PAJARO VALLEY WATER MANAGEMENT AGENCY
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Board of Directors Meeting
March 16, 2022, 6:00 p.m.

Teleconference

BOARD MEETING MINUTES

1. **Call to Order:** The Regular Board Meeting of Pajaro Valley Water Management Agency was called to order at 6:00 p.m.by Chair Newell, via teleconference

2. **Roll call of the PV WATER Directors:**

Board Members Present:	Newell, Culbertson, Zamora, Bannister, Rider, Sanchez
Board Members Absent:	Broz
Staff Members Present:	Brian Lockwood, General Manager (GM) Laura R. Taay, Board Secretary Marcus Mendiola, Water Conservation and Outreach Specialist (WCOS) Casey Meusel, Associate Hydrologist (AH)
Others Present:	Tony Condotti, Agency Counsel (AC) John Diffenbaugh, Public Rosemarie Imazio, Public Tony Lazaro, Public Tom Rider, Public Cameron Tana, Consultant, Montgomery & Associates Patrick Wickham, Consultant, Montgomery & Associates

3. **Pledge of Allegiance**

4. **Oral Communications:** None

5. **Closed Session – 2 Items:**
Conference with Real Property Negotiators – (Cal. Gov't Code §54954.5 & 54956.8)
   a. **Property APN's and Owners:**
   College Lake
   1) 051-101-47, 48, 49, Jacqueline L. Copriviza, Successor Trustee of the Tony and Mary Lipanovich 1991 Revocable Trust Dated June 19, 1991;
   2) 051-101-10 & 12, Tony T. Lazaro & Lisa G. Lazaro, Husband and Wife as Community Property;
   3) 051-101-19 & 18, De Sieyes Brothers LLC;
   4) 051-101-20 & 15, Taurino Gomez and Maria Gomez, Husband and Wife;
   5) 051-101-13 & 22, Taurino Gomez and Maria Gomez, Husband and Wife;

6) 051-101-11, 24, Janet B. Banovac, Trustee of the Janet Braycovich Banovac Separate Property Trust;
7) 051-101-50, Diffenbaugh Family Farms LLC;
8) 051-101-54 & 051-031-28, Glenn C. Noma and Pamela Lynn Noma, Trustees under the Glenn and Pamela Noma 1999 Revocable Trust Dated 2-16-1999, as to an Undivided One Half interest and Brian A. Murakami, Trustee of the Murakami Family Trust, as to an Undivided One Half Interest;
9) 051-441-01, Mashito Hiramine and Yoko Hiramine, Trustees of the Masahito & Yoko Hiramine Family Trust for the Benefit of Masahito Hiramine & Yoko Hiramine;
10) 051-441-02, Tony T. Lazaro and Liza G. Lazaro Revocable Inter Vivos Trust;
11) 051-441-11 & 04, Frank W. Capurro, as Successor Trustee of the Capurro Survivor's Trust UAD June 6, 1984, as to an undivided Twenty Five Percent Interest, Frank W. Capurro, as Successor Trustee of the Capurro Bypass Trust UAD June 6, 1984, as to an Undivided Twenty Five Percent Interest, Paul A. Scherer, An Unmarried Man, an Undivided Twenty Five Percent Interest and John R. Scherer, An Unmarried Man, an Undivided Twenty Five Percent Interest;
12) 051-441-12, Jessie Maragoni, Trustee of the Maragoni Surviving Spouse "A" Trust;
13) 051-441-24, David Vasquez and Elia E. Vasquez, Husband and Wife as Joint Tenants;
14) 051-441-27 & 28, The Roman Catholic Bishop of Monterey, California, A Corporation;
15) 051-651-05 & 01, F. Allen Harryman and Janice C. Harryman, as successor co-trustees of the Janet Imwalle Trust dated February 10, 1994 , subject to exception from Preliminary Title Report

Pipeline:

