

December 20, 2023
Regular Meeting
5:02 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, December 20, 2023 at 5:02 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, Deputy District Engineer Rob Hillebrecht, Senior Engineer David Macdonald, Operations and Maintenance Manager Michael Craig, Water Resources Technician II Dustin Franco, Office Specialist I Jennifer Cosio Arellano and Executive Assistant/Board Clerk Barbara Mauro.

CALL TO ORDER

The meeting was called to order by President Flores at 5:02 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**
With a motion by Director Williams and a second by Vice President Shelton, the minutes were approved by 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**
There were no public comments.

CONSENT AGENDA:

1. **Approval of Minutes for: Regular Meeting November 29, 2023**
2. **Allowance of Claims**
3. **Acknowledgement of Paid Claims prior to the December Board Meeting**
4. **On Call Contracts – Status Updates**

There was a motion by Director Tonascia and a second by Director Williams for the Consent Agenda. President Flores abstained from approval of the minutes from November 29, 2023, as he was absent. The minutes of November 29, 2023 were approved by 4 affirmative votes, Shelton, Tonascia, Williams and Wright with one abstention, Flores. The rest of the Consent Agenda, items 2-4, were approved by 5 affirmative votes, Flores, Shelton, Tonascia, Williams and Wright. Director Tonascia asked why the minutes of the Special Meeting from December 12, 2023 were not on the consent agenda. Mr. Wittry stated it was simply a timing issue. Mrs. Mauro suggested they could be considered at the Special Meeting on January 8, 2024. Director Tonascia asked if they could go on a special meeting; Mr. Liem stated yes, as long as they are agendaized.

REGULAR AGENDA

5. Presentation by Gus Yates, Todd Groundwater - Accelerated Drought Response Project (ADRoP) Groundwater Discussion

Mr. Wittry introduced the Todd Groundwater team, who were attending via Zoom; the team consisted of Iris Priestaf, Chad Taylor and Gus Yates who would be giving a PowerPoint Presentation. Discussing the viability of using an aquifer Storage and recovery well system south of Hollister.

Mr. Yates gave a brief history of the recent recharge planning the District was considering and referred to the proposed injection recharge suitability map. He stated the injection feasibility could be up to 6000 AF in wet years. Mr. Yates then reviewed the modeling parameters he included in the simulation and discussed initial injection/well locations and the revised location for ADRoP implementation. Further, he described the model base conditions that when CVP water is available in wet years, the ASR injection would be up to 2700 AF with an extraction rate 1/3 of that during three dry years.

Director Tonascia asked, if 2700 AF is injected in wet years, the model is showing extracting 900 AF in the dry years? Mr. Yates replied, the goal would be to recover the water the first three consecutive dry years, following injection. Mr. Yates reiterated it is a simulation for injection and extraction years. Mr. Yates further discussed the groundwater flow as it relates to the ASR injection and extraction. He added there are other variables that could interact with the modeling such as potential interaction with the San Benito River, SBCWD percolation and the operations of Hernandez reservoir. Going forward, Mr. Yates stated the models are the best analysis tool, but they do have limits. Discussion ensued about how the movement of water is determined and Mr. Yates stated the model is created by the data he used for the simulation. There was also discussion about whether water can flow downstream and under the river.

While discussing extraction and injection, Mr. Wittry stated the intent is, in dry years, to extract water and inject it into the distribution system via the cross-town pipeline. Mr. Yates added, looking at the water long-term, the District would be putting good water back into the ground, therefore improving the condition of the groundwater.

A member of the audience, Richard Bettencourt, asked where the funds are coming from to complete this project. Mr. Wittry stated by the M & I users through rates and also, the District has received substantial grant funds for more than \$13 million. Mr. Bettencourt also asked if Title 22 water (recycled water) can be injected into the aquifer. Mr. Taylor stated there is a process that can be used for recycled water, but more involved and takes significant level of effort to get approval by the CA Regional Water Quality Control Board. Director Wright asked what is the pumping rate (gallons per minute)? Mr. Taylor stated it is about 1000/gallons per minute to extract and about 1/2 of that (500/gallons per minute) to inject the water.

There was a request for the Study material; Mr. Wittry stated Todd Groundwater has created a draft technical memo and following the presentation to the board, it will be finalized to reflect substantive questions from the Board. Once final, the technical memo will be given to the Board.

