

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUGUST 15, 2023

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Tuesday, August 15, 2023, at 6:30 p.m. at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

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

New Appointment to the Board: Larry Lahr

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

Others Present, remote participation: Michelle Gearhart (Adamski Moroski Madden Cumberland & Green LLP, during closed session only) and Steve Torigiani (Young Wooldridge LLP)

1. CALL TO ORDER AND ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

3. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF JUNE 27, 2023

President Allen submitted the minutes of the Special Meeting of June 27, 2023 for Board approval. There was no discussion or public comment.

Director Jordan made a **MOTION** to approve the minutes of the Special Meeting of June 27, 2023, as presented. Director Altshuler seconded. There was no discussion. The motion passed by voice vote 3-0-1, with Director Marymee abstaining.

4. PUBLIC COMMENT

There was no public comment. Ms. Thompson announced that no written public comments were received prior to the meeting.

5. APPOINTMENT TO FILL DIVISION 4 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 4 Director

President Allen welcomed the two applicants, Mr. Larry Lahr and Ms. Sarah Suput, and asked if they had any comments for the Board to consider before making a decision. Both Ms. Suput and Mr. Lahr addressed the Board and Directors asked follow-up questions of the candidates. Discussion followed. No public comment was received.

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. 723 Making an Appointment to Fill the Vacancy in the Office of Director of Division 4

After deliberations, the Directors selected Mr. Larry Lahr to fill the vacancy in the Office of Director of Division 4.

Director Marymee **MOVED** to nominate Larry Lahr to Office of Director of Division 4. Mr. Torigiani, Legal Counsel, advised the board on the wording in Resolution No. 723. Director Marymee **AMENDED THE MOTION** to add LARRY LAHR to the blanks of Resolution No. 723, 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 4. Director Jordan seconded the motion. There was no public comment or additional discussion. The motion passed 4-0 by the following roll call vote:

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

Director Jordan **MOVED** to adopt Resolution No. 723, as amended, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT APPOINTING LARRY LAHR TO FILL THE VACANCY IN THE OFFICE OF DIRECTOR OF DIVISION 4. Director Altshuler seconded the motion. There was no public comment or additional discussion. The motion passed 4-0 by the following roll call vote:

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

Director Marymee noted that with the appointment of Mr. Lahr to the SYRWCD Board of Directors, Mr. Lahr would need to resign from the Citizens Advisory Group (CAG) for the Central Management Area (CMA) Groundwater Sustainability Agency (GSA). He asked Ms. Suput to contact Mr. Buelow regarding any interest in participating in the CMA GSA Committee meetings and the CMA CAG.

c) Oath of Office of Person Appointed to Fill Division 4 Director Vacancy

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

6. CONSIDERATION OF ADOPTION OF RESOLUTION NO. 724 EXPRESSING APPRECIATION TO DIRECTOR ART HIBBITS

President Allen presented Resolution No. 724 for consideration. Discussion followed. There was no public comment.

Director Jordan made a **MOTION** to adopt Resolution No. 724 Expressing Appreciation to Director Art Hibbits, as presented. Director Marymee seconded the motion. The motion passed 5-0 by the following roll call vote:

AYES, Directors: Allen, Altshuler, Jordan, Lahr, Marymee

NOES, Directors: None

ABSENT, Directors: None

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

Ms. Thompson reported on the election results of the SDRMA Board of Directors.

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

Director Jordan requested an updated on the GSAs future governance process.

9. 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 Wednesday, September 6, 2023, at 6:30 p.m., at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

10. CLOSED SESSION

At 7:06p.m., President Allen closed the Open Session and the Board convened into Closed Session from 7:06 p.m. to 7:57 p.m. to discuss the following items:

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

- b. Conference with Legal Counsel – Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)) relating to proceedings pending before the State Water Resources Control Board (SWRCB) regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 of the United States Bureau of Reclamation for the Cachuma Project, and complaints filed by the California Sport Fishing Protection Alliance regarding the operation of the Cachuma Project and SWRCB Order WR 89-18; proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and Reclamation’s Petition for Reconsideration or Rehearing re Order WR 2019-0148; and proceedings related to SWRCB Permit No. 15878 (Application A022423) held by the City of Solvang including the City of Solvang’s Petitions for Change and Extension of Time.
- c. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(2)): Significant exposure to litigation (Two Matters).
- d. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(4)): Possible initiation of litigation (Two Matters).

11. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT

At 7:57 p.m., The Board reconvened into Open Session and President Allen advised there is nothing to report from Closed Session.

12. ADJOURNMENT

There being no further business, President Allen adjourned the meeting at 7:57 p.m.

Cynthia Allen, President

Amber M. Thompson, Secretary


- 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.
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