

April 9, 2014
Special Meeting
5:01 p.m.

The Board of Directors of the San Benito County Water District convened in special session on Wednesday, April 9, 2014 at the San Benito County Water District office at 30 Mansfield Road, Hollister, California. Members present were: President John Tobias and Directors Frank Bettencourt, Sonny Flores and Joe Torquato; Vice President Joe Tonascia arrived late. Also present were District Manager/Engineer Jeff Cattaneo, District Counsel David E. Pipal, Assistant Manager Sara Singleton, Deputy District Engineer Dale Roskamp and Office Specialist III Barbara Mauro.

CALL TO ORDER

President Tobias called the meeting to order at 5:01 p.m.

PLEDGE OF ALLEGIANCE

President Tobias led the Pledge of Allegiance.

AGENDA ITEMS:

1. Public Hearing regarding Zone 104 Fairview Road Water System Regarding Special Annual Assessment

a. Proof of Mailing—Notice of Proposed Zone 104 Assessment

Mrs. Mauro verified the proof of mailing.

b. Proof of Publication--Notice of Public Hearing

Mrs. Mauro verified the proof of publication.

c. Presentation of Assessment for Zone 104, Fairview Road Water System

Mr. Cattaneo reported the water system is in need of \$39, 506 in capital improvements. He reported there are 4 landowners, but each is different, in terms of the proposed assessment. One property owner has one parcel with five connections and would bear 50% of the total amount of the assessment. Two owners each have one parcel with two connections and would bear 20% each of the total amount of the assessment. The fourth owner has one parcel with one connection and would bear the final 10% of the total amount of the assessment.

President Tobias asked if there could be any connections added to the system. Mr. Cattaneo stated yes but the District would then have to reevaluate the cost/value and that amount could be refunded to the other parcels. One of the homeowners present at the meeting stated their deeds state no other connections can be made to the properties. Mr. Cattaneo added deed restrictions can vary. President Tobias asked if there is a contingency amount built into the total. Mr. Cattaneo stated yes approximately 10%. The Prop 218 notice asks for the maximum amount, but the final assessment could be less.

d. Open Public Hearing

i. Tabulation of Ballots

Based on the connections, Mrs. Mauro stated there were 8 yes votes and 2 no votes.

President Tobias opened the Public Hearing; there were no public comments.

e. Close Public Hearing and Adjourn if there is a Majority Protest

President Tobias closed the Public Hearing

f. If there is no Majority Protest, Consider Ordinance 54 Establishing Zone 104, Fairview Road Water System Water Assessments

With a motion by Director Flores and a second by Director Bettencourt, Ordinance 54 *An Ordinance of the Board of Directors of the San Benito County Water District Establishing an Annual Property Assessment in Zone 104 for Capital Improvements Identified in the Fairview Road Water System Engineer's Report dated February 19, 2014* was unanimously approved with 4 affirmative votes, Tobias, Bettencourt, Flores and Torquato; Tonascia was absent.

2. Public Hearing regarding Zone 104 Fairview Road Water System Rates and Charges

a. Proof of Mailing—Notice of Proposed Zone 104 Rates and Charges

Mrs. Mauro verified the proof of mailing.

b. Proof of Publication--Notice of Public Hearing

Mrs. Mauro verified the proof of publication.

c. Presentation of Proposed Rates and Charges for Zone 104, Fairview Road Water System

Mrs. Singleton stated the rates were derived from historical costs as well as projected costs. She detailed the information reviewed during this process.

(Director Tonascia arrived at 5:10 p.m.)

Mrs. Singleton review the four years of proposed rates.

d. Open Public Hearing

i. Consider Written Protests

Mrs. Mauro stated the District received one written protest.

There were no public comments.

e. Close Public Hearing and Adjourn if there is a Majority Protest

President Tobias closed the public hearing.

**f. If there is no Majority Protest, Consider Ordinance 55
Establishing Zone 104, Fairview Road Water System Rates
and Charges**

With a motion by Director Torquato and a second by Director Flores, Ordinance 55, *An Ordinance of the Board of Directors of the San Benito County Water District Establishing Water Rates and Charges for Zone 104 (Fairview Road Water System)* was unanimously passed with 5 affirmative votes, Tobias, Tonascia, Bettencourt, Flores and Torquato.

**3. CLOSED SESSION: Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Negotiator: District Manager
Title: Office and Field Employees**

**4. CLOSED SESSION: Conference with Labor Negotiator
Pursuant to Government Code Section 54957.6
Agency Negotiator: District Manager
Unrepresented Employees:
Management/Confidential/Professional Employees**

5. OPEN SESSION: Report any action if any
When the Board returned from Closed Session, President Tobias reported there was no action taken on either item #3 or #4.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 5:55 p.m.

Minutes were approved at the April 30, 2014 Board Meeting and signed by the presiding board member.

/s/John Tobias
John Tobias, President

/s/Barbara L. Mauro
Barbara L. Mauro, Recording Secretary