

January 31, 2024  
Regular Meeting  
5:00 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, January 31, 2024 at 5:00 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President Andrew Shelton, Vice President Doug Williams and Directors Sonny Flores, Joe Tonascia and Mark Wright. Also present were General Manager Steve Wittry, District Counsel Jeremy T. Liem, Manager of Administration, Finance and Business Services Megan Holland, Senior Engineer David Macdonald, Water Resources Technician II Dustin Franco, Office Specialist I Jennifer Cosio Arellano and Executive Assistant/Board Clerk Barbara Mauro.

**CALL TO ORDER**

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

- a. Pledge of Allegiance to the Flag**  
President Shelton led the Pledge of Allegiance.
- b. Roll Call**  
Mrs. Mauro called roll; members present were: President Shelton, Vice President Williams and Directors Flores, Tonascia 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 Shelton stated there is an error in one of the sets of minutes in the Consent Agenda. The Special Meeting Minutes from January 8, 2024 are listed as Regular at the top of the minutes rather than Special. Noting this change, a motion was made by Director Tonascia and seconded by Director Williams; the Agenda was approved by 5 affirmative votes, Shelton, Williams, Flores, Tonascia 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:**  

<b>December 20, 2023</b>	<b>Regular Meeting</b>
<b>January 8, 2024</b>	<b>Special Meeting</b>
- 2. **Allowance of Claims**
- 3. **Acknowledgement of Paid Claims prior to the January Board Meeting**
- 4. **Acceptance of Quarterly Investment Report, December 31, 2023**
- 5. **On Call Contracts – Status Updates**

Prior to approval of the Consent Agenda, Director Tonascia asked when some of the Investments matured? Mr. Wittry stated they matured at the end of December and were transferred into L.A.I.F. Director Tonascia further asked how long the funds will be in L.A.I.F. Mr. Wittry

stated when the investments matured, they were transferred into our U S Bank checking account, which doesn't offer much interest, so staff moved the funds asap into L.A.I.F. Discussion ensued about the amount of interest gained in L.A.I.F. Mr. Wittry stated it varies but the funds in the investments are fixed. He restated that when our investment advisor reviewed what the District had in investments in 2023, in the laddered approach, versus what the gain would have been if all of the funds would have been in L.A.I.F. the return on the investment with U S Bank was actually lower than if it had been in L.A.I.F. Mr. Wittry further stated there is a meeting upcoming with Mr. Kramer to go over what is still in the investments because the District will need to have a certain amount of funds available when we start the bidding process on our upcoming projects. Director Tonascia asked, in regard to the contract with HDR, how much has been spent. Mr. Wittry stated the total contract is for \$3 million and the District has spent about 1/3 of the contract.

Director Flores added at the Investment Meeting, the committee asked staff to determine how much is needed to have on hand for the projects.

**6. Consider Resolution Designating Agents to make transfers on the Local Agency Investment Fund (LAIF)**

With no additional questions, a motion was made by Director Williams and seconded by Director Wright; the Consent Agenda was approved by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.

**REGULAR AGENDA**

**7. Public Hearing regarding 2024-2025 Groundwater Charges**

**a. Proof of Publication submitted for Notice of Public Hearing**

Mrs. Mauro verified the Proof of Publication for the Public Hearing.

**b. Presentation of 2024-2025 Groundwater Charges**

Mr. Wittry stated on January 25, 2023, the Board approved three years of groundwater rates. At the Special Meeting on January 8, 2024, the Board received the annual groundwater report from the District Engineer which stated a rate of \$14.03 per acre foot of water for both Agriculture and Municipal and Industrial. In the District Act, the groundwater rate sunsets each year, so the Board must confirm the groundwater rates annually prior to the beginning of the water year.

**c. Open Public Hearing**

President Shelton opened the Public Hearing. There were no members of the public wishing to speak.

**d. Close Public Hearing or continue to later date**

President Shelton closed the Public Hearing.

e. **Consider Confirming the 2024-2025 Groundwater Charges**

With a motion by Director Wright and a second by Vice President Williams, the Board of Directors Confirmed the 2024-2025 Groundwater Charges of \$14.03 per acre foot for both Agriculture and Municipal and Industrial.

8. **Consider creation of a new standing committee for the B F Sisk Dam Raise Project and Board President to appoint two Directors to committee**

9. **Consider creation of a new standing committee for the Accelerated Drought Response Project (ADRoP) and Board President to appoint two Directors to committee**

Mr. Wittry stated he would like to take agenda items #8 and #9 together. Staff is suggesting having a smaller group of directors oversee larger projects and give them regular updates, with decisions still being made at the board level, perhaps creating a few new committees or perhaps one new committee?

Director Tonascia stated he did not think either the B F Sisk or the ADRoP needed their own committees, as the Board would need to be making the decisions regarding these larger projects anyway.

Discussion ensued about whether there was a need for an additional committee or if these two projects could be discussed at already established committees. No new committees were created at this time.

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

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

As per Director Tonascia, he did not attend, so Mr. Wittry can cover this under his General Manager's report.

b. **Mid Pacific Water Users Conference, Reno, Nevada January 24-26, 2024 (Tonascia)**

Director Tonascia gave an overview of the conference, which was well attended. The Bureau held a round table discussion; they stated they would like more support from Washington D.C. among their topics. The Infrastructure Bill which will give our state \$1.7 billion over the next 2 years was discussed.

