

NOTICE

PUBLIC HEARING AND SPECIAL MEETING OF THE BOARD OF DIRECTORS SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

will be held at Vandenberg Village Community Services District Conference Room

3745 Constellation Road, Lompoc, California

at 6:30 pm, Wednesday, April 27, 2022

(Public Hearing scheduled to start at 7:30 pm)

Remote participation available via ZOOM.us

**“Join a Meeting” - Meeting ID: 816 7841 2973 - Meeting Passcode: 893535
DIAL-IN NUMBER: 1-669-900-6833**

- You do NOT need to create a ZOOM account or login with email for meeting participation.
- If your device does not have a microphone or speakers, you can call in for audio with the phone number and Meeting ID listed above to listen and participate.
- In the interest of clear reception and efficient administration of the meeting, all persons participating remotely are respectfully requested to mute their line after logging or dialing-in and remain muted at all times unless speaking.

Video/Teleconference Meeting During Coronavirus (COVID-19) State of Emergency: As a result of the COVID-19 pandemic, this meeting will be available via video/teleconference as recommended by Santa Barbara County Public Health and authorized by Government Code section 54953(e) (State Assembly Bill 361).

Important Notice Regarding Public Participation in Video/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 by phone or computer using the meeting ID number and passcode above. **Those wishing to submit written comments instead, please submit comments and materials to the District via electronic mail at athompson@syrwcd.com or dropped off at the District office.** All submittals of written comments must be received by the District no later than 10:00 a.m. on Wed, April 27, 2022 and should indicate **“PUBLIC COMMENT”** 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 website.

AGENDA OF SPECIAL MEETING

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Consider continuing use of teleconference meeting procedures under Government Code section 54953(e) (AB361)

IV. Closed Session

(Closed Session will last no longer than 50 minutes.) The Board will hold a closed session 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
- 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 (One Matter).
- D. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(4)): Possible initiation of litigation (Two Matters).

V. Reconvene into Open Session / Closed Session Report

VI. 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.)

Staff recommends any potential new agenda items based on issues raised be held for discussion under Agenda Item III, Requests from the Board of Directors for items to be included on the next Agenda.

VII. *(Start time: 7:30 p.m.)* Public Hearing on the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, 2021-2022

VIII. Consideration of the Minutes of the Special Meetings of March 9 and April 12, 2022.

IX. Groundwater Program Manager Report:

- A. Groundwater Production, Reporting, and Charges
- B. SGMA Update

- X. Discuss Executive Order N-7-22 and Receive Report from Ad-Hoc Committee
- XI. Attorney Report
- XII. Reports, acts by Board members, questions of staff, status reports, announcements, observations, and other matters, and/or communications not requiring action
- XIII. Requests from the Board of Directors for items to be included on the next Agenda. The next meeting is scheduled as a Regular Meeting and Public Hearing for June 1, 2022, at 6:30 pm.

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.

- XIV. Adjournment

[This agenda was posted on the District website (SYRWCD.com), at 3669 Sagunto Street, Suite 101, Santa Ynez, California and at 3745 Constellation Rd., Lompoc, California. Notice was delivered in accordance with Government Code Sections 54950-54963. 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 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.]

RESOLUTION NO. 703

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
INITIALLY AUTHORIZING REMOTE TELECONFERENCE
MEETINGS UNDER AB 361**

WHEREAS, meetings of the Board of Directors of the **Santa Ynez River Water Conservation District** (District) are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District conduct its business;

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 (2021) (“AB361”), provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions and requirements; and

WHEREAS, the District wishes to invoke the provisions of AB361 to authorize teleconference meetings subject to the provisions of Government Code section 54953(e);

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. Findings. The Board of Directors hereby finds as follows:

- (a) As provided by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) As provided by Government Code section 54953(e)(1), the County of Santa Barbara Health Department has imposed or recommended measures to promote social distancing, specifically Santa Barbara County Health Order No. 2021-10.5 (see also Santa Barbara County Public Health Department Health Officials AB 361 Social Distance Recommendation issued September 28, 2021).

Section 2. Procedures for Teleconference Meetings. The District shall hold meetings to allow for teleconference participation pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

Section 4. Renewal. Pursuant to Government Code section 54953(e)(3), the District may consider findings regarding the state of emergency every 30 days.

