



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

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

**Wednesday, February 8, 2023 at 5:30 p.m.**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/87955608200?pwd=TmtYMGlOWldxUkhLS1ZS0s1ejB5UT09>

**Meeting ID: 879 5560 8200**

**Passcode: 331919**

**Or**

**Dial by Phone: 1-669-444-9171**

BOARD OF DIRECTORS

*Case Van Wingerden*  
President  
*Shirley L. Johnson*  
Vice President

*Casey Balch*  
*Polly Holcombe*  
*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 made on any item on the agenda in person or via video conference subject to the Chairperson of the meeting.
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](mailto: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. \*\*Consider Adoption of Resolution 1139 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Governor Newsom's order dated March 4, 2020, and authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Valley Water District for the period of February 8, 2023, to February 28, 2023 (For action, General Manager McDonald).**

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

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

\*\*Indicates attachment of document to agenda packet.

**V. APPROVAL ITEMS**

- A. \*\*Minutes of the Regular Board meeting held on January 25, 2023**

**VI. UNFINISHED BUSINESS – None**

**VII. NEW BUSINESS -**

- A. \*\*Consider Draft CAPP Funding Plan (For action, General Manager McDonald). *Presentation by Rob Morrow, WSC***
- B. \*\* Consider engaging DCSC inc. to provide aerial imagery analysis for parcels within the District in an amount not to exceed \$29,320 (For action, General Manager McDonald).**
- C. \*\*Consider Authorization for bridge loan from CVWD to GSA in the amount of \$740,000 for El Carro Park Monitoring Well Project construction. (For action, General Manager McDonald).**
- D. \*\*Consider Resolution 1138 for CVWD Director Compensation (For action, General Manager McDonald).**
- E. \*\*Discuss ACWA Spring Conference (For information, General Manager McDonald).**
- F. Approve Director attendance and Compensation of CSDA Board Member Best Practices Workshop, January 18 & 19, 2023, report by Director Balch (For action, General Manager McDonald).**

**VIII. DIRECTOR REPORTS**

- A. \*\*CCWA Board Meeting - January 26, 2023- Director Johnson**

**IX. GENERAL MANAGER REPORTS (for information) – None**

- X. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL/EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] NAME OF MATTER: Kimball-Griffith LP v. Brenda Wren Burman et. al United States District Court Central District of California. civil action number 2.20-cv-10647 AB (AFMx)**

- XI. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] STEPHEN TIMOTHY BUYNAK, et al. v. UNITED STATES DEPARTMENT OF THE INTERIOR, et al., USDC Central District of California Case No. 2:22-cv-07271 MWF (MAAx)**

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

**XIII. [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)**

**XIV. [CLOSED SESSION]: PURSUANT TO GOVERNMENT CODE  
SECTION 54957: PUBLIC EMPLOYEE PERFORMANCE  
EVALUATION TITLE: GENERAL MANAGER**

**XV. CONSIDER DATES AND ITEMS FOR AGENDA FOR:**

**CARPINTERIA VALLEY WATER DISTRICT BOARD MEETING OF  
FEBRUARY 22, 2023, AT 5:30 P.M., CARPINTERIA CITY HALL, 5775  
CARPINTERIA AVENUE, CARPINTERIA, CALIFORNIA.**

**XVI. 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., February 5, 2023. 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.

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

\*\*Indicates attachment of document to agenda packet.

## RESOLUTION NO. 1139

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA VALLEY WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM'S ORDER DATED MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CARPINTERIA VALLEY WATER DISTRICT FOR THE PERIOD FEBRUARY 8, 2023 TO FEBRUARY 28, 2023 PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Carpinteria Valley Water District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings, with the exception of statutorily authorized closed meetings, of Carpinteria Valley Water District's legislative bodies 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's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision 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 the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency be declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 1132 on January 11, 2023, finding that the requisite conditions exist for the legislative bodies of Carpinteria Valley Water District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-19; despite sustained efforts, the virus, and its variants, continues to spread and has impacted nearly all sectors of California; and

WHEREAS, the Carpinteria Valley Water District Board of Directors does hereby find that the rise in SARS-CoV-2 Omicron Variant has caused, and will continue to cause, conditions of peril to the safety of persons within Carpinteria Valley Water District's jurisdictional boundaries that are likely to be beyond the control of services, personnel, equipment, and facilities of Carpinteria Valley Water District, and acknowledges and ratifies the proclamation of a state of emergency by the Governor of the State of California and the Santa Barbara County Health Officer's Recommendation for AB 361 for social distancing issued Sept 28, 2021; and

WHEREAS, as a consequence of the local emergency, the Carpinteria Valley Water District Board of Directors does hereby find that meeting in person could pose imminent risks to the health or safety of attendees; and

WHEREAS, the Carpinteria Valley Water District Board of Directors does hereby find that Carpinteria Valley Water District shall continue to conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meeting agendas, meeting dates, times and manner in which the public may participate in the public meetings of Carpinteria Valley Water District and offer public comment by telephone or internet-based services options, including video conference, are posted on the Carpinteria Valley Water District website and physically within Carpinteria Valley Water District's jurisdictional boundaries.

WHEREAS, on March 25, 2020 the Board was presented with the COVID19 Operational Continuity and Social Distancing Plan.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF CARPINTERIA VALLEY WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference
2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Risks to Health and Safety of Attendees. The Board of Directors hereby determines that meeting in person could present imminent risks to the health and safety of attendees.
4. Ratification of Governor's Proclamation of a State of Emergency. The Board of Directors hereby acknowledges and ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
5. Remote Teleconference Meetings. Carpinteria Valley Water District staff are hereby authorized and directed to take all actions necessary to carry out the intent and

purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

6. Effective Date of Resolution. This Resolution shall take effect on February 8, 2023 and shall be effective until the earlier of (i) February 28, 2023, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Carpinteria Valley Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Carpinteria Valley Water District, this 8<sup>th</sup> day of February 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Case Van Wingerden, President

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Robert McDonald, Board Secretary

	<b>MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS</b>	
	<b>CARPINTERIA VALLEY WATER DISTRICT</b>	
	<b>January 25, 2023</b>	
	President Van Wingerden called the regular meeting of the Carpinteria Valley Water District Board of Directors held in the Carpinteria City Hall Chamber to order at 5:30 p.m., Wednesday, January 25, 2023, and led the Board in the Pledge of Allegiance.	
<b>ROLL CALL</b>	Directors Present; Holcombe, Johnson, Roberts, Balch and Van Wingerden	
	Director Absent: none.	
	Others Present: Bob McDonald	
	Cari Ann Potts Norma Rosales Lisa Silva	Scott Van Der Kar Ivan Van Wingerden Dennis Lebow
<b>PUBLIC FORUM</b>	No one from the public addressed the Board.	
<b>MINUTES</b>	<p>Following discussion, Director Holcombe moved, and Director Balch seconded the motion to approve the minutes of the Board meeting held on January 11, 2023. The motion carried by a 5-0. The minutes were approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden Nays : none Absent: none</p>	
<b>DISBURSEMENT REPORT</b>	<p>Following discussion, Director Holcombe moved, and Director Johnson seconded the motion to approve the monthly bills for the period of November 16, 2022 through December 15, 2022. The motion carried by a 5-0. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden Nays : none Absent: none</p>	
<b>SEMI-ANNUAL VENDOR REPORT</b>	Following discussion, Director Holcombe moved, and Director Balch seconded the motion to approve the Semi-Annual Vendor	

