



BOARD OF SUPERVISORS AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: PW/Water Agency
Department No.: 054
For Agenda Of: May 6, 2025
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Water Agency

FROM: Department Chris Sneddon, Public Works Director, (805) 568-3010
Director(s)
Contact Walter Rubalcava, Deputy Director – Water Resources, (805) 568-3436
Info:

SUBJECT: First Amendment to the Joint Exercise of Powers Agreement of the Carpinteria Groundwater Sustainability Agency, 1st Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Directors:

- a) Approve and authorize the Chair to execute the First Amendment to the Joint Exercise of Powers Agreement for the Carpinteria Groundwater Sustainability Agency; and
- b) Determine that these actions are not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(5), as it is an administrative action that will not result in direct or indirect changes to the environment, and 15306 as information collection which does not result in serious or major disturbance to an environmental resource.

Summary Text:

This item is on the agenda to approve and authorize the Chair to execute the First Amendment to the Joint Exercise Powers Agreement (JPA) for the Carpinteria Groundwater Sustainability Agency (CGSA) (Attachment A). The original JPA is included as Attachment B.

The primary purpose of this amendment is to revise certain quorum, unanimity, and hearing requirements of the JPA, which have impeded the Board's ability to adequately govern the CGSA. Specifically, the Board and the Members wish to further define items that require a supermajority vote of the Board to pass to include the following:

- (a) Approval of the Agency's annual budget and amendments to the annual budget;
- (b) Adoption and approval of a GSP and any amendments or modifications thereto;
- (c) Decisions related to the levying of taxes, assessments, regulatory fees, or other fees and charges, and any amendments thereto;
- (d) Any capital expenditure in the amount of \$250,000 or greater;
- (e) Issuance of bonds or other indebtedness;
- (f) The initiation, defense or settlement of litigation;
- (g) Decisions related to Basin boundary adjustments;
- (h) Any decision that seeks to enforce the involuntary curtailment of water use by any groundwater user within the Basin.

The Board and the Members also wish to correct an improper reference in Section 14.4 of the Agreement regarding the issuance of indebtedness, which is stricken and restated pursuant to the requirements of Section 9.3.1 of the amended Agreement and amend the voting requirement to supermajority. Because this agency was formed through a JPA, any amendment must be approved by all 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 Carpinteria Groundwater Basin was originally designated as a low-priority basin by the DWR. Following a basin reprioritization process in 2019, it was reclassified as a high-priority basin, subject to SGMA.

In January 2020, the CGSA was formed through the execution of a Joint Exercise of Powers Agreement by the Carpinteria Valley Water District (CVWD), the County of Santa Barbara Water Agency, the City of Carpinteria, and the County of Ventura. The majority of the Basin within the County of Santa Barbara falls within the CVWD Boundary, which has been monitoring and managing groundwater for many years.

The voting structure of the CGSA is similar to two of the GSAs in the Santa Ynez River Valley Groundwater Basin, where the Water Agency elected not to have a voting seat because most of the GSA area is represented by other agencies. The JPA exempts the Water Agency from any costs other than staff participation in GSA meetings and indemnifies the Water Agency from legal liability.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

There are no fiscal impacts associated with the recommended actions. Participation costs are limited to existing staff time and are covered within the Water Agency's approved budget.

Special Instructions:

Direct the Clerk of the Board to email a signed copy of the signature page of the First Amendment and minute order to Christina Lopez at clopez@countyofsb.org.

Attachments:

Attachment A - First Amendment to the Joint Exercise of Powers Agreement for the Carpinteria
Groundwater Sustainability Agency
Attachment B - Copy of Joint Exercise of Powers Agreement for the Carpinteria Groundwater
Sustainability Agency

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