

April 29, 2020
Regular Meeting
5:02 p.m.

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic; this meeting was conducted with some members participating via conference phone. Because of this, all voting was done by roll call vote.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, April 29, 2020 at 5:02 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President John Tobias, and Directors Sonny Flores, Joe Tonascia and Doug Williams who were present at the District office and Vice President Frank Bettencourt and District Counsel David E. Pipal participated via conference call. Also present at the District office were District Manager/Engineer Jeff Cattaneo, Assistant Manager Sara Singleton, Deputy District Engineer Garrett Haertel and Board Clerk/Office Specialist III Barbara Mauro.

CALL TO ORDER

President Tobias called the meeting to order at 5:02 p.m.

- a. Pledge of Allegiance to the Flag**
President Tobias led the Pledge of Allegiance.
- b. Speakers will be limited to 5 minutes to address the Board; rebuttal will be limited to 3 minutes; no new business agenda items will be heard after 8:00 p.m.**
- c. Approval of Agenda**
Removing item #5 from the Consent Agenda, a motion was made by Director Williams and seconded by Director Tonascia, the Agenda was approved by 5 affirmative votes, Tobias, Bettencourt, Flores, Tonascia and Williams.
- d. Public Input: Members of the Public are Invited to Speak on any Matter not on the Agenda**
There were no public comments.

CONSENT AGENDA:

(Consent items shall be considered as a whole and without discussion unless a particular item is removed from the consent agenda. Board member may discuss individual items or seek information from staff or legal counsel without removing the item from the Consent Agenda. A member of the public should seek recognition by the President if comment is desired. Approval of consent items shall be made by one motion.)

- 1. Approval of Minutes for: March 25, 2020 Regular Meeting**
- 2. Allowance of Claims**
- 3. Acknowledgement of Paid Claims prior to the April Board Meeting**
- 4. Acceptance of Quarterly Investment Report, March 31, 2020**
- 6. Consider Resolution Proclaiming May as Water Awareness Month**
- 7. Recognizing Anne Stull for 25 Years of Service, Certificate Issued**
- 8. Recognizing Michael Craig for 15 Years of Service, Certificate Issues**

With the move of Consent Agenda Item #5 to the regular agenda, a motion was made by Director Tonascia and a second by Director Williams; the Consent Agenda was approved by 5 affirmative votes, Tobias, Bettencourt, Flores, Tonascia and Williams.

REGULAR AGENDA:

- 5. Consider Request from San Benito County Development Services Corporation, Assessor Parcel Number 020-320-037 to Abandon the Irrigation Easement and Authorize the District Manager to sign the necessary documents to Quitclaim the District's Easement**

Mr. Cattaneo stated Director Flores has a conflict with this item, he will recuse himself. This item is an easement on Southside Road, in between others the District has previously quitclaimed. Mr. Cattaneo added it is of no value to the District.

Mr. Pipal asked what the conflict was. Director Flores stated he managed the company that is developing that area. Mr. Pipal agreed he needed to recuse himself.

With a motion by Director Tonascia and a second by Director Williams, the Board of Directors approved the request from San Benito County Development Services Corporation, Assessor Parcel Number 020-320-037 to Abandon the Irrigation Easement and Authorized the District Manager to sign the necessary documents to Quitclaim the District's Easement; it was approved by 4 affirmative votes: Tobias, Bettencourt, Tonascia and Williams. Director Flores abstained from the vote.

- 9. Consider Resolution Adopting the 2019 Pajaro River Watershed Integrated Regional Water Management Plan update**

Mr. Haertel reported the District has done several updates for the Integrated Regional Water Management Plan (IRWMP) in the past. He stated this plan works in conjunction with grant funding. Mr. Haertel stated there were a few changes and the update is available for viewing on the District's website. At this point, he is waiting for approval from the three other participating agencies. While there is no financial impact on the adoption of the IRWMP update, there is \$5 million in upcoming grant funding that the District can apply for.