	<p>Payment Report. The motion carried by a 5-0. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden  Nayes : none  Absent: none</p>
<b>DIRECTOR QUARTERLY MEETING REIMBURSEMENT</b>	<p>Following discussion, Director Roberts moved, and Director Holcombe seconded the motion to approve the Director 2<sup>nd</sup> Quarter Meeting Reimbursement report. The motion carried by a 5-0. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden  Nayes : none  Absent: none</p>
<b>ADJOURN</b>	<p>President Van Wingerden opened the regular Carpinteria Groundwater Sustainability Agency meeting at 5:37 p.m.</p>
<b>RECONVENED TO REGULAR BOARD MEETING</b>	<p>President Van Wingerden reconvened the Board meeting at 6:10 p.m.</p>
<b>RESOLUTION 1135</b>	<p>General Manager McDonald presented for review Resolution 1135 for Approval of Making Commitments and Publishing Reports required by CCWA Resolutions 92-2 and 92-11.</p> <p>Will be brought back for action on February 22, 2023</p>
<b>RESOLUTION 1136</b>	<p>General Manager presented to consider Resolution 1136 Updating check signers for all CVWD bank accounts.</p> <p>Following discussion, Director Roberts moved, and Director Holcombe seconded the motion to approve Resolution 1136. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden  Nayes: None  Absent: None</p>
<b>CSDA/SDLA CONFERENCE</b>	<p>General Manager McDonald presented to consider and discuss attendance to the California Special Districts Association Special District Leadership Academy Conference.</p> <p>Following discussion, Director Balch was approved to attend.</p>



<p><b>RESOLUTION 1137</b></p>	<p>General Manager McDonald presented to consider Resolution 1137 rescinding Resolution 644 and authorizing the District General Manager to accept grants of real property or real property rights on behalf of the District.</p> <p>Replaced Charles Hamilton named in Resolution 644 to General Manager in Resolution 1137.</p> <p>Following discussion, Director Johnson moved, and Director Holcombe seconded the motion to approve Resolution 1137. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden  Nayes: None  Absent: None</p>
<p><b>CACHUMA OPERATIONS &amp; MAINTENANCE BOARD OPERATING COMMITTEE MEETING</b></p>	<p>Director Holcombe gave a verbal report on the COMB Operating Committee meeting that was held on January 18, 2023.</p>
<p><b>CACHUMA OPERATIONS &amp; MAINTENANCE BOARD REGULAR MEETING</b></p>	<p>Director Holcombe gave a verbal report on the COMB Regular Board meeting that was held on January 23, 2023.</p>
<p><b>CENTRAL COAST WATER AUTHORITY OPERATING COMMITTEE MEETING</b></p>	<p>General Manager McDonald gave a verbal report on the CCWA Operating Committee meeting that was held on January 12, 2023.</p>
<p><b>ADJOURNED TO CLOSED SESSION</b></p>	<p>President Van Wingerden adjourned the meeting at 7:11 p.m. to convene the Board into closed session for the following matters:</p> <p><b>XI. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL/EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] NAME OF MATTER: Kimball-Griffith LP v. Brenda Wren Burman et. al United States District Court Central District of California. civil action number 2.20-cv-10647 AB (AFMx)</b></p> <p><b>XII. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION [GOVERNMENT CODE SECTION 54956.9(D)(4)] STEPHEN TIMOTHY BUYNAK, et al. v. UNITED STATES DEPARTMENT OF THE INTERIOR,</b></p>

	<p>et al., USDC Central District of California Case No. 2:22-cv-07271 MWF (MAAx)</p> <p><b>XIII. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION, [GOVERNMENT CODE SECTION 54956.9(D)(2)]: Cachuma Operations &amp; Maintenance Board</b></p> <p><b>XIV. [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 &amp; Water Conservation District et al. (Case No. 21CV02432)</b></p> <p><b>XV. REMOVED FROM AGENDA</b></p>
<p><b>BOARD RECONVENED IN OPEN SESSION</b></p>	<p>At 7:21 p.m. President Van Wingerden reconvened the Board meeting with the following reportable actions:</p> <p><b>XI. No reportable action</b>  <b>XII. No reportable action</b>  <b>XIII. No reportable action</b>  <b>XIV. No reportable action</b>  <b>XV. Removed from agenda</b></p>
<p><b>NEXT BOARD MEETING</b></p>	<p>The next Regular Board meeting is scheduled to be held on February 8, 2023, at 5:30 p.m., Carpinteria City Hall, 5775 Carpinteria Avenue, Carpinteria California and on Zoom.</p> <p>General Manager McDonald inquired discussing Director compensation increase.</p>
<p><b>ADJOURNMENT</b></p>	<p>President Van Wingerden adjourned the meeting at 7:22 p.m.</p> <hr/> <p>Robert McDonald, Secretary</p>



# Carpinteria Valley Water District

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

BOARD OF DIRECTORS

Case Van Wingerden  
President

Casey Balch  
Polly Holcombe  
Shirley L. Johnson  
Matthew Roberts

GENERAL MANAGER

Robert McDonald, P.E. MPA

To: CVWD Board of Directors

From: Bob McDonald, General Manager

Date: February 3, 2023

## For Consideration: CAPP Funding Plan update

### Background

In 2016 the CAPP Project was identified as a feasible water supply project to improve water supply reliability in Carpinteria Valley Water District through a Recycled Water Facilities Study. On June 27<sup>th</sup>, 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. The Design Team firms, and approved budget are shown below along with subsequent scopes to keep the project moving. Most recently WSC was engaged to provide Program Management and Construction Management services to assist moving the project into its next stage, final design.

CAPP Project Spending					
Vendor		Approved Contract (\$)	(\$ Expended)	Remaining Balance	% Comp
Woodard & Curran	Prelim Design	\$ 1,431,700.00	\$ 1,431,700.00	\$ -	100%
Pueblo	Prelim Design	\$ 117,271.00	\$ 110,353.00	\$ 6,918.00	94%
Katz and Associates	Outreach	\$ 142,060.00	\$ 142,060.00	\$ -	96%
Dudek	HMGP Grant App	\$ 30,000.00	\$ 30,000.00	\$ -	100%
Raftelis	Funding analysis	\$ 9,000.00	\$ 9,000.00	\$ -	100%
MNS	Title XVI Grant App	\$ 45,580.00	\$ 45,580.00	\$ -	100%
Montgomery	Seawater intrusion & Capp	\$ 27,552.00	\$ 27,552.00	\$ -	100%
Mcubed	Economic benefits	\$ 28,000.00	\$ 28,000.00	\$ -	100%
WSC	SGMA Grants App	\$ 39,280.00	\$ 29,338.75	\$ 9,941.25	75%
W&C	Title XIV	\$ 31,751.00	\$ 31,751.00	\$ -	100%
W&C	Easement Support	\$ 19,852.00	\$ 18,668.00	\$ 4,184.00	40%
Hamner Jewell	Land Acquisition services	\$ 40,000.00	\$ 17,151.00	\$ 22,849.00	27%
WSC	Program management	\$ 1,118,470.00	\$ 61,535.00	\$ 1,056,935.00	6%
WSC	Construction Management	\$ 2,334,120.00	\$ -	\$ 2,334,120.00	0%
Misc	Printing, Mailing mtgs etc		\$ 40,638.00		
		\$ 5,414,636.00	\$ 2,023,326.75	\$ 3,434,947.25	37%

The CEQA document (EIR) work and the Preliminary Design Report (PDR) was completed by Woodard and Curran in 2019. Since then, the CAPP team has been focused on two elements of work, permitting and funding. Permitting is in progress and is expected to be completed in the final design phase. The RWQCB discharge permit will need to be completed prior to the project is constructed. On the funding front, focus has been on acquiring the Clean Water State Revolving Fund (CWSRF) low interest loan from the State Water Resources Control Board (SWRCB), SWRCB Water Recycling Funding Program (WRF) grant funding, and United States Bureau of Reclamation (USBR) Title XVI grant funding for the project. Additionally, approximately \$1.1 Million in grant funding was recently approved through the state's Integrated Regional Water Management (IRWM) grant program. The staff recently submitted a grant request as part of the Carpinteria GSA's SGM implementation grant application and has been pursuing other funding and will continue to do so through the duration of the project.