WE, THE UNDERSIGNED, being the duly qualified and acting President and Secretary, respectively, of the Board of Directors of the Santa Ynez River Water Conservation District, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Directors at a regular meeting duly held on the 1st day of December, 2021 by the following vote:

AYES, and in favor thereof, Directors:


Cynthia Allen
Mark Altshuler
Art Hibbits
Steve Jordan
Brett Marymee


NOES, Directors:

None

ABSENT/ABSTAINING, Directors:

None


Amber Thompson, Secretary


Cynthia Allen, President



Public Health Administration

300 North San Antonio Road ♦ Santa Barbara, CA 93110-1316
805/681-5100 ♦ FAX 805/681-5191

Van Do-Reynoso, MPH, PhD *Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Paige Batson, MA, PHN, RN *Deputy Director*
Darrin Eisenbarth *Deputy Director*
Dana Gamble, LCSW *Interim Deputy Director*
Polly Baldwin, MD, MPH *Medical Director*
Henning Ansorg, MD *Health Officer*

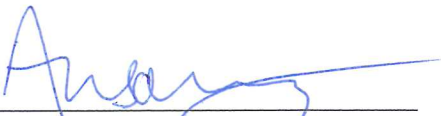
HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

Issued: September 28, 2021


COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies-such as commissions, committees, boards, and councils- have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

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 the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act.



Henning Ansorg, MD
Public Health Officer
County of Santa Barbara



Van Do-Reynoso, MPH, PhD
Public Health Director
County of Santa Barbara

**NOTICE OF RECEIPT OF GROUNDWATER ENGINEERING INVESTIGATION AND REPORT
AND PUBLIC HEARING THEREON**

Notice is hereby given, pursuant to Water Code Section 75571, that the Santa Ynez River Water Conservation District (District) will hold a public hearing at 6:30 p.m. (PST) on April 27, 2022 at the Vandenberg Village Community Services District office, 3745 Constellation Road, Lompoc, California, to consider the Forty-Fourth Annual Engineering Investigation and Report (Investigation and Report) regarding groundwater conditions and surface water supplies within the District. The preliminary written report was received by the Secretary of the Board on March 9, 2022 and is available at **SYRWCD.com**. The public hearing may be continued to subsequent meetings of the District's Board of Directors.

Operators of water producing facilities within the District and all persons interested in the condition of the groundwater or surface water supplies within the District are invited to download and review the Investigation and Report at **SYRWCD.com** and to submit comments and evidence concerning the groundwater conditions and surface water supplies of the District. Persons wishing to present their comments to the Board of Directors may provide written comments and evidence during the public hearing. Appearances may also be made supporting or protesting the Investigation and Report. Persons wishing to participate may contact the office at (805) 693-1156 for further information.

SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT

SYRWCD SPECIAL BOARD MEETING - April 27, 2022

IDENTIFICATION
SECRETARY TO THE BOARD

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DRAFT - SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT March 09, 2022

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, March 09, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings, recommending social distancing, and masking while gathering indoors, and as authorized by State Assembly Bill 361, this meeting occurred in-person at the Vandenberg Village Community Services District, 3745 Constellation Road, Lompoc, CA with remote participation via video and teleconference.

Directors Present, in-person: Cynthia Allen, Art Hibbits, and Steve Jordan

Directors Present, remote participation: Brett Marymee

Directors Absent: Mark Altshuler

Others Present, in-person: Board Secretary Amber Thompson

Others Present, remote participation: Groundwater Program Manager Bill Buelow, Laura Copple (Bartlett, Pringle & Wolff, LLP), Carol Redhead, General Manager Kevin Walsh, and Legal Counsel Steve Torigiani.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:30 pm. Ms. Thompson called roll. All Directors except for Director Altshuler were present providing a quorum.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. CONSIDER REAFFIRMING RESOLUTION 703, ENTITLED “RESOLUTION INITIALLY AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361”

As the State of Emergency in California due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings, recommending social distancing, and masking while gathering indoors, and as authorized by State Assembly Bill 361, Director Hibbits **MOVED** to reaffirm Resolution No. 703, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT INITIALLY AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361. Director Jordan seconded, and the motion passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

IV. ADDITIONS, IF ANY, TO THE AGENDA

There were no additions to the agenda.

V. PUBLIC COMMENT

There was no public comment. Ms. Thompson announced she did not receive any public comments prior to the meeting.

