

Keith Hadick, President (Division 3)
Vacant, Vice President (Division 1)
Casey Conrad, Treasurer (Division 6)
Andrew Adam, Secretary (Division 2)
Gerald Mahoney, Director (Division 4)
Vacant, Director (Division 5)
Randy Sharer, Director (Division 7)



SANTA MARIA VALLEY WATER CONSERVATION DISTRICT

SPECIAL MEETING MINUTES – June 29, 2023

District Office
2255 S. Broadway, Ste. 8E
Santa Maria, California
2100 Division St
Nipomo, California

CALL TO ORDER: With a quorum present, the meeting was called to order at 6:33 PM.

ROLL CALL: Present were Directors, Conrad, Mahoney, Sharer, Adam. Director Hadick was remote.

PLEDGE OF ALLEGIANCE: President Hadick led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA: None

APPROVAL OF AGENDA: It was motioned and seconded by Director Conrad and Adam to approve the agenda as published: motion carried 5-0-0-2

PUBLIC COMMENT: None

FINANCIAL ACTION ITEMS AND REPORTS

Resolution 23-04-It was motioned and seconded by Director Conrad and Mahoney to approve Resolution 23-04: motion carried 5-0-0-2 (roll call)

ACTION ITEMS

CSDA: It was motioned and approved by Director Sharer and Conrad to select Vince Ferrante: motion carried 5-0-0-2

Engineering Firm— Director Adam reads information for Director consideration re MNS prior proposal response and believes that their prior performance justifies retention.

Director Mahoney: Thinks MNS should come back onboard on “retainer” to help with project documents; follow up Q to Director Conrad: was MNS responsive? (Yes, they (Doug) responded, 3-4 days later; did not know how to get ahold of Mr. Newman; Director Conrad expressed his concerns, got assurance of corrections; then got almost identical response; contacted Doug again, got Mr. Newman’s information, contacted him and tried again; third attempt, similar problem, but this time follow up by Director Conrad included citations to RFP responses, left the conversation with concerns); Director Mahoney agrees with Director Sharer about waiting and seeing

Director Conrad: Points out questions asked and not answered to/from MNS were beyond the RFP, so not appropriate to ask them; MNS was not asked to review the RFP, just the responses to the RFP as drafted, which they did not do 2-3 times; after this, Director Conrad called Mr. Newman to find out what was going on, basis of questions, got responses that information was not present, but was directed to the “missing” information, actually present – “how did I miss that?”; after fourth time, finally got scores, but there still were flaws, so not satisfied with their latest work

Director Sharer: We just retained Horne; let’s wait for their initial work product; if we still have concerns about understanding the technical information or there is a new desire to hire a third party, then we can take up the issue at that time.

Director Adam: Responses from MNS were timely and they did a good job; scope of retention would be based on time and materials [by assignment]; not an extra expense, and not limited to the big project, but for all District uses.

Director Conrad: Agree with Director Sharer on waiting and seeing.

Director Adam: Motion, by roll call vote, to retain MNS as on-call District Engineer services, for up to one year, second by Director Mahoney: Y: Director Adam; Director Mahoney | N: Director Conrad, Director Hadick| A: Director Sharer | V: (2)

Project Supervisor/Manager: Director Adam: this is a large project, \$280m; we should have our own project manager/supervisor with a one-week check in/report and attendance at monthly meeting; if more time needed, the Board can decide extra hours in the future, wants to know why this is not needed/a good investment, to get information mostly from the monitor, and to watch for issues coming up, and explain them to the Board; additional oversight of documents and information

Director Conrad: Horne contract?; that's sufficient

Director Adam: yes, but they are working for themselves, and the more money they bring in, the more that they make.

Director Sharer: Clarification to Director Conrad: I understand how this oversight works and others don't (Director Conrad: yes, I understand contracting and people don't hire oversight for oversight, especially not when there is no project to oversee; just ends up spending more money); I can concur, but I want to see what Horne can do first; if the Board later decides that a local person with knowledge of the site is needed, then take it up then, but let the current contractor produce first

Director Mahoney: Horne is monitoring the contractor we don't have yet, but they are untangling what the last monitor did to make sure everything is right with FEMA; instead of going down the road and waiting to see whether Horne performs, would rather have "our own guy" to start and if Horne does well, then we can let that person go then so as not to duplicate.

Director Hadick: MNS/Doug was good for quite a while, but recently, they've gotten busier and now I think we need to look for other options; now we're looking at not using Doug, someone new, and not

happy with recent performance [on the RFP scoring]; agreeing with Director Sharer on waiting and seeing; still a big question on using MNS, not sold on their work product because of recent, plus inadequate responses to requests (i.e., new maps, multiple times and still don't have)

Director Sharer: We need to keep Horne on a short leash; if there is no clarification, then we can bring up the issue again; if we are not responsible and keep on top of them, they can BK the district in a few months; if things come up that we're not comfortable with, we can bring in our own guy.

Director Adam: The beginning is the time to bring someone in; Mr. Newman has FEMA experience; maybe other Directors know how to tell if Horne is telling us everything, but I don't and would feel better having someone to help us.

Director Sharer: If something goes wrong, retaining someone would not necessarily have alleviated that impact.

Director Conrad: Mr. Newman should have known the criteria for scoring, it should not have taken four times.

Director Adam: Motion to retain Robert Newman of MNS, via rollcall vote, for District Project Supervisor/Manager for the Twitchell Dam and Reservoir Remediation, second by Director Mahoney: Project: Y: Director Adam, Director Mahoney | N: Director Conrad, Director Hadick | A: Director Sharer | V: (2)

DIRECTOR & STAFF REPORTS

Directors:

Director Sharer: District's use of special meetings; District has had 18 special meetings and only 6 regular meetings; frequency of special meetings interferes with intent of Water Code and CA Law (Brown Act); if the Board envisions repeating this, would be more beneficial to add an additional regular meeting, semi-monthly.

Preservation, Inc. reports that that majority of the recharge to the groundwater comes from irrigation and agriculture uses, not surface water or dam discharges; may be useful to reintroduce an updated model of primary recharge sources.

Director Mahoney: As a Board, need to talk about hiring a dam tender and secretary; discussion on filling those staff positions, coming up with game plan for next few months; Board can prioritize where to start/which position to fill first.

Director Adam: Need to agendize Horne coming in each month? – **Yes, this should be added as a regular agenda item**
Suggested language: Add under Reports and Information: Oversight and Funding Report – Horne LLP

Director Conrad: Should also have TOC meeting not close in time to the regular meeting, so TOC can meet more often with Horne than whole Board “to keep finger on them” in addition to the regular meeting report slot; additional oversight by the TOC, at least in the beginning.

District Counsel Report: Forgen/BSC contract review completed and back to them.

ADJOURNMENT: It was moved and seconded by Director Conrad and Adam to adjourn at 8:00 PM: motion carried: 5-0-0-2

Minutes approved on_____

Keith Hadick, President

Submitted by Jaamon Frazier