

**Goleta Water District
BOARD OF DIRECTORS**



Kathleen Werner – President

Farfalla Borah – Vice President

Tom Evans - Director

Lauren Hanson - Director

Bill Rosen – Director

John McInnes – General Manager

**Regular and Special Meeting Minutes
Action Summary**

Tuesday, September 13, 2022

5:30 p.m.

BY TELECONFERENCE

Agendas, Supplemental Materials, and Minutes of the Goleta Water District Board of Directors meetings are available online at www.goletawater.com.

5:30 p.m.....Meeting convened

ROLL CALL: – President Werner; Vice President Borah; Director Evans; Director Hanson; Director Rosen

Also present were Andrew L. Jared, General Counsel; John McInnes, General Manager; David Matson, Assistant General Manager; Daniel Brooks, Engineering & Infrastructure Manager; Laura McKenzie, Administrative Manager/CFO; Tammy Gerenser, Controller; KK Holland, Principal Policy Analyst; and Mary Capps, Executive Assistant/Clerk of the Board

President Werner introduced the Board of Directors, explained the structure of the teleconference meeting and provided the public with direction for making public comments. President Werner also acknowledged the essential service that the District provides and the dedication of staff during the unprecedented times of the current public health emergency.

PUBLIC COMMENT:

None

DEPARTMENTAL AGENDA:

1) AUTHORIZING REMOTE TELECONFERENCE MEETINGS

John McInnes reported that AB 361 requires public agencies to regularly review and find an ongoing need to hold public meetings by teleconference. The District adopted Resolution 2021-23 at its October 12, 2021 meeting, which allowed its Board to continue to meet remotely, and to continue meeting remotely the Board must make the following findings by resolution every 30 days thereafter:

1. The legislative body has reconsidered the circumstances of the state of emergency; and
2. One of the following circumstances exists:
 - a. The state of emergency continues to directly impact the ability of members to meet safely in person; or
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

Given the District’s role as an essential service provider and the need to protect the health of its workforce from the highly transmissible Omicron subvariants, as well as the continued County Health recommendation regarding social distancing and holding meetings by teleconferencing, it is recommended that the Board adopt the resolution authorizing the continuation of public meetings via teleconference.

A motion was made by Director Hanson, seconded by Vice President Borah to adopt a Resolution authorizing remote teleconference meetings of the Board of Directors and its committees pursuant to Government Code Section 54953(e).

The motion carried by the following roll call vote:

Ayes: 4 – Borah, Hanson, Rosen, Werner

Nay: 1 – Evans

Resolution 2022-28 is attached to these minutes.

2) CDMWTP SOLIDS HANDLING UPGRADES

Daniel Brooks provided a presentation to the Board of Directors and reported that solids handling upgrades are needed at the Corona Del Mar Water Treatment Plant (CDMWTP). The required upgrades include a new solids drying bed and relocation of the reclaim pipeline.

Stricter trihalomethane (THM) drinking water standards, increased levels of organic matter at Lake Cachuma in recent years, and associated taste and odor complaints resulted in the use of powder activated carbon at CDMWTP in the last ten years. The addition of carbon as part of the treatment process has substantially increased production of solids to approximately five times the amount of solids produced before 2010. Construction of a third solids drying bed is needed because the existing two drying beds are now insufficient to accommodate plant flows above 14 million gallons per day (MGD) without having to haul off wet sludge at a high cost to the District.

The reclaimed water pipeline returns water from the sludge bed to a point in the treatment process that skips the addition of powder activated carbon and the addition of coagulant, which comprise most of the water treatment process. CDMWTP's operating permit issued in 2021 continues to require that reclaimed water not exceed 10% of the plant's flow. During high turbidity events, it becomes necessary for operators to empty sedimentation basins and filters to the solids handling area to avoid violating the drinking water standard for turbidity. The limited capacity of the existing facilities means that the 10% limit on reclaim may be exceeded during these events.

