

FIRST AMENDMENT
TO JOINT EXERCISE OF POWERS AGREEMENT FOR
SANTA YNEZ RIVER VALLEY BASIN CENTRAL MANAGEMENT
AREA GROUNDWATER SUSTAINABILITY AGENCY

This Agreement is made and effective as of Jan. 7, 2024²⁵ (Effective Date), pursuant to the California Joint Exercise of Powers Act (Govt. Code, §§ 6500, et seq.) by and among the City of Buellton (“Buellton”); Santa Ynez River Water Conservation District (“SYRWD” or “District”); and Santa Barbara County Water Agency (“Santa Barbara”), and is the First Amendment of that certain “Joint Exercise of Powers Agreement Santa Ynez River Valley Basin Central Management Area Groundwater Sustainability Agency dated November 28, 2023 (“JPA”).

The JPA is amended in the following:

A. Article 2.7 is amended to read as follows:

“Article 2.7 “Director(s)” and “Alternate Director(s)” means a Director, Alternate Director, or Agricultural Representative appointed by a Member or appointed by the Directors representing the Members pursuant to Articles 7.2, 7.3, and 7.8.”

B. Article 2.16 is added to read as follows:

“Article 2.16 “Agricultural Representative” means an individual appointed pursuant to Article 7.8 to serve on the Board of Directors as a non-voting member for the purpose of representing the agricultural interests within the CMA.”

C. Article 6.2(a) and (b) are amended to read as follows:

- (a) “The approval of the Board of Directors as specified in Article 11.3;”
- (b) “Amendment of the Agreement in accordance with Article 17.2; and”

D. Article 7.1 is amended to read as follows:

“Article 7.1 Formation of the Board of Directors. The CMA GSA shall be governed by a Board of Directors (“Board”). Directors shall include one representative from each of the Members identified in Article 6.1, and one Agricultural Representative appointed pursuant to Article 7.8.”

E. Article 7.2 is amended to read as follows:

“Article 7.2 Appointment of Directors. Directors shall be appointed by the representative Member’s governing body. Each Director representing a Member shall be an elected official or member of management of the appointing Member. This provision shall not be applicable to the Agricultural Representative Director position which shall be filled pursuant to Article 7.8 and subject to Article 7.9.”

F. Article 7.8 is added to read as follows:

“Article 7.8 Appointment of Agricultural Representative Director. The Agricultural Representative Director shall be appointed by the voting Directors serving pursuant to Article 7.2. Said appointment shall be made by a majority of the Board as provided for in Article 11.3(a). Upon such

an appointment, the Agricultural Representative shall serve as a non-voting member of the Board.”

G. Article 7.9 is added to read as follows:

“Article 7.9 Requirements for Agricultural Representative. The Agricultural Representative Director shall be appointed as set forth in Article 7.8 and shall serve until resignation or removal by a Supermajority Approval of the Board per Article 11.3(b). The Agricultural Representative shall serve on the Board for the purpose of representing the agricultural interests within the CMA and should be adequately qualified to represent said interests.”

G. Article 11.2 (d) is added to read as follows:

“(d) The Agricultural Representative Director position shall be non-voting.”

This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and year first above written.

CITY OF BUELLTON
A California Municipal Corporation
107 West Highway 246
Buellton, California 93427

**SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT**
P.O. Box 719
Santa Ynez, CA 93460

By: _____

(Print name) _____

City Attorney, City of Buellton

Date: _____

By: _____

(Print name) _____

Mayor, City of Buellton

Date: _____


ATTEST:

By: _____

(Print name) _____

City Clerk, City of Buellton

Date: _____

By:  _____

(Print name) Larry Lahr


(Title) President

Date: September 18, 2024

(Signatures Continued on the Following Page)

CITY OF BUELLTON
A California Municipal Corporation
107 West Highway 246
Buellton, California 93427


**SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT**
P.O. Box 719
Santa Ynez, CA 93460

By: 
(Print name) Gregory Murphy
City Attorney, City of Buellton

By: _____
(Print name) _____
(Title) _____


Date: 10/10/24

Date: _____

By: 
(Print name) DAVID E. KIMB
Mayor, City of Buellton

Date: 10/10/24

ATTEST:

By: 
(Print name) Linda Reid
City Clerk, City of Buellton

Date: 10/10/2024

(Signatures Continued on the Following Page)

SANTA BARBARA COUNTY WATER AGENCY

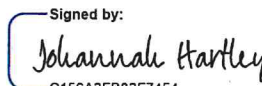
By: 
Laura Capps, Chair, Board of Directors

Date: 1-7-25

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
EX OFFICIO CLERK OF THE BOARD
OF DIRECTORS OF THE SANTA BARBARA
COUNTY WATER AGENCY

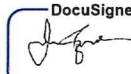
APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

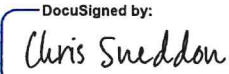
BY: 
Deputy

Signed by:

BY: C156A3EB83E7454
Deputy

APPROVE AS TO ACCOUNTING FORM:
BETSY M. SCHAFFER, CPA
AUDITOR-CONTROLLER

RECOMMENDED FOR APPROVAL:
CHRIS SNEDDON
PUBLIC WORKS DIRECTOR

DocuSigned by:

BY: 6DAAEA15904943F...
Deputy

DocuSigned by:

BY: 67CEC4FE68B848C

APPROVE AS TO FORM:
GREG MILLIGAN, ARM
RISK MANAGER

Signed by:

BY: 53A8AAB798BA4D7
Risk Manager

Santa Ynez River Valley Basin Central Management Area Groundwater Sustainability Agency Joint Exercise of Powers Agreement Amendment
January 7, 2025
Page 2 of 2

Appointment of the non-voting Director will be by a majority of the existing Board of each agency. Because this agency was formed through a JPA, any amendment must be approved by all of the member agencies.

Background:

The Sustainable Groundwater Management Act (SGMA) was signed into law in 2014. SGMA provides a framework for the sustainable management of groundwater supplies by local agencies and provides tools, authority, and a timeline for local agencies during the 20-year implementation period. SGMA requires sustainable management of the County's basins that are designated as medium- or high-priority by the California Department of Water Resources (DWR). The Santa Ynez River Valley Groundwater Basin is designated as a medium-priority basin and is subject to SGMA.

The County Water Agency (Water Agency) and its local partners created three GSAs representing the three main areas of the Basin based on jurisdictional and hydrogeological differences. The Water Agency executed Memoranda of Agreements (MOAs) to join the GSAs for the Western Management Area (WMA) and CMA on December 6, 2016. Your Board approved and authorized the execution of the JPAs for the WMA and CMA GSAs at your November 15, 2023 meeting, superseding the original MOAs.

In the CMA, the GSA includes the SYRWCD, the City of Buellton, and the Water Agency. However, because the area outside of the SYRWCD and the City of Buellton is 0.05 percent of the overall basin area, with little water use, the Water Agency continues to be a non-voting member. The JPA exempts the Water Agency from any costs other than staff participation in GSA meetings, and indemnifies the Water Agency from legal liability.

In the CMA GSA's Board of Directors, Supervisor Joan Hartmann is currently appointed as the Water Agency's representative, with Third District Representative Meighan Dietenhofer as her alternate.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

There are no fiscal impacts with the approval of the recommended actions.

Special Instructions:

Direct the Clerk of the Board to send signed original of the Amendment of the JPA and a copy of the minute order to the Water Agency, Attn: Christina Lopez.

BM on 1/14/25

Attachments:

- Attachment A - First Amendment to the Joint Exercise of Powers Agreement for the Central Management Area
- Attachment B - Copy of Joint Exercise of Powers Agreement for the Central Management Area

Authored by: Matt Young, Water Agency Manager, (805) 568-3546