

September 20, 2023
Regular Meeting
5:00 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, September 20, 2023 at 5:00 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President Sonny Flores, Vice President Andrew Shelton and Directors Joe Tonascia, Doug Williams and Mark Wright. Also present were General Manager Steve Wittry, District Counsel Jeremy T. Liem, Manager of Administration, Finance and Business Services Joyce Machado, Deputy District Engineer Rob Hillebrecht, Senior Engineer David Macdonald, Operations and Maintenance Manager Michael Craig, Water Conservation Program Manager Shawn Novack and Executive Assistant/Board Clerk Barbara Mauro.

CALL TO ORDER

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

- a. Pledge of Allegiance to the Flag**
President Flores led the Pledge of Allegiance.
- b. Roll Call**
Mrs. Mauro called roll; members present were: President Flores, Vice President Shelton and Directors Tonascia, Williams and Wright.
- 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**
President Flores stated there needed to be an addition to the agenda, reporting out from Closed Session, just prior to Adjournment. Noting this change, a motion was made by Vice President Shelton and a second was made by Director Williams; the agenda was approved with 5 affirmative votes Flores, Shelton, Tonascia, Williams and Wright.
- e. Public Input: Members of the Public are Invited to Speak on any Matter not on the Agenda**

CONSENT AGENDA:

- 1. Approval of Minutes for: August 30, 2023 Regular Meeting**
- 2. Allowance of Claims**
- 3. Acknowledgement of Paid Claims prior to the September Board Meeting**
- 4. On Call Contracts – Status Updates**

With a motion by Director Williams and a second by Director Wright, the Board of Directors approved the Consent Agenda with 5 affirmative votes Flores, Shelton, Tonascia, Williams and Wright.

REGULAR AGENDA

- 5. Consider Authorizing Director Attendance at the 2023 ACWA/JPIA's Board of Directors' Meeting on November 27, 2023, Indian Wells, California**

Mrs. Mauro stated for this item, the District has budgeted for our ACWA/JPIA representative to attend the meeting. Our representative should let Mrs. Mauro know if they plan to attend so she can make the necessary arrangements.

6. **Consider Authorizing the District Manager (or his Designee) and Director Attendance at the 2023 ACWA Fall Conference, Indian Wells, California, November 28 – 30, 2023**

Mrs. Mauro stated this item has been budgeted for two directors plus the manager (or his designee) to attend this conference. Please contact Mrs. Mauro if you wish to attend so she can register you for the conference and make hotel reservations.

7. **Committee/Agency Representative Reports:**

a. **San Luis and Delta-Mendota Water Authority (Tonascia/Wittry)**

Director Tonascia stated it was a short meeting, mostly discussing the transfer contract.

b. **Administration Committee (Flores/Shelton)**

As per Directors Flores and Shelton, the committee reviewed the contract for Lidia Gutierrez for Grant Administration which will be considered at the special meeting in October.

8. **Monthly Operations and Maintenance Report**

Mr. Craig showed several photos of Hernandez Reservoir. He discussed the issue staff was having closing the valve. He also stated they would be doing maintenance work on the spillway in October. Discussion ensued on why it was open and that it wasn't safe currently to have staff or a diver work on it right now. Also discussed was the delay in receiving the part needed for the repair of the valve; they took over nine months to receive.

9. **General Manager's Report**

a) **General Comments**

Mr. Wittry reported ACWA has asked its members for a letter of support for AB 1594, which provides exemptions for the proposed zero emission regulations for emergency/specialized equipment. ACWA would like to receive the letter by the end of the week.

Regarding the District's dump truck, Mr. Wittry reported staff is in the process of getting quotes and intends to bring this item to the October board meeting.

Regarding water well levels, Todd Groundwater has begun its work for our report for SGMA due in April 2024. Mr. Wittry stated he would like to know if there are specific areas the Board would like the consultant to highlight.

Mr. Wittry reported there will be three items on the Special Meeting agenda on October 4th; the contract for the Borehole project and two items for the Integrated Regional Water Management (IRWM) Grant. One will be a contract with Gutierrez Consultants for Grant Administration and the other will be updating our resolution to the Department of Water Resources stating the District will be the

Grant Administrator for our grant and the other two participating agencies and it is now for implementation.

The USBR has announced a deadline of November 30th for the small storage grant. Mr. Wittry stated although the District was not successful in the last round, we were able to have our Feasibility Study approved by the USBR and staff will be working on applying for the next round of funding.

Regarding the capacity fee, Mr. Wittry reported he had a telephone meeting with the Business Industry Association which went well.

b) Reach 1 Operations

Mr. Wittry reported Valley Water's closure near Bifurcation in November will not impact the District's deliveries, but staff will follow it to be sure there isn't any impact.

c) Zone 3 Operations

Mr. Wittry reported San Benito River continues to flow through the County and staff continues to fill Paicines. He added, Paicines Canal continues to leak.

d) Zone 6 Operations

Mr. Wittry reported the coating contractor had a pre-construction meeting at the District on September 26th. Work is scheduled to begin the first week of October and any repairs that are needed will be coordinated with the O & M department.

e) San Luis and Delta-Mendota Water Authority Activities

Mr. Wittry reported the North to South Activity Agreement, which had previously been for ten years, is due to expire in January of 2025, so a new agreement is needed. The Authority is asking for an answer by mid-November, so this will likely be on the October agenda.

f) Pacheco Reservoir Expansion Project

Mr. Wittry stated he had nothing to report at this time.

g) City of San Juan Bautista Water Supply Plan

Mr. Wittry stated this project is moving forward, but slowly. He did report the parts for the wastewater portion of the City of San Juan Bautista's plan have a twenty-four-month lead time.

**10. CLOSED SESSION: Conference with legal counsel—
potential litigation**

Government Code 54956.9

Kurasaki v. San Benito County Water District

(The Board retired into Closed Session at 5:30 p.m.)

**11. OPEN SESSION:
Report any action, if any, from Closed Session**

(The Board re-convened in Open Session at 5:42 p.m.)

President Flores stated there was no action to report from Closed Session.

11. **Adjournment**

With no further business to discuss, the meeting was adjourned at 5:42 p.m.

Minutes approved at the October 25, 2023 Board meeting and signed by the presiding board member.

/s/Sonny Flores
Sonny Flores, President

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