

RESTATEMENT OF RESOLUTION 2015-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY WATER DISTRICT INTENTION TO UNDERTAKE A PROJECT

WHEREAS, the SAN BENITO COUNTY WATER DISTRICT ("District") is vested with the power to do any and every lawful act necessary so that sufficient water may be available for any present or future beneficial use or uses on the lands or for the inhabitants within the District including the storage and distribution of water for domestic, fire protection and municipal uses; and

WHEREAS, the District is further vested with the power to acquire by grant or otherwise, and to hold, use and enjoy real and personal property of every kind including land, structures, and buildings, and to alter and operate any and all works or improvements necessary to carry out the purposes of the District; and

WHEREAS, Section 70-15 of California Water Code Appendix (District Act) authorizes the District to institute projects in a Zone of Benefit for the financing, construction, operation and maintenance of any work of improvement of common benefit to such Zone; and

WHEREAS, the District intends to initiate Phase I of the Recycled Water Facilities project within Zone 6 by establishing service boundaries and commencing construction of the recycled water pipeline system to serve properties within the service area; and

WHEREAS, the recycled water project is a benefit to Zone 6 in that the use of recycled water by landowners in the service area serves to preserve groundwater and San Felipe water supplies for the benefit of other users in Zone 6; and

WHEREAS, it is the intent of the District to undertake the project set forth above subject to the public hearing and the results, if any, of any written protests against the proposed project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Directors hereby gives notice of its intention to institute a project within Zone 6, to wit, the initiation of Phase I of the Recycled Water Facilities project, the establishment of a service area for recycled water service and the construction of water service facilities to the properties to be benefitted by such service.

2. The engineering estimate of costs to undertake such a project and a map showing the general location and construction are attached hereto.

3. A public hearing to consider the undertaking of the project described herein shall be held on May 27, 2015 at 6:00 p.m. at the District Office located at 30 Mansfield Road, Hollister, California.

4. Any elector in Zone 6 opposed to the undertaking of the above-described project may submit a written protest prior to the conclusion of said hearing. The Board of Directors shall suspend all proceedings if written protests against the proposed project, signed by a majority in number of the electors of the proposed zone of benefit, are timely filed with the board. Protests received after the conclusion of the hearing shall not be considered by the board.

An "elector" for purposes of this paragraph 4 shall mean any person who is qualified to vote in the State of California, is registered under the provisions of the California Elections Code in the precinct of the proposed zone and is a resident of the proposed zone as of the date of the aforementioned public hearing.

The foregoing Resolution was passed and adopted at a regular meeting of the Board of Directors of the San Benito County Water District held on April 29, 2015, by the following vote:

AYES:	DIRECTORS: Tonascia, Flores, Tobias & Huenemann
NOES:	DIRECTORS: None
ABSENT:	DIRECTORS: Bettencourt
ABSTAIN:	DIRECTORS: None

/s/ Joseph A. Tonascia
Joseph A. Tonascia
President

ATTEST:

/s/ Sara Singleton
Sara Singleton
Assistant Manager