

March 27, 2013  
Regular Meeting  
6:00 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, March 27, 2013 at 6:00 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President John Tobias, Vice President Joe Tonascia and Director Frank Bettencourt. Director Joe Torquato arrived late and Director Sonny Flores was absent. Also present were District Manager/Engineer Jeff Cattaneo, District Counsel David E. Pipal, Assistant Manager Sara Singleton, Deputy District Engineer Dale Roskamp, Supervising Accountant Natalie Sullivan, Consultant Harry Blohm and Office Specialist III Barbara Mauro.

### **CALL TO ORDER**

President Tobias called the meeting to order at 6:00 p.m.

- a. **Pledge of Allegiance to the Flag**  
President Tobias led the Pledge of Allegiance.
- b. **Approval of Agenda**  
With a motion by Vice President Tonascia and a second by Director Bettencourt, the Agenda was unanimously approved.
- c. **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: February 27, 2013 Regular Meeting**
2. **Allowance of Claims**
3. **Acknowledgement of Paid Claims prior to the March Board Meeting**

Director Bettencourt asked about the payment to Corix; Mrs. Sullivan stated it was for supplies used for a repair.

With no further questions, a motion was made by Vice President Tonascia and a second by Director Bettencourt; the Consent Agenda was unanimously approved.

### **REGULAR AGENDA:**

4. **Consider Approval of Amendment #1 to Environmental Science Associates (ESA) for Services for West Hills Water Treatment Plant Project Environmental Services and Authorize District Manager to Sign (\$125,519)**  
Mr. Cattaneo stated the work the District needs from the Bureau (U S Bureau of Reclamation) was not anticipated. This work includes the Bureau giving permission for the District to access the Hollister Conduit and also helping the District with the Section 7 consultation regarding the California tiger salamander. This is part of the shared expenses for the West Hills Water Treatment Plant (WHWTP) and per the Statement of

Intent; this cost will be rolled into the project costs through the Hollister Urban Area Water Projects. The NEPA work was not included in the original contract with ESA.

With a motion by Vice President Tonascia and a second by Director Bettencourt, the Amendment #1 to Environmental Science Associates (ESA) for services for West Hills Water Treatment Plant Project Environmental Services and Authorize the District Manager to Sign (\$125,519) was unanimously approved.

**5. Consider Resolution Authorizing Quitclaim Relinquishment of District Easements Rights, and Abandonment of District Sub-System 9 Pipeline Infrastructure and Appurtenances Contained Therein on Assessor Parcel Numbers 20-33-29 and 20-54-37**

Mr. Cattaneo stated the District has an easement on property near Ridgemark and its anticipated use was for percolation. However, during the last twelve years, the District has not used it. The owner of the property is developing the property now and has requested the District relinquish its easement. Mr. Cattaneo stated staff and the committee recommend this action. President Tobias added it has been reviewed by District Counsel as well.

Director Bettencourt asked if Ridgemark would have any use for this easement and Mr. Cattaneo replied no, as it is a raw water line.

With a motion by Vice President Tonascia and a second by Director Bettencourt, Resolution #2013-09, *a Resolution of the Board of Directors of the San Benito County Water District Authorizing Quitclaim Relinquishment of District Easements Rights, and Abandonment of District Sub-System 9 Pipeline Infrastructure and Appurtenances Contained Therein on Assessor Parcel Numbers 20-33-29 and 20-54-37* was unanimously approved.

**6. Consider Resolution Approving District Payoff of Loan for Habitat Conservation and Conveyance Program**

Mr. Cattaneo stated this item came before the Board at the February Board Meeting. The Board agreed to pay off the loan but San Luis and Delta Mendota Water Authority has asked for a resolution. Mr. Pipal stated this is a formality only. President Tobias asked when the payoff date is; Mr. Cattaneo stated December 1, 2013. Additionally, President Tobias asked if others are also paying off the loan and Mr. Cattaneo stated yes.

With a motion by Vice President Tonascia and a second by Director Bettencourt, Resolution #2013-10, *a Resolution of the Board of Directors of the San Benito County Water District Approving District Payoff of Loan for Habitat Conservation and Conveyance Program* was unanimously approved.

**7. Discuss Declaring a Water Shortage Emergency for Water Year 2013-2014 and Allowing San Felipe Customers to Transfer Water Allocation from Agricultural Contract Accounts to Agricultural Small Parcel Accounts**

Mr. Cattaneo stated last Friday the Bureau reduced the original water allocation for 2013-2014 Water Year. The Ag allocation was reduced from 25% to 20% and the M & I allocation was reduced from 75% of historical use to 70%. Due to this reduction, we are

short of water requested by our users. The District will be revising the Ag allocation from the original 54% down to 50% of the requests. Additionally, staff is recommending the District impose a regulatory overuse fee. If the District would need additional water, purchasing such water on the open market will likely cost \$500 per AF. The Board action would be to direct staff to post a notice for a Public Hearing. Vice President Tonascia asked for clarification. Mr. Cattaneo stated the Board could direct staff to have the Water Supply Committee meet and direct staff to post a notice to hold a public hearing regarding imposing the overuse fee. The Board was in agreement and referred this matter to the Zone 6 Water Supply Committee.

**8. Staff Report on Groundwater Extraction, Ordinance 778**

Mr. Cattaneo stated two months ago at the regular board meeting, the Board discussed Ordinance 778 and directed staff and district counsel to meet with San Benito County's staff. Following this meeting, the Board of Supervisors took the District's recommendations and is going through the CEQA work to make the suggested changes. One change is to eliminate the radius of influence prohibition. The second, pumping water from one parcel to another that was not contiguous was previously prohibited. This change would prohibit pumping out of the sub-basin.