## **Analysis**

Currently, the CAPP has three funding programs providing money. The first is the Title XVI program through the USBR. The 2022 funding program opened for applications early in the year and closed on March 15, 2022. The District submitted its application using feedback from USBR staff on its previous application as guidance. This program allows funding up to 25% of eligible costs. For the CAPP that is equal to between \$9 and \$12 Million. The Title 16 funding program is an important part of the CAPP funding strategy. On August 18, 2022 the USBR announced that it would be funding the CAPP project for the full eligible amount of \$9,659,990. This amount can be increased if contracted project costs increase by the time it is constructed.

It has been a goal of the District to acquire at least 50% of total project cost from grant funding from sources including State and Federal funding programs. To that end, the District assembled a Clean Water State Revolving Fund (CWSRF) loan application and submitted it to the SWRCB in December 2019 and updated budget information in 2022. Initially the CAPP was approved for only partial funding under the SRF Loan program but in 2021 the SWRCB announced that it would fund all projects on its fundable list at 100% with low interest loans. This means that the total estimated costs including design through construction will be covered by the CWSRF loan and acquired grants. The CWSRF funding process has a few more steps but funding appears to be secured. In the SWRCB's 2022 CWSRF Intend Use Plan (IUP), CAPP was allocated a WRF grant of \$10,805,200, which could be increased to \$15,000,000 depending on updated project cost estimates. This is the second confirmed source of grant funding.

The District & the CGSA were also able to secure grant funding for a monitoring well that in addition to SGMA purposes can be used for the CAPP project monitoring. This was acquired in 2020 in the amount of approximately \$700,000. This was the first grant received that benefitted the CAPP project.

In December 2022, the Carpinteria GSA submitted a \$20 million grant request through the Sustainable Groundwater Management Act Grant Program. The CAPP will be a key project in

the effort to bring the Carpinteria Groundwater Basin into sustainability over the long run. The CAPP will create a new water supply that is drought resistance and inject that water directly into the basin through injection wells. This additional water will offset depressions in water levels that typically form during prolonged drought. Maintaining water levels during drought are a key piece of groundwater sustainability. The District is seeking to apply for this program for up to \$15M for the CAPP along with \$5M for a Seawater Barrier Project assessment.

<b>Grant Program</b>	<b>Awarded Grants</b>	<b>Likely Grants</b>	<b>Potential Grants</b>	<b>Total</b>
USBR Title XVI	\$9,659,990	\$2,709,800	--	<b>\$12,369,800</b>
DWR IRWM	\$1,150,610	--	--	<b>\$1,150,610</b>
SWRCB WRFPP	\$10,805,200	\$2,504,600		<b>\$13,309,800</b>
DWR SGMA Planning	\$700,000	--	--	<b>\$700,000</b>
DWR SGMA Implementation	--	--	\$15,000,000	<b>\$15,000,000</b>
<b>Total Grants</b>	<b>\$22,315,800</b>	<b><u>+\$5,214,400</u></b> <b>\$27,530,200</b>	<b><u>+\$15,000,000</u></b> <b>\$42,530,200</b>	<b>\$42,530,200</b>
% of Total CAPP Cost	~45%	~55%	~85%	

Total funding will include the grants listed above plus a low-interest loan from CWSRF. However, the District does not anticipate having agreements in place for the grants and loans until mid- to late 2023 and reimbursement can take up to 120 days from the initial request. As a result, the timing and use of these different funding programs present a challenge to cash flow for the District to implement the project – during the final design phase and during the construction phase. Cash flow shortfalls could be addressed through use of reserves, which would be repaid once grant / loan reimbursement is received, or a commercial short-term (1 to 3 years) loan.

The final design phase is anticipated to start in March 2023 if the Board approves a contract for the final design consultant. Roughly \$5.7 million is projected in pre-construction costs through October 2024 and, of these, roughly \$3 million is anticipated to be spent by the end of 2023. The District is prioritizing completion of the CWSRF loan by July 2023 so that the District can request reimbursement for the roughly \$2 million that has been spent on the project plus the costs recently incurred for final design and program management. The first reimbursement would occur by November 2023 and monthly reimbursement will be requested thereafter. The District also anticipates receiving roughly \$650,000 from DWR IRWM grant by November 2023 as well. The District’s current estimate is that \$2 million to \$3 million of funds will be needed during the design phase to address cash flow needs.

During the construction phase, a bridge loan will be necessary in the first 2 to 4 months of construction to cover the time from when the District incurs costs until when reimbursement from CWSRF and other grant funds are received. CWSRF reimbursement is typically 90 days once issues with initial reimbursements requests are resolved. The purpose of the bridge loan is to have enough cash on hand to cover the time from contractor payment to CWSRF reimbursement until the time the District is also able to build up cash on hand from grant reimbursements that will allow the District reimburse the contractor without a bridge loan. The amount of the bridge loan is dependent on the initial spending rate of the contractor. An initial slower spending rate would have a lower bridge loan amount while a higher spending rate will have a higher bridge loan amount. The District's current estimate is that \$2 million to \$4 million of funds will be needed during the construction phase to address cash flow needs.

The cash flow estimates are based on grant and loan agreement and reimbursement timing assumptions as well as projected spending under each District contract. The District plans to update the cash flow analysis on a monthly basis with updated costs and grant and loan status to update cash flow needs.

### **Decision support**

While the grants and low interest loans provide significant relief from the cost burden of implementing the CAPP, staff believes that it is important to understand the financial implications of the project, specifically the impacts on rates. To that end, Raftelis is incorporating the CAPP project implementation into the CVWD 10-Year Financial Plan which will feed into the rates model as we move through the Prop 218 process. On February 22 Board Meeting, Raftelis will present the Draft 10 -year Financial Model for the Boards information. As the Board moves through the Prop 218 process for a 3-year rate adoption this year, Raftelis will present the rates as they will be with the CAPP implementation.

### **Recommendation:**

No recommendation at this time. The CVWD 10-Year Financial Plan will be brought to the Board on February 22<sup>nd</sup> for consideration and the final design proposal will be brought to the Board on March 8<sup>th</sup> for consideration. The SRF Loan agreement will follow in the late Spring. Both of the decisions will help move the project to its next phase, construction.



## STAFF REPORT

**To: Robert McDonald, General Manager**

**From: Maso Motlow, Management Analyst**

**For Consideration: Item VII.B** Approve District to engage DCSE inc for aerial image analysis for and amount not to exceed \$29,320.

