



**AGENDA
REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
CARPINTERIA VALLEY WATER DISTRICT**

**CARPINTERIA CITY HALL
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013**

Wednesday, May 11, 2022 at 5:30 p.m.

BOARD OF DIRECTORS

*Case Van Wingerden
President
Kenneth Stendell
Vice President
Polly Holcombe
Shirley L. Johnson
Matthew Roberts*

GENERAL MANAGER

Robert McDonald, P.E. MPA

If interested in participating in a matter before the Board, you are strongly encouraged to provide the Board with a public comment in one of the following ways:

1. **Comments** during a meeting may be submitted online through eComment function found on the website <https://cvwd.net/about/our-board/meetings/> (Livestream is available online).
2. **Submitting a Written Comment.** If you wish to submit a written comment, please email your comment to the Board Secretary at Public_Comment@cvwd.net by **5:00 P.M. on the day of the meeting**. Please limit your comments to 250 words. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.
3. If you wish to make either a general public comment or to comment on a specific agenda item in person, please: attend the Board Meeting at the location noted above and fill out a speaker slip prior to the hearing the item.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE, President Van Wingerden.

II. ROLL CALL, Secretary McDonald.

III. PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda.).

IV. APPROVAL ITEMS

A. **Minutes of the Regular Board meeting held on April 27, 2022

V. UNFINISHED BUSINESS – None

VI. **ADJOURN to Regular meeting of Carpinteria Groundwater Sustainability Agency (Time Certain 5:40 p.m.)

VII. NEW BUSINESS

A. Consider discussion regarding remote participation of a Board Member. (for information, General Manager McDonald)

1301 Santa Ynez Avenue
Carpinteria, CA 93013
(805) 684-2816

**Indicates attachment of document to agenda packet.

- B. Consider status update of review of the intent to serve letter process (for information, General Manager McDonald).**

VIII. DIRECTOR REPORTS

- A. **CCWA Board Meeting – April 28, 2022 – Director Johnson**
- B. CSDA/SDLA Workshop – The Board’s Role in Finance – April 18 & 19, 2022 – Director Johnson**
- C. ACWA JPIA Meeting- May 2- 5, 2022- Director Roberts**

IX. GENERAL MANAGER REPORTS (for information) - None

- X. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(1)]: Name of Case: Central Coast Water Authority et al v. Santa Barbara County Flood Control & Water Conservation District et al. (Case No. 21CV02432)**

- XI. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(2)] Cachuma Operations & Maintenance Board**

XII. CONSIDER DATES AND ITEMS FOR AGENDA FOR:

CARPINTERIA VALLEY WATER DISTRICT BOARD MEETING OF JUNE 8, 2022 AT 5:30 P.M., CARPINTERIA CITY HALL, 5775 CARPINTERIA AVENUE, CARPINTERIA, CALIFORNIA.

XIII. ADJOURNMENT.

Robert McDonald, Secretary

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:30 p.m., May 8, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District’s programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

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	MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
	CARPINTERIA VALLEY WATER DISTRICT
	April 27, 2022
	<p>President Van Wingerden called the regular meeting of the Carpinteria Valley Water District Board of Directors held via tele-conference at 5:30 p.m., Wednesday, April 27, 2022, and led the Board in the Pledge of Allegiance.</p> <p>In response to the spread of the COVID-19 virus, Governor Newsom has suspended the requirement for local agencies to provide a physical location from which members of the public can observe and offer public comment and has ordered all Californians to stay home except as needed to maintain continuity of operations of certain critical infrastructure.</p>
ROLL CALL	Directors Present; Holcombe, Johnson, Roberts, Stendell and Van Wingerden
	Director Absent: none
	Others Present: Bob McDonald
	Cari Ann Potts Will Carlton Richard Harmon Erica Wolski Paige Nielsen
PUBLIC FORUM	Paige Nielsen asked a question of the Board and Staff and was referred to the customer service department for the District
MINUTES	<p>Following discussion, Director Johnson moved, and Director Stendell seconded the motion to approve the minutes of the Board meeting held on April 13, 2022. The motion carried by a 5-0 vote. The minutes were approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Johnson, Stendell and Roberts Abstain: Nays: None Absent: None</p>
DIRECTOR QUARTERLY MEETING REIMBURSEMENT	Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to approve the Director 3 rd Quarter Meeting Reimbursement report. The motion carried by

