

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1
SEPTEMBER 17, 2019 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, September 17, 2019** in the Conference Room at 1070 Faraday Street, Santa Ynez.

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

Trustees Absent: None

Others Present: Chris Dahlstrom Mary Martone Karen King
Eric Tambini Frances Komoroske Kevin Crossley

I. 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. Mrs. Martone reported all members of the Board were present.

II. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

Mrs. 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 and pursuant to Resolution No. 340 of the District. The affidavit was filed as evidence of the posting of the agenda items contained therein.

IV. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 20, 2019

The Minutes of the Regular Meeting of August 20, 2019 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of August 20, 2019. No changes or corrections were requested.

It was **MOVED** by Trustee M. Burchardi, seconded by Trustee H. Burchardi and carried by a unanimous 5-0-0 voice vote, to approve the Regular Meeting Minutes of August 20, 2019 as presented.

V. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:

Mr. Dahlstrom stated there were no additions or corrections to the agenda.

VI. PUBLIC COMMENT:

There was no public comment.

VII. CONSENT AGENDA:

The Consent Agenda report was provided in the Board Packet.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 5-0-0 voice vote to approve the Consent Agenda as presented.

VIII. MANAGER'S REPORT - 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

The Board was provided the Statement of Revenues and Expenses for the month of August in the handout materials.

Mr. Dahlstrom reviewed the Statement of Revenues and Expenses for the month of August. He reported the revenues exceeded the expenses by \$424,184.34 and the year-to-date net income was \$570,655.10. Mr. Dahlstrom stated the water sales were 3.21% higher than the previous month, however the total water production was 166 af or 29.9% less water demand for the month than the 10-year running average. He stated water conservation by District customers remains a major factor in overall total use.

b) Approval of Accounts Payable

The Warrant List was provided in the handout material for Board action. The Warrant List covered warrants 22516 through 22588, for the period of August 21, 2019 through September 17, 2019 in the amount of \$522,305.62.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 5-0-0 voice vote, to approve the Warrants List as presented.

B. OPERATIONS AND MAINTENANCE

1. Purchase of Two Fleet Vehicles

a) Consideration of and Award of Bid

The Board packet included Bid Results for two (2) Chevrolet Silverado 2500 HD Regular Cab 4wd Trucks with service bodies and lift-gates.

Mr. Dahlstrom reminded the Board that at the August Board meeting, staff presented bid results for two Chevrolet Silverado 2500 HD vehicles; however, discussion ensued and the Board consensus at that time was to delay action on the purchase of the vehicles and request staff to potentially seek additional bids from Ford.

Mr. Dahlstrom explained that following the August Board meeting, in an effort to ensure that the District was complying with public agency purchasing laws, he researched the possibility of soliciting additional bids from another manufacturer after the current bids had already been opened and publicized. Mr. Dahlstrom informed the Board that the Chevrolet bids that were reviewed at the August meeting would have to be rejected by the Board and then a new Request for Bids would have to be developed and distributed to both Chevrolet and Ford dealers in order to stay compliant with public agency purchasing requirements. He also discussed perception issues that could result from this type of action, as well as an unfair advantage for other vendors to submit a lower price based on the knowledge of the current bids that had been publicized. Mr. Dahlstrom recommended that the Board proceed with the bid results from Chevrolet that were announced at the August meeting for this year's approved fleet vehicle purchases. He suggested that future purchases will include the Board's suggestion of obtaining multiple manufacturer bids. Board discussion ensued, topics included, local dealerships, Sourcewell, vehicle maintenance/reliability, average life of vehicles and fleet pricing. The Board concurred with the recommendation to keep the bids from Chevrolet active and award to the lowest bidder for the 2019-20 fiscal year.

Mr. Dahlstrom announced that based on the bid results, Rio Vista Chevrolet was the lowest responsible bid in the amount of \$92,945.54. Mr. Dahlstrom recommended acceptance of the bid from Rio Vista Chevrolet and authorization to purchase the two fleet vehicles.

After a brief discussion, it was **MOVED** by Trustee H. Burchardi, seconded by M. Burchardi, and carried by a unanimous 5-0-0 voice vote, to accept the lowest responsible bid of \$92,945.54 from Rio Vista Chevrolet for the purchase of two Chevrolet Silverado 2500 HD Regular Cab 4wd Trucks with service bodies and lift-gates.

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

A. Cachuma Project – U.S. Bureau of Reclamation Continuing Operations

1. Cachuma Project Water Service Contract No. I75r-1802R, Water Deliveries, Exchange Agreement, Entitlement, Water Storage, Accounting, Water Supply Projections & SWRCB Permits

Mr. Dahlstrom reported on the current activities related to the Cachuma Project. Mr. Dahlstrom stated that the Cachuma Project allocation is at 100%; however, with the water demand being low, the District will likely have carryover water.

Mr. Dahlstrom stated there will be no downstream water rights release this year due to the current water year's rainfall activity.

Mr. Dahlstrom indicated the new water year begins on October 1, 2019 and according to the US Bureau of Reclamation the District will receive its full allocation 2,651 af of Cachuma Project water for the next water year.

Mr. Dahlstrom reviewed the Exchange Agreement and the evaporation component.

Mr. Dahlstrom reported that the District experienced a PG&E power outage for several hours on September 16th which interfered with the District's ability to produce, move, and deliver water. He explained that the field crew utilized emergency back-up generators in two key locations to ensure District customers' water service remained uninterrupted during the outage. Mr. Dahlstrom also stated that PG&E has recently announced that there will be Public Safety Power Shutoffs during high wind and fire hazard conditions. He indicated that there will be a meeting held on September 26th with Office of Emergency Services, PG&E and governmental officials to discuss supplies during power outages.

