

August 25, 2021
Regular Meeting
5:01 p.m.

On March 18, 2020, Governor Newsom issued Executive Order N-29-20, 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, August 25, 2021 at 5:01 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President Doug Williams, Vice President Joe Tonascia and Directors Sonny Flores and Andrew Shelton; Director John Tobias was absent. Also present were, District Counsel Jeremy T. Liem, Assistant Manager Sara Singleton, Deputy District Engineer Garrett Haertel, Finance Manager Natalie Sullivan, Operations and Maintenance Supervisor Michael Craig and Board Clerk/Office Specialist III Barbara Mauro. District Manager/Engineer Jeff Cattaneo was absent.

CALL TO ORDER

President Williams called the meeting to order at 5:01 p.m.

- a. Pledge of Allegiance to the Flag**
President Williams led the Pledge of Allegiance.
- b. Roll Call**
Mrs. Mauro called roll; President Williams, Vice President Tonascia and Directors Flores and Shelton were present at the District; Director Tobias was absent.
- c. 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.**
- d. Approval of Agenda**
With a motion by Vice President Tonascia and a second by Director Shelton, the Agenda was approved by 4 affirmative votes, Williams, Tonascia, Flores and Shelton and there was 1 absence, Tobias.
- e. 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: July 28, 2021 Regular Meeting**
- 2. Allowance of Claims**
- 3. Acknowledgement of Paid Claims prior to the August Board Meeting**
Regarding Agenda Item #3, Mrs. Singleton stated this is where the District reports any items paid outside of the claims process. This month, a section was added regarding the bond financing, referring to the 2 wired transfer payments, approved by the Board previously. This will occur every six months.

With no further questions, a motion was made by Director Flores and seconded by Vice President Tonascia; the Consent Agenda was approved by 4 affirmative votes, Williams, Tonascia, Flores and Shelton and there was 1 absence, Tobias.

REGULAR AGENDA:

4. North San Benito County Groundwater Sustainability Agency (GSA)

• Sustainable Groundwater Management Act (SGMA) Update

As per Mrs. Singleton, the only item is the 90-day review period has begun for the Draft Groundwater Sustainability Plan, which will go through the end of October. The Board will consider approval of the final plan at its November Board meeting.

5. Committee/Agency Representative Reports:

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

As per Director Tonascia, the Authority discussed the lack of water and discussed the possibility of transfers.

As per Mrs. Singleton, at a recent workshop she attended, the Authority discussed the San Luis Transmission Project, which will be approximately \$282 million, and they gave an update on the BK Sisk Dam raising project.

b. Water Resources Association (Flores/Shelton)

As per Director Flores, general business was discussed as well as conserving the water that we do have.

Mr. Novack added they also discussed the transit posters that are out around town that are on water conservation.

6. Monthly Operations and Maintenance Report

Mr. Craig showed a photo of a repair of the 20-inch line that A T& T damaged while working on the Highway 156 Project. He also showed photos of valves that will have bolts replaced and are part of an upcoming painting project.

7. District Manager/Engineer's Report:

a) Reach 1 Operations

As per Mrs. Singleton, there isn't much to report except for a meeting scheduled for tomorrow with Santa Clara Valley Water District, our staff and Alan Zeisbrich regarding the Pacheco Pumping Plant on-going work.

b) Zone 3 Operations

As per Mrs. Singleton, District staff is prepping for more work on the Hernandez Spillway.

c) Zone 6 Operations

As per Mrs. Singleton, District staff continue to draw down San Justo Reservoir for the remainder of the water year which means sub systems 7 through 11 will be receiving water from San Justo Reservoir.

- d) **San Luis Delta Mendota Authority Activities**
As per Mrs. Singleton, this has already been covered.
 - e) **Pacheco Reservoir Expansion Project**
As per Mrs. Singleton, Santa Clara Valley Water District continues to pursue funding for the project.
 - f) **City of San Juan Bautista Water Supply Plan**
As per Mrs. Singleton, HDR has nearly completed the preliminary design work and the necessary access agreements are almost complete as well.
8. **CLOSED SESSION—Conference with Legal Counsel—existing litigation**
- a. **Government Code 54956.9(a)**
Center for Biological Diversity, ET AL v. United States Bureau of Reclamation, ET AL
(CASE NO.: 1:20-CV-00706-DAD-EPG)
9. **CLOSED SESSION: Conference with legal counsel—Existing litigation**
- a) **Government Code 54956.9(a)**
San Benito County Water District v. Randy McAlpine
(CL-13-00437)
 - b) **Government Code 54956.9(a)**
Randy McAlpine v. San Benito County Water District
(CU-17-00050)

(The Board retired into Closed Session at 5:16 p.m.)

10. OPEN SESSION
Report any action if any

(The Board returned to Open Session at 5:33 p.m.)

As per President Williams, there was no action taken on Agenda Item #8.

The action for Agenda Item #9, was reported out by District Counsel Liem. Mr. Liem stated the Board authorized the District Manager to sign the Settlement and Mutual Release Agreement between the District and Randall McAlpine and also authorized the District Manager to sign any and all documents to finalize this agreement. There were four affirmative votes, Williams, Tonascia, Flores and Shelton and 1 absence, Tobias

11. Adjournment

With no further business to discuss, the meeting was adjourned at 5:34 p.m.

The minutes were approved at the September 22, 2021 Board meeting and signed by the presiding board member.

/s/Doug Williams
Doug Williams, President

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