

October 30, 2024
Regular Meeting
5:00 p.m.

The Board of Directors of the San Benito County Water District convened in regular session on Wednesday, October 30, 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, District Counsel Jeremy T. Liem, Interim Manager of Administration, Finance and Business Services Brett Miller, Operations and Maintenance Manager Michael Craig, Water Conservation Program Manager Jennifer Cosio Arellano, Office Specialist I Shannon Darnall and Executive Assistant/Board Clerk Barbara Mauro. Interim General Manager Jeff Cattaneo participated remotely via Zoom.

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**
With a motion by Director Flores and a second by Vice President 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: | September 25, 2024 | Regular Meeting |
| | | October 17, 2024 | Special Meeting |
| 2. | Allowance of Claims | | |
| 3. | Acknowledgement of Paid Claims prior to the October Board Meeting | | |
| 4. | On Call Contracts – Status Updates | | |
| 5. | Acceptance of Quarterly Investment Report, September 30, 2024 | | |
| 6. | Approve Resolution Adopting the 2024-2025 Salary Schedule to comply with California Public Employees’ Retirement System (CALPERS) statutory and regulatory requirements for compensation earnable and publicly available pay schedules | | |

Before considering the Consent Agenda, Director Tonascia asked about the payment to Sunnyslope County Water District; is that a monthly or quarterly payment. Mr. Cattaneo confirmed it is a monthly payment for running the two water treatment plants.

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

REGULAR AGENDA

7. **Consider Resolution Approving Retired Annuitant Employment Agreement with Jeffrey Cattaneo**

Mr. Miller stated this is a contract for Jeff Cattaneo, as a retired annuitant. Mr. Miller added there are important projects upcoming for the District and Mr. Cattaneo will be running these projects.

With a motion by Director Flores and a second by Director Wright, the Board of Directors approved Resolution #2024-41, *A Resolution of the Board of Directors of the San Benito County Water District Approving Retired Annuitant Employment Agreement with Jeffrey Cattaneo* by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.

8. **Consider Resolution Establishing a Policy for Property Management**

Mr. Miller stated the main purpose for approval of this resolution, is to satisfy the requirements for the Federal Grant the District was awarded for the Turf Removal Program. He further added he would like to update all of the District's policies, at a later date. This policy has been reviewed by both District Counsel and the Administration Committee.

With a motion by Vice President Williams and a second by Director Tonascia, the Board of Directors approved Resolution #2024-42, *A Resolution of the Board of Directors of the San Benito County Water District Establishing a Policy for Property Management* by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.

9. **Consider Resolution Establishing a Policy for Contract Administration**

Mr. Miller stated item #9, is similar to #8, as it fulfills a requirement for the Federal Grant for the Turf Removal Program. This policy has been reviewed by both District Counsel and the Administration Committee.

With a motion by Vice President Williams and a second by Director Tonascia, the Board of Directors approved Resolution #2024-43, *A Resolution of the Board of Directors of the San Benito County Water District Establishing a Policy for Contract Administration* by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.

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

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

As per Director Tonascia, he did not attend the meeting.

b. **Water Resources Association (Flores/Shelton)**

As per Director Flores, general business was discussed, as was the Turf Removal Grant for \$100,000.

- c. **Urban Area Water and Wastewater Master Plan Governance Committee (Shelton/Tonascia)**
As per Director Tonascia, the committee discussed the ADRoP Project, and the District was trying to get everyone on the same page.
 - d. **Administration Committee (Flores/Shelton)**
As per the committee, this has already been covered.
 - e. **Finance Committee (Tonascia/Shelton)**
As per the committee, this has already been covered.
 - f. **Personnel Committee (Flores/Tonascia)**
As per the committee, Mr. Cattaneo's contract was reviewed.
 - g. **Zone 6 Water Supply & Operations Committee (Tonascia/Wright)**
As per the committee, the two recently considered HDR Contracts were reviewed.
11. **Monthly Operations and Maintenance Report**
Mr. Craig reported the firm rebuilding the valve for Hernandez let him know today it has been built and they are working on completing it. He further reported he is getting the measurements for them for the ram. Tomorrow, District staff will be picking up two pumps. Mr. Craig reported staff will run the pumps for several days and then he is hopeful next Thursday and Friday, they can install the rebuilt valve. The valve is pre AWWA standards and is likely from the 1930's or 1940's. The company he is working with is in Gilroy and they have been great to work with; communication is very helpful for planning purposes.
- Mr. Craig further reported in mid-December, staff will be swapping out old 16" clay valves with new ones. December will also see staff working at the canal as their focus has been on the valve issues at Hernandez. He would also like the District to consider having a third valve built for Hernandez, so it would be ready if needed in the future. Mr. Craig added all the new parts are stainless steel and are heavy duty. Discussion ensued about how the valves work at Hernandez.
12. **General Manager's Report:**
- a) **Reach 1 Operations**
Mr. Cattaneo reported a meeting was held last week and talks continue with the Bureau about considering using submersible pumps at the Pacheco Pumping Plant.
 - b) **Zone 3 Operations**
Mr. Miller or Mr. Cattaneo had nothing further to report.
 - c) **Zone 6 Operations**
Mr. Cattaneo reported there will be 3,000-4,000 AF of water left unused by our customers and the District would be unable to store it in San Justo Reservoir. He is suggesting allowing the customers to carry over water but store it in San Luis Reservoir instead, which will be a \$10 rescheduling fee for customers. The customers are risking the loss, should San Luis spill. The District will also reschedule water into the next water year.