VI. RECEIVE AND FILE FY 2020-21 FINANCIAL AUDIT, PRESENTATION BY BARTLETT, PRINGLE & WOLF, LLP

Ms. Laura Cople, Audit Manager of Bartlett, Pringle and Wolf, LLP, presented highlights and main points from the Fiscal Year (FY) 2020-21 Independent Auditor's Report and Report on Internal Controls for the year ended June 30, 2021. Discussion followed.

Director Jordan made a **MOTION** to receive and file the Fiscal Year 2020-21 Independent Auditor's Report and Report on Internal Controls. Director Hibbits seconded the motion and it passed 4-0-1 by the following roll call vote:

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

VII. PUBLIC HEARING ON THE 2022 PROPOSED ADJUSTMENTS TO DIVISION BOUNDARIES

President Allen opened the public hearing at 6:49 pm. Ms. Thompson announced that the Public Hearing was properly noticed two times in the Santa Barbara News-Press, at the District office, and on the District website. The maps and descriptions of the proposed new divisions have been and are still available to the public on the District website (SYRWCD.com). Ms. Thompson announced she did not receive any public comments prior to the Public Hearing.

Mr. Kevin Walsh, General Manager, explained that no changes were made to the proposed adjusted division boundaries that were presented to the Board of Directors during the public meeting of December 2, 2021. There was no discussion. There was no public comment.

President Allen closed the public hearing at 6:52 pm.

VIII. CONSIDER ADOPTION OF RESOLUTION NO. 708, ADJUSTING DIVISION BOUNDARIES

Director Jordan waived reading of the Resolution and made a **MOTION** to adopt Resolution No. 708, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA

YNEZ RIVER WATER CONSERVATION DISTRICT ADJUSTING DIVISION BOUNDARIES and directed staff to file documentation of the new division boundaries with the County of Santa Barbara, Elections Division. Director Marymee seconded the motion and it passed 4-0-1 by the following roll call vote:

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

IX. CONSIDERATION TO APPROVE MINUTES of The Regular Meeting of December 1, 2021

President Allen submitted the minutes of the special meeting of December 01, 2021 for Board approval. Director Jordan made a **MOTION** to approve the minutes. Director Hibbits seconded the motion and it passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

X. GENERAL MANAGER REPORT

A. Surface Water Report

Mr. Walsh provided the Rainfall and Reservoir Status Report, Cachuma Daily Operations Report, and Downstream Users Accounting Report. He reported, as of January 2022, the Below Narrows Account credit was 4,981 acre-feet and Above Narrows Account credit was 9,405 acre-feet. If March 2022 continues to be dry, a water rights releases will be scheduled for Summer 2022. There were no comments and no action.

B. Financial Reports, Monthly Warrant Reports and 1st Quarter Investment Report

Mr. Walsh presented the financial report through January 31, 2022. The Board reviewed the financial reports and notable items for Period 7 of FY 2021-22. There were no comments and no action.

Mr. Walsh presented the Quarterly Investment Report for 2nd Quarter of FY 2021-22 and said investments were made in accordance with policy and sufficient funds are available to meet District obligations in accordance with law. There were no comments and no action.

Mr. Walsh presented Warrant Lists for December 2021, January 2022, and February 2022. There was no discussion. Director Jordan made a **MOTION** to ratify the warrant lists as presented (nos. 5376-5412 including ACHs) for a total of \$209,838.20. Director Marymee seconded, and it passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

C. Consider Resolution No. 709, Readopting an Investment Policy

Mr. Walsh stated a review of the District's Investment Policy was done and no changes were made to the policy. He presented Resolution No. 709. There were no comments. Director Hibbits waived reading of the Resolution and **MOVED** to adopt Resolution No. 709, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT READOPTING AN INVESTMENT POLICY. Director Marymee seconded the motion, and the Resolution was adopted and passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

D. Draft Preliminary Budget FY 2022-23

Mr. Walsh presented a Memorandum dated March 09, 2022 regarding Draft Preliminary Budget FY 2022-23. He reviewed the Draft Preliminary Budget for FY 2022-23 as well as a comparison of the FY 2021-22 Approved Budget versus FY 2021-22 Projected Actuals. Discussion followed, no action.

XI. GROUNDWATER PROGRAM MANAGER REPORT

A. Groundwater Production, Reporting, Charges and Program Update

Mr. Buelow reviewed income received from Groundwater Pump Charges and Groundwater Production reported to date since January 1, 2021. Discussion followed, no action.

