

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT NO. 1  
DECEMBER 21, 2021 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, December 21, 2021** via video/teleconference.

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

Trustees Absent:     None

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

**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 54950, as well as District Resolutions No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

**4. CONSIDERATION OF RESOLUTION NO. 809: – 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. 809 and explained that Assembly Bill 361 (AB 361) allows public agencies to conduct remote public 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 under a declared state of emergency related to the COVID-19 pandemic and based on Santa Barbara County Health Officer Order 2021-10.7, approval of Resolution No. 809 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 Holzer, to adopt Resolution No. 809, 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:

<b>AYES, Trustees:</b>	Michael Burchardi Jeff Clay Jeff Holzer Brad Joos Lori Parker
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<b>NOES, Trustees:</b>	None
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<b>ABSTAIN, Trustees:</b>	None
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<b>ABSENT, Trustees:</b>	None
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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 telephonically and offered time for members of the public to speak and address the Board on matters not on the Agenda. Mr. Garcia reported that no written comments were submitted to the District for the meeting. There was no public comment.

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

A. General Manager's Report

Mr. Garcia reported on the current information related to the COVID-19 pandemic and the District's actions. He reported that the Santa Barbara County Public Health Department issued Health Officer Order No. 2021-10.7 effective 5:00 p.m. on December 3, 2021 through January 2, 2022 which extends the mandatory requirement for the use of face coverings indoors, regardless of vaccination status, or until the Order is extended, rescinded, or superseded. Mr. Garcia reported that the Board packet also included a December 13, 2021 guidance document from the State of California Department of Public Health for the use of face coverings.

8. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2021:**

The Regular Meeting Minutes from November 16, 2021 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of November 16, 2021 Minutes as presented. No changes or additions were requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the November 16, 2021 Minutes as presented.

9. **CONSENT AGENDA:**

The Consent Agenda Report was provided in the Board packet.

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

It was **MOVED** by Trustee Joos, seconded by Trustee Clay, 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. Employee Recognition
  - a) Eric Tambini - 24 Years of Service
  - b) James "Jim" Morrill - 21 Years of Service
  - c) Russell McCandlish - 20 Years of Service

Mr. Garcia recognized three long-time District employees, Mr. Eric Tambini, Mr. James Morrill, and Mr. Russell McCandlish for their 20+ years of service with the District. He provided a brief synopsis of each person's background and responsibilities with the District. Mr. Garcia expressed his gratitude for the extraordinary dedication and contributions of these individuals. Members of the Board provided additional remarks to express their appreciation for the long-term service of Mr. Tambini, Mr. Morrill, and Mr. McCandlish.

2. Board of Trustees Designations
  - a) Selection of Officers of the Board - President, Vice President, Treasurer & Secretary  
Mr. Garcia reported that each December the District's Board selects the positions of President, Vice President, and Secretary and Treasurer to the Board of Trustees. He explained that the process for selecting offices is based on nomination and vote by the Board members.

President Clay reviewed the current officers and called for nominations from the Board. Consensus of the Board was to leave the current positions and designations unchanged.

It was **MOVED** by Trustee Holzer, seconded by Trustee Parker, and carried by a 5-0-0 roll call vote, to select Trustee Clay as President, Trustee Joos as Vice President, and Ms. Mary Martone as Treasurer and Secretary to the Board of Trustees.

- b) Appointment of Representatives to Participating Agencies and Organizations - CCWA & ACWA  
President Clay reviewed the current Board representatives to participating agencies and organizations. He reported that he and Trustee Joos serve as Director and Alternate, respectively, to the Central Coast Water Authority Board, and he and Mr. Paeter Garcia serve as Representative and Alternate, respectively, to the Association of California Water Agencies.

Discussion ensued regarding the CCWA Alternate Director. Trustee Joos indicated that he would like step down as the CCWA Alternate Director and asked the Board to consider appointing a new Alternate Director. Trustee Parker volunteered to be the Alternate Director for CCWA.

It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to appoint Trustee Clay and Trustee Parker as Director and Alternate, respectively, to the Central Coast Water Authority Board of Directors, and to appoint Trustee Clay and Paeter Garcia as Representative and Alternate, respectively, to the Association of California Water Agencies.

c) Appointment of Board Committees

President Clay reviewed the current Board representatives for the Ad Hoc Committees. He identified each Ad Hoc Committee, which included Trustees Clay and Joos – City of Solvang; Trustees Burchardi and Joos – Water Rates; Trustees Clay and Joos – COMB; Trustees Joos and Holzer – SGMA; and Trustees Burchardi and Parker - Cachuma Contract.