With a motion by Director Flores and a second by Director Williams, Resolution #2020-05, *A Resolution of the Board of Directors of the San Benito County Water District Adopting the 2019 Pajaro River Watershed Integrated Regional Water Management Plan update* was approved by 5 affirmative votes: Tobias, Bettencourt, Flores, Tonascia and Williams.

- 10. Consider Resolution Restating the District's Investment Policy**

Mrs. Singleton stated the Board has an annual review of its Investment Policy. District Counsel has reviewed it and found no necessary changes. Mrs. Singleton reported it will be restated, just as it had in 2019.

With a motion by Director Williams and a second by Director Tonascia, Resolution #2020-06 *A Resolution of the Board of Directors of the San Benito County Water District*

Restating the District's Investment Policy was approved by 5 affirmative votes: Tobias, Bettencourt, Flores, Tonascia and Williams.

11. Discuss and Consider authorizing the purchase order for a new District Vehicle in FY 2020-2021 (NTE \$32,000)

Mrs. Singleton reported this item would be expensed in next year's budget, but because the District participates in the state procurement program, there are very long lead times. As per our current practice, the District tries to keep vehicle for at least 150,000 miles. The District will have 1 vehicle which will exceed 150,000 miles during the next fiscal year. The Board's action would be approving staff to issue a purchase for this new vehicle.

Mr. Cattaneo added the District normally purchases $\frac{3}{4}$ ton truck but this vehicle would be designated for the Engineering department so the District is considering a $\frac{1}{2}$ ton truck with 4-wheel drive and an extended cab, so equipment can be secured inside the vehicle.

With a motion by Director Tonascia and a second by Director Flores, the Board of Directors approved the purchase order for a new District Vehicle in FY 2020-2021 (NTE \$32,000) by 5 affirmative votes, Tobias, Bettencourt, Flores, Tonascia and Williams.

12. Discuss and Consider Approval of Service Contract with Primex Controls for SCADA System Support and Maintenance for the remainder of FY 2019/2020 (NTE \$20,220) and FY2020/2021 (NTE \$42,920) and Authorize the District Manager to sign contract

Mr. Haertel reported the District's SCADA system is aging and the programming is outdated. District staff has asked PRIMEX to do an extensive assessment of the system and make the necessary upgrades. Past experience with PRIMEX was their work integrating Lessalt and West Hills Water Treatment Plants.

Mr. Cattaneo added this is 80's technology and is no longer supported. He further added Mr. Martel from PRIMEX is doing an excellent job at West Hills. Mr. Cattaneo stated this will be similar to the District's relationship with ELC once the upgrades are complete, the on-going work will be performed remotely.

With a motion by Director Flores and a second by Director Williams the Board of Directors approved the Service Contract with Primex Controls for SCADA System Support and Maintenance for the remainder of FY 2019/2020 (NTE \$20,220) and FY2020/2021 (NTE \$42,920) and Authorized the District Manager to sign contract with 5 affirmative votes, Tobias, Bettencourt, Flores, Tonascia and Williams.

13. Discuss and Consider Authorizing District Manager to Execute an Agreement with HDR to Support the Pacheco Reservoir Expansion Project and Alternative Water Supply Option Evaluation (NTE \$100,000)

Mr. Cattaneo reported the District has been working with Bob Ellis on both support of the Pacheco Reservoir Expansion Project (PREP) as well as alternative water supply options.

Mr. Ellis is completely retiring so the District has turned to Holly Kennedy from HDR to continue this work. Mr. Cattaneo added the District is also working with Todd Groundwater on these issues as well.

Mr. Pipal asked if HDR is merely supplying consulting services in support for the PREP analysis; Mr. Cattaneo confirmed this and stated it does not trigger any CEQA (California Environmental Quality Act) action.

With a motion by Director Williams and a second by Director Tonascia, the Board of Directors Authorized the District Manager to Execute an Agreement with HDR to Support the Pacheco Reservoir Expansion Project and Alternative Water Supply Option Evaluation (NTE \$100,000) by 5 affirmative votes, Tobias, Bettencourt, Flores, Tonascia and Williams.

