

**MINUTES OF A REGULAR MEETING
OF
CACHUMA OPERATION AND MAINTENANCE BOARD**

held at
3301 Laurel Canyon Road, Santa Barbara, CA 93105

**Monday, March 25, 2019
1:00 PM**

1. CALL TO ORDER, ROLL CALL

The meeting was called to order by President Holcombe at 1:00 PM

Directors Present:

Polly Holcombe, Carpinteria Valley Water District
Lauren Hanson, Goleta Water District
Kristen Sneddon, City of Santa Barbara
Tobe Plough, Montecito Water District

General Counsel Present:

William Carter, Musick, Peeler & Garrett, LLP

Staff Present:

Janet Gingras, General Manager
Edward Lyons, Administrative Manager/CFO
Joel Degner, Water Resources Engineer

Tim Robinson, Fisheries Division Manager
Dorothy Turner, Administrative Assistant II

Others Present:

Farfalla Borah, Goleta Water District
Fray Crease, SB Water Agency
Paeter Garcia, SYRWCD, ID No. 1

Charles Hamilton, Resident
Mark Preston, We Watch
Nick Turner, Montecito Water District

2. PUBLIC COMMENT

There was no public comment.

3. CONSENT AGENDA

- a. Minutes of February 25, 2019 Regular Board Meeting
- b. Investment of Funds
 - Financial Reports
 - Investment Reports
- c. Review of Paid Claims

Ms. Gingras presented the Consent Agenda items, noting sources of revenue. Director Hanson motioned that the Consent Agenda be approved. Motion was seconded by Director Plough and carried unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

4. **VERBAL REPORTS FROM BOARD COMMITTEES**

- **Operations Committee Meeting – March 14, 2019:** Director Sneddon presented the committee meeting items as provided in the agenda, noting that several items from the Operations Committee meeting are addressed in the Board Meeting agenda. She summarized the remaining items briefly.

5. **APPOINTMENT OF REPRESENTATIVE TO CACHUMA PROJECT TRUST FUND AND RENEWAL FUND COMMITTEE AND BETTERMENT FUND USE OF FUNDS DISCUSSION**

Ms. Gingras provided the Board with an overview of the history of the funds, noting examples of expenses for which the revenues may be used. She fielded questions from the Board. Director Sneddon motioned that Ms. Gingras be the appointed Representative; motion was seconded by Director Hanson and carried unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

6. **AVAR/BLOW-OFF REHABILITATION PROJECT / SOUTH COAST CONDUIT (SCC) ISOLATION VALVE ENGINEERING DESIGNS**

Ms. Gingras presented the proposed contract amendment to modify the design of the AVAR/Blow-Off projects, schedules D and E. She fielded questions from the Board. Director Plough motioned that the contract be amended to incorporate the recommended design. Director Sneddon seconded the motion which passed unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

7. **SOUTH COAST CONDUIT (SCC) LOWER REACH LATERAL STRUCTURES REHABILITATION PROJECT - ENGINEERING DESIGN**

Ms. Gingras presented the proposed engineering design costs for the Carpinteria lower reach turnouts. She fielded questions from the Board. Director Sneddon motioned that the Board approve the costs and authorize the General Manager to execute a sole sourced Professional Service Agreement. Director Plough seconded the motion. The motion passed unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

8. **RESOLUTION NO. 684 – U.S. BUREAU OF RECLAMATION WATERSMART DROUGHT RESILIENCY GRANT OPPORTUNITY**

Ms. Gingras presented Resolution No. 684, the WaterSmart matching grant opportunity potentially available through Reclamation, emphasizing that, at this time, the Board is approving the application only, via Resolution. She fielded questions from the Board. After discussion, Director Sneddon motioned that the Resolution be approved and adopted. Director Plough seconded the motion. The motion carried unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

9. **PURCHASE OF REPLACEMENT FLEET VEHICLE – OPERATIONS DIVISION**

Ms. Gingras presented the board with the staff memo and COMB's vehicle replacement matrix, reporting that the lowest quote received for a replacement vehicle came from Jim Vreeland Ford in the amount of \$30,010. Director Sneddon motioned that the Board authorize the General Manager to execute a purchase order with Jim Vreeland Ford not to exceed \$30,010 in order to purchase a replacement vehicle. Motion was seconded by Director Plough and passed unanimously with a vote of six in favor.

Ayes: Sneddon, Plough, Hanson, Holcombe

Nays:

Absent:

Abstain:

10. **GENERAL MANAGER REPORT**

- Meetings
- Administration
- Fisheries Division Activities

Ms. Gingras presented her report as contained in the Board Packet, highlighting the upcoming Member Agency meeting to discuss the Infrastructure Improvement Plan and the potential renewal of the contract with Cushman Contracting Corporation. Ms. Gingras also provided an update on a meeting of the IRWM Cooperating Partners, as well as a recent meeting between staff and COMB's external IT Consultant to review IT systems, protocol and security. Further, she summarized issues that arose with the Hilton Creek Watering System, noting that further explanation would be forthcoming in the Fisheries Division report.

11. **WATER RESOURCES ENGINEER REPORT**

- Forecasted Lake Elevations
- Climate Conditions
- Lake Cachuma Conveyance Feasibility Study
- Lake Cachuma Water Quality and Sediment Management Plan
- Infrastructure Improvement Project Status

Mr. Degner presented his report as contained in the Board packet, highlighting lake elevation and climate conditions. He provided updates on the Lake Cachuma Conveyance Feasibility study and Lake Cachuma Lake Water Quality and Sediment Study. Further, Mr. Degner updated the Board with regard

to ongoing Infrastructure Improvement Projects, including the Sycamore Canyon Slope Stabilization project and a forthcoming recommendation regarding the Cushman Contracting Corporation's contract. He fielded questions from the Board.

