

NOTICE AND AGENDA OF SPECIAL MEETING

BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN EASTERN MANAGEMENT AREA GROUNDWATER SUSTAINABILITY AGENCY

HELD AT
SANTA YNEZ COMMUNITY SERVICES DISTRICT, MEETING ROOM
1070 FARADAY STREET, SANTA YNEZ, CALIFORNIA
4:00 P.M., WEDNESDAY, OCTOBER 7, 2026

Optional remote public participation is available via Telephone or TEAMS

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*** Please Note ***

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AGENDA OF SPECIAL MEETING

1. Call to Order and Roll Call
2. Public Comment (Any member of the public may address the Board relating to any non-agenda matter within the Board’s jurisdiction. The total time for all public comment shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Board at this meeting on any public comment item.)
3. Agricultural Director and Alternate Director Selection Process
 - a. Review and consider approval of requesting nominations for an Agricultural Director and an Alternate Agricultural Director for the EMA GSA Board of Directors
4. Consider Date/Time for Next Regular and/or Special Meetings of the EMA GSA
 - a. Next EMA GSA CAG Meeting Thursday, October 15, 2026 at 3:00 PM.
 - b. Next EMA GSA Board Meeting Thursday, November 19, 2026 at 4:00 PM at SYCSD Meeting Room.
 - c. Next Basin-Wide Joint Special Meeting Friday, December 11, 2026, at 9:00 AM at Buellton City Council Chambers.
5. Board of Directors Reports and Requests for Future Agenda Items
6. Adjournment

[This agenda was posted at least 24 hours prior to the special meeting at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and SantaYnezWater.org in accordance with Government Code Section 54954. In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency at (805) 457-5065. Advanced notification as far as practicable prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

TO: SYRVGB EMA GSA Board of Directors

FROM: Dan Heimerl, Executive Director

DATE: October 7, 2026

SUBJECT: Item 3a – Review and consider approval of requesting nominations for an Agricultural Director and an Alternate Agricultural Director for the EMA GSA Board of Directors.

Background

On October 24, 2024, the Member Directors of the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency (EMA GSA) unanimously appointed Douglas Circle as Agricultural Director and Mary Heyden as Alternate Agricultural Director, following their nomination by the Santa Ynez Water Group (Water Group). Article 7.4 of the Joint Exercise of Powers Agreement (JPA) sets a two-year term for these positions, so both terms expire on or about October 24, 2026. The Agricultural Director and Alternate may be reappointed for additional terms, but reappointment requires re-nomination by the Water Group and a unanimous vote of the Member Directors.

Discussion

Article 7.2(f) of the JPA (Attachment A) sets out the process for appointing the Agricultural Director and Alternate Agricultural Director. The process has four steps:

1. **Board request.** The process begins upon request of the Board. The Water Group then solicits applications, working with other agricultural associations or entities in the EMA, including the Santa Barbara County Farm Bureau.
2. **Public solicitation.** The solicitation must be publicly noticed in a newspaper of general circulation within the EMA and announced at no less than one public meeting of the EMA GSA.
3. **Nomination.** The Water Group reviews the applications and nominates one or more Qualified Nominees. The Water Group must present a discussion of its review and nomination process at an open public meeting of the EMA GSA.
4. **Appointment.** Appointment requires a unanimous vote of the Member Directors (or Alternates) at a publicly noticed meeting where a Director or Alternate from each Member is present and votes.

A Qualified Nominee does not need to be a member of the Water Group, but must: (i) own, or represent an owner of, property within the GSA boundaries that is involved in Commercial Agriculture and produces at least 2 acre-feet per year of groundwater from within the GSA to support that agriculture; (ii) be a resident and registered voter within the GSA boundaries; and (iii) not be a party, or represent an owner who is a party, to pending litigation against the GSA, other than a groundwater rights adjudication affecting the EMA.

In 2024, the Water Group published its solicitation in the Santa Ynez Valley News and the Santa Maria Times from September 4 through September 30, 2024, and submitted its recommendation to the Board on October 14, 2024. Because of the required public noticing, the process is unlikely to be completed

before the current terms expire. If the Board makes its request at this meeting, Staff anticipates that the Water Group could present its nominations, and the Member Directors could consider appointment, at the next EMA GSA Board Meeting on November 19, 2026.

If the Agricultural Director seat is vacant, items that require a supermajority under Article 11.3(b) of the JPA, such as budgets, fees, GSP amendments, and consultant selection, still require four affirmative votes regardless of the number of Directors appointed. In effect, these items would require a unanimous vote of the four Member Directors. In addition, under Article 9.1(a), while no Agricultural Director is seated, a contract for Executive Director, staff, consultant, or legal services may be approved by at least three votes, but only for a term not to exceed one year.

