

**PACHECO WATER DISTRICT  
SPECIAL ADJOURNED MEETING OF THE BOARD OF DIRECTORS  
MEETING MINUTES  
December 28, 2020**

The special meeting of December 23, 2020, was properly adjourned to December 28, 2020, at 8:00 a.m. The Board of Directors held the special adjourned meeting via web and teleconference per Governor Newsom’s Executive Order N-29-20. Those present at the meeting were:

Directors Present:       Aaron Barcellos, President  
                                  David Parreira, Vice-President  
                                  George Delgado, Director  
                                  Lance LeVake, Director  
                                  Alec Smith, Director

Others Present:         Chase Hurley, Water & Land Solutions, LLC  
                                  Lauren Layne, General Counsel

**CALL TO ORDER:**       President Barcellos called the meeting to order at 8:06 a.m.

**ROLL CALL:**            A quorum of the Board of Directors was present, as were its officers.

**POTENTIAL CONFLICTS OF INTEREST:**   There were no conflicts of interest.

**PUBLIC COMMENT:**     There was no public comment.

**THE BOARD TO CONSIDER APPROVING THE CONTRACT BETWEEN THE UNITED STATES AND PACHECO WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT – CONTRACT NO. 6- 07-20-W0469-P**

Mr. Hurley stated that three original copies of the new WIIN Act Water Service Contract between Pacheco Water District and the United States Bureau of Reclamation (Reclamation) were received by staff mid last week. The contract, along with Resolution 96-20 and the Notice of Exemption were posted to the Districts website and distributed to all the Directors on December 23, 2020. Ms. Layne reviewed various aspects of the new contract with the Board. Ms. Layne and Mr. Hurley answered a few questions related to the Reclamation Reform Act and the lump sum capital debt payment obligation. Ms. Layne also reviewed the California Environmental Quality Act provisions moving forward along with the necessity of Resolution #96-20 authorizing the Board President to sign the new Water Service Contract with Reclamation.

**a. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) – Notice of Exemption (NOE) Review and consider taking action to find that the conversion of the District's Central Valley Project Contract with the U.S. Bureau of Reclamation, pursuant to the Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628) (the “WIIN Act”), is exempt from CEQA under Categorical Exemptions and Statutory Exemptions. See attached draft NOE.**

Upon a motion by Director LaVake and seconded by Director Parreira, the board unanimously approved the Notice of Exemption under CEQA pursuant to the WIIN Act as described above and authorized staff to post it accordingly. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

**b. RESOLUTION TO AUTHORIZE THE APPROVAL, EXECUTION AND DELIVERY OF THE CONTRACT BETWEEN THE UNITED STATES AND PACHECO WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT AND FILING OF A NOTICE OF STATUTORY EXEMPTION AND CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR SAID CONTRACT Review and consider taking action to adopt Resolution #96-20 to authorize entering into the above-referenced contract and filing of an NOE. See attached resolution and final contract.**

Upon a motion by Director Smith and seconded by Director Delgado, the Board unanimously approved Resolution #96-20, authorized entering into the WIIN Act Contract with the Bureau of Reclamation, and authorized the Board President to sign the contract. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

**REPORTS ON OTHER ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54954.2(a)(3)**

Mr. Hurley presented a water supply update based on the most recent hydrology in the Northern Californian watershed and the latest forecast for San Luis Reservoir storage on February 28, 2021. He stated that at this point in time, staff will work on a draft 2021 budgets based on both a 10% and 40% CVP allocation from Reclamation. These draft budgets will be reviewed at the January board meeting.

The Board went into closed session at 8:24 a.m.

**CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

a. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case) b. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (1 case)

**REPORTS OUT OF CLOSED SESSION**

The Board reconvened to open session at 8:29 am with no reportable action.

**FUTURE MEETING DATES**

Mr. Hurley stated that the next regularly scheduled meeting will be held on January 21, 2021 at 9:00 a.m.

**ADJOURNMENT**

President Barcellos adjourned the meeting at 8:30 am.



Aaron Barcellos: President



Chase Hurley: Secretary

**PACHECO WATER DISTRICT  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
MEETING MINUTES  
December 23, 2020**

A special meeting of the Board of Directors was held on December 23, 2020, at 8 a.m., via web and teleconference per Governor Newsom's Executive Order N-29-20. Those present at the meeting were:

**Directors Present:** Aaron Barcellos, President  
David Parreira, Vice-President  
George Delgado, Director  
Lance LeVake, Director  
Alec Smith, Director

**Others Present:** Michael Gardner, Water & Land Solutions, LLC  
Chase Hurley, Water & Land Solutions, LLC  
Lauren Layne, General Counsel  
Palmer McCoy, Grassland Basin Authority (called in at 8:10 a.m.)

