

**May 31, 2006
Regular Meeting
7:30 p.m.**

The San Benito County Water District Board of Directors convened in Regular Session on Wednesday, May 31, 2006 at 7:30 p.m. at 30 Mansfield Road, Hollister, California. Board Members present were John Tobias, President, Bob Swanson, Vice-President, Directors Ken Perry, Sonny Flores and Frank Bettencourt. Also present were David E. Pipal, District Counsel, John S. Gregg, District Manager/Engineer, Jeff Cattaneo, Deputy District Engineer, Cliff Thatcher, Operations and Maintenance Supervisor, Natalie Sullivan, Accountant, Barbara Mirrione, Water Office Supervisor and Barbara L. Mauro, Office Specialist II.

CALL TO ORDER

The meeting was called to order at 7:30 p.m.

a. Pledge of Allegiance to the Flag.

President Tobias led the Pledge of Allegiance to the Flag.

b. Approval of the Agenda.

Upon a motion duly made by Director Perry and seconded by Director Flores, the Agenda was unanimously approved.

c. Public Input: Member of the Public are invited to speak on any Matter not on the Agenda.

There were no public comments made.

CONSENT AGENDA

- 1. Approval of Minutes for: April 26, 2006-Regular Meeting
May 9, 2006-Special Meeting**
- 2. Allowance of Claims**
- 3. Consider Resolution Designating Agents Authorized To Make Transfers On The Local Agency Investment Fund.**

Upon motion duly made by Director Flores and seconded by Director Perry, the Consent Agenda was unanimously approved.

REGULAR AGENDA

4. Review Hernandez Dam Access Road Emergency

Mr. Gregg reported on the declaration that the board established earlier this month regarding the down slope threatening the access road. Mr. Gregg stated we have an obligation to both the landowners as well as it is a critical need for the District, to have this access road. Mr. Gregg continued that we have conducted surveys and letters have been sent out to the landowners letting them know the situation. Mr. Gregg said that we are working with Mr. Pipal for a right of entry to construct and maintain the road until we have the permanent easement. Mr. Gregg states that if we are unable to acquire the right of entry, we may have to seek court action, and it would require action by the Board of Directors. Mr. Gregg states our goal is to have the necessary rights and access as soon as possible, but we are probably 60 days away.

5. Consider Rejecting All Bids on Hernandez Dam Access Road Repair Project

Mr. Gregg stated that we have addressed the number of issues in regards to this road repair and recommends that the bids be rejected. Upon a motion duly made by Director Swanson and seconded by Director Perry, the Rejection of Bids for Hernandez Dam Access Road was unanimously approved.

6. Consider M.O.U. Between San Benito County Water District, City of Hollister, City of San Juan Bautista, San Benito County Office of Education, Gavilan Joint Community College, Council of Governments and The County of San Benito County for a Countywide GIS Project and Authorize President of the Board to Execute the M.O.U.

Mr. Gregg stated that this a step with other public agencies for a data management mapping system with a shared cost. Mr. Gregg stated that the foundation is in place and the next step is updating this program, with maintenance for the long term as well as privacy of information, security and also training. President Tobias asked if the representative from each agency is a staff member or a director and Mr. Gregg stated it is a staff person. Director Flores asked what the ongoing maintenance cost is for the District and Mr. Cattaneo stated the next phase cost is \$54,700, split between six agencies with the District's approximate cost being \$15,000 based on use of GIS base map. President Tobias asked if Mr. Cattaneo is our representative and he stated that Mr. Cattaneo and Mr. Gregg will represent the District. Upon a motion duly made by Director Swanson and seconded by Director Perry, the M.O.U. was unanimously passed.

7. Consider Approval of Changes to Management/Confidential/Professional Classifications

a. Add Administration and Finance Manager Position

b. Remove Administrative Services Officer

Mr. Gregg stated this change will strengthen our organization and improve management. Mr. Gregg stated it involves the removal of the Administrative Services Officer and with retirement of the Water Office Supervisor in 2007, adds the new position of Administration and Finance Manager Position with a starting pay of \$5347.00. Upon a motion duly made by Director Swanson and seconded by Director Perry, the Changes to Management/Confidential/Professional Classifications were unanimously passed.