	<p>a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Van Wingerden, Johnson, Roberts, Stendell and Holcombe Nayes: None Absent: None</p>
<p>DISBURSEMENT REPORT</p>	<p>Following discussion, Director Holcombe moved, and Director Johnson seconded the motion to approve the monthly bills for the period of February 16, 2022 through April 15, 2022. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Van Wingerden, Johnson, Roberts, Stendell and Holcombe Nayes: None Absent: None</p>
<p>CAPP FUNDING UPDATE</p>	<p>General Manager McDonald gave a verbal update for CAPP Funding with presentation given by Richard Harmon, Senior Technical Leader of Woodard and Curran.</p> <p>On June 27th, 2018 the Board approved a series of proposals from a CAPP preliminary design team to complete preliminary design, CEQA, Discharge & Title 22 permitting, outreach and funding analysis.</p> <p>CAPP Project Spending - 97% complete:</p> <ul style="list-style-type: none"> • The CEQA document (EIR) work was completed, and the Preliminary Design Report (PDR) was completed by Woodard and Curran in 2019. Since then, the team has been focused on two elements of work, permitting and funding. <ul style="list-style-type: none"> ❖ Permitting is in progress and is expected to be close to completion in the next 6 months. ❖ The RWQCB discharge permit will need to be completed after a monitoring well is installed at El Carro Park later this year or early next year. ❖ The Title 22 report is expected to be completed shortly. • On the Funding front, focus has been on acquiring the Clean Water State Revolving Fund (CWSRF) low interest loan and USBR Title XVI grant funding opportunities.
<p>RESOLUTION 1114</p>	<p>General Manager McDonald presented to consider adoption of Resolution 1114 approving CCWA 2022 Supplemental Water Purchase Program Agreement for approximately 47 AF of Casitas Municipal Water District SWP Water and making other necessary findings.</p>

	<p>Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to adopt Resolution 1114. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Van Wingerden, Johnson, Roberts, Stendell and Holcombe Nays: None Absent: None</p>
INTENT TO SERVE LETTER REQUESTS	<p>General Manager McDonald presented to consider the process for Intent to Serve letter requests. Given that CVWD is asking existing customers to cutback due to the extended drought, it may be time to consider discretionary review of the applications.</p> <p>The District currently has five requests for new service. The requesters are awaiting confirmation in the form of an “intent to serve letter.”</p> <p>Staff is looking for direction on whether the Board would like to consider discretionary review of application for new users. If the Board does want to consider this matter further, Staff will propose a draft process for consideration at the next Board meeting.</p> <p>Following discussion, the Board requested a proposal from Staff with further legal review and possible alternate solutions.</p>
GROUNDWATER MANAGEMENT & SGMA COMMITTEE MEETING	<p>Directors Van Wingerden & Stendell gave a verbal report on the Groundwater Management & SGMA Committee meeting that was held on April 21, 2022.</p>
DROUGHT MANAGEMENT & WATER CONSERVATION COMMITTEE MEETING	<p>Directors Holcombe & Johnson gave a verbal report on the Drought Management & Water Conservation Committee meeting that was held on April 26, 2022.</p>
CACHUMA OPERATION AND MAINTENANCE BOARD ADMINISTRATIVE COMMITTEE MEETING	<p>Director Holcombe gave a verbal report on the COMB Administrative Committee meeting that was held on April 14, 2022.</p>
CACHUMA OPERATION AND MAINTENANCE BOARD SPECIAL OPERATIONS COMMITTEE MEETING	<p>Director Holcombe gave a verbal report on the COMB Special Operations Committee meeting that was held on April 19, 2022.</p>
CACHUMA OPERATION AND MAINTENANCE BOARD REGULAR BOARD	<p>Director Holcombe gave a verbal report on the COMB Regular Board meeting that was held on April 25, 2022.</p>

