

November 29, 2006
Regular Meeting
8:12 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, November 29, 2006 at 8:12 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President John Tobias, Vice President Bob Swanson, and Directors Ken Perry, Sonny Flores and Frank Bettencourt. Also present were District Manager/Engineer John S. Gregg, Deputy District Engineer Jeff Cattaneo, District Counsel David E. Pipal, Administration and Finance Manager Shelley Giancola, Irrigation Engineer Mica Nitschke, Accountant Natalie Sullivan, Consultant Sara Singleton, Consultant Harry Blohm and Office Specialist II Barbara L. Mauro.

CALL TO ORDER

President Tobias called the meeting to order at 8:12 p.m.

- a. Pledge of Allegiance to the Flag.** We did not repeat the Pledge of Allegiance, as we went directly from the Special Meeting to the Regular Meeting.
- b. Approval of Agenda** Upon a motion made by Vice President Swanson and seconded by Director Flores, the Agenda was unanimously approved.
- c. Public Input: Members of the Public are Invited to Speak on any Matter not on the Agenda.** No public comments were made.

CONSENT AGENDA:

- 1. Approval of Minutes for:**

October 25, 2006	Regular Meeting
November 16, 2006	Special Meeting
- 2. Allowance of Claims**
Upon a motion made by Director Flores and seconded by Director Perry, the Consent Agenda was unanimously approved.

REGULAR AGENDA:

- 3. Hernandez Dam Access Road Emergency Repair**
 - a. Authorization to Execute Permanent Road Easement—Maas-Henze Family Trust** Mr. Pipal reported there are actually four owners rather than two as previously reported. Mr. Pipal stated he has had several telephone conversations with the Henze's and is waiting to hear back from them. Mr. Pipal recommended signing the easement agreements as we receive them rather than wait until the District has them all.
 - b. Discuss Completion of Hernandez Dam Access Road Repair** Mr. Cattaneo gave an update on the completion of the repair of the access road. Mr. Cattaneo gave a recap beginning with the impending road failure in March 2006 through the completion of the project in November of 2006. Mr. Cattaneo gave the costs of the project, cautioning these are not absolute costs: Design and Engineering Costs were \$10,797.00; Legal

Costs (to date) \$14,102.00; and Construction Costs \$24,078.00 for a total project cost of \$48,977.00 Mr. Cattaneo noted that the construction portion was bid at \$28,900.00 and came in under budget. During his presentation, Mr. Cattaneo showed photos of the damaged area as well as the completed road repair. Also, Mr. Cattaneo stated that used material from the repair was deposited to another critical area of the road as shown in photos. Mr. Cattaneo stated, in conclusion, the emergency condition no longer exists and is safe for vehicle travel.

- 4. Status Report on Integrated Regional Water Management Plan** Mr. Cattaneo introduced Mr. Lyndel Melton of RMC who will be giving this report and stated this project should be completed after the first of the year. Mr. Melton reminded the Board that this project is a joint effort between the Santa Clara Valley Water District, San Benito County Water District and the Pajaro Valley Water Management. Mr. Melton gave a brief description of the projects, how each project was prioritized and where we go from here. Mr. Melton utilized a PowerPoint Presentation for his report. Mr. Melton stated there are three broad issues which are: Water Supply, Water Quality and Flood Protection. The Mission Statement of the Pajaro River Watershed IRWMP is to preserve the economic and environmental wealth and well-being for the Pajaro River watershed through watershed stewardship and comprehensive management of water resources in a practical, cost effective and responsible manner. Mr. Melton explained how projects are ranked, high, medium and low. Mr. Melton also explained the difference between “stand alone” projects and regional projects. Mr. Melton reviewed the revised schedule which is: A public meeting to be held in Watsonville tomorrow, November 30, 2006 at 4:00 p.m.; A public draft being available around March 2007; and final adoption of the IRWMP in May 2007. Director Bettencourt asked about Mercy Springs and Mr. Melton stated that it is simply a water supply project. President Tobias thanked Mr. Melton for his report.
- 5. Consider Approval of FY 2006-2007 Budget** Mr. Gregg began with a review of the recommended budget and advised the Board that Natalie Sullivan, SBCWD’s Accountant and Sara Singleton, SBCWD’s Consultant, will also be contributing to this agenda item. Mr. Gregg stated they will go through the budget, highlighting significant issues and answering any questions the Board may have. Mr. Gregg reminded the Board the District relies heavily on tax revenue, Zone 3 has no operating revenue and Zone 6 operates at a significant loss. Mr. Gregg stated that the general public questions the fact that SBCWD appears on their tax bills. Regarding Operation and Maintenance Agreements, they are considered expenses and not capital for the District’s purposes. Also, Mr. Gregg stated the recommended budget does not include the implementation for the USBR Contracts or the Bilateral Agreement with Santa Clara Valley Water District. Mrs. Singleton gave an initial overview of the budget, referring to the documents given to the Board in their agenda packet. Mrs. Singleton brought the Board’s attention to the \$500,000.00 item, which is a portion of the \$3,000,000.00 Low Interest Loan Program, for the first year. President Tobias asked about the

