahr requested Director Steve Jordan and Director Brett Marymee to provide the Board with an update from the Groundwater Sustainability Agency Governance Ad Hoc Committee. The Ad Hoc Committee provided ideas and updates on possible SYRWCD staff providing administrative support to GSA; well registration efforts needed by GSAs; agricultural membership on Boards for GSAs; Joint Exercise of Powers for GSAs staffing and Board voting structures; Member Agencies cost shares for GSAs; and liability. Public comment was received. Discussion followed.

The Board expressed support of an agricultural representative appointment to the GSAs Boards with a direct election of agricultural representative by pumpers. The Board supported the idea that staffing for the JPAs should not preclude member agencies from providing such support. There was no action.

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

Director Marymee reported that he attended the Santa Barbara Chapter CSDA meeting on January 22, 2024, and will continue to attend these meetings to represent SYRWCD.

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

Director Marymee requested that a resolution expressing appreciation to Cynthia Allen for her years of service as a Director on the SYRWCD Board be included on the March regular meeting agenda.

12. THE NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, MARCH 20, 2024, 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 March 20, 2024, at 6:30 p.m., at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

13. CLOSED SESSION

The Board convened into Closed Session from 7:47 p.m. to 8:20 p.m. to discuss the following items:

- a. Public Employee Performance Evaluation/Appointment/Employment. (Gov't Code § 54957(b)(1).) Title: General Manager; Assistant General Manager

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

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

At 8:20 pm, President Lahr reconvened the Board into Open Session and reported out the following:

- a. Public Employee Performance Evaluation/Appointment/Employment. (Gov’t Code § 54957(b)(1).) Title: General Manager; Assistant General Manager

President Lahr reported that the Board discussed appointing William Buelow to the position of General Manager for the Santa Ynez River Water Conservation District with compensation to remain as his current compensation. He requested that a consideration of change in compensation for William Buelow as General Manager be added to the agenda for the March 20, 2024 regular meeting.

Director Altshuler MOVED to appoint William Buelow to the position of General Manager for the Santa Ynez River Water Conservation District, effective immediately, with compensation to remain as his current compensation. The motion was seconded by Director Dunlap and passed 5-0-0 on the following roll call vote:

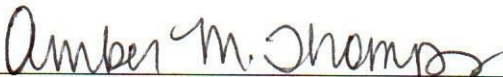
AYES, Directors: Altshuler, Dunlap, Jordan, Lahr, Marymee
 NOES, Directors: None
 ABSENT, Directors: None

15. ADJOURNMENT

There being no further business, President Lahr adjourned the meeting at 8:25 p.m.



Larry Lahr, President



Amber M. Thompson, Secretary

RESOLUTION NO. 726

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
APPOINTING ROBERT DUNLAP TO FILL THE VACANCY
IN THE OFFICE OF DIRECTOR OF DIVISION 1**

WHEREAS, by reason of the resignation of CYNTHIA ALLEN, effective December 31, 2023, a vacancy has been created in the office of Director of Division 1 of this District, and the District timely notified the county elections official of said vacancy as required by Government Code Section 1780(b); and

WHEREAS, Government Code Section 1780 (referenced and incorporated by Water Code §74202) authorizes this Board to appoint a person to fill the vacancy and serve until the next general district election scheduled one hundred thirty (130) or more days after the effective date of the vacancy; and

WHEREAS, this Board previously elected to fill said vacancy by appointment pursuant to Section 1780(d); and

WHEREAS, a Notice of Vacancy, including notice of the District's election to fill said vacancy by appointment, was duly posted as required by Government Code Section 1780 at three (3) conspicuous places within the District not less than fifteen (15) days prior to the adoption of this Resolution; and

WHEREAS, the power and privilege of filling said vacancy by appointment now rests with the remaining members of the Board of Directors by virtue of said Section 1780; and

WHEREAS, Robert Dunlap is knowledgeable about the affairs of the District and has been determined by this Board of Directors as an appropriate person to fill said vacancy.

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

1. That Robert Dunlap be and hereby is appointed to the office of Director of Division 1 of this District, formerly held by CYNTHIA ALLEN, to hold said office until the next general district election and thereafter until the person who is elected at that election has been qualified.
2. That the Secretary of the District prepare and transmit to the Secretary of State and the Santa Barbara County Clerk an amended Statement of Fact as required by Government Code Section 53051(b) and notify said county elections official of said appointment no later than 15 days after the appointment.
3. That the District's staff and attorneys are authorized to do all things necessary to carry out the appointment of Robert Dunlap.


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

AYES, and in favor thereof, Directors: Mark Altshuler
Steve Jordan
Larry Lahr
Brett Marymee

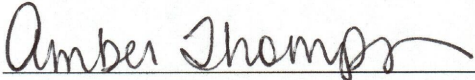
NOES, Directors: None

ABSENT/ABSTAINING, Directors: None

I HEREBY CERTIFY that the foregoing resolution is the resolution of said district as duly passed and adopted by said Board of Directors at a special meeting duly held on the 25th day of January 2024.



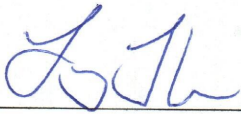
Larry Lahr, President



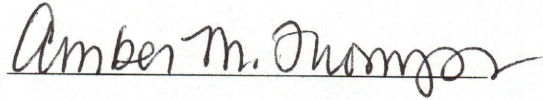
Amber M. Thompson, Secretary

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 special meeting held on the 25th of January 2024.



Larry Lahr, President



Amber M. Thompson, Secretary