

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1
MARCH 15, 2022 REGULAR MEETING MINUTES**

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on **Tuesday, March 15, 2022** in-person at 1070 Faraday Street and via teleconference.

Trustees Present: Jeff Clay Michael Burchardi
 Brad Joos Lori Parker
 Jeff Holzer

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Karen King
 Eric Tambini

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:00 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all Trustees were present.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance

3. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA:

Ms. Martone presented the affidavit of posting of the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54953, as well as District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

4. CONSIDERATION OF RESOLUTION NO. 816 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 816 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and based upon Santa Barbara County Health Officer Order No. 2022-10.1, approval of Resolution No. 816 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, to adopt Resolution No. 816, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees: Michael Burchardi
Jeff Clay
Jeff Holzer
Brad Joos
Lori Parker

NOES, Trustees: None

ABSTAIN, Trustees: None

ABSENT, Trustees: None

5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:**

There were no additions or corrections to the Agenda.

6. **PUBLIC COMMENT:**

President Clay welcomed any members of the public participating remotely and offered time for members of the public to speak and address the Board on matters not on the agenda. There was no public comment. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

7. **CORONAVIRUS (COVID-19) UPDATE:**

A. General Manager's Report

Mr. Garcia reported on current information related to the COVID-19 pandemic and the District's actions. He explained that effective March 1, 2022, the State and County requirements that unvaccinated individuals wear masks in all indoor public settings moved to a strong recommendation that all persons, regardless of vaccination status, continue indoor masking, while universal masking will remain required in specified high-risk settings. Mr. Garcia reported that the District has removed the indoor mask requirement for individuals entering the District office to conduct business. He reviewed the Board packet materials which included Santa Barbara County Health Officer Order No. 2022-10.1.

8. **CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETING OF FEBRUARY 22, 2022:**

The Special Meeting Minutes from February 22, 2022 were presented for consideration.

President Clay asked if there were any changes or additions to the Special Meeting Minutes of February 22, 2022 as presented. Two minor corrections were requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 5-0-0 roll call vote, to approve the February 22, 2022 Minutes as amended.

9. **CONSENT AGENDA:**

The Consent Agenda Report was provided in the Board packet.

Mr. Garcia reviewed the Consent Agenda materials for the month of March.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, and carried by a 5-0-0 roll call vote to approve the Consent Agenda.

10. MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:

A. DISTRICT ADMINISTRATION

1. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

Ms. Martone announced that the Financial Statements were emailed to the Board members earlier that afternoon and posted on the District’s website in the Board packet materials for any members of the public wishing to follow along or receive a copy.

Ms. Martone reviewed the Statement of Revenues and Expenses for the month of March. She highlighted various line-items related to revenue and expense transactions that occurred during the month and also referenced the Fiscal Year to Date Statement of Revenues & Expenses that provided a budget to actual snapshot from July to February. Ms. Martone reported that the District revenues exceeded the expenses by \$52,329.01 and the year-to-date net income is \$2,029,314.62.

b) Approval of Accounts Payable

Ms. Martone announced that the Warrant List was emailed to the Board members this afternoon and posted on the District’s website in the Board packet materials for any member of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 23454 through 24404 in the amount of \$579,107.62.

It was MOVED by Trustee Joos, seconded by Trustee Holzer, and carried by a 5-0-0 roll call vote, to approve the Warrant List for February 23, 2022 through March 15, 2022.

2. Public Hearing: Proposed Adjustments to Boundaries of District Divisions Pursuant to California Elections Code and 2020 U.S. Census Bureau Population Results

The Board packet included a 2022 Redistricting Overview, memorandum prepared by JDL Mapping, Notice of Public Hearing, several maps depicting existing and proposed adjustments to the boundaries of the District divisions, and Resolution No. 817 with Exhibit “A”.

Mr. Garcia explained that the District is required by statute to hold two public hearings on the re-districting process. He stated that the first public hearing was held at the February 22nd Special Meeting. Mr. Garcia briefly recapped what occurred at that meeting, where Mr. Dennis Loyst of JDL Mapping provided an overview of the process, proposed adjustments to the District’s divisions, and related maps. Mr. Garcia explained that the second public hearing will be conducted under this agenda item, and he provided an overview of the hearing process. President Clay opened the public hearing at 3:32 p.m.

Mr. Garcia stated that according to California Elections Code section 22000, following each federal decennial census (every 10 years) special districts are required to use the updated census data to adjust the boundaries of their divisions so that as far as practicable the divisions are equal in population. Section 22000 provides that as part of the process in adjusting division boundaries, a district may also consider factors such as: topography; geography; cohesiveness, contiguity, integrity, and compactness of territory; and community of interests within the divisions. He stated that the redistricting process must be completed by April 17, 2022.