6. **Zone 6 Water Rates and Charges** Mr. Gregg stated the District was unable to have the necessary committee meeting prior to the Board Meeting regarding this item and he suggested we defer this item until after the committee has met. Mr. Gregg stated we will need to have a Special Board Meeting on this subject either next week or early the following week. President Tobias asked if we can go forward without the committee meeting and Mr. Gregg stated we cannot go forward. President Tobias set up a tentative date for a Special Board Meeting on December 12, 2006 at 5:30 p.m.

- a. **Authorization to Notify Customers/Landowners of Proposed Zone 6 Groundwater and San Felipe Distribution System Rates and Charges and Fixing Date and Time for Public Hearing(s)** No action was taken.
 - b. **Consider Resolution Setting Public Hearing Date for the Purpose of Implementation of a Standby and Availability Charge in the area served by the Zone 6 pressurized distribution system.** No action was taken.
- 7. **Consider Approval of Professional Services Master Agreement with Bookman-Edmondson/GEI and Authorize District Manager to Execute That Agreement.** Mr. Gregg reported the Board had the Master Agreement with Bookman-Edmondson/GEI to review. President Tobias asked if this included the mapping and Mr. Gregg stated that issue is in the Task Order, which has already been issued to them. Upon a motion made by Director Perry and seconded by Director Flores, the Professional Services Master Agreement with Bookman-Edmondson/GEI, and Authorizing the District Manager to Execute That Agreement, was unanimously approved.
- 8. **Consider Approval of Agreement Between Santa Clara Valley Water District and San Benito County Water District for Repayment and Management of San Felipe Division Facilities and Authorize Board President to Execute that Agreement.** Mr. Gregg stated the Resolution was made available for the Board to review this evening. After a brief review by the Board, a motion was made by Director Perry and seconded by Director Bettencourt, Resolution #2006-15, *A Resolution of the San Benito County Board of Directors Approval of Agreement Between Santa Clara Valley Water District and San Benito County Water District for Repayment and Management of San Felipe Division Facilities and Authorize Board President to Execute that Agreement for the San Benito County Water District* was unanimously approved.
- 9. **Agency/Committee Representative Reports:**
 - a) **San Luis Delta Mendota Water Authority (Perry/Tobias)** As per Director Perry, there is nothing to report.
 - b) **Pajaro River Watershed Flood Prevention Authority (Perry/Tobias)** As per Director Perry, there is nothing to report. Mr. Gregg did report there was a lack of a quorum at the last meeting.
 - c) **Water Resources Association (Flores/Bettencourt)** Director Bettencourt reported that the Manager of the new Wastewater Treatment Plant gave a presentation at the last WRA meeting.
 - d) **Hollister Urban Area Water and Wastewater Master Plan-Governance Committee (Tobias/Perry)** As per Director Perry, there is nothing to report.
 - e) **Grants Committee (Swanson/Bettencourt)** As per Mr. Gregg, nothing to report.
 - f) **Personnel Committee (Swanson/Perry)** As per Director Perry, the District is in the process of hiring.
 - g) **Audit/Budget Committee (Swanson/Bettencourt)** As per Vice President Swanson, there is nothing further to report.