In accordance with District procurement requirements for public works, the District publicly advertised a Notice Inviting Bids (NIB) and directly contacted 30 contractors. The District received two sealed bids, from Blois Construction, Inc. (Blois) for \$7,456,486 and Specialty Construction, Inc. (Specialty) for \$8,329,785.

The NIB included three other solids handling upgrades: new sludge drying bed pump station, backwash basin pump station modification, and a new sludge bed overflow basin. Due to extraordinary construction cost inflation, it is recommended that the District proceed only with the two most critical elements of solids handling at this time, which are the new solids drying basin and the relocation of the reclaimed water pipeline. On this basis, the Blois bid for these bid items is \$3,867,478, which is lower than Specialty's bid of the same bid items at \$4,510,670.

Director Evans inquired about the quantifiable value of the evaporative water and a line by line comparison of the Infrastructure Improvement Plan projects planned cost vs. inflation cost to date. Director Evans also inquired if there were any legal concerns in splitting the bid. Director Evans' inquiries were addressed by Mr. Brooks and Mr. Jared.

Director Hanson inquired if the reclaimed pipeline diameter will be increased. Mr. Brooks advised that the diameter will not be increased.

Director Rosen expressed support of the project and inquired if the project was budgeted on the basis of the bid or an estimate of increased expenses. Mr. Brooks advised that projects are budgeted using a combination of approaches.

President Werner inquired if the drying beds are concrete lined. Mr. Brooks advised that the drying beds are lined with a waterproof liner and sand. President Werner inquired about the timeline of the project and if it will be in line with the solar project. Mr. Brooks advised that the project is planned to begin in the Spring of 2023 and be completed before the solar project begins.

A motion was made by Director Evans, seconded by Director Hanson, to adopt a Resolution authorizing and directing the Board President to execute a contract with Blois Construction, Inc. to perform upgrades to the Corona Del Mar Water Treatment Plant’s solids handling system.

The motion carried by the following roll call vote:

Ayes: 5 – Borah, Evans, Hanson, Rosen, Werner

Resolution 2022-29 is attached to these minutes.

3) CDMWTP BATTERY SYSTEM CONTRACT REASSIGNMENT

Daniel Brooks reported that in May 2021, the Board of Directors authorized the District’s enrollment in the California Public Utilities Commission Self-Generation Incentive Program (SGIP) to reserve an incentive to install a battery storage system at its CDMWTP and Ellwood Reservoir, and also to execute an agreement with Tesla, Inc. (Tesla) to design, install, and maintain the battery systems at no cost to the District. Tesla would be reimbursed for their costs by receiving the SGIP incentive payments. Under the agreements, Tesla was responsible for enrolling the District in the SGIP, designing the battery system, furnishing and installing all equipment, and operating and maintaining the facilities for a 10-year period.

Tesla enrolled the District’s CDMWTP in the SGIP in July 2021. Upon additional engineering review by Tesla, the costs to install and maintain a battery system at Ellwood Reservoir exceeded the \$1,000,000 incentive available, and it was removed from the project. The SGIP reserved a \$1,000,000 incentive for the CDMWTP project to expire in December 2022, with options for three 6-month extensions up until July 2024.

In November 2021, Tesla indicated that a Tesla battery had not yet been allocated to the project and that design work could not commence until a battery was allocated. In March 2022, the District expressed concern to Tesla that the project may not be successfully completed by the incentive expiration of December 2022. Tesla claimed the project could be completed in less than seven months and a battery would still be allocated.

On August 15, 2022, Tesla notified the District that a battery remained unallocated, that Tesla would no longer work on the District’s project, and therefore recommended a formal SGIP reassignment to another firm. The SGIP includes a formal path for firm reassignment, which has been performed by other customers in similar situations. The District researched and contacted three potential energy firms currently participating in the SGIP, including Golden State Renewables, TerraVerde Energy, and Scale Microgrid Solutions (“Scale”).