6. **Committee/Agency Representative Reports:**
 - a) **San Luis and Delta-Mendota Water Authority (Tonascia/Wittry)**
As per Director Tonascia, Mr. Wittry can cover this under his manager's report.
 - b) **Pajaro River Watershed Flood Prevention Authority (Flores/Shelton) (November Meeting)**
As per Director Flores, general business was discussed as well as the Pajaro Levee repair, which has funding in place.
 - c) **Water Resources Association (Flores/Shelton)**
As per Director Shelton, general business was discussed as was the grant that Mr. Novack had applied for which would augment the Turf Replacement Program to help attract larger sites to further turf removal in the community.
7. **Monthly Operations and Maintenance Report**

Mr. Craig reported his staff has been busy with cleaning up the District yard and around San Justo Reservoir. He is also working on the year end inventory. In January, Mr. Craig reported there will be a planned shutdown during the first week, related to the coating project; customers will be given 24-48 hours' notice. In Zone 3, staff is mowing around the canal. The annual cleaning of the recycled water ponds is due, and the entire process should take about two weeks. There are 2 sixteen-inch valves that need replacing in San Juan Bautista, but this is an issue that requires planning and timing.
8. **General Manager's Report:**
 - a) **General Comments**

Mr. Wittry reported he attended the Sunnyslope County Water District meeting last night and presented the Master Plan. There was a concern from their Directors about the costs for surface water and the expenses required for the urban area goals. He gave them a brief history of water and wastewater compliance and how these requirements drive water quality improvements.

Mr. Wittry reminded the Board of the special meeting scheduled for January 8th. This is a requirement of the District Act for groundwater. Detailed information on groundwater will be presented at the March meeting as this is a requirement of SGMA.

Mr. Wittry reported the District has hired Kelley Urbina to fill the vacancy created by the promotion of Cindy Paine; she will start on January 8, 2024.

Mr. Wittry reported the District was given the GFOA (Government Finance Officers Association) Award for excellence for the 11th year in a row.

Mr. Wittry reported staff is getting quotes for office painting and flooring which can be done next year.
 - b) **Reach 1 Operations**

Mr. Wittry stated there was nothing to report at this time.

c) Zone 3 Operations

Mr. Wittry reported at the Special Meeting on December 12th, there was a question about the funding reserve for Zone 3. As of November 30th, the reserve for Zone 3 is \$5.3 million. He plans to have a committee meeting and include the engineering staff, so he can include repairs/maintenance on the CIP (Capital Improvement Plan) that will be prepared in the Spring.

Brigantino Irrigation has been hired to perform maintenance on the canal near old Airline highway and Cienega Road. Also, staff is anticipating a quote for leak repairs in the vineyard area by the end of the year.

d) Zone 6 Operations

Mr. Wittry reported the painting contractor is making good progress and estimated completion will be in Spring.

e) Accelerated Drought Response Project (ADRoP)

Mr. Wittry reported the project design continues to move forward. The Board received information on the injection wells in the presentation by Todd Groundwater earlier this evening. Another component of this project is the capacity upgrade to the West Hills treatment plant. Mr. Wittry anticipates the 90% construction documents to be submitted by the end of the year. Staff has initiated conversations with the California Department of Drinking Water (DDW) to discuss permitting of the new construction. Mr. Wittry added staff is also creating a request for proposal for construction management for this project. The goal would be to bring a contract to the Board at the February meeting. Also, the Borehole project is nearing completion and the contractor should be off-site by the end of the month.

f) San Luis and Delta-Mendota Water Authority Activities

Mr. Wittry reported the Authority is continuing with the budget process but a budget workshop, scheduled for December 19th, was cancelled due to scheduling reasons.

The Authority continues to spearhead discussions with the USBR regarding the B F Sisk Dam raise. Mr. Wittry reported a meeting with 2 deputy directors with the Bureau was held yesterday, which was to lay the groundwork for operational negotiations that are scheduled for February 1st.

g) Pacheco Reservoir Expansion Project

Mr. Wittry stated there was nothing to report at this time and that he would remove it from the agenda for now, until there is more to report.

h) City of San Juan Bautista Water Supply Plan

Mr. Wittry reported staff continues to work with the City's staff. The District is in the process of getting an updated project design report, reflecting the current alignments and updated cost information, for the City to use to solicit funding for the project.

Mr. Wittry stated that Mr. Reynolds relayed that they are receiving positive communication with the USDA regarding financial opportunities for the water project.

i) ACWA/JPIA recognition of District's loss ratio of 20% or less in Liability, Property and Workers' Compensation programs

Mr. Wittry reported a letter was received from ACWA/JPIA for "President's Special Recognition" for reducing claims in the period of July 1, 2019 through June 30, 2022.

9. Board Organization

Mrs. Mauro reminded the Board they can either nominate the President and Vice President as a slate together or take them separately.

President Flores made a motion to nominate Andrew Shelton for President and Doug Williams for Vice President for 2024; this was seconded by Director Wright. With 5 affirmative votes, Flores, Shelton, Tonascia, Williams and Wright, Andrew Shelton was appointed President and Doug Williams was appointed Vice President for 2024.