### Background

To develop an Allocation Program, to target rebates, and to comply with new State requirements, the District will need to understand how much irrigated area is on each parcel within its service area. By analyzing existing 2020 imagery, it is possible to understand how many square feet of irrigable area, and specifically turf is on each parcel within the District. However, the District does not have the technology or capabilities to efficiently analyze the imagery. Therefore, the District must contract with a third party for this analysis. Because aerial imagery analysis is a precursor to development of the Allocation Program and other water supply management activities, it is important this analysis is completed as soon as possible.

### Method

The District needs specific information from the aerial image analysis.

1. To develop an Allocation Program, the District needs to know the irrigated area of each parcel within its entire service area. This includes all residential, commercial, industrial, institutional, agricultural, and landscaped areas. This also includes non-parcels areas like freeway and sidewalk medians.
2. To comply with State regulations, the district needs to understand the irrigated area associated with each irrigation meter, and turf areas on CII properties.
3. To target rebates, the District needs to identify turf areas throughout the District.

The District interviewed and received quotes from three companies (Eagle Aerial, DCSE, and ZWorld) for analysis of the aerial image. To select a company, the District compared prices and services offered to the needs identified above. The District found that Eagle Aerial does not provide the necessary services. ZWorld provides most of the required services for a cost of \$38,500. DCSE provided all required service for a lower cost of \$29,320.

## **Deliverable**

DCSE will provide the District with the following deliverables.

- An interactive GIS map and data table that shows irrigated, irrigable not-irrigated, and not irrigable areas on each parcel and metered-median within the District.
- The GIS map will also identify turf that lies outside of parcel boundaries but is likely irrigated by the neighboring business or HOA. The map and data table will then assign these turf areas to parcels so they are included in the total irrigated area of the parcel.
- DCSE will flag specific parcels that the District should review. The District has may large residential parcels with small orchards or Oak groves. The District will review these parcels to ensure they are categorized as irrigable for not-irrigated when appropriate.

**Schedule:** DCSE can begin work immediately and will complete all deliverables by April 2023.

**Recommendation:** Approve engagement of DCSE inc. for Aerial imagery analysis services for an amount not to exceed \$29,320

Enc: DCSE Proposal





February 1, 2023

The Board of Directors  
Carpinteria Valley Water District  
1301 Santa Ynez Avenue  
Carpinteria, CA 93013

RE: Proposal to develop “Land Cover Classification, Landscape Measurement, and Non-Functional Turf Identification” for Carpinteria Valley Water District’s (CVWD) Service Area

Dear Board of Directors:

DCSE is pleased to submit its proposal for the above referenced project to Carpinteria Valley Water District. Our proposal was prepared without collusion with any other person or entity. DCSE is not aware of any conflict of interest.

The following document presents our proposed scope of work, and cost structure. DCSE has brought together a dynamic team comprised of senior managers and technical staff with domain expertise in water GIS data management, remote sensing, and application development. The team members have strong background in managing and successfully completing similar projects. DCSE has performed similar projects for agencies such as Metropolitan Water District, Marin Municipal Water District, and Santa Clarita Valley Water Agency.

DCSE has over 31 years of experience in providing high-quality consulting services to many water agencies such as CVWD. Our extensive water GIS experience and remote sensing gives us the ability to anticipate, identify and resolve important project issues and challenges. This combination helps ensure that CVWD will receive quality service and products on-time and within budget.

We are excited and prepared to start work on this project and provide you with our project team and services immediately following the receipt of the notice to proceed.

This proposal has been signed by the person with TITLE and AUTHORITY TO BIND the firm in a legal contract. Please do not hesitate to contact me should you have any questions, or need additional information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Masoud", with a long, sweeping underline.

**Masoud Hoseyni, Ph.D.**  
President  
[mhoseyni@dcse.com](mailto:mhoseyni@dcse.com)  
Direct Phone: (949) 465-3407  
Cell: (310) 383-8959

# Scope of Work

The following describes DCSE's proposed "Scope of Work" to perform "Land Cover Classification", "Landscape Area measurement", and "Non-Functional Turf Measurement" for CII and HOA parcels.

## **Task 1 - Landcover Classification and Landscape Area Measurement**

The purpose of this task is to create a landcover area measurement dataset through imagery analysis and machine learning classification, using 2020 aerial imagery provided to DCSE by the District. Task 1 will consist of the following nine (9) subtasks:

Task 1.1 – Imagery Data Processing: Mosaicking imagery tiles, Clipping, Creating Vegetation Index, and Segmentation Process

Task 1.2 – Training data collection and assessment

Task 1.3 – Model development for Classification: machine learning training and run/re-run

Task 1.4 – Classified image post-processing (automated corrections); shadows, roofs, Image smoothing, ...

Task 1.5 – QC of classified image: visual check and manual corrections, and reclassification

Task 1.6 – To identify the parcels with any Undeveloped/Pervious Not Irrigable land area, such as agricultural land, beach/wetland areas, native grasslands, and forest canopy in residential parcels

Task 1.7 – Accuracy assessment analysis

Task 1.8 – Classified area measurements

Task 1.9 - Formatting and finalizing tabulated results AND Produce final deliverables (the complete list of deliverables has been submitted in a separate document):

- Classified image of entire service area: pixel-based raster file in .tif format.
- Landscape area measurement of each class in excel format for the entire District.
- Parcel-level classification results in GIS and excel format. This will be estimation of landscape area measurements (2020) for list of parcels provided by the District.
- Classification Accuracy Assessment Results

## **Task 1 Deliverables**

The following provides a list of Task 1 deliverables:

### **1. Classified Image of Entire Service Area**

A pixel-based raster file in .tif format, including land cover classes of: 1. Tree and shrubs, 2. Turf grass, 3. Bare lands (Includes bare soil plus dead/yellow-brown vegetated areas/lawns), 4. Pools, 5. Water bodies, 6. Impervious surfaces (Roofs plus roads, driveways, parking lots).

This image will be created based on 3 inches imagery<sup>1</sup> of 2020 provided by the district.

### **2. Land Cover Classification at District Level**

Deliverable table will show the total classified and measured area (of each class) within the agency boundary. It uses the agency boundary as the "cookie cutter" to calculate

the classification area within it. Therefore, the sum of the total land cover area will be the same as the water agency's area. This data will be delivered in GIS and an excel file format.

**3. Residential and Non-Residential Parcel-Level Land Cover Classification**

Deliverable table will provide all residential and non-residential parcels within the water agency and the land cover area measurements (2020) for each given parcel (using parcel data provided by CVWD). Units will be in square feet. For example, it shows the calculated surface areas (Sq.ft.) of trees within the parcel boundary of each parcel. This data will be delivered in GIS and excel format by the parcel APN.

Results can be prepared in two separate tables, one for the 433 CII parcels and one for the 5387 residential parcels. Surface area measurements will also be combined into the broader classification categories of Not-Irrigable (NI), Irrigable Irrigated (II), and Irrigable Not-Irrigated (INI).