Based on its stated ability to supply a battery upon reassignment and readiness to design and construct the project, the District recommends its SGIP project be reassigned to Scale. Scale expressed prior interest in the District’s energy projects, including visiting CDMWTP during the District’s Net-Zero System-wide Energy Solar PPA project procurement. Scale also currently manages the most enrolled SGIP projects of any company and has allocated a battery for the District. Scale is ready to the start design and Southern California Edison interconnection permitting process immediately upon the District’s SGIP reassignment and agreement execution, which they have agreed to facilitate.

Scale will design and construct a microgrid and retrofit controls for the existing diesel generator so that the battery will be the first source of emergency backup power and then automatically switch to the diesel generator once the battery is discharged. As a result of inflation over the last year and due to the additional microgrid controls needed for switching between multiple power sources, Scale is unable to provide a project at zero cost to the District. The cost to the District will be \$16,000 per year with an annual escalation of 2.5%, which will be offset by the anticipated \$40K per year in electricity bill savings.

Director Evans inquired if the cost associated with the project can be paid up front rather than financing it over a 10-year period. Mr. Brooks advised that the financing option was recommended in order to maintain low annual expenses. Director Evans inquired about how the microgrid works, which was clarified by Mr. Brooks.

Vice President Borah expressed appreciation that staff found a solution to salvage the project and inquired if Tesla breached contract. Mr. Jared advised that Tesla potentially breached contract and that the matter can be looked into further and discussed in Closed Session if directed by the Board.

Director Hanson explained her understanding of the microgrid and inquired if it was accurate, which was confirmed by Mr. Brooks. Director Hanson inquired about the technology of the batteries and the storage capacity, which was provided by Mr. Brooks.

Director Rosen expressed concern about the different technology of the batteries. Mr. Brooks advised that the batteries to be used have a higher UL listing than the previously approved Tesla batteries.

President Werner inquired if Scale will remove the batteries after the 10-year period, which was confirmed by Mr. Brooks.

The Board asked a series of questions and stated concerns about the future contract. Mr. Jared advised that the Board's concerns will be addressed when the contract is drafted.

A motion was made by Vice President Borah, seconded by Director Evans, to adopt a Resolution authorizing and directing the Board President to execute an agreement with Scale Microgrid Solutions LLC for a battery storage system at Corona Del Mar Water Treatment Plant and to terminate agreements with Tesla, Inc.

The motion carried by the following roll call vote:

Ayes: 4 – Borah, Evans, Hanson, Werner

Abstain: 1 – Rosen

Resolution 2022-30 is attached to these minutes.

4) 2023 SAFE POTABLE WATER ALLOCATION

Ryan Drake reported that every year, the Goleta Water District (District) Board of Directors identifies the amount of potable water available for new or additional service, consistent with the SAFE Water Supplies Ordinance passed by voters in 1991 and amended in 1994 (SAFE). SAFE authorizes the release of up to 1% of total available water supply for new or additional service in years when all of the following conditions are met:

- The District is receiving 100% of its normal Cachuma Project deliveries.
- The District has met its legal obligations pursuant to the Wright Suit.
- The District is not rationing water.
- The District has met its obligation to make its Annual Storage Commitment to the Drought Buffer.

The United States Bureau of Reclamation has yet to notify the District of its annual allocation amount for the upcoming Water Year 2022-23. Typically, the District receives notification of its annual allocation no later than August prior to the upcoming Water Year in October. Based upon the amount of unallocated water available in Cachuma, the District expects USBR to grant the District 15% of its normal Cachuma deliveries; less than the 100% allocation required by SAFE. Therefore, per SAFE, no potable water for new or additional service connections can be released.

A motion was made by Vice President Borah, seconded by Director Evans, to adopt a Resolution establishing the allocation of potable water for new or additional service connections in 2023.

The motion carried by the following roll call vote:

Ayes: 5 – Borah, Evans, Hanson, Rosen, Werner

Resolution 2022-31 is attached to these minutes.

5) COMB REPORT

Received a report from Director Hanson on the activities of the Cachuma Operation and Maintenance Board (COMB) for August 2022.