Mr. Buelow provided an update on delinquent Groundwater Production Reporting and Well Registrations. He reported that staff continue to pursue unregistered wells in the District and have registered approximately 32 new wells so far. He reported that approximately 20 accounts are considered severely delinquent, most of the properties are located in Zones B, D, and E. Staff recommended they begin the full Investigation and Report process on those severely delinquent parcels with registered wells but are not reporting water production. Discussion followed. Board agreed for staff to proceed with Investigation and Report process. No action was required.

B. Preliminary 44th Annual Groundwater Report

Mr. Buelow presented the Preliminary 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, FY 2021-2022 summarizing groundwater pumping for FY 2021-2022 in the District. He stated

the Report provides information on revenues collected and groundwater production from FY 2020-2021 and the first half of FY 2021-2022 through February 18, 2022. He confirmed the Annual Report will be presented to the Board at a Public Hearing in late April 2022. There was no discussion, no action.

C. Sustainable Groundwater Management Act (SGMA) Update

Mr. Buelow reported that the three Groundwater Sustainability Plans (GSPs) for the Basin were submitted to DWR in January 2022. He provided an update regarding the outstanding issues of funding for implementation and future governance options. Discussion followed, no action.

Mr. Buelow provided an update on the first Annual Reports being prepared by Stetson Engineers for the CMA, and WMA and the Annual Report for the EMA being prepared by GSI. The Annual Reports will be presented to the respective GSA at the end of March for review and approval prior to submission to DWR by April 1, 2022. There were no comments.

Mr. Buelow presented a revised cost estimate for Stetson Engineers Annual Report Task Order. Discussion followed. Director Jordan made a **MOTION** to authorize staff to revise the Not to Exceed (NTE) from \$60,000 to \$70,000 for the GSAs Annual Report task order as per Stetson's revised cost estimate and email for the single year Task 2 reports. Discussion followed. Director Marymee suggested the motion be amended to include being retroactive to the project start. Director Jordan amended the motion as suggested. Director Hibbits seconded, and it passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

Mr. Buelow reported that the CMA GSA Committee authorized their first GSP implementation project, a surface water gauge project for the USGS to monitor the surface water flow at the Narrows gauge monthly. To facilitate a timely start of this GSP implementation project, the USGS can add a new separate task to the District's existing contract the monthly monitoring at the Narrows Gauge on behalf of the CMA GSA. The CMA GSA Committee will reimburse the District for all associated costs with the expected annual cost being \$10,000. Discussion followed. Director Jordan made a **MOTION** to authorize adding a new task order to the District's existing contract with USGS for surface water gauge reading at the Narrows Gauge on behalf of the CMA GSA, contingent on an agreement from the CMA GSA to repay all associated costs for this task order to the District. Director Hibbits seconded, and it passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

Mr. Buelow provided an update on the SGMA finances and GSP implementation budgets. He reported that continued financial support of the GSAs by member agencies is

anticipated until the GSAs can establish a fee structure and governance. There was no discussion, no action.

XII. BOARD SECRETARY AND DISTRICT ADMINISTRATOR REPORT

A. Consider Financial Institution Changes and Adoption of Resolution No. 710, “Authorizing the Opening of Accounts at Five Star Bank”

Ms. Thompson presented a Memorandum dated March 9, 2022 regarding proposed change of primary financial institution in which staff recommended establish accounts at Five Star Bank, open seven accounts at Five Star Bank and transfer funds from Mechanics Bank. She reviewed the main reasons for the suggested change in primary financial institution being that Five Star Bank is offering no-fee banking, considerably higher interest rates earned on money market account funds, availability of interest-bearing checking accounts while Mechanics Bank banking fees have continually risen, and interest income earned has dropped dramatically over the last few years. Discussion followed.

Director Hibbits waived reading of the Resolution and **MOVED** to adopt Resolution No. 710, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING THE OPENING OF AN ACCOUNT AT FIVE STAR BANK; directed staff to complete the necessary documents to establish and open six accounts at Five Star Bank: one interest-bearing checking account for SYRWCD, one interest-bearing checking account For Benefit of (FBO) CMA GSA, one interest-bearing checking account FBO EMA GSA, one interest-bearing checking account FBO WMA GSA, one money market account for SYRWCD, and one money market account FBO CMA, EMA, WMA GSA; directed staff to transfer funds from accounts at Mechanics Bank to accounts at Five Star Bank and close all checking and money market accounts, except one non-interest-bearing checking account for SYRWCD currently held at Mechanics Bank. Director Jordan seconded the motion, and the Resolution was adopted and passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

B. Consider Enrollment in SDRMA for Employee Benefits

1. Consider Memorandum of Understanding

Ms. Thompson briefly reviewed SDRMA ancillary health benefits program available to small public entities compared to the program SYRWCD currently offers. The SDRMA program, effective July 1, 2022, will be at a comparable cost plus offers Short Term Disability option. An executed Memorandum of Understanding is required for entry into the program and coverage is subject to approval by the program underwriter. There was no discussion.