Mr. Garcia stated that a Notice of Public Hearing was published in the local newspaper on March 5th and March 11th and posted on the District website.

Mr. Garcia reviewed the draft maps detailing the proposed adjustments to the boundaries of divisions within the District and the draft legal descriptions of the proposed adjustments. Mr. Garcia noted that the proposed adjustments achieve a population variance of less than three percent between the divisions, which easily satisfies the Elections Code objective of equalizing populations within each division.

Discussion ensued and the Board members favored the proposed adjustments to the division boundaries as presented.

President Clay opened public comment and no public comment was provided. Public comment was closed, and no further discussion or comment was provided by the Board. The public hearing was closed at approximately 3:47 p.m.

- a) Resolution No. 817 - A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adjusting the Boundaries of District Divisions

Mr. Garcia reviewed the contents of Resolution No. 817 and Appendix "A" and recommended approval of Resolution No. 817.

No public comment was provided.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, to adopt Resolution No. 817, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1 Adjusting the Boundaries of District Divisions.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees:	Michael Burchardi Jeff Clay Jeff Holzer Brad Joos Lori Parker
NOES, Trustees:	None
ABSTAIN, Trustees:	None
ABSENT, Trustees:	None

- 3. Office Pavement Replacement Project
 - a) Bid Results Summary
 - b) Award of Contract and Authorization to Execute Contract DocumentsAgenda items 10.A.3.a and 10.A.3.b were discussed together.

The Board packet included the Bid Summary for the Office Pavement Replacement Project.

Mr. Garcia stated the District requested formal bids for the Office Pavement Replacement Project. He stated that the District received four bids by the response deadline of February 25, 2022. He informed the Board that based on the bid results,

Ramsey Asphalt Construction was the lowest responsive and responsible bidder at \$52,880.00.

Mr. Garcia recommended acceptance of the bid from Ramsey Asphalt Construction and requested that the Board authorize him to sign the Notice of Award and contract documents.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to accept the lowest responsive and responsible bid of \$52,880.00 from Ramsey Asphalt Construction, and authorize the General Manager to sign the Notice of Award and execute the contract documents.

4. Appoint Ad Hoc Committee Members – Los Olivos Community Services District

Mr. Garcia reported that at the February 22, 2022 Special Meeting the Board considered and approved the establishment of an Ad Hoc Committee for the Los Olivos Community Services District. He reported that the consensus of the Board was to establish the Ad Hoc Committee; however, the Board chose to table appointments to the Ad Hoc Committee until a full Board was present.

Discussion ensued regarding appointees for the Ad Hoc Committee. Trustee Burchardi and Trustee Parker volunteered to be on the Ad Hoc Committee for the Los Olivos Community Services District.

It was **MOVED** by Trustee Clay, seconded by Trustee Joos, and carried by a 5-0-0 roll call vote to appoint Trustees Burchardi and Parker to the Los Olivos Community Services District Ad Hoc Committee.

5. District Cybersecurity Update

The Board packet included a January 25, 2022 letter from ACWA/JPIA regarding the 2022/2023 Cyber Liability Program Renewal.

Ms. Martone reported on the District's fiscal and preventative actions related to cybersecurity. She explained that in the past the District's cybersecurity insurance has been included in our liability insurance premium through ACWA JPIA; however, due to increasing occurrences of cyber-attacks and related market conditions, cybersecurity costs are anticipated to rise by 40% to 70% over the next year, resulting in the need for separate coverage. Ms. Martone reported that as part of the 2022/23 insurance renewal process, the District was required to complete and submit a comprehensive cybersecurity insurance application to ACWA JPIA for review and approval. She noted that staff coordinated with CIO Solutions, the District's information technology vendor, to assist with the cybersecurity application, which was submitted in early March.

Ms. Martone also reported that staff has been working with CIO Solutions on a cybersecurity plan for the District. She indicated that while the District's baseline security is good, additional security measures are being proposed and reviewed which will further strengthen and protect the District from cyberattacks. She indicated that the District has already implemented some cost-neutral processes and will be reviewing and recommending additional preventative measures within the next budget cycle. Ms. Martone reiterated to the Board that cybersecurity remains a top priority for the District.

The Board was provided time for questions and comments, which included current coverage, the cybersecurity insurance application process, current insurance costs vs.

potential increased costs, and obtaining a third-party insurance agency quote for cybersecurity coverage.

11. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update

The Board packet included a February 24, 2022 Notice and Agenda for the Regular Meeting of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA).

Mr. Garcia reported on the topics discussed at the February 24, 2022 meeting of the EMA GSA. He referenced the completion of the First Annual Report for the EMA, prepared by GSI Solutions, which is scheduled to be adopted by the GSA Committee next Thursday. Mr. Garcia also discussed certain key issues that the EMA will be addressing in relation to future governance, projects and management actions, and funding. Mr. Garcia stated that the three GSAs in the Basin along with staff and legal counsel for the participating agencies have been cooperatively discussing the pros and cons of forming one or more new Joint Powers Authority (JPA) agencies to implement the GSPs that have been adopted. He stated that the next Regular Meeting of the EMA GSA will be held on March 24, 2022.

B. CALIFORNIA DROUGHT CONDITIONS

1. Update Regarding Statewide Drought Conditions

The Board packet included the Department of Water Resources (DWR) Current Reservoir Conditions; excerpts from CCWA Operating Committee Meeting Water Supply Situation Report; recent news articles relating to current drought conditions; and a February 2022 Cloudseeding Report prepared by North American Weather Consultants, Inc.

Mr. Garcia reviewed the Board packet materials, including updated conditions of major reservoirs in California as published by DWR. He also discussed the March 10, 2022 CCWA PowerPoint presentation which contained an overview of the current water supply situation for the State Water Project, temperature data, and a precipitation outlook. Mr. Garcia reminded the Board that in January 2022, the Department of Water Resources issued a Notice to State Water Project Contractors that the 2022 SWP Table A allocation was increased from 0% to 15%; however, due to current conditions there is a good chance that the 15% allocation could be reduced. Mr. Garcia referred to the recent news articles included in the packet and reviewed the February 2022 Cloud Seeding Report.

C. CENTRAL COAST WATER AUTHORITY 2022 SUPPLEMENTAL WATER PURCHASE PROGRAM

1. Update Regarding District Involvement in CCWA's 2022 Supplemental Water Purchase Program on Behalf of the City of Solvang

Mr. Garcia reported that due to the recent drought conditions and the current State Water Project Allocation of 15%, the Central Coast Water Authority (CCWA) has announced its 2022 Supplemental Water Purchase Program (SWPP) that allows CCWA participants to acquire additional imported water supplies. He explained that he has been working with the City of Solvang regarding the City's desire to participate in the SWPP. He explained that because the City is not a direct member agency of CCWA, ID No.1 is willing to execute the required documentation on behalf of the City, as we have done in the past. Mr. Garcia stated that ID No.1 and the City are working cooperatively to enable the City to pursue supplemental water to meet its needs. He reported that the Board packet

included the executed 2022 Supplemental Water Purchase Program Participation Agreement between CCWA and ID No.1 and that all financial obligations will be assumed by the City of Solvang for their purchase of supplemental water.

D. 2022 WATER RATES STUDY

1. Update Regarding District's 2022 5-Year Water Rate Study

Mr. Garcia reported that District management has been working with Bartle Wells & Associates, the District's water rate consultant, to begin the process of developing a new 5-year water rate study. He stated that the last water rate study was adopted by the Board in 2016 and that the District implemented the last rate adjustment of the 2016 study in July 2021. Mr. Garcia indicated that management has scheduled a meeting with the District's Water Rates Ad Hoc Committee on March 25th to provide an initial overview of the current water rates analysis and to seek input from the Ad Hoc Committee members.

12. **REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION:**

The Board packet included the March 2022 Family Farm Alliance Monthly Briefing.

13. **CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:**

The Correspondence List was received by the Board.

14. **REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**

There were no requests from the Board.

15. **NEXT MEETING OF THE BOARD OF TRUSTEES:**

President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for April 19, 2022 at 3:00 p.m.

16. **CLOSED SESSION:**

The Board adjourned to closed session at 4:48 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432

17. **RECONVENE INTO OPEN SESSION:**

[Sections 54957.1 and 54957.7 of the Government Code]

The public participation phone line was re-opened, and the Board reconvened to open session at approximately 5:48 p.m.

Mr. Garcia announced that the Board met in closed session concerning Agenda Items 16.A.1 and 16.A.2 and that there was no reportable action from the closed session.

18. **ADJOURNMENT:**

Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-0 roll call vote, with Trustee Holzer absent, to adjourn the meeting at approximately 5:50 p.m.

THE MARCH 15, 2022 MEETING MINUTES WERE APPROVED AT THE REGULAR MEETING OF APRIL 19, 2022.