Class Category	Class Definition	General Category
Trees	Trees, shrubs and hedges, bushes	Irrigable Irrigated
Turf Grass	Grass fields, lawns, grass athletic fields, golf courses, parks	
Pools	Swimming pools, spas	
Bare Land	Bare soil, undeveloped yards, dead vegetation, brown lawns, sand, dirt lots	Irrigable Not-Irrigated
Impervious Surfaces	Buildings, asphalt, concrete, driveways, tennis courts, artificial turf, parking lots	Not Irrigable
Water Bodies	Lakes, marshes, ponds (generally not on residential parcels)	

**4. Results of Classification Accuracy Assessment**

An accuracy assessment will be performed for the classification work. The accuracy assessment will be provided in the format of a confusion matrix, which is a common method used in remote sensing analysis that describes the performance of a classification model on a set of test data for which the true values are known.

**Task 2 - NFT Identification**

The purpose of this task is to identify, map and measure the areas of Non-functional Turf (NFT) for the CII and HOA parcels. Task 2 will consist of the following eleven (11) subtasks:

- Task 2.1 – Create model to identify II (trees, grass) and INI (bare land, brown lawns, dirt, ...) parkway areas outside parcel boundaries (resident-owned areas)
- Task 2.2 – Associates identified areas with the corresponding parcels
- Task 2.3 – QC and apply edits
- Task 2.4 – Update parcel-level irrigable landscape calculations (classification results) to include estimated PK areas
- Task 2.5 – Kick Off and Delivery meeting time and presentation prep (Total of 2 meetings for A and B)
- Task 2.6 – QC and finalize the identified NFT areas, and create a GIS polygon layer

Task 2.7 – Link every NFT polygon to a parcel (parcel's APN and Owner/address) and to the Land use type for each sector, and to the available meters\*\* (create a relationship table)

Task 2.8 – Calculate surface areas of verified NFTs

Task 2.9 – Produce final deliverables (the complete list of deliverables has been submitted in a separate document):

- NFT GIS polygon layer for 433 parcels,
- NFT Dashboard
- Detailed excel table with NFT measurements for all identified areas within water district, linked to associated parcel and service meter/s
- Summary statistic table with total NFT areas, summarized by parcel APN, by owner/parcel address, and by land use categories

Task 2.10 – Create an ArcGIS Dashboard demonstrating parcels, NFT polygons and associated meter data and the relationships

Task 2.11 – Delivery meeting time and presentation prep (one meeting)

## **Task 2 Deliverables**

The following provides a list of Task 1 deliverables:

### **1. NFT Dashboard**

Dashboard will demonstrate parcels, NFT polygons and associated meter data. It will be a useful presentation tool for you to view and share the results.

### **2. NFT GIS Polygon Layer, and Map of Spatial Distribution of NFTs Within District**

Deliverable contains GIS layers for identified NFT\_Parcels, NFT\_StrMedians, and NFT\_HOAs, for targeted parcels (433 parcels<sup>ii</sup>)

NFT – Parcels; refers to the identified NFT areas within parcels (e.g. parking lots) and outside parcels (e.g. Streetscapes, Parkway strips, Common areas) for all the CII parcels.

NFT – StrMedians; refers to the identified NFT areas in street medians (Non-parcel areas)

NFT – HOAs; refers mainly to the parkway areas outside parcels with multiple family land use code.

### **3. NFT Area Measurements**

Detailed excel table with NFT measurements for all identified areas within water district. NFT areas will be linked to their corresponding APNs, and service meters<sup>iii</sup> for that parcel.

### **4. Summary statistic table with total NFT areas, summarized by parcel APN, by owner/parcel address, and by land use categories**

*I The provided classification cost is based on using the 3 inches imagery. This cost is higher than running classification with NAIP imagery, as using much higher spatial resolution image is more challenging and requires more computational time in many stages of image processing, as well as extra steps in post-processing the results.*

*li District will provide the list of parcels to be investigated for NFT identification and measurement.*

*lii The assumption is that CVWD provides the Parcel/APN to Meters relationship table.*

## Cost Proposal

The following table presents DCSE's "Cost Proposal" and "Labor Hours" at the task and subtask levels.

# Cost Proposal

Land Cover Classification and NFT Measurement CVWD	Project Manager	Senior Remote Sensing Analyst	Remote Sensing Analyst	GIS Analyst	Total Hrs	COST
	\$220	\$180	\$150	\$120		\$
<b>Task 1. Image Classification and Land Cover Area Measurement* (entire district)</b>	<b>1</b>	<b>7</b>	<b>59</b>	<b>76</b>	<b>143</b>	<b>\$19,450</b>
1.1. Imagery Data Processing: Mosaicking imagery tiles, Clipping, Creating Vegetation Index, and Segmentation Process		2	6	8	16	\$2,220
1.2. Training data collection and assessment			5	10	15	\$1,950
1.3. Model development for Classification : machine learning training and run/re-run			6		6	\$900
1.4. Classified image post-processing (automated corrections); shadows, roofs, Image smoothing, ...		2	4	4	10	\$1,440
1.5. QC of classified image: visual check and manual corrections, and reclassification			8	30	38	\$4,800
1.6. Identify the parcels with any Undeveloped/Pervious Not Irrigable land area; such as agricultural land, beach/wetland areas, native grasslands and forest canopy in residential parcels			10	24	34	\$4,380
1.7. Accuracy assessment analysis		1	4		5	\$780
1.8. Classified area measurements			4		4	\$600
1.9. Formatting and finalizing tabulated results AND Produce final deliverables (the complete list of deliverables has been submitted in a separate document): - Classified image of entire service area: pixel-based raster file in .tif format. - Landscape area measurement of each class in excel format for the entire District. - Parcel-level classification results in GIS and excel format. This will be estimation of landscape area measurements (2020) for list of parcels provided by the District. - Classification Accuracy Assessment Results	1	2	12		15	\$2,380
<b>Task 2. NFT Identification, Mapping and Area Measurement (CII and HOA parcels)</b>	<b>3</b>	<b>7</b>	<b>45</b>	<b>10</b>	<b>65</b>	<b>\$9,870</b>
2.1. Imagery Data Processing - HOURS ARE COUNTED IN TASK A.1. (only needs to be conducted once).	0	0	0	0	0	\$0
2.2. Initial review of candidate parcels for NFT, and remove areas not subject to the ban on watering non-functional turf based on SWRCB documentation and FAQs		2	4		6	\$960
2.3. Identify NFT in CII (commercial, industrial, and institutional) areas, using imageries			8		8	\$1,200
2.4. Identify NFT in multi family and common areas of homeowners' associations (HOAs), using imageries			6		6	\$900
2.5. Identify ornamental turf on public medians, using imageries			4		4	\$600
2.6. QC and finalize the identified NFT areas, and create a GIS polygon layer			4	4	8	\$1,080
2.7. Link every NFT polygon to a parcel (parcel's APN and Owner/address) and to the Land use type for each sector, and to the available meters** (create a relationship table)	1	2	6		9	\$1,480
2.8. Calculate surface areas of verified NFTs			2		2	\$300
2.9. Produce final deliverables (the complete list of deliverables has been submitted in a separate document): - NFT GIS polygon layer for 433 parcels, - NFT Dashboard - Detailed excel table with NFT measurements for all identified areas within water district, linked to associated parcel and service meter/s - Summary statistic table with total NFT areas, summarized by parcel APN, by owner/parcel address, and by land use categories			6		6	\$900
2.10. Create an ArcGIS Dashboard demonstrating parcels, NFT polygons and associated meter data and the relationships			2	6	8	\$1,020
2.11. Delivery meeting time and presentation prep (one meeting)	2	3	3		8	\$1,430
<b>Total</b>					<b>208</b>	<b>\$29,320</b>

## PROMISSORY NOTE

\$740,000.00

Carpinteria, California

March \_\_, 2023

FOR VALUE RECEIVED, **CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY**, a California Joint Powers Authority, (“**Promisor**”) hereby promises to pay to **CARPINTERIA VALLEY WATER DISTRICT**, a California County Water District, (“**Promisee**”) the sum of Seven Hundred Forty Thousand Dollars (\$740,000.00) (“**Principal**”), plus accrued interest, without set-off, deduction or counterclaim.