10. 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

Pursuant to § 54957 (Public Employee Appointment)

Title: Manager of Administration, Finance and Business Services

(The Board convened in Closed Session at 6:10 p.m.)

11. OPEN SESSION:

(The Board reconvened in Open Session at 6:20 p.m.)

1. Report any action, if any, taken in Closed Session item

As per President Flores, there was no action to report.

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 Flores read the following Oral Summary into the record:

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 oral summary regarding such items appearing on the agenda.

Item # 10 pertains to final action by the Board of Directors regarding the recommendation for adoption of an employment agreement covering salary and benefits for the Megan Holland, the new Manager of Administration, Finance, and

Business Services. This is a position in the Executive Management group, which constitutes a local agency executive under Government Code section 3511.1

- *Effective January 8, 2024, the salary for the Manager of Administration, Finance and Business Services shall be established at \$165,000 per year, effective on the date of hire. And upon success employment evaluation, six months from the date of hire, the salary for the Manager of Administration shall be increased to \$170,000 per year.*
- *Ms. Holland is a new member of the California Public Employee Retirement System (CalPERS) with the retirement benefit factor of 2% @ 62 subject to the provisions of the Public Employee Pension Reform Act (PEPRA). Ms. Holland shall pay the required employee contribution.*
- *The District will contribute 5% of base salary to a Section 457 Deferred Compensation Plan account on Ms. Holland's behalf per year.*
- *Ms. Holland 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.*
- *Ms. Holland will accrue vacation at the rate of 120 hours per year until she had completed 10 years of District service. Between 11 and 15 years of District service, Ms. Holland can accrue 140 hours of vacation per year with a cap of 320 hours (or 40 hours per year of employment, whichever is greater). Between 16 and 19 years of District service, Ms. Holland can accrue 160 hours of vacation with a cap of 440 hours (or 40 hours per year of employment, whichever is greater). At 20 plus years of service, Ms. Holland can accrue 176 hours of vacation with a cap of 520 hours (or 40 hours per year of employment, whichever is greater). Vacation is accruable and subject to cash out of 120 hours of vacation per year, and full cash out at separation from employment.*
- *Ms. Holland will accrue sick leave at a rate of 96 hours per year. Sick leave accrual is capped at 1040 hours.*
- *Ms. Holland will have the same holiday schedule as the Executive Group which includes 13.5 paid holidays.*
- *Upon annual election by the employee, an employee may receive one of the following contributions paid on a pay period basis:*

- *District contribution of 2% of the employee's salary (calculated as base pay or*
- *Forty (40) hours of vacation leave per year in addition to accrued vacation hours provided herein. Employees who select this option will have their Earned Vacation Accrual Limit extended by 40 hours for the year in which this option is selected.*
- *Ms. Holland is eligible to receive a monthly stipend of \$51 for an employee purchased, owned and operated cellular phone and/or wireless PDA device. Allowances are paid through the payroll system upon receipt of the designated form.*
- *Ms. Holland is eligible for a continuing education incentive equal to \$22.45 per pay period per continuing education unit, up to a maximum of \$67.30 per pay period.*
- *The District will pay for health insurance through CalPERS up to the full cost of employee + family medical insurance coverage in PERS Gold.*
- *The District will pay up to the full cost of family coverage in the District-offered dental insurance plan.*
- *The District will pay up to the full cost of family coverage in the District-offered vision care plan. (Plan A)*
- *The District will pay 100% of the cost of basic life insurance coverage for Ms. Holland, up to a maximum coverage amount of \$150,000.*
- *The District will establish a Retirement Health Savings Account (RHSA) for Ms. Holland, to which she can contribute in accordance with the terms of the Executive Management Compensation Resolution.*
- *If Ms. Holland retires through a regular service retirement from CalPERS within 120 days of separation from District employment, and is 55 years of age or older at the time of retirement, the District will make monthly payments toward retiree health insurance coverage, in addition to the minimum employer contribution required by PEMHCA, in accordance with the schedule in the Management, Confidential, Professional Resolution where the actual contribution amount paid depends on age and years of service at retirement, not to exceed a maximum of \$348 per month.*

3. Consider Approval of Employment Contract for Manager of Administration, Finance and Business Services and Authorize Board President to Sign

With a motion by Vice President Shelton and a second by Director Williams, the Board approved the Employment Contract for Manager of Administration, Finance and Business Services and Authorized the Board President to Sign the contract by 5 affirmative votes, Flores, Shelton, Tonascia, Williams and Wright.

12. Adjournment

With no further business to discuss, the meeting was adjourned at 6:28 p.m.

Andrew Shelton, President

Barbara L. Mauro, Executive Assistant/Board Clerk