Recommendation

EMA GSA Staff recommend the Board of Directors review and consider approval of requesting that the Santa Ynez Water Group solicit applications for, and nominate Qualified Nominees to, the Agricultural Director and Alternate Agricultural Director positions in accordance with Article 7.2(f) of the JPA.

Attachment

Attachment A: July 16, 2024 Article 7 of the Joint Exercise of Powers Agreement Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency

imposed on Solvang.

ARTICLE 6 MEMBERSHIP

6.1 Members. The Members of the EMA GSA, as long as they have not withdrawn from this Agreement pursuant to Article 16, shall be:

- (a) City of Solvang;
- (b) Santa Barbara County Water Agency;
- (c) Santa Ynez River Water Conservation District; and
- (d) Santa Ynez River Water Conservation District, Improvement District No.1.

6.2 New Members. Any entity authorized by SGMA and other applicable law to participate in the EMA GSA, that is not a Member on the Effective Date of this Agreement, may become a Member upon all of the following:

- (a) The approval of the Board of Directors as specified in Article 11.3;
- (b) Amendment of the Agreement in accordance with Article 17.2; and
- (c) Payment by the new Member of a pro rata share of all previously incurred costs that the Board of Directors determines have resulted in benefit to the new Member, and are appropriate for assessment on the new Member.

ARTICLE 7 BOARD OF DIRECTORS

7.1 Formation of the Board of Directors. The EMA GSA shall be governed by a Board of Directors ("Board"). Directors of the Board shall consist of one representative from each of the Members of the GSA pursuant to Article 6, and one representative

appointed by the Member Directors, initially as follows:

- (a) One Director representing Solvang;
- (b) One Director representing Santa Barbara;
- (c) One Director representing SYRWCD;
- (d) One Director representing ID No.1; and
- (e) One Director, appointed in accordance with Article 7.2 by the Member Directors listed in (a)-(d) above, specifically representing the agricultural interests of the EMA (the "Agricultural Director").

7.2 Appointment of Directors. Directors of the Board shall be appointed as follows:

- (a) The Director representing Solvang shall be appointed by resolution of Solvang's City Council.
- (b) The Director representing Santa Barbara shall be appointed by resolution of Santa Barbara's Board of Directors.
- (c) The Director representing SYRWCD shall be appointed by resolution of SYRWCD's Board of Directors.
- (d) The Director representing ID No.1 shall be appointed by resolution of ID No.1's Board of Trustees.
- (e) The Director of any new Member of the EMA GSA pursuant to Article 6.2 shall be appointed by resolution of the governing body of the new Member.
- (f) The Agricultural Director listed in Article 7.1(e) shall be appointed as follows:
 - (1) Upon request of the Board, the Santa Ynez Water Group, working in conjunction with other agricultural associations or entities having members or doing business within the GSA's boundaries, specifically including but not limited to the Santa Barbara County Farm Bureau, shall solicit applications for the Agricultural Director position through an open public process where such solicitation shall be publicly noticed in a newspaper of general circulation within the EMA and announced at no less than one public meeting of the EMA GSA. The Santa Ynez Water Group shall review all received applications and submit (i.e., nominate) one or more Qualified Nominees for the Agricultural Director position to the

Board, where a discussion of the review and nomination process must be provided by the nominating entity as part of an open public meeting of the EMA GSA.

(a) A "Qualified Nominee" need not be a member of the Santa Ynez Water Group, or any other agricultural association or entity having members or doing business within the GSA's boundaries, but shall satisfy the following qualifications:

- (i) Be an owner or representative of an owner of property located within the boundaries of the GSA and involved in Commercial Agriculture which produces at least 2 acre-feet per year of groundwater (as defined by SGMA and the EMA GSP) from within the boundaries of the GSA to support Commercial Agriculture on said property;
 - For purposes of these criteria, "Commercial Agriculture" means a commercial or family farming enterprise whose business is to cultivate the land for growing plants, vines, or other crops for consumption, fiber, biofuel, or raw materials, or the breeding, feeding, or raising of animals, livestock, or poultry for human consumption or other products, all resulting in the marketing and commercial sale of such products. The GSA may require submittal of documentation satisfactory to the GSA, including but not limited to applicable IRS forms, certifying that the property is used for Commercial Agriculture.
- (ii) Be a resident and registered voter within the boundaries of the GSA; and
- (iii) The Agricultural Director, or the owner he/she represents, may not be a party to any pending litigation against the GSA, other than as a party to a groundwater rights adjudication affecting the EMA.
- (iv) Amendments to these criteria may be adopted through resolution by a unanimous vote of the Member Directors.