**1. Payments of Principal and Interest.** Principal under this Promissory Note (this “**Note**”) shall be payable together with interest thereon at the rate of 3.0% per annum, which shall begin to accrue commencing on the date this Note is executed by Promisor (the “**Commencement Date**”), and continuing until Promisor has received full grant reimbursement for amounts expended on its El Carro Park Monitoring Well project (the “**Project**”), at which time Principal and all accrued interest shall be due payable in full.

If, for any reason, Promisor does not receive full grant reimbursement for the Project, interest will continue to accrue at a rate of 3.0% per annum, and Principal and all accrued interest will remain due and owing until paid by Promisor in full.

All payments shall be made in lawful money of the United States. Notwithstanding anything herein to the contrary, the amount of interest payable under the terms of this Note shall in no event exceed the maximum amount of interest permitted to be charged by law at the date hereof.

**2. Prepayment.** This Note may be prepaid at any time without penalty at Promisor’s option.

**3. Remedies on Default.** Should Promisor fail to pay all Principal and accrued interest within 12 months of the Commencement Date, Promisor shall present to the Board of Directors of both Promisor and Promisee a report explaining such failure, and a payment plan by which Promisor will outline to dates and steps for full payment of all amounts due and owing.

Promisor shall pay Promisee’s expenses and costs of collection, including, but not limited to, reasonable attorneys’ fees and legal expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services.

**4. Waivers.** Promisor hereby waives presentment, demand, notice of dishonor, notice of default or delinquency, notice of acceleration, notice of nonpayment, notice of costs, expenses or losses and interest thereon, and any and all other notices or matters of a like nature, other than notices required pursuant to this Note. Promisee may waive in writing all or part of any right, option, payment or change in Promisee’s favor, and a waiver or a failure of Promisee to exercise Promisee’s rights shall not affect enforcement respecting subsequent events.



Promisee's subsequent acceptance of any payment hereunder shall not be deemed a waiver of any default by Promisor regardless of Promisee's knowledge thereof upon acceptance of such payment.

Promisor hereby waives the right to require Promisee to proceed against any other person or pursue any other remedy before proceeding against Promisor; and waives the right to require Promisee to proceed against any security before proceeding against Promisor. The right to plead any and all statutes of limitations as a defense to any demand or claim on this Note against Promisor is expressly waived, to the extent permitted by law, by Promisor.

**5. Governing Law.** This Note shall be construed and governed by the laws of the State of California, without regard to the conflict of laws rules of the State of California or any other jurisdiction that would call for the application of the laws of any jurisdiction other than the State of California.

**6. Binding Effect.** This Note shall be binding upon Promisor and Promisor's successors, assigns, and individual agency members, and shall inure to the benefit of Promisee, and any subsequent Promisee of this Note, and their successors and assigns.

**7. Amendment.** No provision of this Note may be amended except by an agreement in writing signed by Promisor and Promisee.

CARPINTERIA GROUNDWATER  
SUSTAINABILITY AGENCY

By: \_\_\_\_\_

Case Van Wingerden, Chairperson  
Board of Directors

***"Promisor"***

**RESOLUTION NUMBER 1138**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA VALLEY WATER DISTRICT DIRECTORS' COMPENSATION**

**WHEREAS**, District Ordinance No. 19-1, adopted June 12, 2019 set the base rate for Directors' compensation at \$100 per day for each day of attendance at meetings; and

**WHEREAS**, District Ordinance No. 19-1 establishes that "For each subsequent calendar year following calendar year 2019, the compensation set forth herein may be increased upon the adoption of a resolution by the Board of Directors authorizing an increase in the compensation paid to each Director in an amount not to exceed 5% for each calendar year following the last adjustment"; and

**WHEREAS**, District Resolution 1086, adopted December 9, 2020, increased the base rate for Directors' compensation from \$100 per day to \$105 per day for each day of attendance at meetings; and

**WHEREAS**, The number of days per diem compensation of any Director in any calendar month shall not exceed ten (10)

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Carpinteria Valley Water District as follows:

1. That beginning March 1, 2023 the Directors' Compensation be increased by the sum of \$5 (five dollars) from the current \$105 to \$110 per day for each day of attendance at meetings in accordance with Ordinance 19-1.

1. Per Diem Compensation/Day of Service. Pursuant to Water Code §20201, each Director shall receive compensation from the District in the amount of One Hundred and Ten Dollars (\$110) per day, whether sitting on the Board or acting pursuant to its orders, for:

A. Attendance at regular, special or adjourned meetings of the Board of Directors.

B. Attendance at conferences or organized educational activities of the following organizations of which the District is a member; the Board hereby determines that such attendance has a significant and meaningful link to the purposes, policies and interests of the District and is therefore beneficial to the District:

1. Association of California Water Agencies (ACWA);
2. ACWA Joint Powers Insurance Authority;
3. American Water Works Association.
4. California Special Districts Association

2. Per Diem Compensation/Day of Service. Each director shall receive compensation from the District in the amount of One Hundred and Ten Dollars (\$110) per day, whether sitting on the Board or acting pursuant to its orders, for the following:

A. Attendance at any Board committee meeting, with compensation limited to two Directors serving on the committee.

B. Attendance at the following meetings of other organizations, which the Board hereby determines is beneficial to the District and constitutes the performance of a Director's official duties:

1. Cachuma Operations and Maintenance Board;
2. Central Coast Water Authority;
3. Santa Barbara County Special Districts Association;

C. Attendance at meetings providing ethics training in accordance with Government Code § 53232.1

D. Other meetings or conferences which the Board approves at an agenda item at a regular meeting not more than 30 days after said meeting or conference, that serves as a benefit to the District and constitute the performance of official duties.

E. Independent study in connection with training matters connected with being a board member and to expand a director's knowledge and interest in water matters. To receive payment for independent study a board member shall obtain prior approval at a public meeting of the Board of Directors and make a presentation to the Board of Directors after the independent study is completed. In the event prior board approval cannot be obtained, the Board member shall submit a request to approve the independent study program within thirty (30) days of the program to receive payment. Payment for independent study is limited to three (3) meetings per fiscal year.

The number of days per diem compensation of any Director in any calendar month shall not exceed ten (10).

3. Reimbursement of Expenses.

A. Each Director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties, including those expenses relating to travel, meals, lodging and other actual necessary expenses, for attendance at meetings and conferences or organizations listed in Section 1, or as otherwise approved by the Board as an agenda item pursuant to Section 1.D. In accordance with Government Code section 53232.2(c), the District shall use the IRS rates for reimbursement of such expenses as established in Publication 463 or any necessary publication thereto.

B. If the lodging expenses are in connection with a conference or organized educational activity, including but not limited to ethics training, conducted by the Association of California Water Agencies or the California Special Districts Association, or as otherwise approved by the Board in accordance with Section 1, the cost shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging that is consistent with the requirements of this policy. A Director shall use government and group rates offered by a provider of transportation or lodging service for travel and lodging when available.