MEETING	
ADJOURNED TO CLOSED SESSION	<p>President Van Wingerden adjourned the meeting at 8:00 p.m. to convene the Board into closed session for the following matters:</p> <p>IX. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(1)]: Name of Case: Central Coast Water Authority et al v. Santa Barbara County Flood Control & Water Conservation District et al. (Case No. 21CV02432)</p> <p>X. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(1)]: Name of Case: Central Coast Water Authority et al v. Santa Barbara County Flood Control & Water Conservation District et al. (Case No. 21CV02432); LIABILITY CLAIMS by Santa Barbara County Flood Control and Water Conservation District.</p> <p>XI. [CLOSED SESSION]: PURSUANT TO GOVERNMENT CODE SECTION 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION TITLE: GENERAL MANAGER</p> <p>XII. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(2)] Cachuma Operations & Maintenance Board</p>
BOARD RECONVENED IN OPEN SESSION	<p>At 8:27 p.m. President Van Wingerden reconvened the Board meeting with the following reportable actions:</p> <p>IX. No reportable action</p> <p>X. Pursuant to California Government Code section 54957.1, approval by a unanimous vote was given by the Board to reject the Government Code section 905 claim submitted to the District by Santa Barbara County Flood Control and Water Conservation District. The claim alleges the District breached a duty to defend and indemnify Santa Barbara County Flood Control and Water Conservation District and its Board of Directors in the case entitled <i>Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al.</i>, Santa Barbara Superior Court Case No. 21CV02432. <u>The claim will be made available for public inspection under Government Code section 54957.5.</u></p> <p>XI. Unanimously approved Contract for General Manager with a 3% COLA raise and a 3.5% Merit increases for calendar yr.</p>

	2022 XII. No reportable action
NEXT BOARD MEETING	The next Regular Board meeting is scheduled to be held on May 11, 2022 at 5:30 p.m., Carpinteria City Hall, 5775 Carpinteria Avenue, Carpinteria California.
ADJOURNMENT	President Van Wingerden adjourned the meeting at 8:30 p.m.
	Robert McDonald, Interim Secretary



AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY



CARPINTERIA CITY HALL
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013

Wednesday, May 11, 2022 at 5:40 p.m. Pacific Time



1. **CALL TO ORDER**
2. **PUBLIC FORUM** (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda).
3. **APPROVAL ITEMS**
 - A. ****Consider approval of minutes for the Meeting of the Board held on February 23, 2022 (for action, Executive Director McDonald).**
4. **UNFINISHED BUSINESS – none**
5. **NEW BUSINESS**
 - A. ****Consider Independent Auditor’s Report and Financial Statements for FY 20-21 prepared by Bartlett Pringle & Wolf (for action, Treasurer, Norma Rosales).
*Presentation by Tracey Solomon, CPA, Bartlett Pringle & Wolf***
 - B. ****Consider Engagement Letter for interim General Counsel from Myers, Widders, Gibson Jones & Feingold, LLP (for action, Executive Director Bob McDonald).**
6. **ADJOURNMENT.**

Robert McDonald, Secretary

The above matters are the only items scheduled to be considered at this meeting.

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REVISED

A Meeting of the
BOARD OF DIRECTORS
OF THE
CENTRAL COAST WATER AUTHORITY

will be held at 9:00 a.m., on Thursday, April 28, 2022
at 255 Industrial Way, Buellton, California 93427
and
Montecito Water District Board Room
583 San Ysidro Road, Montecito, CA 93108

Members of the public may participate by video call or telephone via
URL: https://v.ringcentral.com/join/861734831
or by dialing (650) 419-1505 and entering access Code/Meeting ID: 861734831 #

- Eric Friedman
Chairman
Ed Andrisek
Vice Chairman
Ray A. Stokes
Executive Director
Brownstein Hyatt
Farber Schreck
General Counsel
Member Agencies
City of Buellton
Carpinteria Valley
Water District
City of Guadalupe
City of Santa Barbara
City of Santa Maria
Goleta Water District
Montecito Water District
Santa Ynez River Water
Conservation District,
Improvement District #1
Associate Member
La Cumbre Mutual
Water Company

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at lfw@ccwa.com no later than 8:00 a.m. on the day of the meeting. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please limit your comments to no more than 250 words.

