

REGULAR MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT JUNE 7, 2023

A regular meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, June 7, 2023, at 6:30 p.m. at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

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

Others Present, in-person: Groundwater Program Manager Bill Buelow, Paeter Garcia, Steven Heuring, Larry Lahr, Board Secretary Amber Thompson, and General Manager Kevin Walsh

Others Present, remote participation: Steve Torigiani (Young Wooldridge)

1. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:33 pm. Ms. Thompson called roll. All five Directors were present.

2. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

3. PUBLIC COMMENT

There was no public comment.

4. CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETING OF APRIL 26, 2023 AND THE ADJOURNED SPECIAL MEETING OF APRIL 28, 2023

President Allen submitted the minutes of the Special Meeting of April 26, 2023 and of the Adjourned Special Meeting of April 28, 2023 for Board approval. There was no discussion or public comment.

Director Marymee made a **MOTION** to approve the minutes of the Special Meeting of April 26, 2023 and of the Adjourned Special Meeting of April 28, 2023, as presented. Director Jordan seconded, there was no discussion, and the motion passed 4-0-1, with Director Hibbits abstaining.

5. GENERAL MANAGER REPORT

a. Financial Reports

Mr. Kevin Walsh announced that the following financial reports and documents were

submitted for advance review in the meeting packet and asked for any questions.

i. Quarterly Investment Reports – 2nd and 3rd quarters of FY 2022-2023

There was no discussion, public comment, or action.

ii. Quarterly Comparison Balance Sheet

There was no discussion, public comment, or action.

iii. Balance Sheet & Income Statement, FY 2022-23 Period 10, April 2023

There was no discussion, public comment, or action.

iv. Approval of Warrant Lists for February, March, and April 2023

Discussion followed. There was no public comment.

Director Marymee made a **MOTION** to approve the February, March, and April 2023 warrant lists which include check #s 1109-1142 plus ACH transactions totaling \$235,147.86. Director Jordan seconded and the motion passed 5-0.

6. CONSIDER ADOPTION OF THE ANNUAL BUDGET FOR FISCAL YEAR 2023-2024

Mr. Walsh presented the Draft Final Budget, Fiscal Year 2023-2024. Discussion followed.

Director Jordan made a **MOTION** to approve the Budget for Fiscal Year 2023-2024, as presented. Director Altshuler seconded the motion. Public comment was received from Mr. Paeter Garcia regarding the Groundwater Sustainability Agencies' (GSAs) lack of independent funding sources and priority need to establish the same. There was no additional discussion. The motion passed 5-0 by the following roll call vote:

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

Director Altshuler commended staff on financial transparency and a job well done.

7. REVIEW RATE STUDY REPORT BY RAFTELIS AND CONSIDER ADOPTION OF RESOLUTION NO. 722 MAKING FINDINGS AND DETERMINATIONS, ESTABLISHING ZONES, SETTING RATES AND LEVYING A GROUNDWATER CHARGE FOR WATER YEAR 2023-2024

A written public comment letter, dated June 6, 2023, was received by email on June 6, 2023 at 5:02 p.m. from Mr. Paeter Garcia, General Manager, Santa Ynez River Water Conservation District, Improvement District No. 1.

President Allen made a **MOTION** to table Agenda Item No. 7 until a future meeting. Director Jordan seconded. There was no discussion or public comment. The motion passed 5-0.

This agenda item was tabled to a future meeting.

8. CONSIDER FORMING AN AD-HOC COMMITTEE REGARDING SGMA GSAS GOVERNANCE

President Allen recommended forming an Ad-Hoc Committee regarding Sustainable Groundwater Management Act (SGMA) GSAs governance and appointing Director Marymee and Director Jordan to the committee. Discussion followed.

Director Hibbits made a **MOTION** to establish an Ad-Hoc Committee regarding SGMA GSAs governance and appoint Director Marymee and Director Jordan to the committee to work with District staff on this matter. A suggestion was raised and discussion followed regarding amending the motion to include appointing an alternate to the Ad-Hoc Committee. Public comment was received from Mr. Garcia regarding possible Brown Act complications with having an alternate for an Ad-Hoc Committee. Legal Counsel Steve Torigiani recommended the Ad-Hoc include only two members, at this time. Additional discussion followed. The motion remained unchanged, and it passed 5-0.

