

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

February 8, 2012

President Van Wingerden called the regular meeting of the Board of Directors of the Carpinteria Valley Water District at City Hall to order at 5:30 p.m. Wednesday, February 8, 2012, and led the Board and others present in the Pledge of Allegiance.

Directors Present: Van Wingerden, Lieberknecht, Roberts, Orozco, Brown

Others Present: Charles Hamilton

Roger Myers

Katherine Stone

Michael Lunsford

Christina McGinnis

David Moore

David Morris

Miguel Checa

Vera Bensen

Ann Bardach

Peter Tatikian

Sandy Lejeune

Lea Boyd

Sonia Fernandez

Alex Keuper

Cathy Adams

MINUTES

Following discussion, Director Orozco moved and Director Lieberknecht seconded the motion to approve the Minutes of the January 25, 2012 Board meeting with the dates of the Water Education Foundation's "Water 101 Basics and Beyond course at UC Davis corrected to read February 23-24, 2012. The motion carried unanimously.

PUBLIC FORUM

Miguel Checa submitted a copy of the Fall 2010 CVAction, the newsletter of the Carpinteria Valley Association. He called attention to the article "Why is the Water District a Hot Issue?" and advocated maximum use of the District's website to disseminate information.

Vera Bensen spoke about a rumor regarding the Carpinteria and Montecito Water Districts suing the law firm of Price, Postel & Parma. The Board's General Counsel, Roger Myers, stated that this lawsuit was filed jointly by Carpinteria and Montecito Water Districts and is now a matter of public record. A copy of the Complaint is on file at the Superior Court of Santa Barbara. He also noted that this matter could be agendaized for the next Board Meeting.

Ann Bardach addressed the Board about various concerns related to Price Postel & Parma, including alleged conflict of interest matters, as well as concerns about the need for the District to take cost cutting measures to reduce the pressure on water rates.

**STRATEGIC WATER
MANAGEMENT
COMMITTEE
MEETING, JANUARY
13, 2012**

Directors Roberts and Brown provided verbal reports on the Strategic Water Management Committee meeting held on January 13, 2012, noting that there are action items to follow on the agenda.

**CACHUMA
OPERATION AND
MAINTENANCE
BOARD (COMB),
JANUARY 23, 2012**

Director Lieberknecht gave a verbal report about the COMB meeting held on January 23, 2012.

**INDEPENDENT
SPECIAL DISTRICTS
SELECTION
COMMITTEE
MEETING, JANUARY
23, 2012**

President Van Wingerden gave a verbal report about the Independent Special Districts Selection Committee meeting held on January 23, 2012.

**CENTRAL COAST
WATER AUTHORITY
BOARD MEETING,
JANUARY 26, 2012**

President Van Wingerden gave a verbal report about the Central Coast Water Authority Board meeting held on January 26, 2012.

**TELEVISED BOARD
MEETINGS**

General Manager Hamilton introduced this agenda item. He reported that that reason for the January 25, 2012 Board meeting not being televised stemmed from his preparation of the agenda, mistakenly showing it to held in the District Board Room on 1301 Santa Ynez Avenue instead of at City Hall. This mistake was not identified until about a half hour before Board meeting was to begin, and the meeting was then held as noticed in the District Board room where there is no television capability. Following discussion Director Brown moved and Director Orozco seconded the motion that the Board hold all Board meetings at City Hall, except when special circumstances preclude that from happening. The motion carried by a 5-0 vote.

**SALE AND/OR
TRANSFER OF UP TO
1,000 AF OF DISTRICT
STATE WATER
ALLOTMENT**

General Manager Hamilton gave a detailed PowerPoint presentation regarding the District's acquisition, use, sale, transfer, banking and costs of its annual allotment of 2,000 acre feet of State Water.

Michael Lunsford, President of the Gaviota Coast Conservancy, submitted a letter dated February 8, 2012 to the Board president and other members of the Board and addressed the Board in opposition to the District's possible sale of State Water allotment to Coastal Management Resources

(CMR) representing Bixby Ranch. He noted that adequate environmental review would be necessary.

Sandy Lejeune, Chair of Surfriders Association addressed the Board with concerns about the integrity and preservation of the Gaviota Coast. He encouraged the District to go no further in its discussions with CMR to sell State Water.

A discussion ensued as to whether Mr. Hamilton should continue discussions with CMR without an executed Processing Agreement and accompanying cash deposit enabling the District to be reimbursed for any out of pocket consultant or legal costs in working with CMR relative to a State Water sale or transfer. President Van Wingerden stated that if CMR is truly serious they would pay a deposit, and Director Lieberknecht concurred.

Special Counsel Katherine Stone stated that there will likely be at least one lawsuit in connection with CMR and would not advise the District to proceed with a sale or transfer agreement that does not provide for full indemnification by CMR of the District, ensuring that the District be reimbursed for all relevant legal fees.

Following discussion, Director Roberts moved and Director Lieberknecht seconded the motion that the General Manager be authorized to confer with CMR, or any other potential buyer, without spending District funds on legal counsel or consultants. The motion carried by a 5-0 vote.

Following discussion, Director Roberts moved and Director Lieberknecht seconded the motion to authorize General Manager Hamilton to send a letter to Bill Brennan, Executive Director of the Central Coast Water Authority, requesting assistance to sell or transfer up to 1,000 AF of the district's Table A State Water Allotment. The motion carried by a 5-0 vote.

**LETTER FROM LEE
PATTON OF JOINT
POWERS INSURANCE
AUTHORITY (JPIA)**

Mr. Hamilton informed the Board that the letter enclosed in the packet from Lee Patton of the JPIA was for informational purposes only, and noted that Mr. Patton was grateful for the District hosting important training sessions conducted by the JPIA.

**ADOPTION OF
RESOLUTION NO. 931
ESTABLISHING
MONEY MARKET AND
CHECKING ACCOUNTS
FOR THE DISTRICT'S
RANCHO MONTE
ALEGRE PROJECT
PHASE 4A**

Following an introduction by Mr. Hamilton and discussion about the need for an interest bearing money market account and a separate checking account for funds provided by Rancho Garrison to the District for purposes of the Rancho Monte Alegre Project Phase 4A, Director Lieberknecht moved and Director Roberts seconded the motion to approve draft Resolution No. 931.

Roll call on Resolution No. 931 resulted as follows:

Ayes: Van Wingerden, Roberts, Lieberknecht, Orozco, Brown
Nays: None

Resolution No. 931 was adopted unanimously.

**ITEMS FOR AGENDA
FOR NEXT REGULAR
BOARD MEETING ON
FEBRUARY 22, 2012**

Items for the next meeting agenda will include the Complaint lodged against Price, Postel & Parma and a report of the ad hoc Communications Committee.

**CLOSED SESSION:
CONFERENCE WITH
LABOR NEGOTIATOR**

At 6:56 p.m. President Van Wingerden announced that the Board was adjourned to go into Closed Session as follows: Conference with Labor Negotiator Pursuant to Government Code Section 54957.6. District Negotiator: Jeffery A. Dinkin; Employee Organization: International Union of Operating Engineers, Local 12.

At 7:29 p.m. President Van Wingerden reconvened the Board in Open Session and announced that no action was taken.

**ADJOURNMENT OF
REGULAR MEETING**

President Van Wingerden adjourned the Board meeting at 7:29 p.m.


Charles B. Hamilton, General Manager/Secretary