C. Any expenses which do not fall within this policy or the IRS reimbursable rates shall be approved by the Board in a public meeting prior to the Director incurring such expense, except where a group rate is not available for lodging as set forth above.

D. The following expenses will not be reimbursed:

1. Alcoholic beverages.
2. Parking or traffic violations.
3. In-room movies.
4. Laundry services.
5. Entertainment.
6. Expenses incurred on behalf of a spouse, dependent or traveling companion.

4. Expense Reports.

A. Within thirty (30) days after attendance at a meeting, conference, or event at which authorized or pre-approved reimbursable expenses were incurred, a Director shall submit a signed expense reimbursement request on a form approved by the Board of Directors, together with valid receipts documenting each expense.

B. The Board secretary shall produce and distribute a quarterly report containing the expense reimbursements of the Directors. The report shall be presented to the Board on a quarterly basis.

5. Board Member Reports. All Board members, either verbally or in writing, shall briefly report on meetings, conferences, or events attended at District expense at the next regularly scheduled Board meeting following such meeting, conference or event for which the reimbursement is received.

6. Ethics Training. In accordance with Government Code section 53234, Directors and any designated employees shall receive at least two (2) hours of training in general ethics principles and ethics laws relevant to his or her public service every two (2) years. Certificate of completion of ethics training shall be maintained by the District for at least five (5) years.

**PASSED AND ADOPTED** by the Board of Directors of the Carpinteria Valley Water District this 8<sup>th</sup> day of February 2023 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
Case Van Wingerden, President

ATTEST:

\_\_\_\_\_  
Robert McDonald, Board Secretary

**RESOLUTION NUMBER 1086**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA VALLEY WATER DISTRICT DIRECTORS' COMPENSATION**

**WHEREAS**, District Ordinance No. 19-1, adopted June 12, 2019 set the base rate for Directors' compensation at \$100 per day for each day of attendance at meetings; and

**WHEREAS**, District Ordinance No. 19-1 establishes that "For each subsequent calendar year following calendar year 2019, the compensation set forth herein may be increased upon the adoption of a resolution by the Board of Directors authorizing an increase in the compensation paid to each Director in an amount not to exceed 5% for each calendar year following the last adjustment"; and

**WHEREAS**, The number of days per diem compensation of any Director in any calendar month shall not exceed ten (10)

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Carpinteria Valley Water District as follows:

1. That beginning January 1, 2021 the Directors' Compensation be increased by the sum of \$5 (five dollars) from the current \$100 to \$105 per day for each day of attendance at meetings in accordance with Ordinance 19-1.

1. Per Diem Compensation/Day of Service. Pursuant to Water Code §20201, each Director shall receive compensation from the District in the amount of One Hundred Dollars (\$105) per day, whether sitting on the Board or acting pursuant to its orders, for:

A. Attendance at regular, special or adjourned meetings of the Board of Directors.

B. Attendance at conferences or organized educational activities of the following organizations of which the District is a member; the Board hereby determines that such attendance has a significant and meaningful link to the purposes, policies and interests of the District and is therefore beneficial to the District:

1. Association of California Water Agencies (ACWA);
2. ACWA Joint Powers Insurance Authority;
3. American Water Works Association.

Each director shall receive compensation from the District in the amount of One Hundred and Five Dollars (\$105) per day, whether sitting on the Board or acting pursuant to its orders, for the following:

A. Attendance at any Board committee meeting, with compensation limited to two Directors serving on the committee.

B. Attendance at the following meetings of other organizations, which the Board hereby determines is beneficial to the District and constitutes the performance of a Director's official duties:

1. Cachuma Operations and Maintenance Board;
2. Central Coast Water Authority;
3. Santa Barbara County Special Districts Association;

C. Attendance at meetings providing ethics training in accordance with Government Code § 53232.1

D. Other meetings or conferences which the Board approves at an agenda item at a regular meeting not more than 30 days after said meeting or conference, that serves as a benefit to the District and constitute the performance of official duties.

E. Independent study in connection with training matters connected with being a board member and to expand a director's knowledge and interest in water matters. To receive payment for independent study a board member shall obtain prior approval at a public meeting of the Board of Directors and make a presentation to the Board of Directors after the independent study is completed. In the event prior board approval cannot be obtained, the Board member shall submit a request to approve the independent study program within thirty (30) days of the program to receive payment. Payment for independent study is limited to three (3) meetings per fiscal year.

The number of days per diem compensation of any Director in any calendar month shall not exceed ten (10).

3. Reimbursement of Expenses.

A. Each Director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties, including those

expenses relating to travel, meals, lodging and other actual necessary expenses, for attendance at meetings and conferences or organizations listed in Section 1, or as otherwise approved by the Board as an agenda item pursuant to Section 1.D. In accordance with Government Code section 53232.2(c), the District shall use the IRS rates for reimbursement of such expenses as established in Publication 463 or any necessary publication thereto.

B. If the lodging expenses are in connection with a conference or organized educational activity, including but not limited to ethics training, conducted by the Association of California Water Agencies of the California Special Districts Association, or as otherwise approved by the Board in accordance with Section 1, the cost shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging that is consistent with the requirements of this policy. A Director shall use government and group rates offered by a provider of transportation or lodging service for travel and lodging when available.

C. Any expenses which do not fall within this policy or the IRS reimbursable rates shall be approved by the Board in a public meeting prior to the Director incurring such expense, except where a group rate is not available for lodging as set forth above.

D. The following expenses will not be reimbursed:

1. Alcoholic beverages.
2. Parking or traffic violations.
3. In-room movies.
4. Laundry services.
5. Entertainment.
6. Expenses incurred on behalf of a spouse, dependent or traveling companion.

4. Expense Reports.



A. Within thirty (30) days after attendance at a meeting, conference, or event at which authorized or pre-approved reimbursable expenses were incurred, a Director shall submit a signed expense reimbursement request on a form approved by the Board of Directors, together with valid receipts documenting each expense.

B. The Board secretary shall produce and distribute a quarterly report containing the expense reimbursements of the Directors. The report shall be presented to the Board on a quarterly basis.

5. Board Member Reports. All Board members, either verbally or in writing, shall briefly report on meetings, conferences, or events attended at District expense at the next regularly scheduled Board meeting following such meeting, conference or event for which the reimbursement is received.

6. Ethics Training. In accordance with Government Code section 53234, Directors and any designated employees shall receive at least two (2) hours of training in general ethics principles and ethics laws relevant to his or her public service every two (2) years. Certificate of completion of ethics training shall be maintained by the District for at least five (5) years.

2.

**PASSED AND ADOPTED** by the Board of Directors of the Carpinteria Valley Water District this 9<sup>th</sup> day of December 2020 by the following roll call vote:

AYES: Roberts, Johnson, Van Wingerden and Holcombe

NOES: None

ABSENT: Capozza

ABSTAIN: None

APPROVED:

DocuSigned by:  
*Matthew T. Roberts*  
AB1FEFD48C254ED...

Matthew T. Roberts, President

ATTEST:

DocuSigned by:  
*Ursula Santana*  
85A31CCE7A9B4C3...

Ursula Santana, Board Secretary

★ Agenda items marked with this symbol will be recorded and available for on-demand access after the live event.

Note: Tuesday Committee meetings will not be recorded or available on-demand.

