

**MINUTES
REGULAR MEETING OF
THE BOARD OF DIRECTORS**

**CARPINTERIA VALLEY WATER DISTRICT
1301 SANTA YNEZ AVENUE, BOARD ROOM
CARPINTERIA, CALIFORNIA**

APRIL 25, 2012 AT 5:30 P.M.

President Van Wingerden called the Regular Meeting of the Board of Directors of the Carpinteria Valley Water District at the CVWD Board Room to order at 5:3 p.m., Wednesday, April 25, 2012, and led the Board and others present in the Pledge of Allegiance.

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

Directors Absent: None

Others Present: Charles Hamilton
Roger Myers
Robert McDonald
Omar Castro
Alex Keuper
Cathy Adams

The following individuals arrived at the
Council Chambers at 5:36 p.m.:

Shirley Johnson
Miguel Checa
Ann Bardach Lesser
Robert Lesser
Pati Kern
Geoffrey Stearns
David Morris
Andrew Pheffer
Carol Lee Kreiger
Antoinette Chartier
Vera Bensen

PUBLIC FORUM

No one from the public addressed the Board.

**APPROVAL OF MINUTES OF
APRIL 18, 2012**

Following discussion, Director Lieberknecht moved and Director Orozco seconded the motion to approve the Minutes of the April 18, 2012 Regular Board Meeting. The motion carried by a 5-0 vote.

**MONTHLY BILLS PRESENTED
TO THE BOARD AS FINANCE
COMMITTEE**

Following discussion, Director Roberts moved and Director Lieberknecht seconded the motion to approve the monthly bills for the period from March 21, 2012 through April 17, 2012. The motion carried by a 5-0 vote.

GENERAL MANAGER REPORTS

Following discussion, Director Roberts moved and Director Orozco seconded the motion to approve the General Manager Reports. The motion carried by a 5-0 vote.

ASSOCIATION OF WATER AGENCIES OF VENTURA COUNTY ANNUAL WATER SYMPOSIUM, APRIL 19, 2012

Director Orozco gave a verbal report on the Association of Water Agencies Annual Water Symposium that he and General Manager Hamilton attended on April 19, 2012.

RATE & BUDGET COMMITTEE MEETING, APRIL 19, 2012

Directors Orozco and Roberts gave verbal reports on the Rate and Budget Committee Meeting of April 19, 2012.

CACHUMA OPERATION AND MAINTENANCE BOARD MEETING, APRIL 23, 2012

Director Roberts gave a verbal report on the Cachuma Operation and Maintenance Board meeting of April 23, 2012.

GENERAL MANAGER AND DIRECTOR ATTENDANCE AT THE JPIA AND ACWA SPRING CONFERENCES IN MONTEREY, MAY 7 – 11, 2012

General Manager Hamilton reported that he recently learned that the account for conferences and training would be significantly over budget if all three Directors and General Manager attended as planned. He apologized for having previously informed the Board on April 18 that there would be adequate funds in this account for all Directors and the General Manager to attend. He further reported that upon receiving this news from the General Manager Director Lemere decided not to attend either the JPIA or the ACWA Conferences.

DIRECTOR APPOINTMENT TO JOINT POWERS INSURANCE AUTHORITY

President Van Wingerden appointed Director Lieberknecht to be the District's Joint Powers Insurance Authority representative, replacing Director Lemere who would not be attending the JPIA meeting.

AMENDMENT NO. 1 TO THE CONSTRUCTION PERMIT ISSUED BY THE CARPINTERIA VALLEY WATER DISTRICT FOR CONSTRUCTION OF PHASE 5 RMA ACCESS ROAD AND PIPELINES PROJECT

District Engineer Robert McDonald gave a detailed PowerPoint presentation on Phase 5 of the Rancho Monte Alegre Project, explaining the need for an amendment to the District issued construction permit. Following discussion, Director Lemere moved to approve Amendment No. 1 to the Construction Permit issued by the District for construction of Phase 5 RMA Access Road and Pipelines Project. Director Roberts seconded the motion. The motion carried by a 5-0 vote.

