

**SAN BENITO COUNTY
PACHECO STORM WATER DISTRICT**

Armando Alfaro Trustee	Michele Schroeder Trustee	Paula Azcona Trustee
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481 Fourth Street, Hollister, CA 95023

**PACHECO STORM WATER DISTRICT - REGULAR MEETING-
JANUARY 22, 2024
6:00 PM**

The meeting will be available through Zoom and Peak Agenda for those who wish to join or require accommodations.

Members of the public may participate remotely via zoom at the following link <https://zoom.us/join> with the following Webinar ID and Password:

Webinar ID: 896 1504 0606
Webinar Password: 124694

Those participating by phone who would like to make a comment can use the “raise hand” feature by dialing “*9”. In order to receive the full zoom experience, please make sure your application is up to date.

Remote zoom participation for members of the public is provided for convenience only. In the event that the zoom connection malfunctions for any reason, the board of supervisors reserves the right to conduct the meeting without remote access.

Remote Viewing:

Members of the public who wish to watch the meeting can view a livestream of the meeting online through:

Peak Agenda Page: https://cosb.granicus.com/ViewPublisher.php?view_id=1

Written Comments & Email Public Comment

Members of the public may submit comments via email by 12:00 PM on the Monday of the Pacheco Storm Water District meeting to the sloupe@cosb.us.

Public Comment Guidelines

A. The Pacheco Storm Water District welcomes your comments.

B. If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, please state your first name, last name, and county you reside in for the record.

C. Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.

D. Speakers are encouraged to keep your comments, brief and to the point, and not to repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the sloupe@cosb.us.

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 PUBLIC COMMENT

4 CONSENT AGENDA

4.1. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Acknowledgement of Certificate of Posting](#)

[Certificate of Posting 2024-1-22.pdf](#)

4.2. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Approval of minutes from December 18, 2023, Pacheco Storm Water District meeting](#)

[2023_12_18_Pacheco Storm Water District_Minutes_Meeting--VMT2023071811461.pdf](#)

5 REGULAR AGENDA

5.1. [RESOURCE MANAGEMENT AGENCY-S. Loupe, Public Works Administrator- Update regarding debris removal and levee repair.](#)

5.2. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Update on status of FEMA applications](#)

5.3. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Update from advisory board on grant opportunities](#)

5.4. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Discussion regarding tree removal on levee near Lovers Lane Bridge](#)

5.5. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Presentation on warning and alert platforms](#)

5.6. [RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator- Discussion of Future Agenda Items](#)

6 ADJOURNMENT

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 4.1

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Acknowledgement of Certificate of Posting

AGENDA SECTION:

CONSENT AGENDA

ATTACHMENTS:

[Certificate of Posting 2024-1-22.pdf](#)

*San Benito County Planning Commission
2301 Technology Parkway
Hollister, CA 95023*



CERTIFICATE OF AGENDA POSTING

Pursuant to Government Code §59454.2(a), I Victor Tafoya, certify that the **SPECIAL MEETING AGENDA** for the **PACHECO STORM WATER DISTRICT** scheduled for January 22, 2024, was re-posted at the following locations, freely accessible to the public, on this day of January 18, 2024:

The bulletin board outside the front entrance of the San Benito County Planning Department, 2301 Technology Parkway, Hollister, CA

AND

The bulletin board outside the front entrance of the San Benito County Administration Building, 481 Fourth Street, Hollister, CA

AND

On The San Benito County website <https://www.cosb.us/> in the Events Calendar.

Victor Tafoya
Assistant Planner
County of San Benito

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 4.2

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Approval of minutes from December 18, 2023, Pacheco Storm Water District meeting

AGENDA SECTION:

CONSENT AGENDA

ATTACHMENTS:

[2023_12_18_Pacheco Storm Water District_Minutes_Meeting--VMT202307181146 1.pdf](#)



**SAN BENITO COUNTY
PACHECO STORM WATER DISTRICT**

Armando **Michele** **Paula**
Alfaro **Schroeder** **Azcona**
Trustee Trustee Trustee

481 Fourth Street, Hollister, CA 95023

**PACHECO STORM WATER DISTRICT – REGULAR MEETING-
December 18, 2023
6:00 PM**

The meeting will be available through Zoom and Peak Agenda for those who wish to join or require accommodation.

Members of the public may participate remotely via zoom at the following link.

<https://zoom.us/join> with the following Webinar ID and Password:

Webinar ID: 812 9411 7314

Webinar Password: 287708

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C. Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.

D. Speakers are encouraged to keep your comments brief and to the point, and not to repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact sloupe@cosb.us.

1. CALL TO ORDER

Trustee Michele Schroeder called the meeting to order at 6:05pm.

2. PLEDGE OF ALLEGIANCE

Trustee Michele Schroeder let the meeting into the Pledge of Allegiance.

3. PUBLIC COMMENTS

No Public Comment in Chambers

No Public Comment via Zoom

4. CONSENT AGENDA

Paula Azcona, Trustee motioned to adopt the consent agenda.

