

**MINUTES OF A REGULAR MEETING  
of the  
CACHUMA OPERATION & MAINTENANCE BOARD**

**held at**  
3301 Laurel Canyon Road, Santa Barbara, CA  
**Monday, July 23, 2012**

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

The meeting was called to order at 2:00 p.m. by President Lauren Hanson who chaired the meeting. Those in attendance were:

**Directors present:**

Lauren Hanson	Goleta Water District
Bob Lieberknecht	Carpinteria Valley Water District
Doug Morgan	Montecito Water District
Dennis Beebe	SYR Water Conservation District, ID No. 1
Dale Francisco	City of Santa Barbara

**Others present:**

Bruce Mowry	Tony Trembley
Karen Carroll	John McInnes
Tim Robinson	John Oshiro
Tim Cloherty	Vernon Bugh
Phil Walker	Janet Gingras
Ruth Snodgrass	Adelle Capponi
Chris Dahlstrom	Melinda Fournier

President Hanson announced that Item #17c would be considered after public comment and Item #10 and #11 would switch order.

**2. Public Comment**

Phil Walker thanked staff for the tour of the Modified Upper Reach Reliability Project. He also made comments on the drought in much of the country.

**17 c. Laurel Canyon Neighbors Concerns and Use of COMB's Yard**

General Manager Bruce Mowry reported that there has been some concern from the neighbors along Laurel Canyon Road in regards to the excess soil added to the side of Lauro yard, truck traffic along the road and the condition of the road itself. He also suggested that COMB staff have a public outreach program to meet with the neighbors to discuss the ongoing master planning of our facility.

Tim Cloherty, Laurel Canyon Road neighbor expressed his concerns regarding the fill dirt added to the Lauro yard adjacent to his property.

Vern Bugh, Laurel Canyon Road neighbor stated that he would appreciate an outreach program to notify the neighbors on any major changes and also his concerns of the condition of the road.

John Oshiro, Laurel Canyon Road neighbor, expressed his desire that COMB promote and continue good relations with the neighbors as has been the case for years.

Melinda Fournier commented on this item.

President Hanson stated that a progress report on the Neighbors Outreach Program and how issues raised by the neighbors are being addressed should be added to the agenda for the August Board meeting.

### **3. Consent Agenda**

#### **a. Minutes:**

May 21, 2012 and June 25, 2012 Regular Board Meetings and June 29, 2012, July 6, 2012 and July 11, 2012 Special Board Meetings

Director Francisco requested that the minutes from the July 6 and July 11 meetings be considered separately as he was not able to attend those meetings. President Hanson reported that Alternate Director Karen Carroll approved the change in her statement from the May 21, 2012 minutes and the addition to the July 6, 2012 minutes reflected that Director Francisco did not teleconference into the meeting.

Director Beebe moved to approve the minutes of May 21, 2012, June 25, 2012 and June 29, 2012 as presented, seconded by Director Lieberknecht, passed 7/0/0.

Director Beebe moved to approve the minutes of July 6, 2012 and July 11, 2012 as presented, seconded by Director Morgan, passed 5/0/2, Director Francisco abstained.

#### **b. Investment Funds**

Financial Report  
Investment Report

#### **c. Payment of Claims**

During discussion of the Payment of Claims an item regarding the purchase of tires for an easement from Tom Brown was noticed. Legal Counsel stated that the easement needed to come before the Board for approval and the Board directed General Manager Bruce Mowry to provide a detailed explanation of the purchase of tires.

Director Morgan moved to approve the Investment Funds and the Payment of Claims as presented in the consent agenda, seconded by Director Lieberknecht, passed 7/0/0.

### **4. Approval of Purchase Orders/Contracts over \$10,000**

**a. TechnoFlo - \$13,958.33**

**b. Otis Elevator Company - \$8,400.00**

**c. Otis Elevator Company - \$260.00 per month**

General Manager Bruce Mowry requested that the Board approve three purchase orders, one from TechnoFlo for \$13,958.33 and two for Otis Elevator Company, \$8,400.00 and a maintenance contract for \$260.00 per month.

Director Francisco moved to authorize the General Manager to execute purchase orders for TechnoFlo Systems and Otis Elevator Company as presented, seconded by Director Morgan, passed 6/0/1, Director Beebe abstained.

**5. Fiscal Year 2012-13 Elections and Appointments of Cachuma Operation & Maintenance Board**

Director Beebe nominated Director Hanson for President, seconded by Director Morgan; Director Francisco nominated Director Morgan for President, there was no second, motion died. Director Hanson was elected President of the Board, 5/2/0, Director Francisco voted no.

Director Lieberknecht nominated Director Morgan for Vice President, seconded by Director Beebe, passed 7/0/0.