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

As per Director Shelton, the Construction Management request for proposal for the West Hills Treatment Plant Expansion was discussed. Mr. Wittry added it has been solicited to firms that perform this work and the public.

d. **Investment Committee (Flores/Williams)**

As per Director Williams, this has already been covered.

11. **Monthly Operations and Maintenance Report**

Mr. Wittry, in Mr. Craig's absence, will give this report. Yesterday afternoon, a leak was reported in sub-1. Mr. Craig noted it caused a sink hole. The location of this sink hole and leak is at west of Fairview and Highway 156. District staff notified San Benito

County Sheriff and the California Highway Patrol. Staff also contacted Brigantino Irrigation to assist our crew in the repair. Part of the challenge, per Mr. Wittry, is there is a high-pressure gas line and electrical line near our pipe, which meant hand digging was necessary. Due to the pending storm, the staff felt it necessary to ensure the site was safe, so they installed two steel plates to cover the hole and kept the lane closed. Once the repair is complete, staff will have Nicholson patch and repair the road. Mr. Wittry is uncertain of the completion date.

Director Tonascia asked if District staff is warning the public off of the area near Highway 156 and Fairview. Mr. Wittry stated yes, there is safety equipment and signage to keep them off the plates, but staff isn't able to monitor the road as that is the California Highway Patrol's authority.

Mr. Wittry also reported there is a landslide adjacent to the Hernandez Reservoir access road. Mr. Franco was out there earlier this week to assess the situation. Staff will reach out to landowners in the area if we have to redirect the access road.

Director Flores asked if Mr. Wittry is still offering tours to Hernandez. Mr. Wittry stated yes, he is.

Director Wright asked where the slide at Hernandez is located. Mr. Wittry stated it is near the road on the perimeter of the reservoir. Director Williams asked if it has slide there before. Mr. Wittry stated it has. Director Williams asked how many times and Mr. Wittry was not sure.

Currently, Brigantino Irrigation is reshaping the Paicines canal to correct the ongoing seepage issues. Mr. Wittry is also considering installing a storm drain pipe for about one hundred feet within the canal to help the situation.

Director Tonascia asked if Brigantino has started work on the canal. Mr. Wittry stated they have but their work is not complete. Director Tonascia asked if Brigantino's were given the schematics for the canal; Mr. Wittry stated yes, they were.

Director Wright asked if the District should have Brigantino continue on to the vineyard. Mr. Wittry stated while the issue at the canal is important it isn't an emergency situation like the issue at Fairview/Highway 156, which has to be addressed asap. In addition to hand digging near the utilities, there is also signal wiring that belongs to CalTRANS which cannot be broken. Director Tonascia asked if we are requiring insurance from Brigantino Irrigation. Mr. Wittry stated yes, they must be licensed and bonded.

12. **General Manager's Report:**

**a. General Comments**

Mr. Wittry reported he has contacted Martin Rauch regarding the Strategic Planning. The first step will be one-on-one appointments with Mr. Rauch and the directors as well as Ms. Holland and himself. Once these have been done and Mr. Rauch is ready, a full day retreat will be scheduled.

Mr. Wittry also reported LAFCO has 2 seats open on their board. It would be advantageous for our District to consider taking a seat on their board.

**b. Reach 1 Operations**

Mr. Wittry reported Reach 1 was down for three days but back up on Monday.

**c. Zone 3 Operations**

Mr. Wittry reported he mostly covered this in the O & M report, but he added there is a new round of pigs in the area for staff to contend with. Director Williams stated in 2023 we discussed spraying the canal rather than mowing it. Now would be a good time for this. He further added Sally Calhoun was not opposed to putting water into a secondary lake as additional storage.

**d. Zone 6 Operations**

Mr. Wittry reported staff will begin filling San Justo Reservoir on Monday, so it is at capacity by the end of February.

**e. Accelerated Drought Response Project (ADRoP)**

Mr. Wittry reported staff has held meetings with the City of Hollister and San Benito County to discuss potential sites at the south High School Campus and along Union Road. The executive staff of the City and County are “on board” and District Counsel is preparing a document for legal review which will be regarding the well site locations.

**f. San Luis and Delta-Mendota Water Authority Activities**

Mr. Wittry reported a seminar for the budget process was held by the Authority.

**g. City of San Juan Bautista Water Supply Plan**

Mr. Wittry reported there was a meeting scheduled for today which didn’t happen due to the issues with the leak at 156/Fairview. The Preliminary Design Report for the Pipeline is being redone and staff is waiting for comments. The City of San Juan Bautista is looking to secure more funding through the USDA for the water project. Mr. Wittry reported the District is trying to reenergize the conversation on both the Pipeline Agreement and the Water Supply and Treatment Agreement Amendment. He further added he and Ms. Kennedy (HDR) made a presentation to the City Council of San Juan Bautista which was well received.

13. **CLOSED SESSION:**

**Public Employee Performance Evaluation**

**Title: General Manager**

**Authority: California Government Code Section 54957**

*(The Board convened in Closed Session at 5:55 p.m.)*

14. **OPEN SESSION:**

**Report action if any**

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

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

15. **Adjournment**

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

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Minutes were approved at the February 28, 2024 Board meeting and signed by the presiding board member.

/s/Andrew Shelton  
Andrew Shelton, President

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