Armando Alfaro, Trustee seconded this motion.

Moved by Paula Azcona, Trustee seconded Armando Alfaro Trustee, motioned to adopt the Consent Agenda.

Motion Passed: 3 - 0

Voting For: Armando Alfaro, Michele Schroeder, Paula Azcona

Voting Against: None

5. REGULAR AGENDA

5.A RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS

ADMINISTRATOR-Update regarding Levee Repair and Debris Removal.

Steve Loupe, Director of Public Works, provided an update on debris pile cleanup and levee repairs. The debris cleanup included impressive before-and-after photos at various locations, showcasing significant improvements. Contractors successfully removed debris, making a noticeable difference in multiple areas. Additionally, there were updates on levy breaches at four main locations, with varying degrees of repair progress. Delays in FEMA approval was mentioned, leading to a potential change in the approach for quicker levee repairs.

Public comment via Zoom:

Roshelle Beerli had a question regarding this agenda item.

Public comment in Chambers:

Mark Shroeder had a question regarding the agenda item.

Michele Schroeder, Trustee, had a question regarding the agenda item.

Steve Loupe, Director of Public Works addressed both public comments and the Trustees questions.

5.B RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS

ADMINISTRATOR-Update on status of FEMA applications.

Steve Loupe, Director of Public Works gave a verbal update on two applications – one for debris removal and another for levee repairs. FEMA and the district were reviewing the debris removal application related to the first storm event. The main hurdle was determining the legal right to remove debris from the creek, leading to ongoing discussions and efforts, including meetings with FEMA officials and Senator Padilla's office. The second application, focusing on levee repairs, awaited an environmental determination from FEMA, causing delays. Efforts were made to address the hold-up in the determination process, with ongoing communication with FEMA representatives.

Michele Schroeder, Trustee, had a question regarding the agenda item.

Public comment via Zoom:

Roshelle Beerli had a question regarding this agenda item.

No Public comment in Chambers

Steve Loupe, Director of Public Works addressed both public comments and the Trustees questions.

5.C RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS

ADMINISTRATOR-Presentation and discussion regarding tree removal on levee near Lovers Lane bridge.

Bill Florek, public resident presented an update on the challenges faced in San Benito County Lovers Lane due to storm damage to levees. The erosion of the levee led to undermining, threatening collapse, and falling elm trees. The presentation included photos depicting the impact of recent storms, fallen trees, and the deteriorating condition of the creek. Bill emphasized the urgency of removing leaning trees to prevent further damage, expressing anticipation for a proposed solution involving crane-assisted tree removal.

Michele Schroeder, Trustee, had a question regarding the agenda item.

Armando Alfaro, Trustee, had a question regarding the agenda item.

Paula Azcona, Trustee, had a question regarding the agenda item.

Public comment in Chambers:

Mark Shroeder had a question regarding the agenda item.

Lucinda Florek had a question regarding the agenda item.

Public comment via zoom:

Roshelle Beerli had a question regarding this agenda item.

Bill Florek, public resident addressed both public comments and the Trustees questions.

Steve Loupe, Director of Public Works addressed both public comments and the Trustees questions.

Armando Alfaro Trustee formed an advisory committee, including two members of the public, to explore cost-effective methods for the removal of hazardous trees along the Pacheco Creek.

5.D RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR-Follow-up on presentation on best management practices for creek maintenance.

Steve Loupe, Director of Public Works, provided a follow-up on a request to explore best management practices for Pacheco Creek. The Pacheco Stormwater district's jurisdiction was clarified, extending approximately a mile downstream from San Felipe Road. Efforts were made to partner with other jurisdictions and property owners to develop a strategy for creek maintenance. Research revealed approved best management practices in Monterey County, involving a Lake Stream Bed Alteration Agreement with Fish and Wildlife. The agreement allowed sediment removal, grading, vegetation removal, Arundo control, breaking up sediment bars, and other activities, subject to specific parameters and coordination with Fish and Wildlife. Pursuing a similar agreement was considered worthwhile, although acknowledging potential challenges and time requirements.

Arielle Goodspeed, Principal Planner, mentioned that the county worked on the San Benito County Conservation Plan, a joint habitat and natural community conservation plan, receiving Section 6 Grant funds. Efforts were made to identify covered activities for inclusion in the plan, involving collaboration with trustees and a consultant. The plan aimed to negotiate permits for various activities, including best management practices, with the district potentially acting as a special entity to engage in covered activities. The process was ongoing, with approximately 3 to 4 more years of work ahead.

Michele Schroeder, Trustee, had a question regarding the agenda item.

Public comment in Chambers:

Bill Florek had a question regarding the agenda item.

No public comment via Zoom

**5.E RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS
ADMINISTRATOR-Presentation on expanding eligibility for board
membership.**

Michele Schroeder, Trustee, collaborated with Assistant County Counsel to ascertain the eligibility criteria for trusteeship. They found that, according to the Stormwater District Act governing the district, individuals must be landowners and residents of the property for at least one year to qualify as trustees. The requirements are explicitly outlined, emphasizing the necessity of being both a landowner and meeting the residency duration criteria.

