

**MINUTES OF A SPECIAL MEETING**  
**of the**  
**CACHUMA OPERATION & MAINTENANCE BOARD**  
**held at**  
3301 Laurel Canyon Road  
Santa Barbara, CA  
**Monday, December 9, 2013**

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*Note: This is a special meeting of the Governing Board called in accordance with Government Code Section 54956. Other than the listed agenda items, no other business will be conducted by the Governing Board.*

**1. Call to Order, Roll Call**

The meeting was called to order at 2:02 p.m. by President Lauren Hanson, who chaired the meeting. Those in attendance were:

**Directors Present:**

Lauren Hanson	Goleta Water District
Dale Francisco	City of Santa Barbara
Doug Morgan	Montecito Water District
Alonzo Orozco	Carpinteria Valley Water District
Kevin Walsh	SYR Conservation District ID#1

**Others present**

Randall Ward	Tony Trembley
Janet Gingras	Ruth Snodgrass
Chris Dahlstrom	Tim Robinson
Tom Fayram	Kelly Dyer
Kyle Harding	Adelle Capponi
Megan Emami	Sarah Horwath
Larry Farmwell	Rebecca Bjork
Phil Walker	

**2. Public Comment**

Phil Walker commented on the drought, low water levels at Lake Cachuma and siltation issues.

**3. Consent Agenda**

- a. Minutes:**  
October 28, 2013 Regular Board Meeting

- b. Investment Funds**  
Financial Report  
Investment Report

- c. Payment of Claims**

Director Francisco moved to approve the consent agenda as presented, seconded by Director Morgan, passed 7/0/0.

*The Board next considered Item #7*

**7. Drought Contingency Planning**

General Manager Randall Ward highlighted the following topics concerning the Drought Contingency Planning; memos were included in the board packet.

- a. Contingency Planning Project**
- b. Lake Level Forecast**
- c. DWR Long Term Forecast**
- d. Architecture and Engineering Planning Activities**
- e. Drought Questions**
- f. Cachuma North Portal Hydrotopo**
- g. Drought Contingency Plan Budget Information**

During Mr. Ward's presentation and discussion, concerns and questions were generated by the Board. These will be addressed and incorporated into the planning by staff and reported back to the Board.

**7-1: Addition to COMB Salary Table a Rate for Hiring Professional Temporary Personnel**

Mr. Ward stated that in an effort to contain costs for Professional services on engineers or other consultants, it would be beneficial for the General Manager to have the ability to directly hire the services of individuals. COMB would employ these individuals on a temporary basis which would eliminate the need to pay benefits affiliated with a regular, full time employee. By hiring these individuals as temporary help, the cost savings as compared to engaging a professional consulting firm would be considerable. Mr. Ward proposed a rate of up to \$150/hour with an additional \$25/hour for travel and related expenses.

Director Francisco moved to approve the addition to the COMB salary table a rate for hiring Professional Temporary Personnel as recommended by the Ad Hoc Drought Contingency Committee, seconded by Director Morgan, passed 6/0/1, Director Walsh abstained.

#### **7-2: Drought Contingency Project Funding Options**

Mr. Ward reported that the establishment of reserve funds at COMB has been addressed by the Board and the decision to operate without reserve funds had been the accepted practice. If COMB were to require additional funding for an emergency or project implementation, the Member Units would recognize the reserve requirement set forth in the *Cachuma Project Transfer of Operations* agreement. Since entering the third year of a drought, contingency planning has become necessary. In order to prepare financially for this endeavor, Mr. Ward proposed the creation of a drought contingency reserve fund in the amount of \$300,000. The South Coast Member units would be asked to provide these funds by accelerating a portion of their regular FY 2013-14, 4<sup>th</sup> Quarter Budget assessments.

Director Morgan moved to approve the Ad Hoc Drought Contingency Committee recommendation to create a Drought Contingency Reserve Fund in the amount of \$300,000 by advancing payment of a portion of the regular South Coast Member Units 4<sup>th</sup> Quarter assessment, seconded by Director Francisco, passed 6/0/1, Director Walsh abstained.

#### **4. Resolution No. 571 Relating to Committees of the Board**

The passing of Resolution No. 571 relates to COMB carrying out its duties, utilizing Standing and Ad Hoc Committees. At this time the Board re-characterized the current Ad Hoc Oak Tree Restoration Program to a Standing Committee, Lake Cachuma Oak Tree Committee. The Resolution also acknowledges the current Standing Committees with subject area oversight responsibilities outlined. Currently there is one Ad Hoc Committee, the Ad Hoc Committee for Drought Contingency Planning, formed to work with COMB staff and report to the Board.

Director Morgan moved to approve Resolution No. 571 relating to Committees of the Board, Director Francisco seconded the motion.

