

June 24, 2020
Regular Meeting
5:08 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, June 24, 2020 at 5:08 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: Directors Sonny Flores, Joe Tonascia and Doug Williams. Vice President Frank Bettencourt and District Counsel Jeremy Liem participated via conference call; President John Tobias arrived late. Also present were District Manager/Engineer Jeff Cattaneo, Assistant Manager Sara Singleton, Deputy District Engineer Garrett Haertel, Supervising Accountant Natalie Sullivan and Board Clerk/Office Specialist III Barbara Mauro.

CALL TO ORDER

In the absence of President Tobias and Vice President Bettencourt on the conference line, Director Tonascia called the meeting to order at 5:08 p.m. A roll call vote was taken by Mrs. Mauro. Directors Tonascia, Flores and Williams were present at the District; Vice President Bettencourt participated via a conference line. President Tobias had not yet arrived.

- a. **Pledge of Allegiance to the Flag**
Director Tonascia 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**
With a motion by Director Flores and a second by Director Williams, the Agenda was approved by 4 affirmative votes, Bettencourt, Flores, Tonascia and Williams; Tobias was absent.
- 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:

1. **Approval of Minutes for: May 27, 2020 Regular Meeting**
 2. **Allowance of Claims**
 3. **Acknowledgement of Paid Claims prior to the June Board Meeting**
- With a motion by Director Williams and a second by Vice President Bettencourt, the Consent Agenda was approved by 4 affirmative votes, Bettencourt, Flores, Tonascia and Williams; Tobias was absent.

REGULAR AGENDA:

4. Consider Resolution of Intention to Dissolve Zone 104 and Amending Resolution 2020-07 to set a time for a Public Hearing per Gov't Code 6066

Mr. Cattaneo reported the Board approved this at the last meeting but there was a timing issue that required 2 postings and there wasn't sufficient time for this. Amending the previously passed resolution is only changing the date for the Public Hearing to July 29, 2020.

With a motion by Director Flores and a second by Director Williams, Resolution #2020-08, *A Resolution of the Board of Directors of the San Benito County Water District Amending Resolution 2020-07* was approved by 4 affirmative votes, Bettencourt, Flores, Tonascia & Williams; Tobias was absent.

5. Consider Amending Resolution 2019-09 Regarding the District Policy on Restriction and Designation of District Net Assets/Cash

Mrs. Singleton reported the District has conducted its annual review of Restriction and Designation of District Net Assets/Cash. It has been reviewed with the Finance Committee and by District Counsel. The only addition, per Mrs. Singleton, is the addition of the restricted reserve for the trust for Other Post Employee Benefits (OPEB) through the California Employers Retirement Benefit Trust (CERBT). Due to the volatility of the stock market, the District has elected to wait until possibly September to begin funding the account.

Vice President Bettencourt asked if everything else is the same; Mrs. Singleton stated that was correct.

With a motion by Director Williams and a second by Vice President Bettencourt, Resolution #2020-09, *A Resolution of the Board of Directors of the San Benito County Water District Amending Resolution #2019-09 Regarding the District Policy on Restriction and Designation of District Net Assets/Cash* was approved by 4 affirmative votes, Bettencourt, Flores, Tonascia and Williams; Tobias was absent.

(President Tobias arrived at 5:16 p.m.)

6. Consider Resolution Ordering District Election, Requesting Election Services and Authorizing Payment Therefore

Mrs. Mauro reported this is done on a biannual basis and is required in order to have our election consolidated in the general election in the County.

With a motion by Director Flores and a second by Director Williams; Resolution #2020-10, *A Resolution of the Board of Directors of the San Benito County Water District Ordering District Election, Requesting Election Services and Authorizing Payment Therefore* was approved by 5 affirmative votes; Tobias, Bettencourt, Flores, Tonascia and Williams.

7. Committee/Agency Representative Reports:

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

As per Mr. Cattaneo, he will cover this under his Manager's Report.

- b) **Pajaro River Watershed Flood Prevention Authority (Bettencourt/Flores)**
As per Director Bettencourt, general business was discussed.
 - c) **Personnel Committee (Tobias/Tonascia)**
As per Directors Tobias and Tonascia, there were 2 Closed Session items discussed.
- 8. District Manager/Engineer's Report:**
- a) **Reach 1 Operations**
As per Mr. Cattaneo, he had nothing to report on this item.
 - b) **Zone 3 Operations**
As per Mr. Cattaneo, Hernandez Reservoir is empty, and Paicines Reservoir is nearly empty.
 - c) **Zone 6 Operations**
As per Mr. Cattaneo, the water allocation has been increased. The Ag allocation is now at 20% and the M & I allocation is at 70%. Also, the District has notified Santa Clara Valley Water District (SCVWD) that we intend to return the water from Semi Tropic because we may have to limit carry over in San Luis Reservoir.
 - d) **San Luis Delta Mendota Authority Activities**
As per Mr. Cattaneo he had nothing to report on this item.
 - e) **Sustainable Groundwater Management Act (SGMA) Update**
As per Mr. Cattaneo, he is currently reviewing the Sustainability Criteria. The next Technical Advisory Committee (TAC) Meeting is scheduled for July 22, 2020 and the intent is to hold it in the modular so it can be in-person. There are several subjects to cover, which the TAC will discuss at the July 22nd meeting and at an August meeting. The schedule has slipped slightly due to the delays. The completion date is now likely to be early in 2021, but the required completion date is not until December 2021.
 - f) **Pacheco Reservoir Expansion Project**
As per Mr. Cattaneo, the proposal for the M.O.U. Amendment is nearly complete. Also, the Financial Proposal is being worked on; it is not complete but so far, the proposal looks favorable for the District.
 - g) **Water Infrastructure Improvements for the Nation Act (WIIN) Contract Conversion**
As per Mr. Cattaneo, he and Mrs. Singleton had a meeting with Scott Morris, the District's special counsel, and the Bureau. One of the only issues the District has is the Bureau's request to have the District indemnify the Bureau if something were to happen to San Justo Reservoir. Staff and Counsel feel that is an unreasonable burden to ask of the District. Otherwise, the rest of the contract seems to be in good shape.

Mrs. Singleton added our District and SCVWD worked cooperatively together in these negotiations.

9. **CLOSED SESSION: Conference with Labor Negotiator**
Pursuant to Government Code Section 54957.6
Agency Negotiator: District Manager
Title: Office and Field Employees
10. **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 5:28 p.m.)
11. **OPEN SESSION: Report action if any**
(The Board reconvened in Open Session at 6:27 p.m.)

President Tobias reported no action was taken in Closed Session on agenda items 9 or 10.

12. Adjournment

With no further business to discuss, the meeting was adjourned at 6:28 p.m.

The minutes were approved at the July 29, 2020 board meeting and signed by the presiding board member.

/s/John Tobias
John Tobias, President

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