(2) After the Santa Ynez Water Group has submitted one or more Qualified Nominees for the Agricultural Director position, the

Member Directors will consider said Qualified Nominees for appointment to the Board. Notwithstanding Article 11.3 of this Agreement, said appointment decision shall require a unanimous vote of all the Member Directors (or Alternates as applicable) during a publicly noticed meeting of the EMA GSA where the Directors from each of the Members (or Alternates as applicable) are present and each casts a vote. In the absence of a unanimous vote of approval and appointment by the Member Directors, the Member Directors may request the Santa Ynez Water Group to submit alternative Qualified Nominees in accordance with the process set forth above.

(3) The Agricultural Director shall be appointed for a term of two years but may be reappointed for multiple terms so long as that Agricultural Director is nominated by the Santa Ynez Water Group in accordance with the processes and requirements set forth above and unanimously approved and appointed by the Member Directors.

(4) If the Santa Ynez Water Group is unwilling or unable to select and submit one or more Qualified Nominees for the Agricultural Director position to the Board pursuant to the process set forth herein, the Board may request another agricultural association or entity having members or doing business within the GSA's boundaries to perform such process.

(g) Each Director representing a Member shall be an elected official of the appointing Member.

7.3 Alternate Directors. Each Director shall have one Alternate to act as a substitute Director for that Director. All Alternates shall be appointed in the same manner as set forth in Article 7.2. Alternate Directors shall not vote or participate in any deliberations of the Board unless appearing as a substitute for a Director due to absence or conflict of interest. If a Director is not present, or if a Director has a conflict of interest which precludes participation by the Director in any decision-making process of the Board, the Alternate Director appointed to act in his/her place shall assume all roles of the Director, and shall have the authority to act on behalf of the absent Director, including but not limited to participating in open session and closed session deliberations and casting votes on matters before the Board. An Alternate Director representing a Member shall be an elected official or staff of the appointing Member.

7.4 Requirements. Each Member Director and Alternate Member Director shall be appointed by resolution as set forth in Article 7.2. Member Directors and Alternate Member Directors shall serve at the pleasure of the governing body of the appointing Member. No individual Director or Alternate representing a Member may be removed

except by the vote of the governing body of the Member that appointed him/her. The term of a non-Member Director or non-Member Alternate appointed in accordance with Article 7.2 above shall be two (2) years, and such Director or Alternate may serve any number of consecutive terms upon re-appointment in accordance with Article 7.2 above; provided, however, that any non-Member Director or non-Member Alternate may be removed from his/her position at any time prior to the expiration of his/her then-current term based on a decision by the Member Directors, where notwithstanding Article 11.3 of this Agreement said removal decision shall be subject to the unanimous voting requirements of Article 7.2(f)(2) above.

7.5 Vacancies. Upon the vacancy of a Director, the Alternate Director shall serve as Director until a new Director is appointed as set forth in Article 7.2 above. Upon the vacancy of an Alternate, a new Alternate shall be appointed as set forth in Articles 7.2 and 7.3. A Member shall submit any changes in its Director or Alternate Director positions to the Board by providing a copy of its executed resolution.

7.6 Duties of the Board of Directors. The business and affairs of the EMA GSA, and all of its powers, including without limitation all powers set forth in Article 5, are reserved to and shall be exercised by and through the Board of Directors, or Member Directors where specifically set forth in this Agreement, except as may be expressly delegated to the Executive Director or other(s) pursuant to this Agreement, Bylaws of the GSA, or by specific action of the Board of Directors.

7.7 Director and Alternate Compensation. No Director or Alternate shall be compensated by the EMA GSA in connection with any meetings or other activities undertaken as a representative of the GSA. Nothing in this Article is intended to prohibit a Member from compensating its Director or Alternate for compensable activities undertaken as a Director or Alternate of the GSA Board.

ARTICLE 8 OFFICERS

8.1 Officers. Officers of the EMA GSA shall be a Chair, Vice Chair, Secretary, and Treasurer. Additional officers may be appointed by the Board as it deems necessary.

- (a) Chair. The Chair shall preside at all meetings of the Board of Directors and shall be a member of the Board.
- (b) Vice Chair. The Vice Chair shall exercise all powers of the Chair in the Chair's absence or inability to act, and shall be a member of the Board.
- (c) Secretary. The Secretary shall certify minutes of meetings of the Board of Directors and shall perform other duties and responsibilities as properly delegated by the Board. The Secretary may, but need not, be a member of the Board.
- (d) Treasurer. The Treasurer shall perform such duties and responsibilities specified in Government Code sections 6505.5 and