Motion passed by a roll call vote:

**Ayes:** Francisco, Morgan, Orozco, Hanson, Walsh

**Nays:** None

**Abstain/Absent:** None

#### **5. Verbal Reports from Board Committees**

##### **a. Administrative Committee Meeting, November 26, 2013**

President Hanson reported that the committee had discussed retiree health benefits and a budget augmentation for the Cattle Exclusionary Fencing Project.

##### **b. Ad Hoc Drought Contingency Planning Committee Meeting, December 3, 2013**

President Hanson reported that the Committee report had been included in Item #7, Drought Contingency Planning discussion and there was nothing more to add.

**6. General Managers Report**

General Manager Randall Ward highlighted the monthly report that was included in the board packet. Mr. Ward reported on the USBR site inspections, the AVAR project, encroachment policies and the drought contingency planning was covered during Item #7. Director Morgan requested that Mr. Ward also report on the North Portal elevator repairs and amend his General Managers report to reflect this additional information.

**7. Drought Contingency Planning**

*This was considered after Item #3*

**8. Report on Quiota Creek Crossing 1 Fish Passage Improvement Project**

Tim Robinson reported that the project should be completed by the end of the week. The guard rails and bridge rails are near completion, paving of the road should take place on Tuesday, the County will do the punch list on Thursday and the road should be re-opened for the weekend.

**9. Progress Report on Cachuma Lake Oak Tree Program**

Tim Robinson reported that the yearly inventory of the oak trees is being completed by staff. Once the database is finalized for the year, the Lake Cachuma Oak Tree Committee will receive a status report and will then provide recommendations on maintenance activities for 2014 and report to the Board.

**10. Engineering – Operations Division Report**

General Manager Randall Ward highlighted the Engineering and Operations Report that was included in the board packet. Mr. Ward updated the Board on the Air Valve replacement project, the process of updating the COMB Encroachment Policy and Procedures and highlighted some of the duties performed by COMB staff during the month.

**11. Fisheries Division Report**

Tim Robinson highlighted the report on the monthly activities of the Fisheries Division. The thermograph network has been removed, staff continues to measure water quality at Lake Cachuma, snorkel surveys had been conducted in association with the required monitoring for WR 89-18 releases which ended December 1, 2013. The Rancho Salsipuedes Cattle Exclusionary Fencing and Off-Channel Watering project is in the stage of final negotiations with the new managers of the property. Staff continues the outreach program by attending the annual meeting of the California Association of Resource Conservation Districts and a presentation at the Orchard Pre-School on the State of Southern Steelhead in California.

**12. Monthly Cachuma Project Reports**

**a. Cachuma Water Reports**

The monthly water reports for October were included in the board packet.

**b. Cachuma Reservoir Current Conditions**

The Lake Cachuma Daily Operations report for the month of November and through December 4, 2013 was included in the board packet.

**c. Lake Cachuma Quagga Survey**

The County's summary of Aquatic Invasive Species Inspection Program for October 2013 was included in the board packet.

**13. Directors' Requests for Agenda Items for Next Meeting**

There were no requests from the Directors'.

**14. Closed Session**

**a. Conference with Legal Counsel: Existing Litigation**

**Government Code Section 54956.9(d) (1): one case**

**Name of Case: Andrew Brown and Jessica Brown v. Cachuma Operation & Maintenance Board, Santa Barbara Superior Court Case No. 1438821**

**b. Conference with Legal Counsel: Anticipated Litigation**

**Significant exposure to litigation pursuant to Government Code Section 54956.9(d) (2): one case**

Counsel Tony Trembley announced that after a 5 minute break the Board would convene into closed session regarding Item 14 a and b. Item 14 b concerns the contract between COMB and Republic Elevator for the maintenance of the North Portal elevator.

The Board went into closed session at 4:20 p.m.

**15. 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 came out of closed session at 5:04 p.m., and in accordance with Government Code Section 54957.1, the following is a report of action taken by the Governing Board of COMB in today's closed session:

**Item 14.a.** On a vote of 7/0/0 the Board authorized COMB's legal counsel to defend COMB in the referenced action. The substance of the lawsuit pertains to allegations by Andrew and Jessica Brown relating to work performed on their property in early 2012 for the protection of the South Coast Conduit. COMB denies the allegations and will vigorously defend the lawsuit.

**Item 14.b.** There was no action to report out of closed session.

**16. Meeting Schedule**

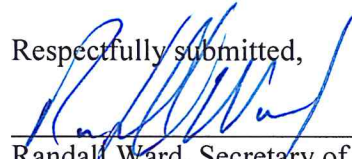
The next regular Board meeting will be held January 27, 2014 at 2:00 p.m.

The Agendas and Board Packets are available on the COMB website, [www.cachuma-board.org](http://www.cachuma-board.org)

**17. COMB Adjournment**

There being no further business, the meeting was adjourned at 5:06 p.m.

Respectfully submitted,



Randal Ward, Secretary of the Board

**APPROVED:**



Lauren Hanson, President of the Board