

**MINUTES OF A REGULAR MEETING
Of the
CACHUMA OPERATION & MAINTENANCE BOARD
Held at the
Cachuma Operation & Maintenance Board Office
3301 Laurel Canyon Road, Santa Barbara, CA
Monday, December 21, 2009**

1. Call to Order, Roll Call

The meeting was called to order at 2:19 p.m. by President Williams who chaired the meeting. Those in attendance were:

Directors present:

Das Williams	City of Santa Barbara
Bob Lieberknecht	Carpinteria Valley Water District
Jan Abel	Montecito Water District
Lauren Hanson	Goleta Water District
Lee Bettencourt	SYR Conservation Dist ID#1

Others present:

Kate Rees	William Hair
Chris Dahlstrom	Tom Mosby
Janet Gingras	Fran Farina
Robert McDonald	W.D. Morgan
Tim Robinson	Adelle Capponi
Matt Bloise	Phil Walker
John McInnes	

2. Public Comment

There were no comments from the public.

3. Consent Agenda

a. Minutes:

November 23, 2009 Regular Board Meeting and December 11, 2009 Special Board Meeting

b. Investment Funds

Financial Reports
Investment Report

c. Payment of Claims

Director Abel moved to approve the consent agenda as presented, seconded by Director Hanson, 7/0/0.

The Board next considered Item #9

9. El Jaro Creek Cross Creek Ranch Fish Passage Project

a. Notice of Completion and Final Report

Tim Robinson highlighted the project. The project started construction on August 25, 2009 and was completed November 18, 2009. Schock Contracting Corp. was able to maintain the original construction schedule, clean up the construction site to the landowner's and project engineer's satisfaction, all the while keeping the construction costs within 8.2% of the contracted amount.

Included in the board packet was a Notice of Completion for the project provided by Tim Robinson. Chris Dahlstrom suggested that a more formal notice of completion be filed with the county. The suggestion was documented and Tim will complete the appropriate form and file it with the county clerk's office.

b. Status of MOU Among COMB, CCRB and ID No. 1 for Funding and Construction of El Jaro Creek Cross Creek Ranch Fish Passage Project

This was not discussed.

4. Appoint Ad Hoc Committee to Attend January 13, 2010 COMB Operating Committee Meeting Regarding Roles and Responsibilities of Operating Committee

President Williams appointed Director Hanson and Director Abel to serve on the Ad Hoc Committee to discuss the roles and responsibilities of the COMB Operating Committee. They will attend the January 13, 2010 or the February 3, 2010 COMB Operating Committee meeting for this discussion. Director Abel will be able to attend the meeting if is held in February; however she will not be able to attend the scheduled meeting in January. President Williams will appoint one other Director if needed.

5. Reports From the Manager

a. Cachuma Water Reports

The Water Reports were included in the board packet

b. Operations Report

The Operations Report was included in the board packet

c. Quagga Mussel inspection Report – County of Santa Barbara

The monthly report from the County was included in the board packet

d. Santa Barbara County Parks Department Request for Assistance with Matching Funds for Cachuma Park Federal Grant

Ms. Rees reported that at the recommendation of the USBR, Juan Beltranena from the Santa Barbara County Parks Dept. had contacted her requesting the use of funded projects that COMB or CCRB had constructed at Lake Cachuma. The intention of the request was to use the expended fund amounts

as matching funds for a federal grant that the County needed for infrastructure improvement projects at Lake Cachuma.

The COMB Operating Committee discussed this request at the December 2, 2009 meeting. Chris Dahlstrom, ID #1, strongly opposed the use of these funds for the County's grant application. Since that discussion, a letter from Director Bettencourt was received and included in the board packet re-stating ID #1's position. Mr. Dahlstrom had one correction to the letter; fourth paragraph, line eleven, last sentence should have read, "In my mind, this is an unacceptable arrangement," not an acceptable arrangement. In the spirit of cooperation and to support the County's efforts to improve the facilities at Lake Cachuma, staff and the Operating Committee agreed it would be acceptable for the county parks to use the projects as matching funds if they wish to do so. It was noted that Charles Hamilton and Rebecca Bjork were the only yes votes, Mike Kanno abstained, Chris Dahlstrom voted no and Tom Mosby was absent.

Ms. Rees was directed by the Board to follow-up with the County stating that COMB has heard their request and is considering the request but needs additional time and information. Ms. Rees will follow up with details about the grant application, the due date and what projects the grant would be supporting. She will bring that information back to the Board in January. The projects being considered for use of matching funds were carried out by COMB, CCRB and/or ID #1 on behalf of the Cachuma Member Units.

e. Proposition 50 and 84 Activities

Ms. Rees reported that the SWRCB has recently suspended reimbursement to the Santa Barbara Prop 50 region due to an invoicing irregularity from the Casmalia Community Services District. The County Auditor is currently working with the SWRCB representative to establish a procedure by which such irregularities will be identified and prevented. The SWRCB has agreed to reinstate reimbursement for the grant once they are comfortable with the County's procedures.