- h) **Groundwater Committee (Perry/Flores)** Director Flores reported they discussed ongoing projects. Mr. Gregg added that the committee reviewed two projects' scopes of work, and the committee accepted them in their broad form.

10. District Manager/Engineer's Report:

- a) **Depth-Specific Monitoring and Aquifer Characterization Northern Hollister Groundwater Basin** Mr. Cattaneo gave a brief update of the North Area Nested Monitoring Well. The contract has been signed with the driller and the test hole is complete. Mr. Cattaneo gave a handout of a diagram of the construction. A significant amount of water was found at 650, 660 and 680 feet. Also, Mr. Cattaneo stated due to the size of the hole, Todd Engineers will install an additional monitoring well to monitor the shallow aquifer that has been discovered. Mr. Cattaneo reported that construction continues and Maggiora intends to be finished by next week. Mrs. Janet Brians, one of the landowners where the Monitoring Well is located, was in the audience and reported they are doing a good job at the site.
- b) **Sunnyslope County Water District Request for inclusion in Hollister Urban Area Water and Wastewater Master Plan** Mr. Gregg reported that at a previous meeting, the Board asked that he report back on this subject. Mr. Gregg has met with the Hollister Wastewater Committee and the Committee has asked him to get information together regarding the M.O.U., the agreements and the costs involved in the past for the HUAWWMP, which is he is currently working on.
- c) **Report on Legal Opinion(s) regarding movement of water and place of use for CVP and SWP water, groundwater and local surface water; and Mapping of Service Areas and Water Rights Places of Use** Mr. Gregg stated that discussions have taken place with Jan Goldsmith of Kronick, Mosckovitz, Tiedeman and Girard as well as Bookman-Edmonston on these subjects. Vice President Swanson asked about the time frame, which Mr. Gregg stated would be approximately 60 days. Also, Vice President Swanson and President Tobias requested to meet in person with Bookman-Edmonston before they begin the mapping so everyone is in the same place. Mr. Robert Brians, a member of the audience, asked about movement of water. Mr. Gregg responded that an attorney reviews and defines issues and the Board chooses the management of the water. Vice President Swanson stated that it is not taking water from one to another and Mr. Gregg stated it simply defines the areas.
- d) **Water Resources Association Technological and Economics Feasibility Study of Alternatives to Limiting or Prohibiting Water Softeners** Mr. Gregg stated the WRA is close to completion regarding this Feasibility Study. The study is

required if an agency intends to restrict or prohibit water softeners. This study has not been presented to the WRA Board yet. Mr. Gregg stated the study shows there is no practical way to control salt without prohibiting the use of water softeners. The conclusion of the study is that there are approximately 4000 water softeners in the Hollister area. Mr. Gregg stated that this a work product of the WRA as part of the salinity program. Vice President Swanson asked if the District's name was removed from the FEIR for the City of Hollister Domestic Wastewater System Improvements Project and the San Benito County Water District Recycled Water Facility Project and Mr. Gregg stated the City adopted the FEIR with our name still on it. Vice President Swanson asked for a Special Meeting to discuss this and President Tobias asked Mr. Gregg if we can add this item to the Special Meeting on December 12, 2006.

11. Consider Resolution Changing the Regular Meeting for the Month of December 2006 to December 20, 2006 instead of December 27, 2006.

President Tobias stated the meeting was being changed due to a scheduling conflict with the upcoming holiday. Upon a motion made by Director Flores and seconded by Director Bettencourt, Resolution #2006-16, *A Resolution of the San Benito County Board of Directors Changing the Regular Meeting for the Month of December 2006 to December 20, 2006 instead of December 27, 2006 for the San Benito County Water District* was unanimously approved.

11. Adjournment: There being no further business, the meeting was adjourned at 10:06 p.m.

Minutes were approved at the December 20, 2006, Regular Board meeting and signed by the presiding board member.

/s/John Tobias
John Tobias, President

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