

THE OFFICIAL MINUTES OF THE REGULAR BOARD MEETING OF
CASTROVILLE COMMUNITY SERVICES DISTRICT
December 21, 2021

President James Cochran called the meeting to order at 4:31 p.m.

ROLL CALL:

Directors Present (Meeting was held in person): President James Cochran, Director Cosme Padilla, Director Adriana Melgoza and Director Ron Stefani

Absent: Vice President Glenn Oania

General Manager: Eric Tynan

Secretary to the Board: Lidia Santos

Staff Present:

Guest: Grant Leonard and Jeremey Vanderkraats

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by President James Cochran

PUBLIC COMMENTS

1. Grant Leonard who serves as the Board President for the North County Recreation and Park District (NCRPD) stated that the snow day event hosted by NCRPD was a great success as the children loved it. They are hoping to still put on their annual crab feed, pending Monterey County Health Department's recommendations on Covid-19 guidelines.

CONSENT CALENDAR

1. A motion was made by Ron Stefani and seconded by Adriana Melgoza to approve the minutes of the November 16, 2021 Regularly Scheduled Board Meeting. The motion carried by the following roll call votes:

AYES:	4	Directors:	Stefani, Padilla, Melgoza and Cochran
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	1	Directors:	Oania

Consent Calendar accepted as presented

CORRESPONDENCE:

1. Via E-mail from Farm Bureau Monterey to Monterey County Board of Supervisor regarding support for desalination facilities-private ownership.
2. Via E-mail from Pajaro Sunny Mesa CSD to General Manager Eric Tynan to participate as a planning committee member as Pajaro Sunny Mesa CSD will be preparing their first Hazard Mitigation Plan.

Correspondence Calendar accepted as presented

INFORMATIONAL ITEMS:

1. ACWA – Lates projections for drought-plagued Colorado River more troubling
2. SGMA News – State's groundwater "cop" weighs in on plans to stop over pumping and finds them lax
3. Monterey Herald – LAFCO board torpedoes Monterey Peninsula district's buyout of Cal Am

Informational items accepted as presented

PRESENTATIONS:

1. None

General Manager Eric Tynan requested if the Board can skip down to item 7, new business as Mr. Vanderkraats is pressed for time. **Vice President Glenn Oania arrives at 4.42 p.m.**

NEW BUSINESS:

1. Resolution No. 21-05, A Resolution of the Board of Directors of the Castroville CSD to Authorize the Grant Application, Acceptance, and Execution for Emergency Deep Aquifer Well No. 6 and Storage Tank – General Manager Eric Tynan informed the Board that the grant application requires this resolution to be approved by the Castroville CSD Board of Directors to authorize the grant application, acceptance, and execution for Emergency Deep Aquifer Well No. 6 and Storage Tank. Resolution No. 21-05 can be viewed on pages 18-19 of this board packet. A motion is made by Glenn Oania and seconded by Cosme Padilla to approve Resolution No. 21-05. The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, Padilla, Melgoza, Oania and Cochran
NOES:	0	Directors:	
ABSENT/NOT PARTICIPATING:	0	Directors:	

