

CALLEGUAS MUNICIPAL WATER DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
November 03, 2021

MINUTES

The meeting of the Board of Directors of Calleguas Municipal Water District was held telephonically and via videoconference in accordance with the State of Emergency Declaration issued on March 4, 2020 by the Governor of the State of California, Government Code §54953(e) and Calleguas Resolution No. 2031.

The meeting was called to order by Steve Blois, President of the Board, at 4:00 p.m.

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Directors Present via Videoconference: Steve Blois, President
Andres Santamaria, Vice President
Scott Quady, Treasurer
Raul Avila, Secretary
Andy Waters, Director (Arrived at 4:57 p.m.)

Staff Present at District Headquarters and Participating via Videoconference: Anthony Goff, General Manager
Henry Graumlich, Associate General Manager
Rob Peters, Manager of Operations and Maintenance
Kristine McCaffrey, Manager of Engineering
Dan Drugan, Manager of Resources
Dan Smith, Manager of Administrative Services
Steve Sabbe, IT Coordinator

Staff Present via Videoconference: Grant Burton, Manager of Human Resources
Kara Wade, Clerk of the Board
Kayde Wade, Administrative Assistant
Bryan Bondy, Contract Groundwater Manager (Closed Session Only)

Legal Counsel Present via Videoconference: Robert Cohen, Cohen & Burge, LLP, District Counsel
Eric Garner, Best Best & Krieger LLP Special Counsel (Closed Session Only)
Jeffrey Dunn, Best Best & Krieger LLP Special Counsel (Closed Session Only)

Director Blois said that Item N-1 on the agenda would be heard at this time.

N. CLOSED SESSION (Time certain item – 4:00 p.m.)

- 1. Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation, Las Posas Valley Water Rights Coalition, et.al., v. Fox Canyon Groundwater Management Agency, et.al., Santa Barbara Superior Court Case No. VENCIO0509700.**

At 4:01 p.m., Director Blois adjourned to Closed Session to discuss Item N-1 as stated on the agenda.

CLOSED SESSION CONTINUING

At 4:58 p.m., Director Blois reconvened the meeting to Open Session.

Regarding N-1, Director Blois stated that the Board received a report from Special Counsel and no action was taken.

B. MINUTES

On a motion by Director Avila, seconded by Director Santamaria, the Board of Directors voted 5-0 to approve the October 20, 2021 minutes.

AYES: Directors Waters, Avila, Quady, Santamaria, Blois
NOES: None

C. WRITTEN COMMUNICATION

None

D. PUBLIC FORUM/ORAL COMMUNICATION

None

E. GENERAL MANAGER

1. General Manager's Report

The General Manager reported on meetings attended and matters of interest to the Board of Directors.

2. October 2021 Monthly Status Report

The Board asked questions, which the General Manager and department managers answered. No action was taken.

F. ADMINISTRATIVE SERVICES

1. September 2021 Financial Statements

The Manager of Administrative Services presented the report. No action was taken.

2. Quarterly Capital Projects Report for the period ending September 30, 2021

The Manager of Administrative Services presented the report. No action was taken.

G. HUMAN RESOURCES

The Manager of Human Resources said that he is in the process of securing an agreement with NEOGOV for District personnel matters, and implementation of the software will begin on November 10. He stated that the District is in the process of establishing an entry level Water Resource Specialist position, and there are four other job openings at this time. No action was taken.

H. OPERATIONS AND MAINTENANCE

None

I. RESOURCES AND PUBLIC AFFAIRS

The Manager of Resources said that efforts are underway to schedule a Public Hearing regarding re-districting in February. He said that he will bring to the Board the date and time of the Public Hearing in December. He said that night work is underway for the LVMWD-CMWD Interconnection. He has received some noise complaints and is working with local residents to address their concerns while Engineering staff works with the contractor to mitigate any noise conditions. The current portion of the night work will be completed soon, although additional night work is expected in the future. No action was taken.

1. Water Supply Update

The Manager of Resources provided an update on water supplies. No action was taken.

2. Discussion regarding recent drought actions and Metropolitan's State Water Project (SWP) dependent planning activities

The Manager of Resources said that, on October 19, Governor Newsom issued a proclamation that expands the drought emergency statewide, which now includes the Metropolitan Water District of Southern California (Metropolitan) service area. The proclamation requires local water suppliers to implement water shortage contingency plans responsive to local conditions and prepare for the possibility of a third dry year.

On October 22, during a SWP dependent planning meeting with Member Agency staff, Metropolitan indicated that a resolution calling for Member Agencies to implement mandatory water conservation measures would be brought to its Board in November. Participants in the meeting discussed various approaches for the draft resolution, as well as its intended goal and purpose, to best enable mandatory water conservation, especially for SWP dependent areas.

The approach by the Governor's Office now passed through by Metropolitan, effectively places the responsibility for specific mandatory water conservation response and implementation at the Member Agency and Sub-Agency level. On October 28, the District hosted a Purveyor Meeting to obtain input on potential actions Calleguas may take that would be helpful to the Purveyors in the implementation of mandatory water conservation.

Staff provided a presentation to the Board on this topic. No action was taken.

Director Blois said that Item K-1 on the agenda would be heard at this time.