14. Staff Report on CalPers CERBT

Mrs. Singleton stated at the February board meeting, the Board authorized staff to open the account with CERBT (CalPERS California Employers Retiree Benefit Trust) and to move funds into the account. The account is open but due to the roller coaster market as a result of the COVID-19, staff has elected to delay the actual investment so the estimated funding schedule will be delayed. Staff will report to the Investment Committee when funding will be initiated.

15. Staff Report on the WIIN Act

Mr. Cattaneo gave the Board an update on the WIIN Act. This is an opportunity for the District to renegotiate its contract and if the District meets its obligations, the contract will remain in perpetuity. Part of the negotiation includes the District paying off the in-basin capital component, which would be ~\$3 million.

Previously discussed with the Board, was whether to amend or restate the current contract. Now, Mr. Cattaneo stated staff has changed their position and agreed to proceed with a restated contract. He and Mrs. Singleton are currently reviewing the draft contract presented by the Bureau. One issue he has found is the Bureau is the wording implies the District to manage invasive species in San Justo Reservoir as related to recreation. Mr. Cattaneo stated the District does not manage recreation at San Justo.

16. Committee/Agency Representative Reports:

a) San Luis Delta Mendota Water Authority (Tonascia/Cattaneo)

Mr. Cattaneo will cover this under his manager's report.

b) Personnel Committee (Tobias/Tonascia)

As per Directors Tobias and Tonascia; this was a closed session meeting.

17. District Manager/Engineer's Report:

a) Reach 1 Operations

Mr. Cattaneo reported the quarterly meeting with Santa Clara Valley Water District (SCVWD) is scheduled next week and will be a remote meeting. Later, there will be a pump rebuild meeting and staff now has a draft budget to review.

- b) **Zone 3 Operations**
Mr. Cattaneo reported District staff will be making a visit next week, so he will have a report at the next board meeting. The District continues to release water from Paicines Reservoir into Tres Pinos Creek.
- c) **Zone 6 Operations**
Mr. Cattaneo reported the District had anticipated more than a 15% allocation for Ag but February was a dry month. Also, on the Bureau side, San Luis Reservoir will go into the negative. Mr. Cattaneo further reported the Shasta Dam is in a critical year because they cannot maintain their cold-water pool. The District usually has the opportunity to participate in the Exchange Contractors water pool, but they aren't getting their full allocation which may mean a loss of about 1500 AF. He is looking to purchase all available water from Yuba and there may be additional water from the North of Delta contractors but is likely to be expensive.
- d) **San Luis Delta Mendota Authority Activities**
Mr. Cattaneo reported the meeting was held remotely; revision to the Procurement Policy was the main item.
- e) **SGMA Update**
Mr. Cattaneo reported the SGMA Technical Advisory Committee (TAC) also met remotely today.
Discussion included minimum thresholds, setting levels in each management areas and what would trigger management actions.
- f) **Pacheco Reservoir Expansion Project**
Mr. Cattaneo reported there isn't much to report on this item except for the agenda item for HDR, approved earlier.
- g) **Percolation for WY 2020-21**
Mr. Cattaneo reported the water is over-subscribed this year so there will not be any percolation.

18. **CLOSED SESSION: Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Negotiator: District Manager
Title: Office and Field Employees**

19. **CLOSED SESSION: Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Negotiator: District Manager
Unrepresented Employees: Management/Confidential/Professional Employees**

The Board convened in Closed Session at 5:57 p.m.

20. **OPEN SESSION: Report action if any**
The Board reconvened in Open Session at 6:42 p.m.

President Tobias stated the Board took no action on either Closed Session item.

21. **Adjournment**
With no further business to discuss, the meeting was adjourned at 6:42 p.m.

Minutes were approved at the May 27, 2020 Board meeting and approved by the presiding Board member.

/s/John Tobias
John Tobias, President

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