2. Comply with The Fair Labor Standards Act (FLSA) regarding On Call/Stand By compensation per Employee Handbook – Eric Tynan, General Manager reported to the Board that the on call employee is compensated 4 hours each weekend at regular rate as he considered the employee was “waiting to be engaged”. If called out the employee would get paid overtime for the time worked with no less than a minimum of 2 hours overtime. After some discrepancy regarding On Call/Stand By compensation, he contacted TPO “The HR Experts” to review the Employee Handbook. Upon review from TPO, the way in which the policy is stated and the fact that CCSD compensates the time, the on call employees are essentially “engaged to wait” not “waiting to be engaged”, and this time is considered time worked (“employ”) for purposes of overtime. However, the time on call is not automatically eligible for overtime unless the paid on call time put the employee over the 40-hour threshold for the work week, under FLSA, there is no “double time” pay requirement. Per the employee handbook, paid holiday, vacation and compensatory time off hours shall be considered as hours worked for the purpose of determining overtime. This does not apply to sick leave. This was not willfully done by CCSD, therefore TPO recommended to pay the three employees any hours that they were paid for on call which put them over the 40 hour threshold during the defined work week, retro 2 years. This amounted to \$6,000 in compensation for the three employees.
3. TPO HR Consultants to review and update Castroville CSD Employees Handbook – Eric Tynan, General Manager let the Board know that he has asked TPO HR Consultants to submit a proposal to review and update the Employee Handbook. He will have the Board review and approve the new and updated draft copy of the Employee Handbook once it is finalized. Director Adriana Melgoza stated that the Employee Handbook should be reviewed and updated every two years as laws are constantly changing.
4. Discuss entity responsible for maintenance of the Washington ditch and flooding – General Manager Eric Tynan reported to the Board that Monterey County Public Works claimed that the Castroville CSD was responsible for maintenance of the Washington ditch and flooding. However, LAFCO documentation that reflects the proposed annexation to the District states, “The California Coastal Commission was concerned about including areas within the Coastal Farmland Protection area in district boundaries and within a proposed Sphere of Influence. In response to their concerns, the applicant revised the proposal to eliminate the sphere exclusion area and delete areas within the coastal zone from the proposed Sphere of Influence.” Documentation supporting these facts can be

viewed on pages 20-25 of the board packet. In summary, the Castroville CSD is not responsible for the maintenance of the Washington ditch and flooding. Monterey County Public Works is the entity responsible for the maintenance of the Washington ditch and flooding and has taking ownership of it.

5. Approve Castroville CSD Destruction Certificate #2021-1 as retention periods for the listed records on certificate have expired – Office Manager/Secretary to the Board Lidia Santos informed the Board the retention period for the listed records (Invoices for account receivable, accounts payables, financial statement, and billing registers) has expired, which can be viewed on page 26 of this board packet. A motion is made by Adriana Melgoza and seconded by Glenn Oania to approve Castroville CSD Destruction Certificate #2021-1 as retention periods for the listed records on certificate expired. The motion carried by the following roll call votes:

AYES: 5 Directors: Stefani, Padilla, Melgoza, Oania and Cochran
NOES: 0 Directors:
ABSENT/NOT
PARTICIPATING: 0 Directors:

6. Consider appointing a Castroville CSD Board of Director to oversee the outreach for the Castroville Overhead Sign at Highway 183 – Director Cosme Padilla thought it would be a great idea to appoint a director or directors to oversee the outreach for this project. Director Adriana Melgoza has already done a great job reaching out to the community to submit their vote on three renderings to choose from via the local Farmers Market and Facebook and Director Cosme Padilla has visited Sign's by Van to view the renderings for the sign. After some discussion, a motion is made by Ron Stefani and seconded by Glenn Oania to appoint Directors Adriana Melgoza and Cosme Padilla to oversee the outreach for the Castroville Overhead Sign at Highway 183. The motion carried by the following roll call votes:

AYES: 5 Directors: Stefani, Padilla Melgoza, Oania and Cochran
NOES: 0 Directors:
ABSENT/NOT
PARTICIPATING: 0 Directors:

