

January 10, 2022
Special Meeting
5:00 p.m.

On March 18, 2020, Governor Newsom issued Executive Order N-29-20, which enhances State and Local Governments' ability to respond to COVID-19 Pandemic; this meeting was conducted via Zoom. Because of this, all voting was done by roll call vote.

The Board of Directors of the San Benito County Water District convened in special session on Monday, January 10, 2022 at 5:00 p.m. at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present at the District were: President Joe Tonascia, Vice President Sonny Flores and Directors Andrew Shelton, John Tobias and Doug Williams. Also present were District Manager/Engineer Jeff Cattaneo, Assistant Manager Sara Singleton, Deputy District Engineer Garrett Haertel, Water Conservation Program Manager Shawn Novack and Board Clerk/Office Specialist III Barbara Mauro. District Counsel Jeremy T. Liem participated via Zoom.

CALL TO ORDER

The meeting was called to order by President Tonascia at 5:00 p.m.

a. Pledge of Allegiance

President Tonascia led the Pledge of Allegiance.

b. Roll Call

Mrs. Mauro called roll. President Tonascia, Vice President Flores and Directors Shelton, Tobias and Williams were all in attendance.

c. Speakers will be limited to 5 minutes to address the Board

There were no public comments.

d. Approval of the Agenda

With a motion by Vice President Flores and a second by Director Williams, the Agenda was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.

CONSENT AGENDA

1. Consider Resolution Proclaiming and Ratifying March 4, 2020 COVID-19 State of Emergency, and Authorizing Remote Teleconference Meetings for all District Legislative Bodies for the Following 30 Days in Accordance with the Ralph M. Brown Act

With a motion by Director Tobias and a second by Director Shelton, the Consent Agenda was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.

AGENDA ITEMS:

2. Discuss and Consider Resolution Setting a Public Hearing Date for the Purpose of Fixing the Standby or Availability Charge for the 2022-2023 Water Year

Mr. Cattaneo stated the ability to charge for the Standby or Availability Charge was approved by the voters of San Benito County in 1977, for a maximum rate of \$10 per acre foot. The District, for the last approximately 20 years, has charged \$6 per acre. The

action for the Board would be to approve the proposed resolution setting a public hearing for the fixing of the Standby or Availability Charge for the 2022-23 water year.

With a motion by Director Shelton and a second by Director Williams, Resolution #2022-02, *A Resolution of the Board of Directors of the San Benito County Water District Setting a Public Hearing Date for the Purpose of Fixing the Standby or Availability Charge for the 2022-2023 Water Year* was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.

3. Public Hearing regarding 2021 Annual Groundwater Report (Groundwater Sustainability Report [GSP])

a. Proof of Publication submitted on Notice of Public Hearing, Annual Groundwater Report (Groundwater Sustainability Report [GSP])

Mrs. Mauro verified the proof of publication.

b. Presentation of Report

Mr. Cattaneo stated, per our District Act in section 70-7.6, an annual groundwater report is to be received by the District on the 3rd Monday of December and presented to the Board on the 2nd Monday of January. Because of the new reporting for the Sustainable Groundwater Management Act (SGMA) doing the annual groundwater report and the SGMA report would be redundant, but to satisfy the District Act requirement, Mr. Cattaneo has prepared a District Engineer's report on the findings and will present the recommendation for the groundwater rates.

His report stated the San Benito County Basin is not in overdraft, due to the importing of CVP water. Last March, there was a -0- Ag water allocation and a 25% of historical use water allocation for M & I. There was an increase in usage of groundwater for Ag of 5000-acre feet and 1000-acre feet for M & I this past year. Mr. Cattaneo stated, regarding the upcoming water year, there is a 50% chance of a 5-10% water allocation for Ag and 50% water allocation for M & I.

Recommendations, per Mr. Cattaneo's report are to: continue all CVP water and all available transfer water; continue to operate Hernandez and Paicines Reservoirs for percolation; continue to percolate from any off stream sites; and approve the groundwater charges for Zone 6, to be the same as 2020; \$13.55 for Ag and \$40.55 for M & I.

c. Questions of Directors

There were no questions of the directors.

d. Open Public Hearing

President Tonascia opened the Public Hearing.

e. Close Public Hearing or continue to later date

There were no public in attendance, so President Tonascia closed the Public Hearing.

