

July 27, 2022
Regular Meeting
5:00 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, July 27, 2022 at 5:00 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President Joe Tonascia, Vice President Sonny Flores and Directors John Tobias and Doug Williams. Director Andrew Shelton arrived late. Also present were District Manager Jeff Cattaneo, Assistant General Manager Steve Wittry, Manager of Administration, Finance and Business Services Joyce Machado, District Engineer Glenn Micko, Deputy District Engineer Garrett Haertel, Supervising Accountant Natalie Sullivan, Water Conservation Program Manager Shawn Novack, Operations and Maintenance Supervisor Michael Craig, and Board Clerk/Office Specialist III Barbara Mauro. District Counsel Jeremy T. Liem participated remotely, via Zoom.

CALL TO ORDER

President Tonascia called the meeting to order at 5:00 p.m.

- a. **Pledge of Allegiance to the Flag**
President 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 Tobias, the agenda was approved by 4 affirmative votes, Tonascia, Flores, Tobias and Williams and there was 1 absence, Shelton.
- d. **Public Input: Members of the Public are Invited to Speak on any Matter not on the Agenda**
Mr. Greg Bloom of the Best Road Mutual Water District asked to address the Board. He asked for San Benito County Water District to advocate to allow their homeowners to consolidate with Sunnyslope County Water District as they are now down to one well and the water quality is really bad. He further added the California Department of Drinking Water has asked them to pursue this. Mr. Bloom stated it would be appreciated if the San Benito County Water District could offer any assistance.

CONSENT AGENDA:

- | | | | |
|----|---|------------------------|----------------------|
| 1. | Approval of Minutes for: | Special Meeting | June 23, 2022 |
| | | Regular Meeting | June 29, 2022 |
| 2. | Allowance of Claims | | |
| 3. | Acknowledgement of Paid Claims prior to the July Board Meeting | | |
| 4. | Acceptance of Quarterly Investment Report, June 30, 2022 | | |
| 5. | Recognizing Travis Graves for 5 Years of Service, Certificate Issued | | |

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

REGULAR AGENDA:

6. Consider Approval of District staffing positions

Mrs. Machado reviewed these two items for the Board. Regarding 6(a), the District current Finance Manager is retiring. At the Personnel Committee Meeting on Monday, the committee discussed immediate recruitment. Regarding 6(b), a correction is needed, per Mrs. Machado and this was also discussed at the Personnel Committee Meeting. A temporary hire was made on September 7, 2021 and should have been limited to a six-month term and end March 7, 2022. However, this position continued as a probationary part-time position and should have included some additional applicable benefits. Mrs. Machado stated the Board would need to approve the correction and authorize staff to retroactively pay any applicable benefits. Mrs. Machado added, this position will end on September 2, 2022.

a. Supervising Accountant

With a motion by Vice President Flores and a second by Director Williams, the Board of Directors approved the recruitment of a Supervising Accountant by 4 affirmative votes, Tonascia, Flores, Tobias and Williams and there was 1 absence, Shelton.

b. Part-Time Benefitted limited duration position

With a motion by Director Tobias and a second by Director Williams, the Board of Directors approved the correction to the Part-Time Benefitted limited duration position by 4 affirmative votes, Tonascia, Flores, Tobias and Williams and there was 1 absence, Shelton.

(Director Shelton arrived at 5:07 p.m.)

7. Industrial Painting Services – Phase 1

a. Consider Accepting Bid and Issuing Notice of Award to Unified Field Services Corporation with All Additive Alternate Bid Items Included (Not to Exceed \$403,567)

Mr. Micko reviewed this item for the Board. He stated 1 bid had been received and gave the history of how this had been bid previously, but on a larger scale. Also, there is a 10% contingency included. If the Board approves this item, staff will then issue a Notice of Award and proceed with the contract.

With a motion by Director Tobias and a second by Director Shelton, the Board of Directors accepted the Bid and Authorized Staff to issue a Notice of Award with 5 affirmative votes, Tonascia, Flores, Shelton, Tobias, and Williams.

8. California State Highway 156 Widening – SBCWD Pipeline Realignment

a. Consider Accepting Bid and Issuing Notice of Award to Monterey Peninsula Engineering (NTE \$2,152,837)

Mr. Micko reviewed this item for the Board. The Highway 156 Widening Project which is being done by CalTRANS, has impact to some of the District's infrastructure. The pipeline realignment will be at CalTRANS' expense. The District received 2 bids, which Mr. Micko reviewed. Staff is recommending the

District accept the bids, contingent on acceptance of the winning bid by CalTRANS.

Mr. Cattaneo added there is a minor portion near Lucy Brown Lane that the District would be responsible for, but that would allow dual access to the District's pipeline.

Director Tobias asked about the timeline. Mr. Micko stated it would be 120 days, as CalTRANS needs the District's work to precede theirs in this part of the project.

With a motion by Director Williams and a second by Director Shelton, the Board of Directors accepted the bid from Monterey Peninsula Engineering for an amount not to exceed \$2,152,837, pending approval of CalTRANS, and issue a Notice of Award; this was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Tonascia.

9. Discuss and Consider Approval of OpenET Water Use Pilot Study and Professional Services Contract with Todd Groundwater (NTE \$49,504)

Mr. Micko reviewed this item for the Board. This pilot study would support the District's groundwater management programs and improve monitoring which would also support the District's Groundwater Sustainability Plan.

A member of the public, Bob Huenemann, stated an objection to any funds being spend with Todd Groundwater. Mr. Cattaneo stated the District Board had received a letter from Mr. Huenemann stating his issue with the Urban Water Management Plan, which was prepared by Todd Groundwater. President Tonascia stated the Board acknowledged his objection.

With a motion by Director Shelton and a second by Vice President Flores, the Board of Directors approved the OpenET Water Use Pilot Study and Professional Services Contract with Todd Groundwater, not to exceed \$49,504, by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias, and Williams.

10. Discuss and Consider Approval of Resolution Establishing an Interim Policy for Rescheduling Unused/Conserved 2022-23 Water by Agricultural Contract Water Users

Mr. Cattaneo stated last year the District allowed customers to carry over 20% of their unused/conserved water into this water year. This year, with a -0- water allocation, and next year's allocation could possibly be 15%, staff is recommending the Board allow Ag customers to carry-over unused/conserved water but asking the Board to change the percentage to 100%.

With a motion by Director Tobias and a second by Director Williams, the Board of Directors approved Resolution #2022-24 *A Resolution of the Board of Directors of the San Benito County Water District Establishing an Interim Policy for Rescheduling Unused/Conserved 2022-23 Water by Agricultural Contract Water Users* by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias, and Williams.

11. Committee/Agency Representative Reports:

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

As per Mr. Cattaneo, this will be covered under his District Manager's report.

b) Personnel Committee (Tobias/Tonascia)

As per Directors Tobias and Williams, this has already been covered.

12. District Engineer's Report

Mr. Micko reviewed the Governor's Executive Order N-7-22 which would prohibit the drilling of groundwater wells. The District has a role in San Benito County for this executive order as it is the well permitting agency as well as the Groundwater Sustainability Agency (GSA) for SGMA (Sustainable Groundwater Management Act). Mr. Micko reviewed the research provided to the District by Santa Clara Valley Water District (Valley Water) using San Luis Obispo and Stanislaus counties formats. He further stated the District plans to work through this process with Todd Groundwater to refine the District's well application process.

Discussion ensued about how this will work. Director Tobias asked if this would come back to the Board before a decision is made. Mr. Cattaneo stated staff will work on what the impact is and how best to implement this process. Mr. Cattaneo further added that tonight is simply informational on the executive order and what effects it could have on the District.

Mr. Micko further reported that this could triple the District's cost for the well permit fees it is currently charging. If that is the case, the District would go through the public hearing process, perhaps as early as the September Board meeting.

13. Monthly Operations and Maintenance Report

Mr. Craig showed photos of a recent leak repair on Rosa Morada.

14. District Manager's Report:

a) Reach 1 Operations

As per Mr. Cattaneo, he had nothing to report at this time.

b) Zone 3 Operations

As per Mr. Cattaneo, District staff is mowing at the canal and putting out bait.

c) Zone 6 Operations

As per Mr. Cattaneo, the District is working off of San Justo Reservoir due to the water situation. He further reported the District will receive approximately 450 acre feet of transfer water from Yuba and the cost will be approximately \$1600-\$1700 per acre foot.

d) San Luis Delta Mendota Authority Activities

As per Mr. Cattaneo, 2 projects were discussed.

The first was the B F Sisk Dam Raise Project, which he distributed a draft Principles of Agreement for Funding, Participation and Operations, which he reviewed. He further reported there will be another meeting next week on this

project. The Authority members are moving forward with the preliminary design and anticipate it's completion in about eighteen months.

The second project discussed was the San Luis Transmission Project. Mr. Cattaneo stated it is anticipated that there will be more participants than just the Authority members. A figure of \$520 million for a bond was discussed and Mr. Cattaneo stated he and others were questioning the cost. He is not certain this project will be moving forward.

e) **City of San Juan Bautista Water Supply Plan**

As per Mr. Cattaneo, the City of San Juan Bautista (City) held a lengthy council meeting last week. On this agenda was the 1st reading of the ordinance pertaining to the City's rates. Due to the questions from the public, the Council elected to wait.

Mr. Cattaneo has asked Holly Kennedy of HDR to prepare the scope and budget for the work needed to proceed with this project.

Mr. Cattaneo contacted Don Ridenhour to contact Dobler and Morris so the District can continue to work on easement acquisitions for the pipeline. For this project, Mr. Cattaneo is having Kronick, Moskovitz, Tiedemann and Girard review the two documents that will be needed which are: the Pipeline Agreement and the Water Supply and Treatment Agreement Amendment.

15. **CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(GOVT CODE § 54956.9(d)(2)): One potential case
16. **CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(GOVT CODE § 54956.9(d)(4)): One potential case

(The Board convened in Closed Session at 6:07 p.m.)

17. **OPEN SESSION**

(The Board reconvened in Open Session at 6:56 p.m.)

Report action from Closed Session if any

President Tonascia stated there was no action to report on either item from Closed Session.

18. **Adjournment**

With no further business to discuss, the meeting was adjourned at 6:56 p.m.

Minutes were approved at the August 31, 2022 Board meeting and signed by the presiding board member.

/s/Sonny Flores
Sonny Flores, Vice President

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