President Tobias asked if the Board of Supervisors would come back to the District with the finished product. Mr. Cattaneo stated yes. Mr. Pipal added this is a County Ordinance so it would be submitted to the District for review merely as a courtesy.

**9. Staff Report on the Hollister Urban Area Water and Wastewater Master Plan Update**

Mr. Blohm reviewed several items for the Board.

Regarding the California tiger salamander at the WHWTP site, ESA and HDR are working on a compensatory area for the mitigation.

Regarding the Water Supply and Treatment Agreement (WSTA), the agencies are close to completing it. The final items are the financial rate negotiation and legal review, per Mr. Blohm. Mr. Cattaneo added there are no significant issues on the agreement. The final agreement will go back to the Administration Committee and then to the Board for approval. Mr. Blohm stated the other agencies are anxious to move forward.

Regarding the public outreach, the District continues to work with our consultant, Data Instincts. A presentation and tour was held in February, which was well attended. Another tour is being scheduled for those who were unable to attend the first one.

*(Director Torquato arrived at 6:22 p.m.)*

Also, Mr. Blohm stated at the last City of Hollister Council Meeting, Mayor Velasquez was very positive about the projects. He stated he understood the needs for the project and how important the CVP water is to City of Hollister and to the county. Also, Mr. Blohm stated the project has its own website now which is:  
[www.hollisterwaterproject.com](http://www.hollisterwaterproject.com).

Regarding the Lessalt Upgrades, Mr. Blohm stated construction could begin in the summer of 2013. The agencies need a construction manager and have interviewed one firm so far.

President Tobias asked, regarding the tiger salamander, is a year delay still anticipated. Mr. Blohm replied by law, time must be allowed. The agencies continue to press forward on the project.

Director Torquato, regarding Lessalt, asked what the criteria for the RFP would be. Mr. Blohm replied no award will be given without the Governance Committee input and he will continue to keep the Board updated. Mr. Torquato stated this is a critical piece of the project. Mr. Blohm stated it will come before the committee and then to Board for their recommendation.

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

**a) San Luis Delta Mendota Water Authority (Tobias/Tonascia)**

As per Mr. Cattaneo stated there was discussion about options for re-funding the bonds for the DHCCP.

**b) Pajaro River Watershed Flood Prevention Authority (Bettencourt/Flores)**

As per Director Bettencourt, Phase 2 of the Bank Excavation Project has begun.

**c) Water Resources Association (Flores/Bettencourt)**

Director Flores was absent from tonight's meeting, but it was reported by Barbara Mauro that general business items were discussed.

**d) Hollister Urban Area Water and Wastewater Master Plan Governance Committee (Tobias/Flores)**

As per President Tobias, this has already been covered.

**e) Administration Committee (Tobias/Flores)**

As per Mr. Cattaneo, the Amendment to ESA and the Water Supply and Treatment Agreement were discussed.

**f) Expansion Committee (Tobias/Flores)**

As per Mr. Cattaneo, in addition to the easement for the Hilden properties, the committee also discussed the request from Anthony Botelho for a meter installation. Mr. Botelho leases the land in question and would like a meter installed. The committee agreed this would be on a temporary basis and the customer must pay all costs. No entitlement will be given to the land and the landowner must abandon the meter when Mr. Botelho no longer needs the meter.

**g) City of San Juan Bautista Water Softening Project Ad Hoc Committee (Tobias/Tonascia)**

As per Directors Tobias and Tonascia, the District met with the City of San Juan Bautista and has asked for additional information.

**h) City of Hollister RDA Advisory (Tobias)**

As per President Tobias, there is nothing to report.

**11. District Manager/Engineer's Report:**

**a) Reach 1 Operations**

Mr. Cattaneo reported that a shut-down is needed in the fall/winter for the Pacheco Pumping Plant. Bifurcation will need to be dewatered so a tunnel inspection can be made. Mr. Cattaneo also reported he expects we will reach a low point this year at San Luis Reservoir, which will mean more algae in the water. This will affect the Lessalt plant as well as growers because of their filters.

President Tobias asked if San Justo Reservoir will be low by then. Mr. Cattaneo stated the District will have to keep an eye on that situation.

**b) Zone 3 Operations**

Mr. Cattaneo reported there is not a lot of change in Zone 3. The canal repairs are complete except for one section. Next week, Mr. Cattaneo reported the District will begin releasing water from Hernandez; due to the dry year, the District is moving it earlier.

**c) Zone 6 Operations**

Mr. Cattaneo reported the reduced allocation from the Bureau has already been discussed. The San Justo Reoperation for the last two quarters is complete. GEI is now developing a long term monitoring plan.

**d) San Luis Delta Mendota Authority Activities**

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

**12. Consider Director Attendance at JPIA Board of Directors and Spring Conference, May 6 and 7, 2013, Sacramento, California**

Director Bettencourt expressed interest in attending.

**13. Consider Director and District Manager Attendance at ACWA Spring Conference May 7 through 10, 2013, Sacramento, California**

President Tobias stated if anyone is interested in attending, to contact Mrs. Mauro.

**14. Adjournment**

With no further business, the meeting was adjourned at 6:40 p.m.

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Minutes were approved at the April 24, 2013 Board Meeting and signed by the presiding board member.

*/s/John Tobias*  
John Tobias, President

*/s/Barbara L. Mauro*  
Barbara L. Mauro, Recording Secretary