

**MINUTES**  
**Special Meeting of the Board of Directors**  
**of the**  
**SUNNYSLOPE COUNTY WATER DISTRICT**  
**December 7, 2021**

**A. CALL TO ORDER:** The meeting was called to order at 4:30 p.m. by President Buzzetta, as authorized by the State of California Executive Order N-08-21 via teleconference, at the Sunnyslope County Water District office, 3570 Airline Highway, Hollister, California.

**ROLL CALL: Present in Person:** President Jerry Buzzetta (JB), Vice President James Parker (JP), Director Dee Brown (DB), and Director Alcorn (MA))

**Present via Zoom Meeting:** Director Edward Mauro (EM).

**B. PUBLIC COMMENTS ON CLOSED SESSION MATTERS:** The Board welcomed members of the public and opened the meeting to public comments regarding matters identified on the Closed Session agenda. No members of the public were identified in attendance present or virtually.

**C. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS:**

**1. Conference with Legal Counsel – Pending Litigation (§ 54956.9):**

*County of San Benito vs. SSCWD, San Benito County Superior Court Case No. CU-20-00068*

**2. Public Employee Performance Review (§ 54957) – Title: General Manager**

President Buzzetta retired to closed session at 4:31 p.m. and upon returning to the regular session, moved to take a brief recess at 5:27. The meeting was reconvened to open session at 5:30 p.m.

**D. PLEDGE OF ALLEGIANCE:** Associate Engineer, Rob Hillebrecht led those in attendance in the Pledge of Allegiance.

**E. REPORT IN OPEN SESSION ACTION TAKEN IN CLOSED SESSION:**

**1. Conference with Legal Counsel – Pending Litigation (§ 54956.9):**

Attorney Michael Laredo reported, Board was given status update, general direction was provided by the Board to Staff and Counsel and no reportable action taken.

**2. Public Employee Performance Review (§ 54957) – Title: General Manager**

**F. APPROVAL OF AGENDA:** District Counsel Michael Laredo requested that the agenda be amended to include a report out of items discussed in Closed Session. Director Parker proposed the amendment to the agenda to add the Closed Session Report prior to Item G in the agenda, and made a motion to approve the agenda, seconded by Director Brown, for which President Buzzetta then took a roll call vote as follows: (DB), yes; (EM), yes; (JP), yes, (MA), yes, and (JB), yes; the motion carried 5-0.

**REPORT IN OPEN SESSION ACTION TAKEN IN CLOSED SESSION:**

**1. Conference with Legal Counsel – Pending Litigation (§ 54956.9):**

Attorney Michael Laredo reported, Board was given status update, general direction was provided by the Board to Staff and Counsel and no reportable action taken.

**2. Public Employee Performance Review (§ 54957) – Title: General Manager**

Attorney Michael Laredo reported, the Board gave the GM direction and no reportable action was taken.

**G. PUBLIC COMMENTS AND AUDIENCE INTRODUCTIONS:** The Board welcomed members of the public and opened the meeting to public comments regarding matters not itemized on the agenda. No comments were received.

**Staff Present for Open Session: In Person:** General Manager/Secretary Drew Lander, Associate Engineer/Rob Hillebrecht.

**Via Teleconference:** Attorney Dave Laredo and Attorney Michael Laredo.

**H. CONSENT AGENDA – No items of consent presented.**

**I. NEW BUSINESS:**

**1. Consider the Following Amendments to District Policies and Procedures:**

- a. Reserve Policy (#8600)                      b. Investment Policy (#8650)

General Manager Lander provided copies of the amended Reserve policy #8600 and read through the changes and updated the board on discussion which occurred in the Finance Committee and the Policy and Procedures Committee. Director Alcorn asked what fund would cover legal costs? General Manager Lander explained that emergency funds would be acceptable for unplanned items that were not budgeted. He then asked the Board to review thoroughly the policy and provide comments prior to the December 21<sup>st</sup> meeting so that all questions may be addressed and hoped that this policy can be adopted at the next meeting.