9. LETTER OF RESIGNATION FROM DIRECTOR HIBBITS; DETERMINE WHETHER TO FILL VACANCY BY APPOINTMENT PURSUANT TO WATER CODE § 74204 AND GOV'T CODE § 1780

Ms. Thompson passed out the letter of resignation, effective June 30, 2023, that was received from Director Art Hibbits. Legal Counsel Steve Torigiani advised that the effective date of the resignation, June 30, 2023, is the reference date for the timeline to follow if the Board chooses to fill the vacancy by appointment pursuant to Water Code § 74204 and Gov't Code § 1780. Discussion followed.

Director Marymee made a **MOTION** to seek applicants to consider for appointment to fill the vacancy in the position of Division 4 Director due to the resignation of Director Hibbits, effective June 30, 2023, and direct Secretary to the Board to complete the required notifications. Director Jordan seconded. There was no discussion or public comment. The motion passed 5-0.

10. CONSIDER SDRMA 2023 BOARD OF DIRECTORS ELECTION PACKET AND APPROVE BALLOT

There was a discussion.

President Allen made a **MOTION** to table Agenda Item No. 10 until a future meeting. Director Marymee seconded. There was no public comment, no additional discussion, and the motion passed 5-0.

This agenda item was tabled to a future meeting.

11. ATTORNEY REPORT

Legal Counsel Steve Torigiani reported on multiple legislative efforts including those on water rights reform and budget trailer bills. There was no discussion, public comment, or action.

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

Director Jordan reported he recently completed drilling a new well with test results showing standing water level at 8-feet and a 20-foot drawdown.

Director Altshuler requested that directors and staff plan something to celebrate Director Hibbits as he retires. Discussion followed.

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

There were no requests.

14. NEXT REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, SEPTEMBER 6, 2023, AT BUELLTON CITY COUNCIL CHAMBERS, 140 WEST HIGHWAY 246, BUELLTON, CALIFORNIA

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

President Allen reported that a Special Meeting will be required by June 30, 2023 to consider and set the Groundwater Charge rates and requested Directors report their availability to Ms. Thompson, Board Secretary.

15. CLOSED SESSION

At 7:20p.m., President Allen closed the Open Session. Mr. Garcia requested permission to make a public comment on Closed Session Agenda Item No. 15a before the Board convened into Closed Session. President Allen resumed Open Session to accept the public comment from Mr. Garcia. Mr. Garcia provided public comment on Agenda Item No. 15a and his ongoing frequent interaction with and appreciation for District staff on various matters. At 7:25 p.m., President Allen closed the Open Session.

After a five-minute recess, the Board convened into Closed Session from 7:30 p.m. to 8:33 p.m. to discuss the following items:

- a. Public Employee Performance Evaluation/Appointment. (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).

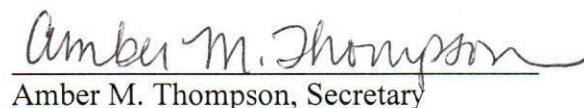
16. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT

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

17. ADJOURNMENT

There being no further business, President Allen adjourned the meeting at 8:33 p.m.


Cynthia Allen, President


Amber M. Thompson, Secretary

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

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	2/2/2023	Payroll	January 16-31, 2023 Salary	\$ 10,195.89
ACH	2/2/2023	Cynthia Allen	Meeting: 1/26 EMA	\$ 69.26
ACH	2/2/2023	Brett Marymee	Meeting: 1/26 EMA	\$ 69.26
ACH	2/2/2023	Employment Development Dept.	EDD Tax Deposit (February 16-31, 2023)	\$ 994.67
ACH	2/2/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (February 16-31, 2023)	\$ 5,621.16
ACH	2/16/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (1/31/23) & Employer Match (partial due 1/31/23)	\$ 2,900.68
ACH	2/16/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 1/31/23)	\$ 483.23
1109	2/13/2023	GSI Water Solutions Inc.	December 2022 Satellite Imagery Water Use Pilot Study	\$ 4,894.00
1110	2/13/2023	Pacific Gas & Electric	January 2023 Electric Service	\$ 126.25
1111	2/13/2023	US Bank Corp	January 2023 CalCard	\$ 1,126.71
1112	2/13/2023	Bartlett Pringle Wolf	FY 2021-22 Financial Audit	\$ 6,170.00
1113	2/13/2023	Jim Heyerly	February 2023 Rent	\$ 1,500.00
1114	2/13/2023	Onsite Computers & Design	Technology Services	\$ 406.25
1115	2/13/2023	Shirley Scales Bookkeeping	January 2023 GWAdmin Service	\$ 5,576.50
1116	2/13/2023	Stetson Engineers	December 2022 Engineering Service	\$ 7,448.75
1117	2/13/2023	Valley Bookkeeping Services	January 2023 Bookkeeping	\$ 380.00
1118	2/13/2023	William Buelow	Expense Reimbursement and Mileage (January 2023)	\$ 339.34
1119	2/13/2023	Young Wooldridge	January 2023 Legal Service	\$ 11,003.14
ACH	2/17/2023	Payroll	February 1-15, 2023 Salary	\$ 10,195.89
ACH	2/17/2023	Employment Development Dept.	EDD Tax Deposit (February 1-15, 2023)	\$ 994.67
ACH	2/17/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (February 1-15, 2023)	\$ 5,598.20
ACH	2/17/2023	SDRMA	March 2023 Insurance - Employee Benefits	\$ 606.29
TOTAL				\$ 76,700.14