6) CCRB REPORT

Received a report from Director Hanson on the activities of the Cachuma Conservation Release Board (CCRB) for August 2022.

7) CCWA REPORT

Received a report from Vice President Borah on the activities of the Central Coast Water Authority (CCWA) for August 2022.

8) GOLETA SANITARY DISTRICT REPORT

Received a report from Director Evans on the activities of the Goleta Sanitary District for July 2022.

9) SANTA BARBARA COUNTY SPECIAL DISTRICTS ASSOCIATION REPORT

Received a report from Director Evans on the activities of the Santa Barbara County Special Districts Association for July 2022.

10) FUTURE MEETING AGENDA ITEMS

Director Borah requested that the Tesla, Inc. contract be discussed in Closed Session.

CONSENT AGENDA:

CA-1) MINUTES OF THE BOARD OF DIRECTORS AUGUST 9, 2022 MEETING

CA-2) DESIGNATED POSITIONS REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST

CA-3) PAST DUE ACCOUNTS RECEIVABLE REPORT – JULY 31, 2022

CA-4) INVESTMENT REPORT – JULY 31, 2022

CA-5) ADMINISTRATION COMMITTEE REPORT

CA-6) WATER MANAGEMENT AND LONG RANGE PLANNING COMMITTEE REPORT

CA-7) PUBLIC INFORMATION COMMITTEE REPORT

A motion was made by Director Rosen, seconded by Vice President Borah, to approve the consent agenda.

The motion carried by the following roll call vote:

Ayes: 5 – Borah, Evans, Hanson, Rosen, Werner

Ordinance 2022-04 is attached to these minutes.

6:47 p.m.....Meeting adjourned

MINUTES PREPARED BY:

MARY CAPPS
ASSISTANT SECRETARY

DATE APPROVED:

ATTEST:

JOHN MCINNES
SECRETARY

KATHLEEN WERNER
PRESIDENT

RESOLUTION NO. 2022-28

Introduced by the Administration Committee

A RESOLUTION OF THE GOLETA WATER DISTRICT BOARD OF DIRECTORS AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS AND ITS COMMITTEES PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, the Goleta Water District (District) is committed to preserving public access and participation in meetings of the Board of Directors; and

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2 that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees or to its employees.

WHEREAS, such conditions now exist in the District, and the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the County Public Health Officer continues to recommend social distancing and holding meetings by teleconference, and meeting in person would present imminent risk of health and safety of attendees; and

WHEREAS, the District has undertaken significant measures to protect the health and safety of its workforce and ensure the continued delivery of essential lifeline water service, including closing its facilities to the public and requiring staff able to perform work from remote to do so; and

WHEREAS, the District adopted Resolution No. 2021-23 on October 12, 2021 finding that the requisite conditions exist for the District to conduct teleconference meetings under California Government Code section 54953(e); and

WHEREAS, the District has adopted resolutions each month since October 2021 continuing to find that the requisite conditions exist to conduct teleconferenced meetings; and

WHEREAS, the District desires to hold and continue holding its public meetings by teleconference consistent with Government Code section 54953(e); and

WHEREAS, the Board of Directors does hereby find that the legislative bodies of the Goleta Water District conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code

section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW THEREFORE BE IT FOUND, DETERMINED AND RESOLVED by the Board of Directors of the Goleta Water District as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions for Initial Teleconferencing Meeting are Met. The Board of Directors found on October 12, 2021 and hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code section 8625, which remains in effect.
2. Local officials have recommended measures to promote social distancing.
3. The legislative body has determined that, as a result of the state of emergency, meeting in person would present imminent risks to the health or safety of attendees or its employees.

Section 3. Conditions for Continued Teleconferencing Meeting are Met. This Resolution is also adopted in the spirit of continuing the findings made in Resolution No. 2021-23. In keeping with Resolution No. 2021-23 and Section 2 above, the Board of Directors hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The Board of Directors has reconsidered the circumstances of the state of emergency declared by the Governor on March 4, 2020, which remains in effect.
2. The state of emergency continues to directly impact the ability of members of the Board of Directors to meet safely in person.
3. Local officials continue to recommend measures to promote social distancing.