Every effort will be made to read comments into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, your comment will be forwarded to Board members for their consideration.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available on the CCWA internet web site, accessible at https://www.ccwa.com.

I. Call to Order and Roll Call

II. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)
B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2)
Number of cases: 2
C. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code section 54956.8
Property: Warren Act Contract
Agency negotiator: Ray Stokes
D. Public Employee Performance Evaluation - Government Code Section 54957
Title: Executive Director
E. Conference with Labor Negotiator - Government Code Section 54957.6
Name of Negotiator: Jeffrey Dinkin
Unrepresented Employees: Executive Director, Deputy Director

Agenda Item II, the Closed Session, is anticipated to take 1.5 hour. The remainder of the Meeting will start no earlier than 10:30 am.

III. Return to Open Session

- A. Report on Closed Session Actions (if any)

IV. Public Comment – (Any member of the public may address the Board relating to any matter within the Board’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)

255 Industrial Way
Buellton, CA 93427
(805) 688-2292
Fax (805) 686-4700
www.ccwa.com

* Indicates attachment of document to original agenda packet.

Indicated enclosure of document with agenda packet.

Continued

V. Consent Calendar

- * A. Minutes of the March 24, 2022 Regular Meeting
- * B. Bills
- * C. Controller's Report
- * D. Operations Report
Staff Recommendation: Approve the Consent Calendar

VI. Executive Director's Report

- A. CCWA Employee Recognition of Darin Dargatz for 25 Years of Service
Staff Recommendation: Informational item only.
- B. Water Supply Situation Report
Staff Recommendation: Informational item only.
- * C. 2022 Supplemental Water Purchase Program: Casitas Municipal Water District Transfer
 1. Resolution No. 22-03: A Resolution Of The Board Of Directors Of The Central Coast Water Authority Approving The 2022 Purchase Of Supplemental State Water Project Water Supplies From Casitas Municipal Water District
Staff Recommendation: Adopt Resolution No. 22-03 Approving The 2022 Purchase of Supplemental State Water Project Water Supplies From Casitas Municipal Water District
- * D. Temporary Warren Act Contract between CCWA and United States Bureau of Reclamation
Staff Recommendation: Informational item only.
- E. Personnel Committee
 - * 1. CCWA 2022 Employee Salary and Benefits Survey Results
Staff Recommendation: Accept the "2022 Total Compensation Study Report" and approve the changes to the employee compensation and benefits as outlined in the Staff Report and changes to CCWA Personnel Policy Manual to reflect benefit changes.
 - * 2. 2022 Review of Personnel Policy Manual
Staff Recommendation: Approve the proposed changes to the Personnel Policy Manual as outlined in Personnel Counsel's memo dated April 5, 2022.
 - 3. CCWA Board Consideration of Executive Director and Deputy Director Compensation Adjustments
Staff Recommendation: Consider matter
- ◆ F. Finance Committee
 1. FY 2021/22 Third Quarter Investment Report
Staff Recommendation: Approve the Third Quarter FY 2021/22 Investment Report.
 2. Annual Review of the CCWA Investment Policy
Staff Recommendation: Consider matter and direct no changes to the existing CCWA Investment Policy.
- * G. Request for Approval for the Use of Appropriated Contingency in the Amount of \$21,281 for Chloramination Dosing Trailer
Staff Recommendation: Authorize the Executive Director to utilize funds from the appropriated contingency budget in the amount of \$21,281 to fund the Chloramination Dosing Trailer.
- * H. Adoption of Final CCWA FY 2022/23 Budget
Staff Recommendation: Adopt Final CCWA FY 2022/23 Budget
 - I. State Water Contractors Update
Staff Recommendation: Informational item only.
- * J. Legislative Report
Staff Recommendation: Informational item only.

VII. Reports from Board Members for Information Only

VIII. Items for Next Regular Meeting Agenda

IX. Date of Next Regular Meeting: May 26, 2022

X. Adjournment