8. Consider Approval of Amendment to District Manager's Employment Contract and Authorize President to Execute.

Director Swanson stated that the Personnel Committee has reviewed this item and recommends the Board approve the amendment. Director Flores asked if this is an extension to the District Manger's contract as it appears the current contract has one year left and Director Swanson stated that with this extension, the contract will go through 2008. As per Mr. Gregg, his contract has previously been for a two year period. Upon a motion duly made by Director Perry and seconded by Director Swanson, the amendment to the District Manager's Employment Contract was unanimously approved.

9. Agency/Committee Representative Reports:

a) San Luis Delta Mendota Water Authority (Perry/Tobias)

Director Perry stated there is nothing to report at this time.

b) Pajaro River Watershed Flood Prevention Authority

(Perry/Bettencourt) Director Perry stated that we have made the county aware of the video, "Stuck in the Mud" and asked if they wanted to take any action. Mr. Cattaneo added that at the last Board Meeting, the "Stuck in the Mud" video was discussed. Mr. Cattaneo stated that is was developed by Lois Robins, which depicts the Pajaro River at different sites. Mr. Cattaneo has copies of the DVD, and he encourages all the board members to view it. Director Swanson stated that he has viewed it and recommends it.

c) Hollister Urban Area Water and Wastewater Master Plan

Director Perry stated that it is moving forward, slowly. Mr. Gregg stated the discussions, as late as today; were regarding a number of issues that will be addressed over the next 30 days, such as a meeting of the Site Selection Committee and an upcoming Governance Committee Meeting on June 21, 2006 with perhaps a workshop to go over the EIR draft. President Tobias noted that since the City of Hollister hired the management company, it has been very quiet.

d) Groundwater Committee (Perry/Flores)

Directors Perry and Flores had nothing to report, however; Mr. Gregg stated that the RFP for the Annual Groundwater Report, for Water Years, 2006, 2007, and 2008 have been sent out. Mr. Gregg feels we will have approximately 5 responses and hopes to have a contract for review at the July 2006 Board Meeting.

e) Grants Committee (Swanson/Bettencourt)

Directors Swanson and Bettencourt have nothing to report at this time.

f) Personnel Committee (Perry/Swanson)

Director Perry stated there was nothing further to report.

g) Audit & Budget Committee (Swanson/Perry)

Director Swanson stated Mr. Gregg will have the budget information in his report.

h) San Juan Water System (Swanson/Perry)

Director Perry stated that this is an ongoing process, but nothing to report at this time.

10. District Manager/Engineer's Report:

a) CVP 2006/2007 Water Supply

Mr. Gregg reported that the Bureau of Reclamation allocated 100% of the water requests for the year.

b) USBR Contract Renewal

Mr. Gregg reported that during the first half of June, the committee will be briefed on the contract issues and meet with members of the Santa Clara Valley Water District and the target date would be June 16th; Director Perry, a member of this committee, will not be available, so the date may have to change. Mr. Gregg stated that we have been pursuing a renewed contract due to financial uncertainty and it needs resolution. Mr. Gregg continued that an agreement between the District and Santa Clara would make for a firmer relationship in dealing with maintenance and financial plans, and whether it will be a pay as you go or a payment using reserve funds.

c) Field and Office Employees Agency Shop Election

Mr. Gregg stated there was an Agency Election today and prior to the election, those members who chose not to be in the union, made no monetary contributions. Mr. Gregg reported the Personnel Committee and he concurred that the District would decline from negotiating and it would be decided by election. Mr. Gregg continued that it had been a year since the last election. Mr. Gregg reported that the results of today's election were 8 votes in favor and 3 votes opposed to an agency shop. Mr. Gregg stated that it will now be a condition for employment.

d) SBCWD Budget

Mr. Gregg stated in regards to our budget, with the vacancy in the Administrative area and the draw down on his time and Mrs. Sullivan's time, it is not practical for the budget to be completed at this time for the June 2006 Board meeting and our intention is to have it completed by the July 2006 Board Meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:02 p.m.

Minutes were approved June 28, 2006 at the Regular Board Meeting and signed by the presiding board member.

/s/John Tobias
John Tobias, President

/s/ Barbara L. Mauro
Barbara L. Mauro, Secretary