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

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	3/2/2023	Payroll	February 16-28, 2023 Salary	\$ 10,195.89
ACH	3/2/2023	Cynthia Allen	Meeting: 2/23 EMA, 2/27 CMA	\$ 138.52
ACH	3/2/2023	Art Hibbits	Meeting: 2/22 WMA, 2/27 CMA	\$ 138.52
ACH	3/2/2023	Steve Jordan	Meeting: 2/22 WMA	\$ 69.26
ACH	3/2/2023	Brett Marymee	Meeting: 2/23 EMA	\$ 69.26
ACH	3/3/2023	Employment Development Dept.	EDD Tax Deposit (Feb. 16-28, 2023)	\$ 994.67
ACH	3/3/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (Feb. 16-28, 2023)	\$ 5,667.08
ACH	3/7/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (2/15/23) & Employer Match (partial due 2/15/23)	\$ 2,900.68
ACH	3/7/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 2/15/23)	\$ 483.23
ACH	3/7/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (2/28/23) & Employer Match (partial due 2/28/23)	\$ 2,900.68
ACH	3/7/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 2/28/23)	\$ 483.23
1120	2/13/2023	Pacific Gas & Electric	February 2023 Electric Service	\$ 120.04
1121	2/13/2023	Onsite Computers & Design	Technology Services	\$ 218.75
1122	2/13/2023	Alex Pappas	February 2023 Support with Satellite Imagery Study, Draft Cachuma Biological Assessment, and SGMA TSS Grant	\$ 825.00
1123	2/13/2023	Jim Heyerly	March 2023 Rent	\$ 1,500.00
1124	2/13/2023	Shirley Scales Bookkeeping	February 2023 GWAdmin Service	\$ 6,222.50
1125	2/13/2023	Staples	Office Supplies	\$ 329.62
1126	2/13/2023	US Bank Corp	February 2023 CalCard	\$ 1,178.73
1127	2/13/2023	Valley Bookkeeping Services	February 2023 Bookkeeping	\$ 380.00
1128	2/13/2023	Young Wooldridge	February 2023 Legal Service	\$ 10,115.50
1129	2/13/2023	Stetson Engineers	January 2023 Engineering Service	\$ 13,670.80
ACH	3/15/2023	Payroll	March 1-15, 2023 Salary	\$ 10,195.89
ACH	3/15/2023	Employment Development Dept.	EDD Tax Deposit (March 1-15, 2023)	\$ 994.67
ACH	3/15/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (March 1-15, 2023)	\$ 5,598.20
ACH	3/17/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (3/15/23) & Employer Match (partial due 3/15/23)	\$ 2,900.68
ACH	3/17/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 3/15/23)	\$ 483.23
ACH	3/17/2023	SDRMA	April 2023 Insurance - Employee Benefits	\$ 606.29
TOTAL				\$ 79,380.92