2. Consider Resolution No. 711, “Approving the Form of and Authorizing the Execution of a Memorandum of Understanding and Authorizing Participation in the Special District Risk Management Authority’s Health Benefits Program”

Director Hibbits waived reading of the Resolution and **MOVED** to adopt Resolution No. 711, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AND AUTHORIZING PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY’S HEALTH BENEFITS PROGRAM and directed staff to complete and file the necessary documents to establish accounts benefits policies through SDRMA Health Benefits Program. Director Jordan seconded the motion, and the Resolution was adopted and passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

- C. Consider Resolution No. 712, “Establish an Internal Revenue Service (IRS) 401(a) Retirement Plan for Employer Contributions”

Ms. Thompson briefly summarized the Memorandum from Kevin Walsh dated March 9, 2022 regarding Retirement Plan Options explaining the request to establish a 401(a) plan in addition to the District’s existing 457(b) retirement plan. The only cost to the District would be a minimal one-time set-up fee. She noted a correction should be made to the title of the Resolution to remove the word “matching”. There was no discussion.

Director Jordan waived reading of the Resolution and **MOVED** to adopt Resolution No. 712, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT ESTABLISH AN INTERNAL REVENUE SERVICE (IRS) 401(A) RETIREMENT PLAN FOR EMPLOYER CONTRIBUTIONS and directed staff to complete and file the necessary documents to establish a 401(a) Plan. Director Jordan seconded the motion, and the Resolution was adopted and passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

- D. Review Conflict of Interest Code

Ms. Thompson reported that staff reviewed the current Conflict of Interest Code which was adopted by Resolution No. 685 on January 23, 2019, and recommended no changes were needed. There was no discussion.

Director Jordan made a **MOTION** to keep the District’s Conflict of Interest Code as

written and directed staff to inform the County of Santa Barbara of no changes. Director Marymee seconded the motion, and the motion passed 4-0-1 by the following roll call vote:

AYES, Directors: Allen, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: Altshuler

E. Required Conflict of Interest Form 700 Filing

Ms. Thompson reminded Directors and staff of the April 1, 2022 deadline to file the required Annual Form 700. Discussion followed, no action.

F. Required Ethics and Harassment Prevention Training

Ms. Thompson reminded Directors and staff of required Ethics and Harassment Prevention Training that were due in 2021. Discussion followed, no action.

G. Consider LAFCO Ballots

Directors reviewed the two ballots received from LAFCO. Discussion followed. Director Marymee recommended supporting Mr. Edward Fuller of the Goleta Sanitary District for the position of Regular Special District Member. Unanimous consensus was for President Allen to complete and return both ballots to LAFCO on behalf of the Board.

XIII. ATTORNEY REPORT

Mr. Steve Torigiani reported on a couple of legislative items.

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

There were none.

XV. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA. THE NEXT MEETING IS SCHEDULED AS A SPECIAL MEETING FOR APRIL 27, 2022, AT 6:30 PM.

There were no requests.

The next Board meeting will be a Special meeting, including a Public Hearing on the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, FY 2021-2022, planned for April 27, 2022 at 6:30 pm, at Vandenberg Village Community Services District Conference Room with remote participation also provided.

XVI. CLOSED SESSION

At 8:55 pm, the Board recessed for five minutes then convened into Closed Session from 9:00 pm to 10:10 pm.

XVII. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

President Allen advised there is nothing to report from Closed Session.

XVIII. ADJOURNMENT

There being no further business, President Allen adjourned the meeting at 10:10 pm.

Cynthia Allen, President

Amber M. Thompson, Secretary

DRAFT - SPECIAL MEETING MINUTES

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
April 12, 2022**

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Tuesday, April 12, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred in-person at the Vandenberg Village Community Services District, 3745 Constellation Road, Lompoc, CA with remote participation via video and teleconference.