Director Beebe moved to appoint all those currently serving positions c – f to be appointed for FY 2012/2013, seconded by President Hanson, passed 7/0/0.

- ACWA/JPIA Representative and Alternate, Director Lieberknecht and Bruce Mowry as alternate
- General Counsel, Tony Trembley, Musick, Peeler & Garrett LLP
- Secretary of the Board, General Manager Bruce Mowry
- Treasurer and Auditor-Controller, Administrative Manager Janet Gingras

No appointment for Assistant Secretary of the Board was made, pending further information.

**6. Proposed Annual Resolutions**

The Resolutions included in the board packet are basic housekeeping items to be considered each year when the Board holds its annual organizational meeting. These are identical to the resolutions presented to the Board in the past, and supersedes those resolutions where noted.

- a. Resolution No. 544 Adopting an Annual Statement of Investment Policy
- b. Resolution No. 545 Establishing a Supplemental Account Agreement for Telephone Transfers
- c. Resolution No. 546 Authorizing Signatories for Revolving Fund Account at Santa Barbara Bank and Trust
- d. Resolution No. 547 Authorizing Investment of Monies in the Local Agency Investment Fund
- e. Resolution No. 548 Establishing a Check Signing Policy for General Fund Account for Payment of Claims
- f. Resolution No. 549 Authorizing Signatories for General Fund Account at Santa Barbara Bank & Trust

- g. Resolution No. 550 Establishing a Check Signing Policy for Cachuma Project Trust Fund and Master Contract Renewal Fund Accounts for Payment of Claims
- h. Resolution No. 551 Authorizing Signatories for Trust Fund and Renewal Fund Accounts at Santa Barbara Bank and Trust
- i. Resolution No. 552 Establishing Time and Place for Board Meetings

Director Morgan moved to approve Resolutions 544 through 552, seconded by Director Francisco.

The motion passed by a roll call vote:

Ayes: Beebe, Francisco, Hanson, Lieberknecht, Morgan

Nays: None

Absent/Abstain: None

**7. Consider Approval for Selection of Bartlett Pringle Wolf, LLP to Perform Fiscal Year 2011-2012 Audit**

Included in the board packet was an engagement letter from Bartlett Pringle Wolf, LLP to serve as the outside auditor for FY ending June 30, 2012.

Director Beebe moved to approve the selection of Bartlett Pringle Wolf, LLP to perform the Fiscal Year 2012-2013 financial audit, seconded by Director Francisco, passed 7/0/0.

**8. Consider Resolution No. 553 to Adopt a Policy, Pursuant to Government Code Section 54956.96(a), That Allows an Agency Member of COMB to Disclose in its Closed Session Confidential Information Learned by the Member Agency's Representative in a COMB Closed Session if the Matter Considered Would Have Direct Financial or Liability Implications for the Local Agency**

Director Beebe and Counsel Tony Trembley highlighted Resolution 553 for the Board. The Brown Act specifies that a Joint Powers Agency may adopt a policy authorizing the disclosure of confidential closed session information that has direct financial or liability implications to its local agency members. Approval of this Resolution by the COMB Board would allow the legislative body of a local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of COMB.

Director Beebe moved to approve Resolution 553, seconded by Director Francisco.

The motion passed by a roll call vote:

Ayes: Beebe, Francisco, Hanson, Lieberknecht, Morgan

Nays: None

Absent/Abstain: None

*At 3:23 P.M. the Board took a short break and resumed the meeting at 4:30 P.M.*

**9. Consider Approval of a Memorandum of Understanding (MOU) with the County of Santa Barbara for Proposition 84 Process Related to Integrated Regional Water Management (IRWM) Activities**

General Manager Bruce Mowry reported that the MOU sets the mutual responsibilities of the Cooperating Partners and Project Proponents in the existing comprehensive IRWM Plan. Approval of this MOU would allow COMB's continued participation in the state-wide Proposition 84 process.

Director Beebe moved approval of the Memorandum of Understanding Participation in the State-wide Proposition 84 process and related Integrated Regional Water Management Activities in Santa Barbara County in order to continue participation in the process, seconded by Director Francisco, passed 7/0/0.

*The Board next considered Item 11 then Item 10*

**10. Consider Approval of Professional Services Agreement and Scopes of Work/Task Orders for Fisheries Related Consultant Work**

Included in the board packet were the Scopes of Work and Task Orders for Fisheries related consultant work. Director Morgan requested that more detail be added to the Scopes of Work and Task Orders. He would like to work with Tim Robinson in developing these Scopes and Task Orders. The Board delayed approval at today's meeting and would consider approval at a later meeting after more detail has been added.

**11. Progress Report on Cachuma Lake Oak Tree Work Plan**

The update on the Lake Cachuma Oak Tree Restoration Program prepared by Tim Robinson was included in the board packet. He reported that COMB staff had completed the watering, weeding and general maintenance for the first three weeks of July and that an oak tree specialist has been selected to provide professional guidance for the program.