Section 4. Public meetings of the Board of Directors and its Committees shall continue by teleconference for the next 30 days.

PASSED AND ADOPTED by the Board of Directors of the Goleta Water District this 13th day of September, 2022, by the following roll call vote:

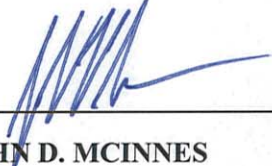
AYE: Borah, Hanson, Rosen, Werner

NAY: Evans

ABSENT:

ABSTAIN:

ATTEST:



**JOHN D. MCINNES
DISTRICT SECRETARY**



**KATHLEEN WERNER, PRESIDENT
BOARD OF DIRECTORS**

RESOLUTION NO. 2022 – 29

Introduced by Water Management and Long Range Planning Committee

RESOLUTION NO. 2022-29

A RESOLUTION OF THE GOLETA WATER DISTRICT BOARD OF DIRECTORS AUTHORIZING AND DIRECTING THE BOARD PRESIDENT TO EXECUTE A CONTRACT WITH BLOIS CONSTRUCTION, INC.

WHEREAS, the Goleta Water District issued a Notice Inviting Bids seeking a qualified contractor to perform the Corona Del Mar Water Treatment Plant Solids Handling Upgrades Project (“Project”);

WHEREAS, the bid submitted by Blois Construction, Inc. (“Blois Bid”) was the lowest responsive bid conforming to the requirements specified in the Notice Inviting Bids;

WHEREAS, the Blois Bid did not provide hourly rates for its personnel;

WHEREAS, Blois Construction, Inc. provided hourly rates for its personnel prior to contract award;

WHEREAS, the Blois Bid irregularities did not provide an unfair advantage to Blois Construction, Inc.;

WHEREAS, District Code Section 2.12.050(E) authorizes the Board waive any bid irregularities;

WHEREAS, the work to be constructed is limited to the repair and replacement of existing facilities exempt under the California Environmental Quality Act (“CEQA”); and

WHEREAS, District Code Section 2.12.090 authorizes the Board President to execute contracts for such purposes, within the limits authorized by the Board of Directors.

NOW THEREFORE BE IT FOUND, DETERMINED AND RESOLVED by the Board of Directors of the Goleta Water District as follows:

1. The Board finds that the project to be undertaken is exempt from CEQA as operation and maintenance of an existing facility under California Code of Regulations, Title 14, Section 15301.
2. The Board President is hereby authorized and directed to enter into a contract with the following vendor for the purpose(s) listed below:
 - a. NAME OF VENDOR: Blois Construction, Inc.

b. WORK, SERVICES OR GOODS TO BE PROVIDED: CDMWTP solids handling upgrades including redeveloping existing sludge bed 3 into a sludge drying bed and relocating and installing the reclaim water pipeline.

c. CONTRACT AMOUNT BEING AUTHORIZED: Not to exceed \$4,252,026

3. The contract shall be in such form as approved by Counsel.

4. This resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Goleta Water District this 13th day of September, 2022 by the following roll call vote:


AYE: Borah, Evans, Hanson, Rosen, Werner

NAY:

ABSENT:

ABSTAIN:

ATTEST:



JOHN D. MCINNES
DISTRICT SECRETARY



KATHLEEN WERNER, PRESIDENT
BOARD OF DIRECTORS

RESOLUTION NO. 2022-30

A RESOLUTION OF THE GOLETA WATER DISTRICT BOARD OF DIRECTORS AUTHORIZING AND DIRECTING THE BOARD PRESIDENT TO EXECUTE AGREEMENT WITH SCALE MICROGRID SOLUTIONS LLC FOR A BATTERY STORAGE SYSTEM

WHEREAS, the Goleta Water District (“District”) enrolled in the California Self-Generation Incentive Program (“Program”) offered by the California Public Utilities Commission’s (“CPUC”); and

