

**RESOLUTION NO. 2019-10**

**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 provides non-potable water service and the City provides potable water service to residents in San Benito County; and

**WHEREAS**, the District, and the City entered into a Memorandum of Understanding (MOU) in 2008 to develop and implement a comprehensive Water Recycling Program; and

**WHEREAS**, the District, and the City of Hollister (the City) executed an agreement dated May 27, 2015 indicating that the City will own and operate the City Water Reclamation Facility (WRF) and provide recycled water, and the District will be the sole recycled water service distributor and provide recycled water for agricultural purposes; and

**WHEREAS**, the District is also responsible for investments in improvements to the Recycled Water Distribution system; and

**WHEREAS**, the District holds a contract with the United States, Bureau of Reclamation (USBR) for up to 43,800 acre-feet of water from the Federal Central Valley Project (CVP) for usage within San Benito County for supplemental agricultural irrigation, groundwater recharge and municipal and industrial water supply; and

**WHEREAS**, the District has been tasked as the Groundwater Sustainability Agency (GSA) under the Sustainable Groundwater Management Act (SGMA) to manage the groundwater within San Benito County; and

**WHEREAS**, two of three recycled water storage ponds are currently not being used; and

**WHEREAS**, using existing underutilized facilities provides greater benefit for residents of San Benito County; and

**WHEREAS**, the District desires to use CVP water to recharge the groundwater basin at the Recycled Water Ponds on the northeast side of Highway 156 at the WRF by connecting the existing San Felipe Distribution System to the existing Recycled Water Distribution system; and

**WHEREAS**, the Regional Water Quality Control Board (RQWCB) has approved of such use; and

**WHEREAS**, the District intends to initiate the San Felipe – Recycled Water Intertie Percolation Project within Zone 6 commencing construction of the intertie and diversion pipeline systems to utilize existing assets and available water supply; 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 the San Felipe – Recycled Water Intertie Percolation Project, the construction of the intertie and diversion pipeline systems to utilize existing assets and available water supply.

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 August 8, 2019 at 5:00 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 July 10, 2019, by the following vote:

AYES: DIRECTORS: Flores, Bettencourt, Tonascia & Williams

NOES: DIRECTORS: None

ABSENT: DIRECTORS: Tobias

ABSTAIN: DIRECTORS: None

/s/ Sonny Flores  
Sonny Flores  
President

ATTEST:

/s/ Sara Singleton  
Sara Singleton  
Assistant Manager