K. WATER POLICY AND STRATEGY

1. Update on Regional and State Actions Affecting Water Supply to Metropolitan's State Water Project Dependent Areas

The Associate General Manager continued with the briefing on State and Metropolitan actions related to the SWP dependent areas. On December 1st, the Department of Water Resources (DWR) is anticipated to announce an initial SWP allocation of zero percent. DWR may make health and safety deliveries if there is insufficient water to provide a SWP allocation. Discussions are ongoing between Metropolitan staff and DWR on how to characterize critical commercial, industrial, and institutional water demands as a potential additional element to domestic health and safety demands.

There are other issues in the Delta that will need to be balanced in determining the water available to meet SWP demands. The issues include the Bay Delta Water Quality Control Plan, Federal and State coordinated interim delta facility operations, and conflicting Federal and State biological opinions governing exports from the delta. If there continues to be a zero SWP allocation in February 2022, Metropolitan may consider more stringent drought emergency measures to balance demand and supply. No Board action was taken.

J. ENGINEERING AND CONSTRUCTION

None

L. DISTRICT COUNSEL

District Counsel said that the Quarterly Legal Report was distributed to the Board.

M. BOARD OF DIRECTORS

1. Oral reports on meetings attended by Board members

Board members provided oral reports on meetings attended at the expense of the District, pursuant to Government Code Section 53232.3(d). All expenses would be filed at the end of the month, accompanied by receipts.

2. Discussion regarding upcoming meetings to be attended by Board members

The Board discussed meetings they planned to attend.

3. Metropolitan update

Director Blois provided an update on the latest Metropolitan Board of Directors meetings and matters covered that are of interest to the Calleguas Board of Directors. These issues included engineering solutions to provide Colorado River water to East Branch SWP dependent areas and public comments opposing the voluntary settlement agreements on the Bay Delta Water Quality Control Plan.

4. Discussion regarding an extension of Resolution No. 2031, continuing the proclamation of a local emergency, continuing the ratification of the proclamation of a State of Emergency by executive order, and authorizing remote teleconference meetings of the legislative bodies of Calleguas Municipal Water District pursuant to Brown Act provisions

The General Manager said that, on October 6, 2021, the Board passed Resolution No. 2031 authorizing remote teleconference meetings pursuant to AB 361. AB 361 modifies the Brown Act and authorizes teleconference meetings when a State of Emergency has been proclaimed by the Governor and meeting in person presents imminent risk to the health and safety of attendees. [Government Code §54953(e)(1)]

In order to continue teleconference meetings, AB 361 requires reconsideration of findings every 30 days. [Government Code §54953(e)(3)]. Since the passage of AB 361, the Governor's March 4, 2020 Proclamation of Emergency due to COVID-19 remains in effect and conditions set forth in Resolution No. 2031 have not changed with respect to the risks to the health and safety of attendees. Staff will continue to monitor the status of the Governor's order, and prevailing conditions and inform the Board.

Staff recommends that, based on reconsideration of the above referenced conditions, Resolution No. 2031 be extended for an additional 30 days. Such extension shall take effect immediately and will be effective until December 3, 2021 or until such earlier time that the Board takes additional action by resolution or motion in accordance with Water Code §71276 and Government Code §54953(e) to extend the time during which the legislative bodies of Calleguas Municipal Water District may continue to teleconference without compliance with standard Brown Act requirements.

On a motion by Director Santamaria, seconded by Director Avila, the Board of Directors voted 5-0 to extend Resolution No. 2031 authorizing remote teleconference meetings of the legislative bodies of the District.

AYES: Directors Waters, Avila, Quady, Santamaria, Blois

NOES: None

5. Appointment of a Drought Response Ad Hoc Committee

President Blois said that, with an increased probability that the District's supply via the SWP will begin the water year with an initial zero percent allocation, it is possible that the State will mandate that water supplies may only be used to meet health and safety needs within SWP dependent areas. The need for and extent of mandatory conservation depends on the developing water supply conditions over the next few winter months. In preparation of the possibility of a third consecutive dry year, the Board decided to establish a Drought Response Ad Hoc Committee of the Board of Directors. Pursuant to Calleguas MWD Administrative Code Section 3.2.1(a)(2), the

President of the Board may appoint Board Members to committees and assign chairperson responsibilities on an as-needed basis.

President Blois acknowledged that Director Avila had suggested the Drought Response Ad Hoc Committee and appointed Director Avila as Chair of the Committee. Director Avila accepted the position. He offered the Member position to the rest of the Board Members. No other Board Member committed to the Member position and President Blois deferred the commitment to allow more time for them to consider it.

6. Designation of a Board Member to vote on behalf of Calleguas at the Association of California Water Agencies (ACWA) General Session Membership Meeting at the 2021 Fall Conference

The General Manager said that there will be a General Session Membership Meeting at the 2021 Fall Conference in Pasadena, California, on December 1. The purpose of the meeting is to formally nominate and elect ACWA's President and Vice President for the 2022-2023 term.

On a motion by Director Quady, seconded by Director Santamaria, the Board of Directors voted 5-0 to select a Board member, Director Avila, to vote on behalf of Calleguas at the ACWA General Membership Meeting and authorize the General Manager to sign and submit the proxy designation form accordingly.

AYES: Directors Waters, Avila, Quady, Santamaria, Blois
NOES: None

O. OTHER BUSINESS

The General Manager said that he will not be at the November 17 Board Meeting and that the Acting General Manager will be present to facilitate the meeting in his absence.

P. FUTURE AGENDA ITEMS

None

Q. ADJOURNMENT

Director Blois declared the meeting adjourned at 6:19 p.m.

Respectfully submitted,

DocuSigned by:

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Raul Avila, Board Secretary