d) Accelerated Drought Response Project (ADRoP)

Mr. Miller reported there is a bid opening scheduled for November 14th for the West Hills Water Treatment Plant expansion.

Mr. Cattaneo further reported he and Holly Kennedy, of HDR, made a presentation to both the City of Hollister and Sunnyslope County Water District, on the Master Plan and the ADRoP Project. He added he has discussed the Principles of Agreement with both agencies in order to develop the amendment to the Water Supply and Treatment Agreement. Mr. Cattaneo has contacted Dan O’Hanlon from Kronick, Moskovitz, Tiedemann and Girard, to help with the amendment, which will now include the City of San Juan Bautista and will have details about the ADRoP Project.

e) San Luis and Delta-Mendota Water Authority Activities

Mr. Miller reported the Authority will be holding a budget meeting on December 18, 2024.

f) City of San Juan Bautista Water Supply Plan

Mr. Miller reported Don Reynolds, City Manager, will be retiring in December, 2024.

g) B F Sisk Dam Raise Project

Mr. Cattaneo reported there is an Operations Agreement which has been agreed upon and the project continues to move forward.

h) Miscellaneous District items

There were no other items to report on at this time.

**13. CLOSED SESSION: Conference with legal counsel—
Anticipated Litigation**

a) Government Code 54956.9

**Significant exposure to litigation pursuant to paragraph (2) or (3) of
subdivision (d) of section 54956.9 One Case
Mission Farm R V Park v. San Benito County Water District
#24-0190**

**14. CLOSED SESSION: Conference with legal counsel—
Pending Litigation**

a) Government Code 54956.9

**Significant exposure to litigation pursuant to paragraph (2) or (3) of
subdivision (d) of section 54956.9 One Case
Sandman, Inc. v. County of San Benito, et al
#CU-95-22107**

**15. CLOSED SESSION
Appointment of Public Employee
Pursuant to Government Code Section 54957 (b) (1)
Title: Assistant General Manager**

16. **CLOSED SESSION**
Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Jeremy Liem, District Counsel
Unrepresented Employee: Assistant General Manager

(The Board convened in Closed Session at 5:25 p.m.)

17. **OPEN SESSION**
1. **Report any action, if any, taken on Closed Session Items**
 - i: 13
 - ii: 14
 - iii: 15
 - iv: 16

(The Board reconvened in Open Session at 5:46 p.m.)

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

18. **Hear Oral Summary of Recommendation for a Final Action on Salary and Compensation for Local Agency Executive - appointment of Assistant General Manager Pursuant to Government Code Section 54953, Subsection c, 3**
Mr. Liem reported the following: The Board recommended hiring Brett Miller to fill the Assistant General Manager position. His annual salary will be \$230,000 with COLA increases; the District will contribute to the 457 Deferred Compensation; Mr. Miller is a PEPPRA employee; the District will provide a life insurance policy for \$150,000; Mr. Miller will have 80 hours in management leave and 96 hours of sick leave, both annually; he will follow the same holiday schedule as the District employees; he will have a cell phone allowance; he will have an option, annually, to either have 2% into deferred compensation or 40 hours additional vacation leave; he will be provided Health Insurance, Gold, 100%, Dental and Vision 100% for he and his family; he will have 120 hours annually for vacation; the District will set up a RHS Account consistent with the Executive Management; he will attend the following annual conferences: ACWA and ACWA JPIA; Bond Buyer's Conference; CALPELRA Annual Conference; PARMA Annual Conference; CSMFO Conference; GFOA Conference; and Mr. Miller will be evaluated at least once annually by the General Manager and the Board of Directors.
19. **Consider Approval of Resolution 2024-44 for Executive Compensation**
With a motion by Director Tonascia and a second by Director Flores, the Board of Directors approved Resolution #2024-44, *A Resolution of the Board of Directors of the San Benito County Water District Appointing the Assistant General Manager by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.*

20. **Consider Approval of Employment Contract for Assistant General Manager and Authorize District Counsel and Board President to Sign**

With a motion by Director Flores and a second by Director Wright, the Board of Directors approved the Employment Contract for Assistant General Manager and Authorized District Counsel and the Board President to sign, by 5 affirmative votes, Shelton, Williams, Flores, Tonascia and Wright.

21. **Adjournment**

With no further business to discuss, the meeting was adjourned at 5:52 p.m.

Minutes were approved at the November 20, 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