

4. Consider Resolution Proclaiming and Ratifying March 4, 2020 COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings for all District Legislative Bodies for the Following 30 Days in Accordance with the Ralph M. Brown Act

With a motion by Director Williams and a second by Director Shelton, the Consent Agenda was approved by 4 affirmative votes, Tonascia, Shelton, Tobias and Williams and there was 1 absence, Flores.

REGULAR AGENDA:

5. Public Hearing regarding Zone 6 Standby or Availability Charge for the 2022-2023 Water Year

a. Proof of Publication submitted for Notice of Public Hearing

Mrs. Mauro verified the proof of publication.

b. Presentation of Establishing Standby or Availability Charge for the 2022-2023 Water Year

Mr. Cattaneo stated this is a routine action of the Board each year. It is not subject to Prop 218 and staff is proposing to leave the rate at \$6 per acre foot.

c. Open Public Hearing

President Tonascia opened the Public Hearing.

d. Close Public Hearing or continue to a later date

With no public in attendance, President Tonascia closed the Public Hearing.

e. Consider Resolution Establishing Standby or Availability Charge 2022-2023 Water Year

With a motion by Director Tobias and a second by Director Williams, Resolution #2022-06, *A Resolution of the Board of Directors of the San Benito County Water District Establishing a Standby or Availability Charge for 2022-2023 Water Year* was approved by 4 affirmative votes, Tonascia, Shelton, Tobias and Williams and there was 1 absence, Flores.

6. Presentation by Raftelis on Water Rate Study

The Board received a presentation from Theresa Jurotich and Sanjay Gaur from Raftelis on the water rate study they are working on for the District. Ms. Jurotich stated the study will be for a 15-year plan and she reviewed the steps they are proposing. Mr. Gaur reviewed our current groundwater, recycled water and power charges. Also discussed were the need for policies for rates.

The next steps, per Ms. Jurotich, are to finalize the 15-year model, allocate the costs for the different rate categories and then hold a Board Workshop with the results of the rate study.

7. Acknowledge the Purchase of a Field Services Tractor (\$67,014)

Mr. Craig stated the District's 1985 Tractor's engine blew out again. To replace this, would cost \$11,000. Over the last 6+ years, Mr. Craig stated, the District has invested

more than \$47,000 to keep it operating. The Board of Directors acknowledged the purchase of the Field Services Tractor in the amount of \$67,014.

8. City of San Juan Bautista Water Project Status

Mr. Cattaneo reviewed the San Juan Bautista Water Project estimate cost components, dated January 2022, which has been presented to the City of San Juan Bautista and to the City of San Juan Bautista Water Infrastructure Ad Hoc Committee.

9. 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 (Flores/Shelton)

Director Flores was not present to offer a report.

c. Water Resources Association (Flores/Shelton)

As per Mr. Cattaneo, general business and the drought were discussed.

d. City of San Juan Bautista Water Infrastructure Ad Hoc Committee (Tonascia/Flores)

As per Director Tonascia, this has already been covered.

10. Monthly Operations and Maintenance Report

Mr. Craig gave a PowerPoint of photos from recent maintenance done at the recycled water ponds. He further added, the maintenance department has had 4 leaks this month; two have been repaired and two are left to complete.

11. District Manager/Engineer's Report:

a. Reach 1 Operations

As per Mr. Cattaneo, there isn't much to report. SCVWD and SBCWD had their quarterly meeting and the annual budget is being prepared.

b. Zone 3 Operations

As per Mr. Cattaneo, he will direct District staff to begin releasing water from Hernandez Reservoir perhaps starting tomorrow, at a rate of 100-acre feet per day.

c. Zone 6 Operations

As per Mr. Cattaneo, the Bureau released their water allocation today. The Ag water allocation is -0- and the M & I water allocation is 25% of historical use. He further reported the North of Delta and the Yuba additional water supplies are now at risk. Last year, the initial allocation for M & I in April was 50% of historical use and then reduced it in May to 25% of historical use. Mr. Cattaneo has instructed District staff to fill San Justo Reservoir from San Luis Reservoir, so as not to lose our allocated water if there are any further reductions.

d. San Luis Delta Mendota Authority Activities

As per Mr. Cattaneo, discussion at the Authority was regarding Westlands and their share of the cost in activity agreements. Because the agreements are based on contract amounts, Westlands is paying about 50% of the total costs. Westlands has asked for this to be re-evaluated and if that is reduced, Mrs. Singleton stated

the District's amount on these agreements could more than double. Mr. Cattaneo reported it has been suggested there be some restructuring.

Also, discussed at the Authority was the B F Sisk Dam Raise Project. Mr. Cattaneo reported our District is working with SCVWD. Discussion was had that the investors portion of this project be owned by the investors. The Bureau portion of this project is allocated differently.

e. City of San Juan Bautista Water Supply Plan

As per Mr. Cattaneo, this has already been covered.

f. Redistricting

As per Mr. Cattaneo, the final map is different than the one he presented at the December Board meeting. He reviewed the new map with the Board and stated what the changes will be.

- 12. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Existing Litigation Pursuant to 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)**

- 13. CLOSED SESSION
Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Designated Representative: District Manager
Unrepresented Employee: Manager of Administration, Finance and Business
Services**

(The Board convened in Closed Session at 6:13 p.m.)

14. OPEN SESSION

(The Board reconvened in Open Session at 6:26 p.m.)

- 1. Report any action, if any, taken in Closed Session Items**
 - i. 12** –As per President Tonascia, no action was taken in Closed Session.
 - ii. 13**–As per President Tonascia, no action was taken in Closed Session.

- 2. Hear Oral Summary of Recommendation for a Final Action on Salary and Compensation for Local Agency Executive (Manager of Administration, Finance and Business Services) Pursuant to Government Code Section 54953, Subsection c, 3**

President Tonascia read the following Oral Summary into the record:

ORAL SUMMARY FOR LOCAL AGENCY EXECUTIVES
JOYCE MACHADO, MANAGER OF ADMINISTRATION,
FINANCE AND BUSINESS SERVICES

Government Code section 54953(c)(3) requires that, before taking final action, the Board of Directors must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executives. Therefore, I am reporting the following summary regarding such items appearing on the agenda.

Item # 13, pertains to final action by the Board of Directors regarding the recommendation to add the new positions of Manager of Administration, Finance and Business Services to the District's Executive Management Group. The Manager of Administration, Finance and Business Services will constitute a local agency executive. Compensation for this position will be as follows:

- *Annual salary of \$170,000 effective on the date of hire.*
- *Annual salary of \$175,100 one year from the date of hire.*
- *Tier Two pension at the CalPERS 2% at age 62 formula, in accordance with the Public Employment Pension Reform Act*
- *District contribution to a Section 457 Deferred Compensation Plan in the amount of 5% salary per year*
- *The District will pay 100% of the cost of basic life insurance premium for coverage up to the maximum \$150,000.*
- *The employee will receive a total of 80 hours of management leave per year, provided as a lump sum on January 1st of each calendar year, pro-rated at the time of hire.*
- *The employee will accrue sick leave at a rate of 96 hours maximum per year. Sick leave accrual is capped at one thousand forty (1040 hours).*
- *The employee will have the same holiday schedule as the Executive Group set forth in the District's Personnel Rules and Regulations, which provides for 11.5 paid holidays per year.*
- *The District will pay for 100% of the cost of medical insurance, up to employee + family medical insurance in the PERS Gold plan.*
- *The District will pay for 100% of the cost of dental insurance, up to the family plan.*
- *The District will pay for 100% of the cost of vision insurance, up to the family plan (Plan A).*

- *The employee will be subject to Unpaid Furlough and End of Year Closure schedules.*
- *The employee may earn Educational and Technical Incentives up to a limit of \$67.30 per pay period.*
- *The employee will receive the Additional District Benefit Contribution of 2% of salary or 40 hours of vacation leave per year, paid or accrued on a pay period basis.*
- *The employee will receive the Retiree Additional Benefit, if eligible on retirement, that ranges from \$100 to \$348 per month, depending on age at retirement and District Years of Service.*
- *The employee will receive a cell phone stipend of \$51/month.*
- *The employee will accrue vacation at the rate of 3 weeks per year until she has completed 10 years of District service. At that time, she will accrue vacation consistent with the MCP Compensation Resolution.*
- *Consistent with the Executive Management Compensation Resolution for RHSA, the District will establish a RHSA for the employee. Contributions will be 100% of the cash-out value of employee's earned and unused sick leave and vacation will be cashed out and deposited into the employee's Retiree Health Savings Account at separation.*
- *If the District terminates the employee without cause, the District will provide a cash settlement (severance) payment equal to and no more than the monthly salary of the employee multiplied by the number of months left on the unexpired contract, not to exceed three months. Health benefits may be continued for the same duration of time covered in the settlement, or until the employee finds other employment, whichever occurs first.*

The Executive Management Group Compensation Resolution is amended to add the position of Manager of Administration, Finance and Business Services.

3. **Consider Approval of Resolution 2022-07 for Executive Compensation**
 With a motion by Director Tobias and seconded by Director Williams, Resolution #2022-07, *A Resolution of the Board of Directors of the San Benito County Water District for Salary and Compensation for the Executive Management Group* was approved by 4 affirmative votes, Tonascia, Shelton, Tobias and Williams and there was 1 absence, Flores.
4. **Consider Approval of Employment Contract for Manager of Administration, Finance and Business Services and Authorize District Manager to Sign**
 With a motion by Director Williams and a second by Director Shelton, the Board of Directors approved of an Employment Contract for Manager of

Administration, Finance and Business Services and Authorized the District Manager to sign, was approved by 4 affirmative votes, Tonascia, Shelton, Tobias and Williams and there was 1 absence, Flores.

15. Adjournment

With no further business to discuss, the meeting was adjourned at 6:35 p.m.

The minutes were approved at the March 30, 2022 Board meeting and signed by the presiding board member.

/s/ Joseph Tonascia
Joseph Tonascia, President

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