General Manager Lander then provided copies of the amended Investment policy and explained that this policy was originally adopted by resolution but it was never identified by a policy number so it will be referred to as #8650 when adopted. He then read through the changes and updated the board on discussion which occurred in the Finance Committee and the Policy and Procedures Committee. Mr. Lander also explained that this will return to the Policy and Procedures Committee again prior to the next meeting to address several questions identified by the Committee. General Manager Lander then asked the Board to review thoroughly the policy and provide comments prior to the December 21<sup>st</sup> meeting so that all questions may be addressed and hoped that this policy can be adopted at the next meeting.

President Buzzetta asked for clarification on the action needed to be taken at this time and Mr. Lander clarified that no action will be taken until the next meeting. The Board may discuss further if desired and move to the next item. President Buzzetta asked if there was any public comment on the matter. After receiving no public comment, the item was tabled with expectation that it will be considered for adoption at the following meeting.

**2. Authorize the General Manager to Proceed with Well #11 Rehabilitation for a Total Cost Not to Exceed \$75,000 (CEQA Categorically Exempt 15301 (d)).** (Page 13)

General Manager Lander explained the emergency nature of this well pump failure and how inspection and evaluation will be conducted prior to putting it back into service. He is confident that cost will not exceed the proposed costs presented however he did urge the Board to understand the importance of acting swiftly to repair and restore this pump to service as it is essential to district operations. Mr. Lander asked for the funds to be allocated from the Capital Improvement Reserves. Director Alcorn made a motion to authorize General Manager Lander to complete the well repair, not to exceed \$75,000. This motion was seconded by Director Mauro for which President Buzzetta then asked for

public comment on this item. Upon receiving no public comment, President Buzzetta took a roll call vote as follows: (DB), yes; (EM), yes; (JP) yes; (MA), yes; and (JB) yes; the motion carried 5-0.

3. Authorize the General Manager to Execute a Professional Engineering Services Agreement with MNS Engineers Inc. for construction documents pertaining to the rehabilitation of the 6" Force main crossing and installation of a new 8" gravity sewer line servicing the Promontory Subdivision. (CEQA Categorically Exempt 15301 (d)). (Page 15)

General Manager Lander explained that this project is the superior solution identified in the Promontory Development agreement approved by the Board in September of this year. The agreement left room for the gravity sewer solution to be further developed and leveraging resources of the District this project will provide the District with the gravity sewer it desires while still satisfying the time constraints of the development. President Buzzetta asked for clarification on why the below ground sewer needed an above ground sewer line. Mr. Lander asked if Associate Engineer Rob Hillebrecht could provide clarification. Using the boardroom white board Mr. Hillebrecht provided some sketch details better explaining the need to cross a ravine and how the sewer line will be above ground for a short distance. The Board thanked Rob for the clarity. Director Buzzetta asked for any public comment. Upon receiving no public comment, Director Parker made a motion to authorize General Manager Lander to contract for engineering services with MNS Engineers Inc. for a cost not to exceed \$100,000. This motion was seconded by Director Brown for which President Buzzetta then took a roll call vote as follows: (DB), yes; (EM), yes; (JP) yes; (MA), yes; and (JB) yes; the motion carried 5-0.

4. **BOARD COMMITTEE and STATUS REPORTS – No items from Committess to be presented**

3. **BOARD and STAFF REPORTS**

1. **Finance Committee** met November 18<sup>th</sup> to discuss the policies presented in item #1 of this meeting's business.
  2. **Water Resources Association of San Benito County (WRA)** met December 2<sup>nd</sup> and Director Parker Attended.
  3. **Policy and Procedure Committee** met December 3<sup>rd</sup> to review the policies presented in item #1 of this meeting's business.
  4. **General Manager:** General Manager/Secretary Lander updated the Board regarding the holiday BBQ to be held December 17<sup>th</sup> at the District office for staff and will included a volunteer gift donation for the Hollister Salvation Army. All staff and Board members are invited to attend.
4. **FUTURE AGENDA ITEMS:** FY2020-21 Audit and Financial Presentation is scheduled December 21<sup>st</sup>. The Board election of a new President and committee assignments will be scheduled for December 21<sup>st</sup> as well.
  5. **ADJOURNMENT:** President Buzzetta adjourned the meeting at 6:39 p.m.

**APPROVED BY THE BOARD:**

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Jerry T. Buzzetta, President

**RESPECTFULLY SUBMITTED:**

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Drew A. Lander, Secretary