Mr. Dahlstrom stated that the conveyance losses or "unaccounted for" water losses that have accumulated over time for the last several years are still a topic of discussion with USBR and remain unresolved at this time.

Mr. Dahlstrom reported the State Water Resources Control Board is meeting today September 17th to certify the Environmental Impact Report and adopt the Water Rights Order for the continuing operation and maintenance of the Cachuma Project under permits 11308 and 11310. He reported that Mr. Paeter Garcia, District Legal Counsel, is in attendance to express the District's comments related to the proposed Order. He stated this Order has significant implications for the Cachuma Project and the issues of regional water supply, protection of public trust resources (fisheries), and the protection of downstream water rights. He indicated that the U.S. Bureau of Reclamation will also be required to study fish passage and the effects of diversions on the fisheries, among other plans and studies required by the Order. Mr. Dahlstrom stated he would provide further information at the October meeting.

2. 2020 Water Service Contract

Mr. Dahlstrom stated there is no new information relating to the 2020 Water Service Contract negotiations at this time.

B. Sustainable Groundwater Management Act

1. Eastern Management Area Update

Trustee Joos stated there has been no recent activities related to the Eastern Management Area Groundwater Sustainability Agency. He stated the next meeting will be held in October.

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

Trustee Joos provided information to the Board on leak detection devices that customers can research and purchase if they would like to monitor their water usage for identifying possible leaks. He indicated there are a number of devices on the market that can be installed on the customer side of the water service, so it does not interfere with the District's metering. Trustee Joos indicated this would be good information to include in the District's next newsletter edition.

Trustee M. Burchardi reported the District's Ad Hoc Committee, consisting of Trustee Clay and himself, met on August 29th with the City of Solvang representatives to discuss water supply and wastewater issues, as well as potential long-term consolidation of utilities. Mr. Dahlstrom provided a historical account of previous discussion with City of Solvang representatives related to water issues, legal and technical costs, and potential consolidation.

Mr. Dahlstrom reported on Senate Bill 1. He stated the Bill is looking to roll back or oppose anything that is done under the Endangered Species Act at the Federal level. He explained this Bill was passed by both houses and is currently on the Governor's desk awaiting his signature. Mr. Dahlstrom explained that if signed by the Governor there will be significant constraints to the Delta, effects on the Clean Water Act, and conflicts with the proposed State of California Department of Water Resources Delta Conveyance Project as well. He stated staff will be tracking the Bill and will provide further information when it is available.

Mr. Dahlstrom announced that Ms. Lydia Cardenas was recently hired to fill the District's vacant Water Resources Associate position and will begin work on October 1, 2019.

The Board packet included the August 2019 Family Farm Alliance Monthly Briefing.

The Board packet included an August 30, 2019 Santa Ynez Community Services District Staff Report regarding the request for proposal from the City of Solvang for undertaking Solvang sewer system operations and an August 20, 2019 City of Solvang letter requesting a proposal for Solvang Sewer System Operations.

XI. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS THE ITEMS NOT MARKED WITH AN ASTERISK (*) FOR FILE

The Correspondence list was received by the Board.

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

There were no requests from the Board.

XIII. NEXT MEETING OF THE BOARD OF TRUSTEES:

President Clay stated the next Regular Meeting of the Board of Trustees is currently scheduled for October 15, 2019 at 3:00 p.m. Trustee Clay and Trustee Joos indicated that they would not be

able to attend the October 15st meeting as they would be out of town. The Board discussed and concurred on an alternate date of October 17th in place of the October 15th meeting date.

XIV. CLOSED SESSION:

The Board adjourned at 4:44 p.m. for a brief recess. At 4:50 p.m., the Board reconvened and adjourned to closed session to discuss agenda items XIV.A. 1. - 4.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Subdivision (d)(1) of Section 54956.9 of the Government Code - 4 cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 to the United States Bureau of Reclamation and complaints filed by the California Sport fishing Protection Alliance regarding the operating of the Cachuma Project and State Board Orders WR73-37, 89-18 and 94-5; and proposed changes to the place of use of waters obtained through aforementioned permits for the Cachuma Project
2. 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 regarding petitions for change and extension of time and protests to the petitions
3. Name of Case: Santa Barbara Superior Court Case No. 18CV05437, Santa Ynez River Water Conservation District, Improvement District No.1 v. Holland, et al.
4. Name of Case: Santa Barbara Superior Court Case No. 19CV01873, Cachuma Operation and Maintenance Board v. Santa Ynez River Water Conservation District, Improvement District No.1

XV. RECONVENE INTO OPEN SESSION

[Sections 54957.1 and 54957.7 of the Government Code]

The Board reconvened to open session at 5:45 p.m. Mr. Dahlstrom announced that the Board met in Closed Session concerning Agenda Items XIV.A. 1-4. He reported that there is no reportable action on the Agenda Items XIV.A. 1-4.

XVI. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee M. Burchardi, seconded by Trustee Joos and carried by a unanimous 5-0-0 voice vote, to adjourn the meeting at 5:46 p.m.

THE SEPTEMBER 17, 2019 REGULAR MINUTES WERE APPROVED AT THE SPECIAL MEETING OF OCTOBER 17, 2019.