- f. **Consider Adoption of Statement of Findings and Recommendations**
With a motion by Vice President Flores and a second by Director Williams, the Board of Directors adopted the Statement of Findings and Recommendations, by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.
 - g. **Consider Acceptance of 2021 District Engineer's Report on Annual Groundwater Conditions and Recommendation on Groundwater Charges**
With a motion by Director Tobias and a second by Vice President Flores, the Board of Directors accepted the 2021 District Engineer's Report on Annual Groundwater Conditions and Recommendation on Groundwater Charges.
4. **Public Hearing regarding Zone 6 2022-2023 Groundwater Charges**
- a. **Proof of Publication submitted for Notice of Public Hearing**
Mrs. Mauro verified the proof of publication.
 - b. **Presentation of 2022-2023 Groundwater Charges**
Mr. Cattaneo presented these as part of agenda item #3. Mrs. Singleton added the rates are unchanged and the District is currently doing a rate study.
 - c. **Open Public Hearing**
President Tonascia opened the Public Hearing.
 - d. **Close Public Hearing or continue to later date**
There were no public in attendance, so President Tonascia closed the Public Hearing.
 - e. **Consider Adoption of 2022-2023 Groundwater Charges**
 - i. **Consider Resolution Establishing Groundwater Charges in Zone 6 for 2022-2023 Water Year**
With a motion by Vice President Flores and a second by Director Shelton, Resolution # 2022-03, *A Resolution of the Board of Directors of the San Benito County Water District Establishing Groundwater Charges in Zone 6 for 2022-2023 Water Year* was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.
5. **Public Hearing regarding 2022-2023 Water Year San Felipe Water Retail and Wholesale Rates and Charges**
- a. **Proof of Publication submitted for Notice of Public Hearing**
Mrs. Mauro verified the proof of publication.
 - b. **Presentation of 2022-2023 Water Year San Felipe Water Retail and Wholesale Rates and Charges**
Mr. Cattaneo, utilizing a PowerPoint presentation, gave the Board a presentation on the cost of water and inventory value of the District's current and future water supply for wholesale water over the next 4 water years. The proposed Ordinance is for the retail rates and charges to remain the same as 2020-2021 water year and to increase the wholesale rates and charges for the upcoming 2021-2022 water year.

Mrs. Singleton stated the analysis presented is only for the cost of water component. Mr. Cattaneo added, Raftelis will give a more detailed analysis. Mrs. Singleton reviewed the components proposed for the wholesale water rates:

Current Charge	\$424 per acre foot
New Rate	\$647 per acre foot

Mr. Cattaneo stated he has had discussions with both the City of Hollister and Sunnyslope County Water District that there would be a price increase.

Mrs. Singleton added, the wholesale rate does not require a Prop 218 process, as it is not property related.

c. Open Public Hearing

President Tonascia opened the Public Hearing.

d. Close Public Hearing or continue to later date

There were no public in attendance, so President Tonascia closed the Public Hearing.

e. Consider Adoption of 2022-2023 San Felipe Water Retail and Wholesale Rates and Charges

i. Consider Ordinance Approving San Felipe Water Retail and Wholesale Rates and Charges for Water Year 2022-2023

With a motion by Director Williams and a second by Director Tobias, Ordinance #63 *An Ordinance of the Board of Directors of the San Benito County Water District establishing San Felipe Distribution System Water Charges for Agricultural, Non-Agricultural and Wholesale Water* was approved by 5 affirmative votes, Tonascia, Flores, Shelton, Tobias and Williams.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 5:38 p.m.

Minutes were approved at the January 26, 2022 Board meeting and signed by the presiding board member.

/s/Joseph Tonascia
Joseph Tonascia, President

/s/Barbara L. Mauro
Barbara L. Mauro, Board Clerk