It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to appoint Trustees Clay and Joos to the City of Solvang Ad Hoc Committee; Trustees Burchardi and Joos to the Water Rates Ad Hoc Committee; Trustees Clay and Joos to the COMB Ad Hoc Committee; Trustees Joos and Holzer to the SGMA Ad Hoc Committee, and Trustees Burchardi and Parker to the Cachuma Contract Ad Hoc Committee.

3. Review of District Staffing Plan

a) Consider approval of District Superintendent Position

The Board packet included a December 21, 2021 Staff Report discussing the Proposed Reinstatement of Superintendent Position and Field Staff Structure.

Mr. Garcia reviewed the Staff Report which provided an overview of the past and current structures of the District's field staff. He also presented a revised job description and salary range for the proposed Operations & Maintenance Superintendent position as contained in the Board packet. Mr. Garcia presented management's recommendation for the Board to approve and reinstate the updated Operations & Maintenance Superintendent position and accompany salary range and deactivate the current Construction & Maintenance Supervisor position once the Superintendent position is filled.

Board discussion ensued regarding the proposed field staff structure, supervisory responsibilities, and fiscal considerations.

It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve and reinstate the updated Operations & Maintenance Superintendent position, with a salary range of \$102,000.00 to \$133,832.84 beginning Fiscal Year 2021-2022.

4. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

Ms. Martone announced that the Financial Statements were emailed to Board members this 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 December. She highlighted various line-items related to revenue and expense transactions that occurred during the month. Ms. Martone reported that the District revenues exceeded expenses by \$272,884.02 and the year-to-date net income is \$1,489,235.94.

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 members of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 24186 through 24254 in the amount of \$450,318.05.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the Warrant List for November 17, 2021 through December 21, 2021.

5. Amendment to Rules and Regulations

- a) Resolution No. 810: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No. 1 Approving the Automatic Annual Adjustments to the Capital Facilities Charges and Meter Installation Fees Contained in Attachment of Appendix "C" and Appendix "D" of the District's Rules and Regulations

The Board packet included a December 21, 2021 Staff Report and Resolution No. 810 with appendices.

Mr. Garcia explained that Resolution No. 810 amends Appendix "C" and Appendix "D" of the District's Rules and Regulations relating to the District's Capital Facilities Charges under Sections 603 and 709 of the Rules and Regulations. He reported that Resolution No. 810 was presented in draft to the Board of Trustees as part of the Regular Meeting in November. Mr. Garcia stated that no changes have been made to the draft Resolution or the Appendices since the November meeting. He reviewed the calculations used to establish the Capital Facilities Charges and recommended approval of Resolution No. 810 for the automatic annual adjustment to the District's Capital Facilities Charges and meter installation fees effective January 1, 2022 pursuant to Sections 603 and 709 of the District Rules & Regulations.

No public comment was provided.

It was **MOVED** by Trustee Burchardi and seconded by Trustee Clay to adopt Resolution No. 810 Approving the Automatic Annual Adjustment to the Capital Facilities Charges and Meter Installation Fees contained in Amendments to Appendix "C" and Appendix "D" of the District's Rules and Regulations.

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

<b>AYES, Trustees:</b>	Michael Burchardi Jeff Clay Jeff Holzer Brad Joos Lori Parker
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<b>NOES, Trustees:</b>	None
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<b>ABSTAIN, Trustees:</b>	None
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<b>ABSENT, Trustees:</b>	None
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6. District Land and Air Space

- a) Resolution No. 811: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Concerning Inventory of District Land and Air Space

The Board packet included Resolution No. 811 and supporting documentation.

Mr. Garcia reported that pursuant to Section 50569 of the California Government Code, the District must inventory its land and air space on an annual basis to determine if any surplus land exists. He stated that based on the inventory, no District lands are deemed surplus to the District's existing foreseeable needs and recommended approval of Resolution No. 811 as presented.

No public comment was provided.

It was **MOVED** by Trustee Joos and seconded by Trustee Burchardi to adopt Resolution No. 811 Concerning Inventory of District Land and Air Space.

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

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

**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 various materials relating to the Eastern Management Area Groundwater Sustainability Agency (EMA GSA).