Directors Present, in-person: Cynthia Allen, Art Hibbits, and Steve Jordan

Directors Present, remote participation: Mark Altshuler and Brett Marymee

Others Present, in-person: Groundwater Program Manager Bill Buelow

Others Present, remote participation: Carol Redhead, Board Secretary Amber Thompson, General Manager Kevin Walsh, and Legal Counsel Steve Torigiani.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:32 pm. Ms. Thompson called roll. All Directors were present providing a quorum.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. CONSIDER REAFFIRMING RESOLUTION 703, ENTITLED “RESOLUTION INITIALLY AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361”

As the California Governor’s State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, Director Hibbits **MOVED** to reaffirm Resolution No. 703, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT INITIALLY AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361. Director Marymee seconded, and the motion passed unanimously by the following roll call vote:

AYES, Directors: Allen, Altshuler, Hibbits, Jordan, Marymee
NOES, Directors: None
ABSENT, Directors: None

IV. PUBLIC COMMENT

There was no public comment. Ms. Thompson announced she did not receive any public comments prior to the meeting.

V. DISCUSS EXECUTIVE ORDER N-7-22

Mr. Steve Torigiani explained Governor Newsom's Executive Order N-7-22 issued March 28, 2022. He pointed out that paragraphs 9(a) and 9(b) state additional requirements put in place to get an approval of a groundwater well permit. 9(a) refers to the County while 9(b) refers to role of the GSAs in the permit process. Discussion followed.

Director Hibbits expressed concern with the unintended consequences of this Executive Order and the effect on the agricultural community who rely on wells as a primary source for water. Further discussion continued. Director Hibbits suggested that Mr. Buelow, with the help of legal counsel, draft a reasonable set of procedures to present to the GSA Committees in an effort to speed along the process and avoid any major backlog in the County issuing well permits for District constituents.

Discussion continued in regard to establishing an Ad-Hoc Committee to draft some reasonable procedures to be taken to the GSA Committees. Director Jordan and Director Hibbits volunteered to be the Ad-Hoc Committee and work with Mr. Buelow and legal counsel over the next couple weeks to develop a document that can be presented to the GSA Committees. There was unanimous consensus.

The Board requested that Mr. Buelow inquire as to how the County of Santa Barbara and other GSAs in the County are responding to Executive Order N-7-22. The Board requested that staff verify that any proposed GSA actions be consistent with the GSPs.

VI. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA. THE NEXT MEETING IS SCHEDULED AS A SPECIAL MEETING FOR APRIL 27, 2022, AT 6:30 PM.

The Board requested a well permit application and procedures developed by the Ad-Hoc committee be presented at the next meeting.

The next Board meeting will be a Special meeting, including a Public Hearing on the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, FY 2021-2022, planned for April 27, 2022 at 6:30 pm, at Vandenberg Village Community Services District Conference Room with remote participation also provided.

VII. CLOSED SESSION

At 7:20 pm, the Board convened into Closed Session until 8:08 pm.

VIII. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

President Allen advised there is nothing to report from Closed Session.

IX. ADJOURNMENT

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

Cynthia Allen, President

Amber M. Thompson, Secretary

DRAFT

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

MEMORANDUM

DATE: 27 April 2022

TO: Cynthia Allen Mark Altshuler Art Hibbits
Brett Marymee Steve Jordan Steve Torigiani
Kevin Walsh Amber Thompson

FROM: Bill Buelow, Groundwater Program Manager

SUBJECT: Groundwater Program Manager Report

AGENDA ITEM VIII

A. Groundwater Production, Reporting, and Charges

- 1) Receive Update on Groundwater Revenue for July to December 2021. The cumulative total of groundwater fees received from January 1, 2022, to present is \$292,152.47 for the first half of FY 21-22 groundwater reporting period.

Staff Recommendation: No action. This item is informational only.

B. SGMA Update

- 1) Receive and Discuss Draft Memorandum on SGMA Governance. Staff and Attorneys from the three GSAs continue to meet to discuss GSA governance. District Staff and Counsel have participated in these meetings and prepared a Draft Proposal outlining the district's recommended and preferred governance model. The Proposal was distributed to each GSA's staff for input and comments. Additionally, staff will provide redline comments on the EMA's draft JPA. The Proposal is provided for discussion and the redline will follow.

Staff Recommendation: No action required. This item is informational only.