SANITARY SURVEY REPORT FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR CARPINTERIA VALLEY WATER DISTRICT DATED APRIL 9, 2012

General Manager Hamilton provided an introduction about the District's relationship with the California Department of Public Health, the agency which regulates the District for compliance with State and Federal EPA drinking water quality standards. He noted that while the District as an independent special district operates in a partnership linkage with the Carpinteria-Summerland Fire Protection District, as discussed at the previous Board meeting, the California Department of Public Health is the governmental regulating agency for the District. Operations and Maintenance Manager Omar Castro then gave a detailed PowerPoint presentation about the recently completed Sanitary Survey Report from the Department of Public Health, discussing the findings, actions and typical compliance issues. He noted that the District was fully compliant in 2011 with all Department requirements.

POSSIBLE SALE OF UP TO 1,200 AF OF THE DISTRICT'S CACHUMA WATER TO OTHER CACHUMA PROJECT MEMBER AGENCIES IN THE CURRENT WATER YEAR AT A PRICE OF NOT LESS THAN \$150/AF

General Manager Hamilton introduced this item, stating that he has determined that there are three likely willing buyers for up to 1,200 AF of the District's surplus Cachuma water, most likely at a price of no less than \$150/AF. He noted that the District would not be contemplating such a sale without its groundwater production capability. Administrative Analyst Alex Keuper presented several PowerPoint slides illustrating the District's favorable water supply outlook. Following discussion, Director Roberts moved to authorize General Manager Hamilton to sell up to 1,200 AF of Cachuma water at a price not less \$150/AF. Director Lieberknecht seconded the motion and the motion carried by a 5-0 vote.

PROCESS AND ACTIONS TAKEN BY THE BOARD LEADING UP TO THE DECISION BY THE BOARD ON MARCH 25, 2012 TO APPOINT FREDERICK LEMERE AS DIRECTOR

General Manager Hamilton, referring to the memo included with the Board agenda packet, reported that when approving the appointment schedule on February 22, the Board did not foresee successive vacations of two Board members beginning the week of March 26 which would result in there being just three Board members available to attend a Board meeting in the prescribed sixty day time frame to appoint a Director by April 9.

Members of the public who addressed the Board on this matter included Ann Bardach Lesser, Geoffrey Stearns, Shirley Johnson, Pati Kern, Miguel Checa, Carolee Krieger, Bob Lesser, Antoinette Chartier and Andrew Pfeffer. Mr. Stearns raised the issue of the legality of the Board action on March 25, referring to California Water Code section 30525 and Government Code 1780. Mr. Pfeffer began raising questions about the sale of Cachuma water and President Van Wingerden pointed out the Brown act would not allow further discussion on that at this time on the agenda. General Counsel Roger Myers then suggested that the Board by a vote could re-open a previous agenda item for discussion and be in compliance with the Brown Act.

RECONSIDERATION OF THE PROPOSED CACHUMA WATER SALE

A motion was then made by Director Orozco and seconded by Director Roberts to re-open the Cachuma Water Sale item for further discussion, and the motion carried by 5-0 vote. Upon further discussion and comments by Mr. Pfeffer, and others, no action was taken.

CONSIDER DATE AND ITEMS FOR AGENDA FOR THE NEXT REGULAR CARPINTERIA VALLEY WATER DISTRICT BOARD MEETING ON MAY 16, 2012 AT 5:30 P.M.

Director Lemere requested that the matter of Director health insurance be placed on the agenda for the next Board meeting and President Van Wingerden requested that the legal issue raised by Mr. Stearns and others be further investigated by Counsel Myers. Mr. Hamilton noted that the Board could meet sooner than May 16 if necessary.

ADJOURNMENT OF REGULAR MEETING

President Van Wingerden adjourned the Board meeting at 7:24 p.m.


Charles B. Hamilton, General Manager/Secretary