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

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	4/4/2023	Payroll	March 16-31, 2023 Salary	\$ 10,195.89
ACH	4/4/2023	Cynthia Allen	Meeting: 2/16 & 3/15 SYRWCD; 3/23 EMA, 3/27 CMA	\$ 277.05
ACH	4/4/2023	Mark Altshuler	Meeting:2/16 SYRWCD	\$ 69.26
ACH	4/4/2023	Art Hibbits	Meeting: 2/16 & 3/15 SYRWCD; 3/22 WMA, 3/27 CMA	\$ 277.05
ACH	4/4/2023	Steve Jordan	Meeting: 2/16 SYRWCD; 3/22 WMA	\$ 138.52
ACH	4/4/2023	Brett Marymee	Meeting: 2/16 & 3/15 SYRWCD; 3/23 EMA	\$ 207.79
ACH	4/4/2023	Employment Development Dept.	EDD Tax Deposit (March 16-31, 2023)	\$ 994.67
ACH	4/4/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (March 16-31, 2023)	\$ 5,758.86
ACH	4/6/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (3/31/23) & Employer Match (partial due 3/31/23)	\$ 2,900.68
ACH	4/6/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 3/31/23)	\$ 483.23
1130	4/13/2023	Alex Pappas	March 2023 Support with SGMA TSS Grant	\$ 1,200.00
1131	4/13/2023	Amber Thompson	Expense Reimbursement Jan.- Mar. 2023	\$ 205.67
1132	4/13/2023	Inklings Printing Co.	GW forms and envelopes	\$ 1,011.35
1133	4/13/2023	Pacific Gas & Electric	March 2023 Electric Service	\$ 64.35
1134	4/13/2023	Shirley Scales Bookkeeping	March 2023 GWAdmin Service	\$ 4,066.00
1135	4/13/2023	Staples	Office Supplies	\$ 422.26
1136	4/13/2023	Valley Bookkeeping Services	March 2023 Bookkeeping	\$ 380.00
1137	4/13/2023	William Buelow	Expense Reimbursement Feb.- Mar. 2023	\$ 189.35
1138	4/13/2023	Jim Heyerly	April 2023 Rent	\$ 1,500.00
1139	4/13/2023	Santa Barbara County Water Agency	IRWM Participation Cost (7/1/22-12/31/22)	\$ 60.85
1140	4/13/2023	Stetson Engineers	February 2023 Engineering Service	\$ 17,630.59
1141	4/13/2023	US Bank Corp	March 2023 CalCard	\$ 1,508.99
1142	4/13/2023	Young Wooldridge	March 2023 Legal Service	\$ 8,745.43
ACH	4/17/2023	Payroll	April 1-15, 2023 Salary	\$ 10,195.89
ACH	4/17/2023	Employment Development Dept.	EDD Tax Deposit (April 1-15, 2023)	\$ 994.67
ACH	4/17/2023	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (April 1-15, 2023)	\$ 5,598.20
ACH	4/17/2023	SDRMA	May 2023 Insurance - Employee Benefits	\$ 606.29
ACH	4/24/2023	Lincoln Financial Group	457 Plan Employee Deferred Comp. (4/15/23) & Employer Match (partial due 4/15/23)	\$ 2,900.68
ACH	4/24/2023	Lincoln Financial Group	401a Plan Employer Match (partial due 4/15/23)	\$ 483.23
TOTAL				\$ 79,066.80

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

BUDGET

JULY 1, 2023 - JUNE 30, 2024

Approved by Board of Directors on June 7, 2023

<u>REVENUES:</u>	
Groundwater Charge Rates	743,000
SB County Property Taxes	365,000
Interest Income	60,000
SGMA Grant Reimbursement	34,650
TOTAL INCOME	\$ 1,202,650
<u>EXPENSES</u>	
<u>Internal Operations / Expenses</u>	
Employee Salaries	503,000
Payroll (SS and Medicare)	32,000
Employee Benefits	9,800
Retirement Plan Contributions	36,000
Outside Services	8,000
Office Expense	67,000
Director Fees	6,000
Travel & Training	8,000
Annual Audit	20,000
Insurance & Worker's Comp	21,000
Dues and LAFCO Fees	7,000
Groundwater Charges Program	76,000
Miscellaneous	4,000
SUB-TOTAL INTERNAL OPERATIONS	797,800
<u>Legal</u>	
General and Misc.	15,000
Downstream Release/Upper SYR Ops/89-18	2,500
WR Decision (2019-0148)	25,000
Fisheries Issues	30,000
Employment/HR	2,500
Groundwater Program	5,000
SUB-TOTAL LEGAL	80,000
<u>Engineering / Environmental</u>	
General & Misc.	9,000
Annual GW Report	22,000
Downstream Releases Operations / 89-18	65,000
Upper SYR Operations	5,000
WR Decision (2019-0148)	20,000
Fisheries Hydrology	30,000
Special Studies	36,000
SUB-TOTAL ENGINEERING / ENVIRONMENTAL	187,000
CONTINGENCIES	50,000
SGMA	113,000
TOTAL EXPENSES	\$ 1,227,800
INCOME LESS EXPENSES	\$ (25,150)
CASH ON HAND	\$ 206,850
INVESTMENT RESERVES	2,040,496