

RESOLUTION NO. 2007--22

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BENITO COUNTY WATER DISTRICT
SETTING A PUBLIC HEARING DATE FOR THE PURPOSE OF
IMPLEMENTING A STANDBY OR AVAILABILITY CHARGE
IN THE AREA SERVED BY THE ZONE 6 PRESSURIZED
DISTRIBUTION SYSTEM (SAN FELIPE DISTRIBUTION SYSTEM)
FOR THE 2008-2009 WATER YEAR**

WHEREAS, pursuant to Section 70.6.6 of the San Benito County Water District Act, the District, by resolution, may fix, on or before the first day of March in any calendar year, a water standby or availability charge within any zone of the District to which water is made available by the District through underground or surface facilities, whether the water is actually used or not, except that such charge shall not apply to lands permanently dedicated exclusively to public transportation of persons or property; and

WHEREAS, the standby charge shall not exceed ten dollars (\$10.00) per acre, per year for each acre of land within any zone of the District or ten dollars (\$10.00) per year for any parcel of less than one acre; and

WHEREAS, the voters of the District on November 8, 1977, approved certain Propositions that provided, among other things, that;

- a) "in the area served by a pressurized distribution system there will be an annual maximum stand-by charge of \$10.00 per acre of land"; and

WHEREAS, the resolution fixing a standby charge shall be adopted by the Board only after adoption of a resolution setting the particular schedule or schedules of charges proposed to be established and after notice and hearing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Benito County Water District that this Resolution 2007-22 sets forth the proposed standby or availability charge as follows:

\$6.00 per acre for 2008-2009 water year (March 1, 2008 through February 28, 2009) for each acre, and \$6.00 per year for any parcel or less than 1 acre, of land within Zone 6; San Felipe Distribution System Services Area of the District.

BE IT FURTHER RESOLVED that a public hearing on this matter is to be held on Thursday, January 17, 2008 at 7:30 p.m. in the District Office, 30 Mansfield Road, Hollister, California.

PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District this 19th day of December, 2007, by the following vote:

AYES: DIRECTORS: Swanson, Bettencourt, Perry and Tobias
NOES: DIRECTORS: None
ABSENT DIRECTORS: Flores

/s/Robert M. Swanson
Robert M. Swanson, President

ATTEST: /s/Shelley Giancola
Shelley Giancola
District Secretary