12. OPERATIONS DIVISION REPORT

- Lake Cachuma Operations
- Operation and Maintenance Activities

Mr. Degner presented the report as contained in the Board packet, noting the continuing clean-up of Blow-Off structures, the installation of a new Wash Water Pump at the Cachuma Lake North Portal Intake structure, and routine exercising of valves and weed abatement. He fielded questions from the Board.

13. FISHERIES DIVISION REPORT

- LSYR Steelhead Monitoring Elements
- Tributary Project Updates
- Surcharge Water Accounting
- Reporting/Outreach/Training

Mr. Robinson presented his report as contained in the Board packet, highlighting REDD surveys, migrant trapping efforts and noting the status of the Annual Monitoring Summaries. Further he discussed the status of the Quiota Creek Crossings and reported the staff's completion of electrofishing training. Mr. Robinson provided in depth explanations of Fish Passage Supplementation and the Hilton Creek Watering System's issues and needed repairs. He fielded questions from the Board.

14. FINAL UPDATE ON FISH PASSAGE IMPROVEMENT PROJECTS

- a. Quiota Creek Crossing 5
- b. Quiota Creek Crossing 9

Mr. Robinson presented final reports on the completion of fish passage improvements at Quiota Creek Crossings 5 and 9, providing financial data for both projects. He noted that work will begin on Crossing 8 following bid solicitation and Board approval. Mr. Robinson reported that the project binders for the County of Santa Barbara are almost ready in order that the completed Crossings may be transferred to the jurisdiction of the County.

15. PROGRESS REPORT ON LAKE CACHUMA OAK TREE PROGRAM

- Maintenance and Monitoring

Mr. Robinson provided highlights of the report as contained in the Board packet which included a chart of ongoing maintenance of the plantings. He reported that staff has initiated the annual oak tree inventory and noted that the newly planted oak trees have been located with GPS.

16. MONTHLY CACHUMA PROJECT REPORTS

- a. Cachuma Water Reports
- b. Cachuma Reservoir Current Conditions
- c. Lake Cachuma Quagga Survey

Ms. Gingras presented the reports as contained in the board packet. There were no questions.

17. DIRECTORS' REQUESTS FOR AGENDA ITEMS FOR FUTURE MEETING

Directors submitted no requests for future agenda items.

Speaker: Paeter Garcia, SYRWCD, ID No. 1

Mr. Garcia addressed the Board in open session and responded to the letter from President Holcombe, dated March 12, 2019, subject: Separation Agreement Compliance – Demand for Payment of COMB Invoice for FY 2017-18, Issued on November 27, 2018. Mr. Garcia apologized and offered several explanations for ID No. 1's failure to remit payment and follow the dispute resolution process as outlined in the Separation Agreement. He stated that ID No. 1 has scheduled a Special Board meeting on March 26, 2019 to discuss setting up a separate account with Rabobank and depositing the disputed amount into the account per the terms of the Separation agreement.

18. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: EXISTING AND POTENTIAL LITIGATION

- a. [Government Code Section 54956.9(d)(4)]
Name of matter: Non-Payment by Cachuma Member Unit of Annual/Quarterly Invoices in Violation of Separation Agreement

The Board entered into closed session at 3:44 PM.

19. [CLOSED SESSION]: ANNUAL PERFORMANCE REVIEW

- a. [Government Code Section 54957(b)(1)]
Title: General Manager

20. [CLOSED SESSION]: CONFERENCE WITH LABOR NEGOTIATORS

- a. [Government Code Section 54957.6(a)]
Agency designated representatives: Board President
Unrepresented Employee: General Manager

21. RECONVENE INTO OPEN SESSION

[Government Code Section 54957.7]
Disclosure of actions taken in closed session, as applicable
[Government Code Section 54957.1]

The Board emerged from Closed Session at 5:22 PM

18a. Non-Payment by Cachuma Member Unit of Annual/Quarterly Invoices in Violation of Separation Agreement

The Board approved the initiation of litigation against a Cachuma Member Unit for failure to pay outstanding invoices in violation of the Separation Agreement.

19a. Annual Performance Review – General Manager

The Board completed its annual performance review of the General Manager.

20a. Conference with Labor Negotiators

The Board gave direction to the President regarding the proposed employment agreement for General Manager, Janet Gingras.

22. **MODIFICATION OF GENERAL MANAGER'S COMPENSATION**

The Board approved the employment agreement for General Manager, Janet Gingras, and compensation contained therein.

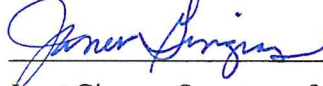
23. **MEETING SCHEDULE**

- April 22, 2019 at 1:00 PM, COMB Office
- Board Packages available on COMB website www.cachuma-board.org

24. **COMB ADJOURNMENT**

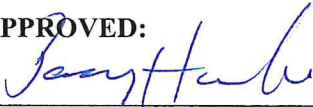
There being no further business, the meeting was adjourned at 5:24 PM.

Respectfully submitted,



Janet Gingras, Secretary of the Board

APPROVED:



Polly Holcombe, President of the Board

	<i>Approved</i>
√	<i>Unapproved</i>