Director Beebe stated that he is still uncomfortable with the Plan and would address his concerns in a letter to COMB.

**12. Consider Approval of Comment Letter on Solvang's Water Master Plan Update DEIR**

Included in the board packet was a comment letter on COMB's position with regard to the placement of Solvang's proposed wells. Director Beebe expressed his concern that Solvang's wells do not concern COMB and the letter would be inappropriate to send.

Director Beebe moved not to send the DEIR comment letter, seconded by Director Morgan, passed 5/0/2 Director Francisco abstained.

**13. Report on Modified SCC Upper Reach Reliability Project**

The monthly report prepared by David Baum was included in the board packet. The underground pipe has been installed and backfilled except for approximately 37 feet connecting the existing pipe to the new South Portal Junction Structure. Work this last month also included construction of a structural fill slope to repair a slide along the Glen Annie Turnout access road and the construction on a gravity block retaining wall at the toe of the fill slope to provide added protection against future slides.

#### **14. Report on Permitting Status and Regulatory Compliance of Septic System Installed in the Vicinity of Modified Upper Reach Reliability Project**

General Manager Bruce Mowry reported on the permitting status and regulatory compliance of the septic system installed in the vicinity of the Modified Upper Reach Project. Mr. Mowry was directed to determine if COMB meets County Environmental Health Departments standards and report back to the Board at the August meeting. Mr. Mowry also needs to include the cost of keeping the septic tank in place, cost of adding a building for a restroom and whether it is cost effective over renting a porta-potty.

#### **15. Conveyance System Operations Program Report**

General Manager, Bruce Mowry highlighted the monthly report. The Board requested additional information on the Lauro Debris Basin water and suggested that it be a separate agenda item for the August meeting.

Director Morgan requested that Mr. Mowry prepare a paper on the clay pipes installed by USBR in various locations. Director Morgan also requested additional information on Glen Anne Reservoir including reports written in prior years. The Board also requested that Mr. Mowry complete a comprehensive Capital Improvement Program for the Boards consideration.

#### **16. Fisheries Program Report**

Tim Robinson highlighted the monthly report for the Fisheries Program. Mr. Robinson reported that the contract for Quiota Creek Crossing 7 construction and the purchase order for the bottomless arched culvert are being reviewed by legal counsel and will be brought to the COMB Board as soon as possible. The Board scheduled a Special Board meeting for Monday, August 6, 2012 at 10:00 a.m. to consider the contract, purchase order and payment of County fees for the Quiota Creek Crossing 7 Project.

#### **17. Reports From the Manager**

##### **a. Cachuma Reservoir Current Conditions**

The daily operations report for Lake Cachuma through July 18, 2012 was included in the board packet.

##### **b. Lake Cachuma Quagga Survey**

The County's summary of Aquatic Invasive Species Inspection Program for June 2012 was included in the board packet.

- c. **Laurel Canyon Neighbors Concerns and Use of COMB's Yard**  
This item was considered after Public Comment.

**18. Directors' Request for Agenda Items for Next Meeting**

Director Beebe requested an update on the Oak Tree Plan and Counsel Tony Trembley requested a report on a Brown Act Development be added to the next agenda.

**19. [Closed Session]: Conference with Legal Counsel – Anticipated Litigation**

- a. **Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (b): One case**

Tony Trembley announced that the Board would adjourn into closed session, conference with legal counsel. Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (b): one case: removal of excess fill over the South Coast Conduit at 1215 Franklin Ranch Road, Goleta, CA, landowners Jessica and Andrew Brown, County LUP Appeals Case #, 07 LUP-00000-00830.

The Board went into closed session at 6:36 p.m. and came out of closed session at 6:54 p.m. There was no action to report out of closed session.

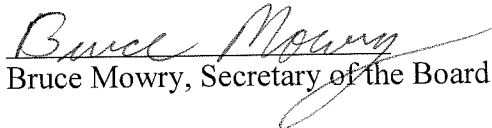
**15. Meeting Schedule**

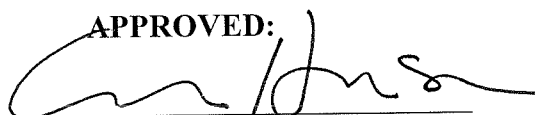
- The next regular Board meeting will be held August 27, 2012 at 2:00 P.M.
- The Agendas and Board Packets are available on the COMB website, [www.cachuma-board.org](http://www.cachuma-board.org)

**16. COMB Adjournment**

There being no further business, the meeting was adjourned at 6:54 p.m.

Respectfully submitted,

  
Bruce Mowry, Secretary of the Board

**APPROVED:**  
  
Lauren Hanson, President of the Board