1) 018-341-25, Harvest Drive Properties, LLC
2) 051-221-02, Jorge Olivarez and Maria C. Olivarez, Husband and wife as Community Property with Right of Survivorship
3) 051-221-26, Ag Land, Inc., A California Corporation
4) 051-221-30, Ag Land, Inc., A California Corporation
5) 051-221-32, Coast Cooling, Inc., A California Corporation
6) 051-221-33, Taurino Gomez and Maria Gomez, Husband and Wife, as Joint Tenants
7) 051-221-34, Del Mar Farms, A California General Partnership
8) 051-741-01, V. R. Walker Co., An Illinois Corporation
9) 051-741-03, Shikuma Properties, LLC
10) 051-741-05, Richard J. Peixoto, A Married Man, as His Sole and Separate Property
11) 051-741-06, Brian F. Maridon, As Trustee of the Brian F. Maridon Trust Dated April 1994 As To An undivided 66.97% Interest and Russel J. Maridon and Stephanie Maridon, As Trustees for the Russel and Stephanie Maridon Family Trust Dated April 1994 As To An Undivided 33.03% Interest
12) 051-741-07, Randolph K. Repass and Sally-Christine Rodgers 1996 Revocable Trust Dated 6/26/96, Randolph K. Repass and Sally-Christine Rodgers as Trustees, an Undivided 55% Interest and Randolph K. Repass and Sally-Christine Rodgers, Trustees of the Kent-Harris Repass 2020 Irrevocable Trust Dated November 20, 2020, an Undivided 45% Interest
13) 052-243-01, JAL Berry Farms, LLC, A California Limited Liability Company, Subject to Exceptions in Preliminary Title Report
14) 052-243-10, Lakeside Organic Gardens, LLC, A California Limited Liability Company
15) 052-243-15, Watsonville Exchange, Inc., A California Corporation
16) 052-243-16, Watsonville Exchange, Inc., A California Corporation
17) 052-243-17, Lakeside Organic Gardens, LLC., A California Limited Liability Company
18) 052-243-18, Lakeside Organic Gardens, LLC.,A California Limited Liability Company
19) 052-243-20, 21, West Coast Pre-Cooling – Watsonville, LLC

20) 052-272-01, John Martin Colendich, A Married Man, AS His Sole and Separate Property; Kara Therese Colendich, A Single Woman, As Her Sole and Separate Property; Connie A. Vukasovich-Haines and Jeanne L. Vukasovich, Trustee of Trust B Under the John M. Vukasovich and Virginia Vukasovich Revocable Living Trust Under Agreement Dated June 5, 2992, Dianna V. Hersch, A Married Woman, As Her Sole and Separate Property; Martin John Vukasovich, A Single Man, As His Sole and Separate Property; Jeanne Vukasovich, Trustee, or Her Successor(s) of the Jeanne Vukasovich 2016 Revocable Trust Dated 12/14/2016; and George W. Haines and Connie A. Vukasovich-Haines, Trustees, or Their Successor(s), of the Haines 2020 Revocable Trust Dated October 28, 2020, all As Their Respective Interests Appear of Record
21) 052-371-01, 02, JAL Berry Farms LLC, A California Limited Liability Company, subject to Exceptions from Preliminary Title Report
22) 052-581-04, Martin Kulish, Trustee of the Domacin Family Trust Dated September 3, 2012, An Undivided Ninety-Two and A Half (92.5%) Interest and Martin Kulish, Trustee of the Luce Domacin Qualified Domestic Trust, Established January 8, 2015, An Undivided Seven and A Half Percent (7.5%) Interest
23) 052-581-06, Hoover (CA) LLC, A Delaware Limited Liability Company Doing Business In The State Of California as Hoover Farm LLC, Subject to Exception from Preliminary Title Report
24) 052-581-09. David Frederick Willoughby, Successor Trustee of the Jeannette F. Willoughby 1999 Trust Dated 12/30, 1999, As To An Undivided 7.54% Interest, Subject to Exception from Preliminary Title Report, Christopher Michael Willoughby, As To An Undivided 46.23% Interest and David Frederick Willoughby, As To An Undivided 46.23% Interest

Agency Negotiators: Brian Lockwood, Richard Smith
Under Negotiation: Price, terms of payment or both

b. Property: Arnold (CA) LLC, A Delaware Limited Liability
Agency Negotiators: General Manager and Agency Counsel
Under Negotiation: Terms of Payment and Agreement for Use of Well

Motion: Director Culbertson moved for the Board to approve the Lease Agreement with Arnold (CA) LLC, A Delaware Limited Liability; seconded by Director Rider.