Mr. Garcia reported on the topics discussed at the December 9, 2021 Special Meeting of the EMA GSA. He stated that the focus of the December 9 meeting was a public workshop on the responses to public comments submitted on the EMA Draft Groundwater Sustainability Plan (GSP). Mr. Garcia reported that the responses to comments have been incorporated into the final GSP, which was released and posted on the SGMA website on December 16, 2021. He stated that the EMA GSA will be considering adoption of the final EMA GSP at a Special Meeting on January 6, 2022. Mr. Garcia reported that the final GSP must be submitted to the Department of Water Resources (DWR) by January 31, 2022. He reported on the use of DWR grant funds, costs expended, cost sharing, and potential costs related to the first annual report that must be provided to DWR in April 2022. Mr. Garcia summarized a letter that was sent from ID No.1 to the Parent District dated December 14, 2021 regarding ID No.1's concerns with a recent cost share demand from the Parent District. He also summarized a response letter from the Parent District dated December 20, 2021. Board discussion ensued and Mr. Garcia indicated that further correspondence would be sent to the Parent District regarding ID No.1's position on the cost share demand, and that further discussions will be required among the agencies and stakeholders in the EMA regarding SGMA-related costs.

**B. HEXAVALENT CHROMIUM MAXIMUM CONTAMINANT LEVEL:**

1. Update Regarding Notice of Preparation of a Draft Program Environmental Impact Report

The Board packet included a California State Water Board Notice of Preparation of a Draft Program Environmental Impact Report for the adoption of a Regulation for the Hexavalent Chromium Maximum Contaminant Level (Project) and Comment Letters from the Coachella Valley Water District and Association of California Water Agencies (ACWA).

Mr. Garcia reported that the California State Water Resources Control Board issued a Notice of Preparation of a Draft Environmental Impact Report for the preparation of a new drinking water Maximum Contaminant Level (MCL) for Hexavalent Chromium, also referred to as Chromium 6, including a range of 17 possible MCLs that will be evaluated. Mr. Garcia stated that the public comment period opened on November 5, 2021 and closed December 6, 2021. He referred to the Board packet materials which included comment letters from the Coachella Valley Water District and ACWA, stating that both letters address the significant water supply impacts, economic impacts, and deficiencies in the State Board's current approach to issuing a new MCL without first developing a proper scientific foundation. Mr. Garcia reported that staff is closely monitoring this issue due to the significant impacts that a new Chromium 6 MCL will have on the District and its ratepayers, along with many other communities throughout the State. He stated this is yet another regulatory process that will significantly affect the availability, reliability, and affordability of District water supplies.

**C. PETITION TO LIST SOUTHERN CALIFORNIA STEELHEAD AS ENDANGERED UNDER CALIFORNIA ENDANGERED SPECIES ACT**

1. Update Regarding December 15, 2021 Fish and Game Commission Meeting  
The Board packet provided current correspondence relating to the Evaluation of the Petition to list Southern California Steelhead as Endangered under the California Endangered Species Act.

Mr. Garcia stated that on December 15, 2021 a meeting was held by the California Fish and Game Commission which addressed a report on a petition submitted by California Trout, a non-profit environmental organization, to list Southern California steelhead (*Oncorhynchus mykiss*) as an endangered species under the California Endangered Species Act. Mr. Garcia reviewed the Board packet materials which included a report prepared by the California Department of Fish and Wildlife and numerous comment letters submitted by local water agencies to oppose the listing petition. Mr. Garcia reported ACWA and water agencies throughout the state are collaborating to address the listing petition and explain to the Commission that scientific issues and significant impacts to water supply availability, reliability, and affordability must be fully resolved before the species is listed as endangered under California law. He reported that further information will be provided as it becomes available.

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

The Board packet included a 2021 Santa Barbara County Grand Jury Report titled "Cybersecurity for Special Districts and County Service Areas in Santa Barbara County", the Family Farm Alliance Monthly Briefing for the month of December 2021, and a November 17, 2021 Santa Barbara County Water Agency press release announcing the 23<sup>rd</sup> Annual Water Wise High School Video Contest.

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 the next Regular Meeting of the Board of Trustees is scheduled for January 18, 2022 at 3:00 p.m.
16. **CLOSED SESSION:**  
The Board adjourned to Closed Session at 5:43 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 6:10 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 Burchardi, seconded by Trustee Joos, and carried by a 3-0-0 roll call vote, with Trustees Holzer and Parker absent, to adjourn the meeting at 6:11 p.m.

**THE DECEMBER 21, 2021 REGULAR MEETING MINUTES WERE APPROVED AT THE JANUARY 18, 2022 MEETING.**