**CALL TO ORDER:** President Barcellos called the meeting to order at 8:01 a.m.

**ROLL CALL:** A quorum of the Board of Directors was present, as were its officers.

**POTENTIAL CONFLICTS OF INTEREST:** There were no conflicts of interest.

**PUBLIC COMMENT:** There was no public comment.

**APPROVAL OF MINUTES**

Mr. Hurley requested that the review and approval of the September 17, 2020 minutes be tabled until the regularly scheduled meeting of January 21, 2021. By doing so, it will give the directors more time to thoroughly review the materials. President Barcellos agreed with staff's recommendation and upon general consensus of the board members, no action was taken and the minutes were tabled until January of 2021.

**THE BOARD TO REVIEW AND CONSIDER APPROVAL OF THE DECEMBER 2020 FINANCIAL REPORT**

Mr. Hurley reviewed the Financial Report ending November 30, 2020. He stated that check #7042 for \$141,115.47 on the payable list from the Grassland Basin Authority (GBA) was approximately \$70,000 higher than was originally budgeted. President Barcellos stated that the GBA has been working diligently on their current year budget to actual and saw the need to bill out to their member agencies an incremental assessment that would cover them through year end. This adjustment increased Pacheco's share by approximately \$70,000. Upon a motion by Director Delgado and seconded by Director Smith, the Board unanimously approved the financial report and the December payable list totaling \$84,423.06 and directed staff to bill out to each landowner a supplemental drainage invoice to cover the additional GBA expenses within the invoice covered in check #7042. The roll call vote on the matter was as follows:

<b>Ayes:</b>	Barcellos, Parreira, Delgado, LeVake, Smith	<b>Nays:</b>	None
<b>Absent:</b>	None	<b>Abstain:</b>	None

**THE BOARD TO CONSIDER APPROVING THE CONTRACT BETWEEN THE UNITED STATES AND PACHECO WATER DISTRICT PROVIDING FOR PROJECT WATER 2703750v1 / 21059.0008 Page 4 of 4 SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT – CONTRACT NO. 6- 07-20-W0469-P**

a. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) – Notice of Exemption (NOE) Review and consider taking action to find that the conversion of the District's Central Valley Project Contract with the U.S. Bureau of Reclamation, pursuant to the Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628) (the "WIIN Act"), is exempt from CEQA under Categorical Exemptions and Statutory Exemptions. See attached draft NOE.

b. RESOLUTION TO AUTHORIZE THE APPROVAL, EXECUTION AND DELIVERY OF THE CONTRACT BETWEEN THE UNITED STATES AND PACHECO WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT AND FILING OF A NOTICE OF STATUTORY EXEMPTION AND CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR SAID CONTRACT Review and consider taking action to adopt Resolution #96-20 to authorize entering into the above-referenced contract and filing of an NOE. See attached resolution and final contract.

Mr. Hurley stated that the new WIIN Act Water Service Contract for the District has yet to arrive via certified mail. Therefore, staff was unable to circulate it to the Directors prior to today's meeting and could not post it on the District's website. Based on these factors, staff would recommend not taking items any action on agenda item 7a or 7b until a later date. Ms. Layne recommended that the Board adjourn today's meeting until sometime in the near future when the new WIIN Act contract is in our possession and the board has enough time to review in order to take the appropriate action. At that time, they could complete agenda items 7, 8, 9, 10, 11 and 12. Staff stated that as soon as the contract was received from the Bureau, staff would circulate to all the directors and post to the District website the following materials: WIIN Act Contract, Resolution 96-20 and the Notice of Exemption.

After some internal discussions, and upon a motion by Director Parreira and seconded by Director LeVake, the board unanimously agreed to adjourn today's meeting at 8:23 a.m. until Monday, December 28, 2020 at 8:00 a.m. The roll call vote on the matter was as follows:

Ayes:	Barcellos, Parreira, Delgado, LeVake, Smith	Nays:	None
Absent:	None	Abstain:	None

Mr. Hurley will post notice of the adjourned meeting on the website today and distribute it to the Directors.

  
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Aaron Barcellos: President

  
\_\_\_\_\_  
Chase Hurley: Secretary