7. Discussion on whether to consider \$50k funding request from Sign's by Van in advance of acquiring Cal Trans funding for the Castroville Overhead Sign at Highway183 project – General Manager Eric Tynan let the Board know that Sign's by Van is asking for the Board to consider \$50k funding in advance of acquiring Cal Trans funding for the Castroville Overhead Sign at Highway 183 project. Corby Kilmer, District 5 Landscape Architect with California Department of Transportation was present via telephone for this agenda item and hung up once done with this discussion. Jeremy with Sign's by Van displayed a copy of the three renderings to the Board and provided his ideas for consideration. He was requesting a \$50k advance as the cost of materials may go up. Director Adriana Melgoza via Facebook created a survey for the community to vote on the different renderings and also additional comments were submitted regarding the sign and other community concerns. Also, per Director Melgoza's recommendations, a survey was also done at the Farmers Market with the assistance of the North County Recreation and Park District (NCRPD) staff. The NCRPD staff posted the three renderings (#1 light color, #2 brown/bronze and #3 black on a 11x17 paper and designated a number to each rendering. A total of 102 farmers market and senior center attendees voted. Rendering #3 black had the most votes. Ms. Kilmer with Cal Trans was pleased with the community outreach made by Director Melgoza and asked her to forward her the results of both surveys. It appears this survey had to do with color only and outreach will have to be made out to the community again to vote on the design. In addition, it is too early to advance Signs by Van \$50k as the scope of work still needs to be finalized as does a cooperative agreement between Cal Trans and Castroville CSD, which will probably not be ready until February 2022. Jeremy with Signs by Van will work with Ms. Kilmer to finalize the scope of work by January 1, 2022 so Director Adriana Melgoza can take it back to the community for a vote on the design. The Board returned to the order of new business.

UNFINISHED BUSINESS:

1. Update on status of grants for Moss Landing-Sewer Zone 3, Castroville-Sewer Zone 1 and Castroville-Water Zone 1 for system upgrades and improvements – General Manager Eric Tynan reported to the Board that a summary of the action plans/description as of the December 6, 2021 meeting can be viewed as follows: Moss Landing Sewer (pages 27-29), Washington Bypass (pages 30-32), Emergency Deep Aquifer Supply and Storage Tank (pages 33-36), and Overhead Sign at Highway 183 (pages 37-40). The action plan was put together by Paul Greenway, G7ei Inc. and provides him with a timeline on the status of where the grants are. Current grants awarded are the Clean Water Small Communities Planning Grant (\$500,000) with State Waterboards for administration, preliminary engineering report, plans and specs for sewer in Moss Landing, project assigned to MNS Engineers. The IRWM Implementation Grant (\$395,000) is with DWR for the Deep Well (Well #6) and the use will be specified in the DWR/MCRWA agreement. The DAC Involvement Programs amount \$61,807 with DWR is for the design of the Washington Sewer Bypass for Castroville sewer is also assigned to MNS Engineers and they are working on the 60% design phase. Current funding efforts: Moss Landing sewer system improvements, Castroville emergency well replacement, Castroville water supply improvements and Castroville wastewater improvements.
2. Update on well levels – General Manager Eric Tynan had the Board review page 41 of the board packet for the graph of the Castroville Well Levels 2015-2021. He informed the Board that the well levels for Well #2, and Well #4 continue to rise and are used for production. Well #3 is not being used for production and water levels are just being monitored. However, Well #5 does not seem to be recharging like the other wells and instead seems to be trending down, which is not good. Despite all the rain, all well levels are still significantly below sea level and have been for a few years. The desal project would have been great for Castroville.
3. Update on lot line adjustment for acquisition of Well #6 land – General Manager Eric Tynan informed the Board that a map of the lot line adjustment can be viewed on page 42 of this board packet. Ausonio Andrew E ETA AL has finished trenching and putting up the retaining wall per the land purchase agreement. The lot line adjustment would accommodate necessary water infrastructure improvements (Well #6) for the Castroville CSD. The fence will be put in by Castroville CSD and a vendor has been contracted to install the fence and gate. The lot-line adjustment has been approved by the County and the District is still waiting to get the title documents and to pay the \$95,000 owed for the land purchased. He will follow-up to see when the purchase of this land will be expected to be finalized so the District can move forward with the well project.
4. Update on Monterey One Water lateral repair – General Manager Eric Tynan notified the Board that Monterey One Water is doing a great job with the Private Lateral Rehabilitation Project for CCSD. This project is part of an enforcement action by the Central Coast Water Board. A summary of the project timeline can be viewed on page 43 of this board packet. The budget for this project is \$790,000. Castroville CSD staff is assisting them with any questions they may have to help facilitate this project.
5. Update on Monterey County Public Works Castroville street improvements – General Manager Eric Tynan let the Board know that the Castroville Street Improvements project has been delayed due to the Monterey One Water Private Lateral Rehabilitation Project. However, he is collaborating with Monterey County Public Works to get the streets that need to be repaired. A map of which street will be repaired can be viewed on page 44 of this board packet.