Public Comment in Chambers:

Marilyn Florek had a comment regarding the agenda item.

Lucinda Florek had a question regarding this agenda item.

Public comment via zoom:

Sean Cameron, Assistant County Counsel addressed both public comments and the Trustees questions.

**5.F RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS
ADMINISTRATOR-Update on application for directors' liability insurance**

Michele Schroeder, Trustee, provided an update on the search for Director's Liability Insurance. Despite efforts with a local broker, three insurance companies declined coverage, with one more pending. Due to uncertainties, the decision was made to submit an application with the California Special District Association, anticipating higher costs and additional coverage that might not be needed. The application is expected to be completed in the coming weeks.

No Public Comment in Chambers

No Public Comment via Zoom

**5.G RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS
ADMINISTRATOR-Update on PSWD publicity and outreach activities**

The Trustees provided an update on publicity and outreach activities. An email and text message were sent to publicize the meeting, with consideration given to repeating this monthly. Additionally, a sign on Lovers Lane was installed, and Trustee Alfaro confirmed its readiness for posting content, prompting discussions on what to display on the sign in future updates. Mentioned the sign frame is set up for postings. While the panels are in place, the actual sign message still needs to be posted. Progress has been made, and the Trustees confirmed that the sign is ready for display.

Public Comment in the chambers:

Lucinda Florek had a comment regarding this agenda item.

Mark Shroeder had a question regarding the agenda item.

No Public Comment via Zoom

5.H RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR-Discussion of Future Agenda Items

The Trustees discussed among themselves potential future agenda items.

Public comment in Chambers:

Mark Shroeder had a comment regarding the agenda item.

Madison Mitchell had a question regarding this agenda item.

Public comment via Zoom:

Roshelle Beerli had a question regarding this agenda item.

5.I RESOURCE MANAGEMENT AGENCY - S. LOUPE, PUBLIC WORKS ADMINISTRATOR-Authorize the advertisement for bids to construct the project to perform levee repairs along Pacheco Creek. The levee construction is proposed to occur at four locations between San Felipe Road and Lovers Lane.

Steve Loupe, Director of Public Works, mentioned that in the past, the district faced a delay of 6 to 8 weeks in hearing from FEMA's environmental group regarding levy repairs. In response, considering the upcoming rainy season and potential life safety issues, there was a proposal to treat the levy breaches as exigent circumstances. This would allow the district to forego the standard bid process and directly reach out to contractors for repairs. The Federal Government permits noncompetitive procurements under emergency circumstances, requiring adherence to specific contract agreement requirements and a responsible contractor selection. Trustee consideration was sought regarding whether to proceed with the standard bid process or take advantage of the emergency provision, with suggestions to obtain three quotes for transparency. The district was encouraged to communicate with FEMA about the emergency situation.

Paula Azcona, Trustee, had a question regarding the agenda item.

Armando Alfaro, Trustee, had a question regarding the agenda item.

Michele Schroeder, Trustee, had a question regarding the agenda item.

Public comment in Chambers:

Mark Shroeder had a question regarding the agenda item.

Public comment via zoom:

Roshelle Beerli had a question regarding this agenda item.

Steve Loupe, Director of Public Works addressed both public comments and the Trustees questions.

Sean Cameron, Assistant County Counsel addressed the Trustees questions.

Moved by Michelle Shroder; seconded by Paula Azcona to adopt a resolution declaring that we are now in an emergency situation with respect to the levy repair. That we would like to proceed with non-competitive procurements as permitted by Federal law that we authorize Steve Loop to get at least one bid to complete this work and that. That the contract then be that that we authorize the chair Michelle Schroeder to approve, and this bid, and then sign the contract for a maximum for an amount not to exceed \$400,000.

Motion Passed: 3 - 0

Voting For: Armando Alfaro, Michele Schroeder, Paula Azcona

Voting Against: None

5.J ADJOURNMENT

Moved by Paula Azcona; seconded by Armando Alfaro to Approve Adjournment.

Motion Passed: 3 - 0

Voting For: Armando Alfaro, Michele Schroeder, Paula Azcona

Voting Against: None

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.1

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY-S. Loupe, Public Works Administrator-
Update regarding debris removal and levee repair.

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS:

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.2

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Update on status of FEMA applications

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS:

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.3

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Update from advisory board on grant opportunities

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS:

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.4

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Discussion regarding tree removal on levee near Lovers Lane Bridge

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS:

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.5

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Presentation on warning and alert platforms

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS:

**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Armando Alfaro Michele Schroeder Paula Azcona
Board Member Board Member Board Member

Item Number: 5.6

MEETING DATE: **01/22/2024**

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Holly Strother

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. Loupe, Public Works Administrator-
Discussion of Future Agenda Items

AGENDA SECTION:

REGULAR AGENDA

ATTACHMENTS: