

REGULAR AGENDA:

5. Discuss and Consider Authorization to Increase Contract Purchase Order (P.O. #8037) to CSI Services by \$53,600 for Inspection Services for the Industrial Paint Project (NTE \$80,000)

Mr. Wittry stated, while the transmittal in the board packet has the correct information, the agenda title is incorrect. The correct amount should read, the increase is \$38,600 and the NTE should be \$65,000.

Mr. Macdonald, utilizing a PowerPoint presentation, reviewed some before and after photos of the structures at Subsystem 5 and 6. While the contractor was scrubbing the surfaces before painting, they caused a leak, which has since been repaired. Mr. Macdonald also showed progress photos at Flow Control #1. He further stated when the purchase order was issued, District staff anticipated the work taking about 30 days; work is taking long than expected. We are drawing to the end of the initial purchase order and inspections need to continue during the painting process.

Mr. Bettencourt asked why District staff cannot do these inspections. Mr. Macdonald stated District staff are not painting experts. He further stated the first six sites should be completed by mid-December. Mr. Cattaneo added the original coat of paint was done by the Bureau and is lead-based paint.

With a motion by Director Williams, noting the corrected amount of increasing the purchase order by \$38,600 with a NTE of \$65,000, and it was seconded by Director Shelton; the Board of Directors Authorized to Increase Contract Purchase Order (#8037) to CSI Services by \$38,600 for Inspection Services for Industrial Paint Project (NTE \$65,000) with 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

6. Consider Amending Resolution #2008-24 San Benito County Water District's Record Retention Policy and Declaring a Trusted System

Mrs. Machado reviewed this item for the Board. She stated this would be to amend the original record retention policy approved in 2008. District staff began scanning documents into Sharepoint in 2021, working towards declaring a trusted system. Mrs. Machado added staff has been working with ELC for the management of District documents.

Vice President Flores asked how this information is stored. Mrs. Machado stated it is stored in 3 different places, which is what is required as a trusted system.

With a motion by Director Shelton and a second by Vice President Flores, Resolution #2022-25, *A Resolution of the Board of Directors of the San Benito County Water District Amending Resolution #2008-24 San Benito County Water District's Record Retention Policy and Declaring a Trusted System* was approved by 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

7. Discuss and Consider Approval of an on-call Contract for Groundwater Management and Evaluation Services with Todd Groundwater and Authorizing the District Manager to sign said contract (NTE \$ 250,000 annually)

Mr. Wittry reviewed this item for the Board. He stated modifying the format of the District's contract allows the District more flexibility. This contract would be for \$250,000 annually, but the General Manager would have to sign off on each task order. The term for this contract, per Mr. Wittry, would be a 1-year term with the addition of 2 additional terms, or a total of 3 years, with a maximum of \$750,000. Mr. Wittry added this would be similar to the Primex contract. He added, staff could give the Board quarterly updates.

Vice President Flores asked if the annual amount wasn't used, would it carry over to the following year. Mr. Wittry stated, no it would not.

Director Williams asked when it would be effective. Mr. Wittry stated it would be effective once both parties sign the contract.

Mr. Cattaneo stated it would avoid having to use purchase orders while waiting for a contract to be signed and the manager would sign approved task orders as needed.

Director Shelton asked if the consultant could change the rate. Mr. Cattaneo stated the rates would be locked in and billed as time and materials.

Discussion ensued about how this format differed from what the Board is used to approving. Mr. Wittry stated this is similar to having a preferred vendor listing. President Tonascia expressed concern that it would take away the authority from the Board. Also discussed was giving regular updates, whether they were monthly or quarterly.

With a motion by Vice President Flores, adding monthly reporting in the consent agenda, and seconded by Director Shelton; the Board of Directors Approved of an on-call Contract for Groundwater Management and Evaluation Services with Todd Groundwater and Authorized the District Manager to sign said contract (NTE \$ 250,000 annually) with 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

8. Discuss and Consider Agreement between San Benito County Water District and the County of San Benito for supplementing the County's water allocation for Service Area 31 (CSA 31)

Mr. Cattaneo reviewed this item for the Board. He has previously discussed the water issue Stonegate has as the District provides their only water supply. Their allocation was only 17-acre feet this year. This agreement would supplement their allocation with up to 27-acre feet and would be for a 5-year period. This would be a take or pay contract, per Mr. Cattaneo, so they would be obligated to purchase the water.

With a motion by Director Williams and a second by Vice President Flores, the Board of Directors approved the Agreement between San Benito County Water District and the County of San Benito for supplementing the County's water allocation for Service Area

31 (CSA 31) with 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

9. Discuss and Consider Approval of a Resolution Authorizing the Submittal of a Grant Application to the Department of Water Resources (DWR) for the Aquifer Storage and Recovery Project

Mr. Cattaneo stated agenda items #9 and #10 are different funding opportunities for the same project, the ASR. The District has been working with Todd Groundwater and HDR on water supply options and the ASR Project is moving forward. The project is being modified slightly due to timing issues, which Mr. Cattaneo reviewed.

For this agenda item, the grant application is due to DWR in late November. The first step would be for the Board to approve the resolutions, allowing staff to apply for the grant which has a matching amount of 50%. If the District is able to link these two funding opportunities, that would mean less out of pocket for the District.

With a motion by Director Williams and a second by Vice President Flores, Resolution #2022-26, *A Resolution of the Board of Directors of the San Benito County Water District Authorizing the Submittal of a Grant Application to the Department of Water Resources (DWR) for the Aquifer Storage and Recovery Project* was approved with 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

10. Discuss and Consider Approval of a Resolution Authorizing the Submittal of a Grant Application to the United States Bureau of Reclamation (USBR) for the Aquifer Storage and Recovery Project

Mr. Cattaneo stated this process is the same as the one in agenda item #9, except it is through the Bureau and the due date for the feasibility study is Friday. He further reported that funds are authorized each year, so it is important to get in the queue. The entire project is over \$100 million over the next 25 years and this is a 75% match for this project.

With a motion by Director Shelton and a second by Director Williams, Resolution #2022-27 *A Resolution of the Board of Directors of the San Benito County Water District Authorizing the Submittal of a Grant Application to the United States Bureau of Reclamation (USBR) for the Aquifer Storage and Recovery Project* was approved with 4 affirmative votes, Tonascia, Flores, Shelton and Williams and there was 1 absence, Tobias.

11. Consider Authorizing Director Attendance at the 2022 ACWA/JPIA's Board of Directors' Meeting on November 28, 2022, Indian Wells, California

President Tonascia stated if anyone is interested in attending, they should contact Mrs. Mauro. Staff did mention this could conflict with the District's November Board Meeting, which is on November 30, 2022.

- 12. Consider Authorizing the District Manager (or his Designee) and Director Attendance at the 2022 ACWA Fall Conference, Indian Wells, California, November 29 – December 2, 2022**
President Tonascia stated if anyone is interested in attending, they should contact Mrs. Mauro. Staff did mention this would conflict with the District's November Board Meeting, which is on November 30, 2022.
- 13. Committee/Agency Representative Reports:**
- a) **San Luis Delta Mendota Water Authority (Tonascia/Cattaneo)**
As per Mr. Cattaneo, this will be covered under his Manager's Report.
 - b) **Water Resources Association (Flores/Shelton)**
Director Flores stated general water conservation was discussed. Mr. Novack further reported the turf removal grant applied for last May is a 50/50 cost share. Currently, WRA is using reserve funds for the turf removal program and the funds have nearly been exhausted. However, approximately 200,000 square feet of turf has been removed. Also, Mr. Novack is reminding the public to turn off their irrigation systems due to the weather change.
- 14. Monthly Operations and Maintenance Report**
Utilizing a PowerPoint presentation, Mr. Craig showed photos of what the maintenance staff have been working on. One photo showed a leak at the 24" pipe off of Lone Tree Road. Also shown, were photos of the painting project that is underway. The vendor doing the painting, cleaned rust off in order to paint and this caused approximately seven different leaks.
- 15. District Manager's Report:**
- a) **Reach 1 Operations**
As per Mr. Cattaneo, there was nothing to report.
 - b) **Zone 3 Operations**
As per Mr. Cattaneo, there was nothing to report.
 - c) **Zone 6 Operations**
Mr. Cattaneo reported the District continues to operate off of San Justo Reservoir. He added the District has approximately 800-acre feet of water stored in San Luis Reservoir.
 - d) **Quarterly Investment Report as of September 30, 2022**
Mr. Cattaneo reviewed the status of the District's investments.
 - e) **San Luis Delta Mendota Water Authority Activities**
Mr. Cattaneo discussed the San Luis Transmission project.
 - f) **City of San Juan Bautista Water Supply Plan**
Mr. Cattaneo reported the District delivered 2 agreements to the City of San Juan Bautista (City); the Pipeline Agreement and the Water Supply and Treatment Agreement Amendment. The City has reviewed them and did have some

questions. The proposed usage was 500,000 gallons/day and the City would like to reduce it to 350,000 gallons/day, which would drop the cost by 1/3. There are also some questions about the design, but the District will not be moving forward until the City agrees to all the terms.

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 6:27 p.m.)

17. OPEN SESSION

Report action from Closed Session, if any

(The Board reconvened in Open Session at 6:34 p.m.)

President Tonascia reported no action was taken in Closed Session.

18. Adjournment

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

Approved at the November 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