BOARD OF DIRECTORS COMMUNICATION: When needed, this time is reserved for the Board of Directors to communicate activity, educational classes, and/or Committee reports.

1. Update on Monterey One Water (M1W) board meeting – Director Ron Stefani reported to the Board that at this meeting they were discussing with Waste Management to build a micro grid so the two entities could have their own power, if power is lost. This would help MIW avoid any spills in the future. Pure Water Monterey is still rolling on and Monterey One Water has not stopped putting water in the ground and it has been business as usual. However, Cal Am was put on notice that the water is not staying in the ground for six months, like it was suppose to be. The Pure Water Expansion project needs to be approved by DWR and that approval does not come until water is being pumped. The Pure Water Expansion project is currently spending Cal Am's \$2,000,000 and once it is being built, Monterey One Water will be responsible for the cost. Also, the Water Purchase Agreement needs to go before the CPUC to be approved, which could be a big battle.
2. Update on Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) meeting – Director Ron Stefani informed Castroville CSD Board that they reviewed 4 of the 5 GSPs that need to be approved. The only one outstanding is Monterey's and it will be approved at January's meeting. All the GSPs will be approved and sent off to the State. Also, he and General Manager Eric Tynan, along with Grant Leonard are on the 180'-400 Aquifer Advisory Committee to implement the plan and stop seawater intrusion. He expects this committee to have a lot of discussion on water charges, water inspection charges and who needs water.
3. Update on meetings or educational classes attended by the Directors – Director Cosme Padilla announced that he was appointed by Supervisor Philips to be on the redistricting committee to represent District 2. The committee had submitted its final recommendations to the Board of Supervisors and at last count there were 10 different maps to consider. The Board of Supervisors selected map N, which changes quite a bit and affects around 25,000 people. He was not happy with the map selected by the Board of Supervisor, but unfortunately District 1 and 3 had the votes.

GENERAL OPERATIONS

1. General Manager's Report – Compliance update, current projects update, meetings/seminars update, staff update, suggestive projects discussions
2. Operation's Report
 - a) Water – Pumpage & Usage Update, Water Testing Update, Current Installation
 - b) Water -Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issue
 - c) Sewer & Storm Drain – Jetting, Current Installation Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issues
3. Customer /Billing Reports – Water Sales, Water Usage, A/R Update, Customer Service Update
4. Financial Reports – Treasures L.A.I.F. Report, Internal Report, Administration Update

General Operations Reports were accepted as presented

CHECK LIST – November 2021. A motion was made by Adriana Melgoza and seconded by Glenn Oania to pay all bills presented. The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, Padilla, Melgoza, Oania and Cochran
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	0	Directors:	

There being no further business, a motion was made by Adriana Melgoza and seconded by Glenn Oania to adjourn to the next scheduled Board meeting; the motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, Padilla, Melgoza, Oania and Cochran
NOES:	0	Directors:	

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ABSENT/NOT
PARTICIPATING: 0 Directors:

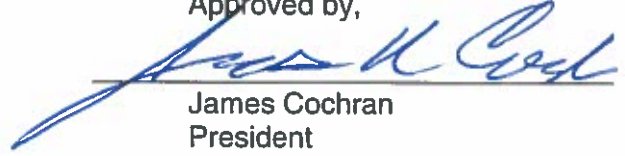
The meeting adjourned at 6:07 p.m. until the next scheduled meeting

Respectfully submitted by,



Lidia Santos
Secretary to the Board

Approved by,



James Cochran
President