WHEREAS, the District’s Corona Del Mar Water Treatment Plant are critical infrastructure and are eligible sites under the Program; and

WHEREAS, the District was approached by Tesla, Inc. (“Tesla”) who would design, furnish, install, operate, and maintain battery systems at the District’s Corona Del Mar Water Treatment Plant (“Project”); and

WHEREAS, the District entered into agreements with Tesla in May 2021 to design, construction, installation and maintenance of the battery systems at no cost to the District given CPUC’s Program; and

WHEREAS, Tesla notified the District on August 16, 2022 they would no longer be able to successfully complete the Project; and,

WHEREAS, to maintain its incentive reservation in the Program, the District must undergo a reassignment to a different firm; and

WHEREAS, the District approached Scale Microgrid Solutions to design, construct, install and maintain the Project at no cost to the District and assist in the District’s Program reassignment; and

WHEREAS, Scale Microgrid Solutions has successfully completed similar projects in the Program; and

WHEREAS, Scale Microgrid Solutions battery systems would provide electrical power during peak hours and during times of power outages; and

WHEREAS, District Code Section 2.12.035.C allows execution of contracts in advance to acquire purchases “without competitive bidding because of unique circumstances;”

WHEREAS, further delay may result in the loss of the CPUC Program incentive up to \$1M;

WHEREAS, the work to be constructed is limited to the installation of batteries and conversion of small structures at existing facilities exempt under the California Environmental Quality Act ("CEQA").

NOW THEREFORE BE IT FOUND, DETERMINED AND RESOLVED by the Board of Directors of the Goleta Water District as follows:

1. The Board finds that the project to be undertaken is exempt from CEQA as new construction or conversion of small structures under California Code of Regulations, Title 14, Section 15303(d).
2. The Board President is hereby authorized and directed to enter into agreement with the following vendor for the purpose(s) listed below:
 - a. NAME OF VENDOR: Scale Microgrid Solutions LLC
 - b. WORK, SERVICES OR GOODS TO BE PROVIDED: Design, furnish, install, operate, and maintain battery systems at Corona Del Mar Water Treatment Plant
 - c. CONTRACT AMOUNT BEING AUTHORIZED: \$16,000 per year plus 2.5% annual escalation.
3. The contract shall be in such form as approved by Counsel.
4. The Board President is hereby authorized and directed to terminate agreements with Tesla, Inc.
5. This resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Goleta Water District this 13th day of September 13, 2022 by the following roll call vote:

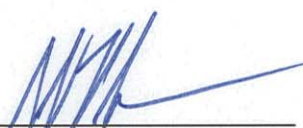
AYE: Borah, Evans, Hanson, Werner

NAY:

ABSENT:

ABSTAIN: Rosen

ATTEST:



JOHN D. MCINNES
DISTRICT SECRETARY



KATHLEEN WERNER, PRESIDENT
BOARD OF DIRECTORS

RESOLUTION NO. 2022-31

Introduced by the Water Management and Long Range Planning Committee

A RESOLUTION OF THE GOLETA WATER DISTRICT
BOARD OF DIRECTORS ESTABLISHING THE ALLOCATION
OF POTABLE WATER FOR NEW OR ADDITIONAL SERVICE
CONNECTIONS IN 2023

WHEREAS, Goleta Water District (District) voters approved participation in the State Water Project through adoption of Goleta Water District Ordinance 91-01 SAFE Water Supplies Ordinance in 1991 (SAFE Ordinance); and

WHEREAS, in November 1994, the voters in the District approved an amendment to the SAFE Ordinance which included the authority to acquire additional entitlement to the State Water Project; and

WHEREAS, in order to comply with the SAFE Ordinance, the District must determine the amount of water available for allocation in calendar year 2023; and

WHEREAS, the SAFE Ordinance prohibits the District from providing new or additional potable water service connections unless certain conditions set forth in Section 4 of the SAFE Ordinance (Conditions) are met; and