DRAFT Basin-Wide JPA Proposal 4/26/2022

The Santa Ynez River Water Conservation District (“Parent District”) has prepared this proposal for a basin-wide JPA arrangement for the management of the Santa Ynez River Valley Groundwater Basin (“Basin”) under SGMA. This proposal is draft and for discussion purposes only and has not yet been approved or endorsed by the Parent District Board of Directors. The proposal is to form a Joint Powers Authority (“JPA”) made up of the three GSAs in the Basin (“Basin-Wide JPA”) to achieve the goals outlined below.

Goals of a Basin-Wide JPA

To provide a forum for discussion on matters of common interest to the WMA, CMA, and EMA areas of the Basin.

To set basin-wide policies on specified matters, potentially including well registration and metering, rate collection methods, annual reports and other required reporting, monitoring and measurement, grant funding, etc.

To achieve economies of scale in the retention of staff and consultants, contracting for insurance, conducting rate studies and ballot proceedings, and other administrative matters.

To provide a single point of contact with DWR.

Basin-Wide JPA Structure

The members of the Basin-Wide JPA would be the three GSAs in the Basin (WMA, CMA, and EMA). Its governing body would be composed of the combined governing bodies of the three GSAs, each GSA collectively casting one vote on matters before the JPA. Each GSA’s vote on the JPA Board would be cast based on a vote of its GSA members according to their usual voting procedures. All JPA actions would require a unanimous vote of the three GSAs. Therefore, Basin-Wide JPA decisions would require the consensus and approval of all three GSA JPA members.

Certain SGMA powers would be delegated to the Basin-Wide JPA by the GSAs, but other powers would be expressly retained at the GSA level. For instance, GSAs would continue to make all decisions pertaining to the implementation of their respective GSP as well as updates and amendments to their respective GSPs.

Powers that would be delegated to the Basin-Wide JPA would include the funding authorities provided by SGMA and other SGMA powers for which a consistent, basin-wide policy or program would be more conducive to good management. Which specific powers should be included should be a topic of open discussion, but one example would be the power to require registration and metering of wells and the reporting of groundwater production. The GSAs would agree to set such policies at a basin-wide level through the Basin-Wide JPA rather than at an individual management area level.

In addition to exercising those selected SGMA powers, the Basin-Wide JPA would achieve economies of scale by sharing common staff and consultants to work on behalf of all three GSAs, administering grants, and maintaining the financial accounts for the three GSAs.

In order to resolve questions that have been raised regarding the capacity of a non-JPA GSA to enter into a JPA, the three GSAs could first be converted to JPAs, which would then be parties to the Basin-Wide JPA.

Functions of the JPA

The JPA would perform the day-to-day administrative work on behalf of the GSAs. This may include preparing meeting notices, agendas, and minutes, preparing financial statements, preparing required reports, contracting for services, consultants, and staff, coordinating between the GSAs, setting rates, and collecting fees.

The JPA would contract for shared services on behalf of the three GSAs, including consultants, legal services, and insurance. The JPA would also hire staff to support the functions of the JPA.

JPA Financial Administration

Each GSA would have its own bank account administered by the JPA. Fees collected from each management area through rates or received through grants would be deposited into the respective GSA's account. The JPA staff and consultants may be directed to work on behalf of the GSAs, the cost of which would be charged to the management area's account.

Costs that are shared by the three GSAs may include staff, office, insurance, rate study, implementing basin-wide policies, etc. and would be apportioned to each respective management area by some appropriate formula (perhaps their proportional share of the pumping in the basin on a rolling average of the past three years) and charged to the management areas' accounts.

Basin-Wide Rate Setting

Before a rate can be set, a budget would first need to be prepared by the JPA to determine the total common costs (e.g., staff, office, insurance, rate study, etc.). That total JPA budget would then be allocated to the management areas proportional to the agreed upon methodology.

Then, each GSA would make projections of costs it anticipates for its own compliance activities, projects, and management actions. That amount would be added to the GSA's share of the basin-wide budget to reach the total budget for the GSA.

Finally, that total budget would be collected from each management area. The Basin-Wide JPA would perform the rate study, conduct any appropriate election processes, and bill and collect the fees based on the determined rates.

Basin-Wide Fee Collection

The JPA would be responsible for collecting fees assessed by the GSAs within their respective management areas. The JPA would collect the fees according to the policies set by the JPA. The fees collected on behalf of each GSA would be placed in the respective GSA's bank account for use by the GSA according to policy set by the JPA.