Motion carried by the following voice vote:

AYES:	Newell, Culbertson, Zamora, Bannister, Rider, Sanchez
NOES:	None
ABSENT:	Broz
ABSTAIN:	None

Open Session resumed at 7:02 p.m.

Report on Closed Session: AC Condotti reported discussion of 2 items – Real Property negotiations, as listed on Agenda. Item **a**: Board received report from Agency Negotiators and gave staff direction to proceed. No reportable action. Item **b**: Board by unanimous motion approved agreement with Arnold (CA) LLC extending terms of lease agreement. Particulars will be available by request after all parties have executed agreement.

6. **Director Comments:** Director Bannister shared fond remembrances of Diane Cooley, who was one of PV Waters first Director's, in 1984. Director Cooley passed March 10, 2022.

7. **Counsel Report:** AC Condotti gave a brief description of Item 9A Authorizing Remote Teleconference Meetings, pursuant to Adoption by the Legislature. Temporary amendment of Brown Act requirements for teleconference meetings are being monitored.

8. **General Manager Report:** GM Lockwood reported on:
   - Attended Farm Bureau Agriculture Spring Luncheon. Council Member Hurst shared the City's effort to update council chambers and conference rooms for streamline type meetings in the future.
   - Appointed Nancy Trevino, Financial Analyst, to Interim Financial and Administrative Services Manager. Recruitment at this time is quite difficult and contracting with RGS has been delayed.
   - Santa Cruz County is forming a Drought Response Working Group in response to SB 552

9. **Consent Agenda**
   A. Adoption of Resolution 2022-05 Re-Authorizing Remote Teleconference Meeting of the Legislative Bodies of the Pajaro Valley Water Management Agency Pursuant to Brown Act Provisions
   B. Approval of February 16, 2022 Minutes
   C. Approval of Financial Reports
   D. Approval of extending SB 114 Supplemental Paid Sick Leave (as enacted by CA Senate Bill 114) to PV Staff
   E. Adoption of Resolution 2022-06, Authorizing Representatives to Sign and Act for the Pajaro Valley Water Management Agency at Mechanics Bank
   F. Approval of Amendment #1 with Fedak & Brown, LLP, for Financial Auditing Services through Fiscal Year June 30, 2026 in an amount not to exceed $125,067
   G. Approval of Engagement with Fedak & Brown, LLP, for Annual Audit Services for Fiscal Year Ending June 30, 2022
   H. Adoption of Resolution 2022-07, Designating General Manager, or Designee, as the Authorized Representative to file an Application and Execute Agreements with the California Department Conservation for a 2022 Multibenefit Land Repurposing Grant Program Grant

   Action: Director Culbertson moved to approve the Consent Agenda; seconded by Director Rider.

   Motion carried by the following voice vote:

AYES:	Newell, Culbertson, Zamora, Bannister, Rider, Sanchez
NOES:	None
ABSENT:	Broz
ABSTAIN:	None

10. **Informational Items**
    A. Received Basin Management Plan Implementation Update from GM Lockwood
    B. Received Summary of the Sustainable Groundwater Management Act (SGMA) Annual Report, Water Year 2021 from AH Meusel

11. **Discussion and/or Action Items**

A. Consider Resolution 2022-08, Finding, Determining, and Declaring that the Public Interest and Necessity Require the Acquisition of Interests in Certain Real Property (Assessor's Parcel Numbers 051-101-50; 051-101-13, 15, 20 & 22; 051-651-01 & 05; and 051-101-10 & 12 and 051-441-02) by Eminent Domain

GM Lockwood and AC Condotti presented this item. Properties have been identified for the College Lake project that is underway.