The discussion on the County wide participation in Prop 84 will continue in January. There are a lot of participants and not a large amount of money available in the first round of grant funding.

f. Letters/emails from Charles Hamilton to Kate Rees

Ms. Rees highlighted the series of correspondence between Charles Hamilton, CVWD and Ms. Rees. The correspondence was included in the board packet. One request made from CVWD was to refund the portion of the two quarterly Special Project assessments already paid by CVWD that correspond to the bond debt repayment for the 2nd Pipeline Project. After discussion, the board felt it would be premature to release those funds at this time.

g. 2008 Surcharge Accounting

The Surcharge Accounting was included in the board packet.

h. Cachuma Reservoir Current Conditions

Date 12/21/2009

Lake Elevation	730.86 feet
Storage	135,562 acre feet
Rain (for the month to date)	2.82 inches
Rain YTD (for the season to date)	8.51 inches
Fish Release-Hilton	11.8 acre feet per day
Month to Date Fish Release	248.6 acre feet
Month to Date Spill	0 acre feet
Year to Date Spill	0 acre feet

6. COMB Capital Improvement Program

a. SCC/Upper Reach Reliability Project

1) Project Status Report

This report was included in the board packet

b. Mission Creek Pipeline and Fish Passage Project

1) Project Status Report

This report was included in the board packet.

2) Status of Cachuma General Managers' Review of Engineering Designs

Ms. Rees reported that, at the request of the MU managers, the engineering designs for the Mission Creek Project were delivered to each of them for review. Comments are to be provided to Glen Hille, AECOM by January 7, 2010 at the monthly CIP meeting.

7. Reconciliation of Unexpended Funds From FY 2008-09 and Recommended Use of Funds for Mission Creek Pipeline Project

President Williams reported that GWD had requested to table item #7 until the February regular Board meeting.

Director Hanson moved to table item #7, seconded by President Williams. Director Abel opened discussion by requesting the reason for delaying discussion on the item. Director Hanson stated that it seemed premature to be allocating unexpended funds when the total amount of funds available is not yet clear due to the remaining reimbursements due from the Jesusita fire claim. Also, the project design for the Mission Creek Project have not been completed or fully discussed by the MU managers. Ms. Rees felt there was no down side to delaying this decision to the February meeting. Director Abel called the question. Motion passed 7/0/0.

8. COMB General Counsel's Written Legal Opinion Regarding Biological Opinion Activities

COMB Counsel Bill Hair highlighted his opinion concerning whether it is appropriate for COMB to act as the contracting party in carrying out various Southern Steelhead restoration projects. He stated it was his opinion that COMB is

the proper agency to implement the fish passage projects and by doing so is not undertaking anything that is “a matter involving the water rights of any party.”

Director Bettencourt requested that this be tabled for a later meeting when ID #1 counsel could be present. Director Abel requested clarification whether or not this opinion required any action from the Board. Counsel Hair stated that this was his opinion and did not require action. President Williams suggested that this discussion be added to a future agenda.

10. Selection of Representative to Attend 2010 ACWA Washington D.C. Conference, February 23-25

Director Abel suggested that this be tabled to the January meeting since the needs have not been developed nor has it been determined if any lobbying in Washington is of value at this time. Director Hanson suggested that the Board request that Director Williams attend the 2010 ACWA Washington D.C. Conference, February 23th - 25th, if it is determined that there is a need. This will be added to the January 25th agenda with a task list for a decision.

Director Hanson moved to select President Williams to attend the 2010 ACWA Washington D.C. Conference if there is a need to send a representative, seconded by Director Lieberknecht, passed 7/0/0.

11. Directors’ Request for Agenda Items for Next Meeting

Consider list of task and need for President Williams to attend the 2010 ACWA Conference in Washington D.C.

Director Bettencourt requested that the discussion of the opinion letter of COMB Counsel presented at today’s meeting be held either at the February or March meeting.

12. Meeting Schedule

The next regular Board meeting will be held January 25, 2010 following the CCRB meeting at 2:15 P.M.

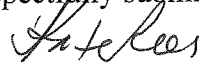
The Agendas and Board Packets are available on the COMB website,
www.cachuma-board.org

13. COMB Adjournment

There being no further business, the meeting was adjourned at 4:07 p.m.

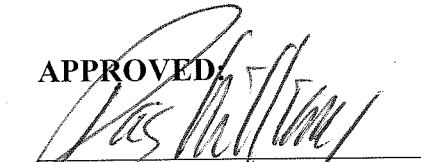
Cachuma Operation & Maintenance Board
Board of Directors Meeting
December 21, 2009

Respectfully submitted,



Kate Rees, Secretary of the Board

APPROVED:



Das Williams, President