

**MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CARPINTERIA VALLEY WATER DISTRICT**

**December 9, 2009**

President Lemere called the regular meeting of the Board of Directors of Carpinteria Valley Water District to order at 5:32 p.m. Wednesday, December 9, 2009, held at Carpinteria City Hall Chamber, and led the Board and others present in the Pledge of Allegiance.

Directors Present: Lemere, Lieberknecht, Van Wingerden, , Roberts, Drain

Directors Absent:

Others Present: Charles Hamilton

Bob McDonald

Omar Castro

Mark Manion

Lea Vega

**MINUTES**

Following discussion, Director Van Wingerden moved and Director Roberts seconded the motion to approve the minutes of the November 18, 2009 Board meeting. The motion carried by a 5-0 vote.

**PUBLIC FORUM**

No one from the public addressed the Board.

**OLD BUSINESS**

**RESOLUTION NO. 894  
AUTHORIZING THE  
ISSUANCE OF BONDS  
BY THE CACHUMA  
OPERATION AND  
MAINTENANCE  
BOARD AND  
AUTHORIZING  
CERTAIN OTHER  
ACTIONS**

General Manager Hamilton explained the purpose of Resolution 894, necessary for COMB to issue revenue bonds for COMB's Second Barrel Project. He noted that the Resolution does not conflict with the District's decision not to participate in the COMB bond funding. He also noted that the Resolution authorizes other actions by the Board President and Secretary including an indemnification agreement holding this District harmless from all costs associated with the COMB Revenue Bond issue. Following discussion Director Roberts moved and Director Drain seconded the motion to adopt Resolution No. 894.

Roll call on Resolution No. 894 resulted in adoption as follows:

Ayes: Roberts, Van Wingerden, Lieberknecht, Lemere, Drain

Nayes: None

Absent: None

**CONTRACT METER  
READING - STATUS**

Operations & Maintenance Manager Omar Castro provided the Board with an update on the status of contract meter reading, noting that it would begin during the week of December 21. He presented a bright yellow vest that will be worn by the contract meter readers, and answered questions from the Board.

**NEW BUSINESS**

**REPORT OF RATE &  
BUDGET  
COMMITTEE  
MEETING HELD AT  
NOON ON  
DECEMBER 9, 2009**

Mr. Hamilton provided an overview of the item about participation in the Cachuma Conservation Release Board (CCRB), discussed by the Rate & Budget Committee earlier in the day. He proposed that the Board authorize preparation of a notice to withdraw from the CCRB as a cost cutting measure. He noted that he could not provide an estimate of how much cost would be saved due to the complexity of the budgeting and accounting of the interrelated CCRB and Cachuma Operations and Maintenance Board (COMB) activities. He also noted that this action would not imply any less interest on the part of the District to protect its Cachuma water rights, just a different less costly way to do it. Discussion followed a motion by Director Drain to authorize a letter of notice of withdrawal, seconded by Director Roberts. The motion was then withdrawn by Director Drain as seconded by Director Roberts, and Mr. Hamilton was directed by President Lemere to prepare additional information about the effects of such a decision, a draft letter of withdrawal, and to obtain an opinion from special counsel Kathy Stone as to the legality of such an action.

**WHITAKER  
CONTRACT FOR  
CONSTRUCTION OF  
WATER AND  
RELATED  
FACILITIES TO  
SERVE (RMA)  
RANCHO MONTE  
ALEGRE**

Mr. Hamilton reported that as of this evening, the required funds deemed necessary for the District to extend the Whitaker contract for work on Rancho Monte Alegre were not in the necessary account. He then requested that any further consideration of the matter be postponed to the Board meeting on December 16, 2009. President Lemere asked what recommendation he might have if by then the funds were not on deposit and Mr. Hamilton suggested tht it would be to terminate the contract. President Lemere directed that the matter be re-scheduled for consideration at the December 16, 2009 Board meeting.

**CLOSED SESSION:  
CONFERENCE WITH  
LABOR  
NEGOTIATOR  
PURSUANT TO  
GOVERNMENT  
CODE SECTION  
54957.6**

Pursuant to Government Code Section 54956(a), Conference with Labor Negotiator, President Lemere convened the Board in closed session at 6:15 p.m. The District negotiator is Jeffery A. Dinkin. The Employee Organization is the International Union of Operating Engineers, Local 12.

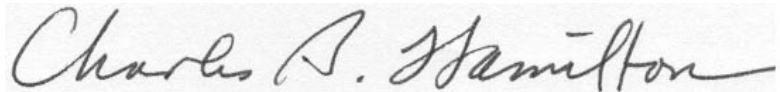
At 7:15 p.m. President Lemere convened the Board back in open session and reported that direction was given to District negotiator Jeffery A. Dinkin.

**NEXT MEETING**

The next scheduled Board meeting will be a regular Board meeting held on December 16, 2009, at 4:00 p.m. in the Board meeting room at 1301 Santa Ynez Avenue.

**ADJOURNMENT**

President Lemere declared the meeting adjourned at 7:16 p.m.



Charles B. Hamilton, General Manager/Secretary