1) APN: 051-101-50 requires the acquisition of a permanent, non-exclusive easement (Inundation Easement). Appraisers Smith & Associates, Inc. determined a fair market value of $102,000 of the 19.41-acre property. An offer letter was sent on January 7, 2022, via USPS Certified mail to Diffenbaugh Family Farms, LLC. a Illinois Liability Company;

2) APN: 051-101-10, 12 & 051-441-02 requires the acquisition of Fee Title. Appraisers Smith & Associates, Inc. determined a fair market value of $800,000 or permanent, non-exclusive easement (Inundation Easement) fair market value of $792,000 of the 67.672-acre property. An offer letter was sent on January 7, 2022, via USPS Certified mail to Tony T. Lazaro & Liza G. Lazaro, Trustees;

3) APN: 051-101-13, 15, 20, and 22 requires the acquisition of either Fee Title, Appraisers Smith & Associates, Inc. determined a fair market value of $65,400 or permanent, non-exclusive easement (Inundation Easement) fair market value of $64,800 of the 18.62-acre property. An offer letter sent on January 7, 2022, via USPS Certified mail to Taurino Gomez and Maria Gomez, Husband and Wife as Joint Tenants;

4) APN: 051-651-1 & 05 requires the acquisition of a permanent, non-exclusive easement (Inundation Easement). Appraisers Smith & Associates, Inc. determined a fair market value of $14,000 of the 4.46-acre property. An offer letter was sent on January 7, 2022, via USPS Certified mail to Janice C. Harryman, a married woman as her sole and separate property.

It is always the Agency's preference to acquire real property through negotiation: however, with respect to the subject Properties, negotiations have not moved beyond the Agency's offer.
All Resolution of Necessity requirements have been met:

1. Whether necessity and public interest require the project;
2. Whether the proposed project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury;
3. Whether the property sought to be acquired is necessary for the project; and
4. Whether the offer required by Government Code Section 7267.2 has been made to the owner or owners of record.

Public comment from two property owners, Mr. Diffenbaugh and Mr. Lazaro, was received.

Action: Director Rider moved for the Board of Directors, following a hearing providing the owner of the subject properties an opportunity to speak, adopt Resolution 2022-08, Resolution of Necessity for the College Lake Integrated Resources Management Project finding that public necessity requires acquisition by eminent domain of interests in certain real property on APNs 051-101-50; 051-101-13, 15, 20 & 22; 051-651-01 & 05; and 051-101-10 & 12 and 051-441-02, located in the unincorporated area of Santa Cruz County, and authorizing the Agency's counsel to proceed with eminent domain proceedings to acquire the real properties; seconded by Director Bannister.

Motion carried by the following voice vote:

AYES: Newell, Culbertson, Zamora, Bannister, Rider, Sanchez

NOES: None
ABSENT: Broz
ABSTAIN: None

12. Monthly Reports/Presentations

A. Facility Operations Report
   1. Received 2022 Supplemental Water Production Monthly Summary Report
B. Board Committee Reports available at www.pvwater.org
C. Public Outreach Update

13. Correspondence

14. Future Meetings

A. Project & Facility Operations Committee, Wednesday, March 30, 2022, 3:00 p.m. Teleconference
B. Grower's Meeting, Tuesday, April 12, 2022, 9 a.m. Civic Plaza, Room A, 275 Main Street, Watsonville, CA
C. Administrative/Finance Committee, Tuesday, April 12, 2022, 3:00 p.m., Teleconference
D. Board of Directors, Wednesday, April 20, 2022 ,7:00 p.m., Teleconference
E. Project & Facility Operations Committee, Wednesday, April 27, 2022, 3:00 p.m., Teleconference

Adjourned at 8:50 p.m.

Laura R Taay
Laura R. Taay, Board Secretary

April 20, 2022
Date Approved