WHEREAS, one of the conditions that must be met is that the District is receiving 100% of its deliveries normally allowed from the Cachuma Project; and

WHEREAS, the current total potable water supplies of the District from Lake Cachuma for the 2022-23 Water Year is projected to be 7,907 AF of carryover water from prior Water Years, and the United States Bureau of Reclamation (USBR) has informed the District that it will receive less than 100% of its entitlement for the 2022-23 Water Year; and

WHEREAS, the District currently plans to produce approximately 3,404 AF of groundwater in Water Year 2022-23, and is unable to make any commitment to the Drought Buffer under the SAFE Ordinance; and

WHEREAS, since two of the conditions under the SAFE Ordinance are not currently met, the District cannot currently authorize the release of potable water supply for new or additional service connections.

NOW THEREFORE BE IT FOUND, DETERMINED AND RESOLVED by the Board of Directors of the Goleta Water District as follows:

1. The District is unable to allocate any potable water for new or expanded water service in calendar year 2023, pursuant to the directives of the SAFE Ordinance.

2. The adoption of this resolution is not a project subject to the California Environmental Quality Act (CEQA) because it does not involve the exercise of discretion by the District.

3. The Board of Directors hereby finds that the foregoing is true and correct.

4. This resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Goleta Water District this 13th day of September, 2022 by the following roll call vote:

AYE: Borah, Evans, Hanson, Rosen, Werner

NAY:

ABSENT:

ABSTAIN:

ATTEST:



JOHN D. MCINNES
DISTRICT SECRETARY



KATHLEEN WERNER, PRESIDENT
BOARD OF DIRECTORS

Ordinance No. 2022-04
Introduced by the Administration Committee

ORDINANCE NO. 2022-04

**AN ORDINANCE OF THE GOLETA WATER DISTRICT BOARD OF DIRECTORS
AMENDING CHAPTER 2.04.030 OF THE GOLETA WATER DISTRICT CODE**

FINDINGS

1. Chapter 2.04.020 of the Goleta Water District Code (Code) requires Directors and designated employees who make or participate in the making of decisions which may foreseeably have a material effect on economic interests to file Statements of Economic Interest.
2. Chapter 2.04.030A specifies a list of designated positions that are required to file a Statement of Economic Interest.
3. The Board of Directors desires to amend the list to include current District positions that participate in decision-making activities that may have a material effect on economic interests.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE GOLETA
WATER DISTRICT:**

Section 1: Chapter 2.04.030 of the Goleta Water District Code is amended as follows:

“2.04.030 Designated Positions

A. Persons occupying the following designated positions must file Statements of Economic Interests on forms of the FPPC, and make those disclosures consistent with 2 Cal. Code of Regs. 18730, et seq.

District Directors
General Manager
Assistant General Manager
Executive Assistant/Clerk of the Board
Attorney
Administrative Manager/CFO
Controller
Engineering & Infrastructure Manager
Operations Supervisor
Treatment Supervisor
Engineering Supervisor
Water Supply & Conservation Manager

Each of the above positions must make a Statement of Economic Interests for each of the Categories of Disclosure set forth in Appendix D to this Code. The Board may require different levels of disclosure for consultant and other persons employed by the District.

“B. Additional position may be designated by the Board of Directors by resolution or ordinance when it has been determined that persons in these additional positions make or participate in the making of decisions which may foreseeably have a material effect on economic interests.”

Section 2:

This Ordinance shall be effective as of the date of adoption by the Board of Directors.

Section 3:

If any subdivision, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this Ordinance or of any other provisions of the Goleta Water District Code. It is the District's express intent that each portion of this Ordinance would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

PASSED AND ADOPTED by the Board of Directors of the Goleta Water District this 13th day of September 2022 by the following roll call vote:

AYE: Borah, Evans, Hanson, Rosen, Werner

NAY:


ABSENT:

ABSTAIN:

ATTEST:



JOHN D. MCINNES
DISTRICT SECRETARY



KATHLEEN WERNER
PRESIDENT
BOARD OF DIRECTORS