## ACWA JPIA - MONDAY, MAY 8

**8:30 - 10:00 AM**

- ACWA JPIA Program

**10:15 - 11:15 AM**

- ACWA JPIA Executive Committee

**11:30 - 12:30 PM**

- ACWA JPIA Pre-Board Meeting Lunch

**1:00 - 5:00 PM**

- ACWA JPIA Board of Directors / Town Hall

## TUESDAY, MAY 9

**7:00 AM - 6:00 PM**

- Registration

**8:00 AM - 9:45 AM**

- Agriculture Committee

**8:30 AM - Noon**

- ACWA JPIA Seminars

**10:00 - 11:45 AM**

- Groundwater Committee
- Energy Committee

**11:00 AM - Noon**

- Outreach Task Force

**Noon - 2:00 PM**

- Committee Lunch Break

**1:00 - 2:45 PM**

- Legal Affairs Committee
- Local Government Committee
- Finance Committee
- Water Management Committee

**1:00 - 3:00 PM**

- ACWA JPIA: Sexual Harassment Prevention for Board Members & Managers (AB 1825)

**3:00 - 4:45 PM**

- Communications Committee
- Federal Affairs Committee
- Membership Committee
- Water Quality Committee

**5:00 - 6:30 PM**

- Welcome Reception in the Exhibit Hall

## WEDNESDAY, MAY 10

**7:30 AM - 5 PM**

- Registration

**8:00 - 9:45 AM**

- Opening Breakfast *(Ticket Required)* ★

**8:30 AM - 6:00 PM**

- Connect in the Exhibit Hall

**10:15 - 11:15 AM**

- Attorneys Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

**11:30 AM - 1:30 PM**

- Connect in the Exhibit Hall
- Networking Lunch *(Ticket Required)*

**1:45 - 3:00 PM**

- Attorney Program ★
- Communications Committee Program ★
- Finance Program ★
- Federal Forum ★
- Statewide Forum ★
- Roundtable Talk

**3:15 - 4:45 PM**

- Regions 1-10 Membership Meetings

**5:00 - 6:00 PM**

- ACWA Reception in the Exhibit Hall

**6:00 - 7:00 PM**

- CalDesal Hosted Mixer
- Jacobs Hosted Mixer

**6:00 - 7:15 PM**

- Women in Water Hosted Reception

## THURSDAY, MAY 11

**7:30 AM - Noon**

- Registration

**8:00 AM - 9:30 AM**

- Exhibitor Demonstrations
- Networking Continental Breakfast in the Exhibit Hall *(Ticket Required)*

**8:30 - 9:30 AM**

- Communications Media Training

**8:30 - 10:45 AM**

- Ethics Training (AB 1234) - *Limited Seating*

**9:30 AM - 10:00 AM**

- Prize Drawings in the Exhibit Hall

**10:15 - 11:45 AM**

- Attorney Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

**Noon - 1:45 PM**

- General Luncheon *(Ticket Required)* ★

**2:00 - 3:30 PM**

- Innovation Forum ★
- Region Forum ★
- Water Industry Trends Program 1 ★
- Water Industry Trends Program 2 ★

**3:30 - 4:30 PM**

- Closing Reception

*Last modified: January 20, 2023*

Registration required to attend any part of ACWA's Spring Conference & Expo, including Tuesday, May 9 complimentary committee meetings. See [www.acwa.com](http://www.acwa.com) for health & safety attendance requirements.



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

will be held at 9:00 a.m., on Thursday, January 26, 2023  
 via URL: <https://meetings.ringcentral.com/j/1461650472>  
 or via telephone by dialing 1(623) 404-9000 and entering code 146 165 0472 #

In response to the spread of the COVID-19 virus, Governor Newsom declared a state of emergency which directly impacts the ability of legislative bodies and the public to meet safely in person. To help minimize the potential spread of the COVID-19 virus, the CCWA Board of Directors shall consider whether to hold this public meeting telephonically pursuant to the requirements of Government Code section 54953(e), as amended by Assembly Bill 361 (2021). The CCWA Board of Directors and public will participate in this meeting by video call or telephone.

Eric Friedman  
 Chairman

Jeff Clay  
 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 [lhw@ccwa.com](mailto:lhw@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. \* Resolution No. 23-01 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors And All Subordinate Bodies Under the Ralph M. Brown Act**  
*Staff Recommendation:* Adopt Resolution No. 23-01 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors and All Subordinate Bodies under the Ralph M. Brown Act.

**III. 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)  
 December 5, 2022 Letter from Santa Barbara County Counsel to CCWA Board Secretary re. Claim by Santa Barbara County Flood Control and Water Conservation District pursuant to Government Code section 905

*Agenda Item III, the Closed Session, is anticipated to take 45 minutes. The remainder of the Meeting will start no earlier than 9:45 am.*

**IV. Return to Open Session**

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

- \* Indicates attachment of document to original agenda packet.
- ◆ Indicates enclosure of document with agenda packet.

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

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**V. 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 three minutes; all speakers to a total of fifteen minutes.)**

**VI. Consent Calendar – For Approval**

- \* A. Minutes of the October 27, 2022 Regular Meeting
  - \* B. Bills
  - \* C. Controller’s Report
  - \* D. Operations Report
- Staff Recommendation:* Approve the Consent Calendar

**VII. Executive Director’s Report**

- A. Water Supply Situation Report  
*Staff Recommendation:* Informational item only.
- B. 2023 Supplemental Water Purchase Program  
*Staff Recommendation:* Informational item only.
- C. SWP Infrastructure Overview  
*Staff Recommendation:* Informational item only.
- D. Calendar Year 2023 CCWA Goals and Objectives  
*Staff Recommendation:* Informational item only.
- \* E. Letter to USBR Requesting Commencement of Negotiations for Warren Act Contract  
*Staff Recommendation:* Informational item only.
- \* F. Cost Allocation of Nipomo and Tank 5 Dosing Facilities  
*Staff Recommendation:* Approve allocation of the costs of the Nipomo and Tank 5 chemical dosing facilities as follows: 50% to the Water Treatment Plant subject to the Regional Water Treatment Plant Allocation and the Santa Ynez Exchange Agreement adjustments and 50% to the financial reaches in which the dosing facilities are located.
- ◆ G. Finance Committee
  - 1. FY 2022/23 Second Quarter Investment Report  
*Staff Recommendation:* Approve the Second Quarter FY 2022/23 Investment Report.
  - 2. FY Ended June 30, 2022 and 2021 Annual Comprehensive Financial Report  
*Staff Recommendation:* Approve the FY Ended June 30, 2022 and 2021 Annual Comprehensive Financial Report
  - 3. FY 2023/24 Budget Preparation Schedule  
*Staff Recommendation:* Informational item only.
- H. State Water Contractors Update  
*Staff Recommendation:* Informational item only.
- I. Legislative Report  
*Staff Recommendation:* Informational item only.
- \* J. JPIA President’s Special Recognition Award  
*Staff Recommendation:* Informational item only.

**VIII. Reports from Board Members for Information Only**

- \* A. City of Buellton Appointment of John Sanchez Director and David Silva Alternate Director
- \* B. Santa Ynez River Water Conservation District, Improvement District #1 Appointment of Jeff Clay Director and Nick Urton Alternate Director
- \* C. City of Santa Maria Appointment of Mike Cordero Director and Shad Springer Alternate Director

**IX. Items for Next Regular Meeting Agenda**

**X. Date of Next Regular Meeting: February 23, 2023**

**XI. Adjournment**