

NOTICE

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

THURSDAY, FEBRUARY 16, 2023 AT 6:30 PM

Participation will be remote only via ZOOM or telephone

Pursuant to AB361, Directors may participate in this meeting via video/teleconference.

To access the meeting via telephone, please dial: 1-669-900-6833

And/or via the Web at: <http://join.zoom.us>

“Join a Meeting” - Meeting ID: 854 6088 8913 - Meeting Passcode: 331036

- 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. (*6 = Mute/unmute) (*9 = Raise/lower hand)
- 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 Wednesday, February 15, 2023 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

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Consider adopting Resolution No. 718, “Resolution Authorizing Remote Teleconference Meetings Under AB 361”
4. 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 “Requests from the Board of Directors for items to be included on the next Agenda”.

5. Consider Resolution No. 719, “Resolution Rescheduling the March 2023 Regular Board Meeting”
6. Attorney Report
 - a. Revision to the Teleconferencing Rules of the Brown Act by AB2449
7. The next Regular Meeting March 2023 (Date To Be Determined), 6:30 p.m., at Vandenberg Village Community Services District, Conference Room, 3745 Constellation Road, Lompoc.

In compliance with the California Water Code and SYRWCD Resolution No. 694, regular meetings are scheduled for the first Wednesday in March, June, September and December at various designated locations within the District. Special meetings may be held at any location within the District.

8. Closed Session

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 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).
9. Reconvene into Open Session / Closed Session Report
10. Adjournment

[This agenda was posted on the District website (SYRWCD.com), at 3669 Sagunto Street, Suite 101, Santa Ynez, 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. 718

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
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 that 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.

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 16th day of February, 2023 by the following vote:

DRAFT

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT/ABSTAINING, Directors:

Cynthia Allen, President

Amber Thompson, Secretary

DRAFT

RESOLUTION NO. 719

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
RESCHEDULING THE MARCH 2023 REGULAR BOARD MEETING**

WHEREAS, Government Code, section 54954(a) provides that the Board of Directors may by resolution set the time and place for holding regular meetings; and

WHEREAS, Water Code, section 74224 provides that, notwithstanding Water Code section 74223, the Board of Directors may, by resolution, change the date and location for holding of regular meetings, with notice of such change to be published once a week for at least two consecutive weeks before the date for a regular board meeting in a newspaper of general circulation circulated in the District; and

WHEREAS, the District's regular meetings are ordinarily held on the first Wednesday in each of the months of March, June, September, and December, as provided in Resolution No. 694 previously adopted by the Board of Directors pursuant to Water Code, Sections 74223 and 74224; and

WHEREAS, the Board of Directors has determined that regular board meeting set to be held on the first Wednesday in March (March 1, 2023) should instead be held on an alternative date and time as set forth below.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors that:

1. The March 1, 2023 regular meeting shall instead be held on March 15, 2023 at 6:30 p.m.
2. The rescheduled March 2023 meeting shall be, for all purposes, a regular meeting of the Board of Directors.
3. The staff are authorized and directed to do all things necessary and appropriate to carry out this action.

WE, THE UNDERSIGNED, being the fully qualified and acting President and Secretary, respectively, of the Board of Directors of the Santa Ynez River Water Conservation District, County of Santa Barbara, California, do hereby certify that the above and foregoing Resolution was duly adopted and passed by the Board of Directors of said District at a special meeting duly held on the 16th day of February, 2023, being on motion of Director _____, seconded by Director _____, is authorized by the following vote, to wit:

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT/ABSTAINING, Directors:

Cynthia Allen, President

Amber M. Thompson, Secretary