

Sunnyslope County Water District

BOARD OF DIRECTORS SPECIAL MEETING

District Office Board Room/Teleconference



3570 Airline Hwy., Hollister, CA

NOTICE & AGENDA

AUGUST 6, 2024

Special Meeting of the Board of Directors – 5:15 PM

IN PERSON PUBLIC ACCESS TO DISTRICT MEETINGS IS AVAILABLE AND REMOTE ACCESS CAN BE OBTAINED THROUGH THE FOLLOWING ACCESS POINTS:

ZOOM MEETING ACCESS LINK

https://us06web.zoom.us/j/81954533531?pwd=9aNt0YoPFE0SCDXfaCaKHUfJXyKE5S.1 Passcode: SSCWD

Or Telephone: Dial + 1 (669) 444-9171 and when prompted enter Meeting ID: 819 5453 3531 Dial in Passcode: 857976

HEALTH AND SAFETY GUIDELINES

Public access to this meeting is provided both in person and through electronic viewing. Virtual meeting access will continue to be provided as a public convenience until further notice by the District Board. Remote viewing interruptions due to internet quality, power outages or other factors may occur and will not stop the meeting while a quorum is present in the Board Room; To ensure the health, safety, and welfare of those in attendance, all attendees must comply with any procedures/instructions announced by the Board of Directors or as directed by Staff prior to commencement of the meeting. Face coverings will be provided if health concerns dictate and will be made available upon request. The meeting will be available through Zoom for those who wish to join remotely. Anyone requiring accommodations may contact the Main Office at: (831) 637-4670 a minimum of 24 hrs prior to the start of the meeting.

Mission Statement:

"Our Mission is to provide safe, reliable, and high-quality water and wastewater services to our customers and all future generations in an environmentally and financially responsible manner."

August 6, 2024 Special Board Meeting – 5:15 PM

President Mauro _	, Vice-President Par	·ker,	
Director Brown	, Director Alcorn	, and Director Buzzetta	

SPECIAL SESSION @ 5:15PM

CALL TO ORDER - ROLL CALL

A.

- B. PLEDGE OF ALLEGIANCE
- **C. APPROVAL OF AGENDA** Any requests to postpone consideration of an agenda item or move an item forward on the agenda will be considered at this time.
- D. PUBLIC COMMENTS and AUDIENCE INTRODUCTIONS The public may comment¹ on any District business, not on the agenda, with a time limit of three minutes per speaker. To make a public comment in person please fill out a "Speaker Card" and return to the Minutes Clerk prior to speaking. No virtual meeting access will be available prior to 4:00pm. No action may be taken by the Board during the public comment period.
- E. PUBLIC HEARING Receive Presentation Of The Water Fund Financial Plan And Proposed Water Rate Increase, Receive Protests, And Approve Ordinance No. 82, Imposing Rates, Fees, And Charges For Water Service Amending Article III, Section 3.40.150 And Table 3.40.150 Of The Sunnyslope County Water District Code. (Not A Project Under CEQA Per Article 20, Section 15378)
- F. ADJOURNMENT

Upon request, Sunnyslope County Water District (SSCWD) will make a reasonable effort to provide written agenda materials in appropriate alternative formats, languages or disability-related modification or accommodation, including auxiliary aids or services, to enable all individuals to participate in public meetings. SSCWD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service as soon as possible in advance of the meeting.

Next Regular Board Meeting - August 27, 2024 @ 5:15 p.m., District Office

AGENDA DEADLINE: August 21, 2024 @ 12:00 p.m.

Future Scheduled Committee Meetings

Water Resources Association of San Benito County – October 3, 2024 @ 4pm

¹ The person speaking is requested to fill out a speaker card stating items on which they wish to comment to be properly recognized during communications from the public and address comments to the Board of Directors. A limit of three (3) minutes per speaker is requested to allow others an opportunity to comment. Board members may ask questions of the speaker, but no action may be taken, and no discussion may be held on non-agenized items raised by the public. The General Manager may refer the matter to the proper personnel for review.

Staff Report

Agenda Item: <u>E - 1</u>

DATE: August 2, 2024 (August 6, 2024 Special Meeting)

TO: Board of Directors

FROM: General Manager, Drew A. Lander P.E.

SUBJECT: **PUBLIC HEARING** - Receive Presentation Of The Water Fund Financial

Plan And Proposed Water Rate Increase, Receive Protests, And Approve Ordinance No. 82 Imposing Rates, Fees, And Charges For Water Service

Amending Article III, Section 3.40.150 And Table 3.40.150 Of The

Sunnyslope County Water District Code.

RECOMMENDATION:

Staff recommends the Board Approve Ordinance No. 82 imposing rates, fees, and charges for water service amending Article III, Section 3.40.150, and Table 3.40.150 of the Sunnyslope County Water District Code.

BACKGROUND:

Water Fund Financial Plan and Proposed Water Rate Increases.

Sunnyslope County Water District reviewed the Water rate model prepared by Raftelis financial planners on May 28, 2024 and the Board authorized the General Manager to distribute notices of intent to adopt the new rates per Proposition 218 requirements and to tabulate protests as dictated in Resolution #527. Letters were mailed June 17, 2024 to all parcel owners within the District service boundary identifying the proposed water rate increases.

The water rates proposed will be the first rate increase since December 2018.

Raftelis has completed a rate model and has presented the draft report for acceptance by the Board. This report presented a 15% increase to take effect in the month of August, and 8% increases to follow each July 1st from 2025 to 2029.

As of August 2, 2024 the District has received eight (8) written protests.

The first increase in water rates is proposed to be effective August, 2024 with first customer bills under the new rates due by September 20, 2024. The water rates are as proposed in the presentation by Raftelis Financial Consultants, the Water and

Wastewater Rate Study dated May 2024, and as specified in the Ordinance being considered as part this agenda item.

FISCAL IMPACT:

A. The fiscal impact of adopting the proposed water rates as outlined in the presentation by Raftelis Financial Consultants and as specified in the Ordinance being considered will result in Water Fund revenues received by the District increasing by 15% in year one and 8% each year for fiscal years 2026, 2027, 2028, and 2029.

ENVIRONMENTAL IMPACT:

The establishment of water rates, are statutorily exempt from CEQA as defined by Article 18 California Code of Regulations 15273 (a) (State CEQA Guidelines) for normal operating activities of operating the water system. Adoption of this Ordinance is not a project under CEQA Guidelines Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

Project specific environmental review documents will be prepared for any project proposed as a result of future operations.

SUNNYSLOPE COUNTY WATER DISTRICT

ORDINANCE NO. 82

AN ORDINANCE OF SUNNYSLOPE COUNTY WATER DISTRICT IMPOSING RATES, FEES, AND CHARGES FOR WATER SERVICE

Be it ordained by the Board of Directors of Sunnyslope County Water District as follows:

<u>Findings</u>. The Sunnyslope County Water District (SSCWD or District) Board of Directors determines that each fact referenced in this section is true and correct.

- A. This Ordinance is enacted pursuant to Sections 30000 and following of the California Water Code and Section 53000 of the Government Code.
- B. This Ordinance amends Article III, Section 3.40.150, and Table 3.40.150 of the Sunnyslope County Water District Code. Proceeds of the charges imposed by this Ordinance may only be used to fund District water supply, operations, and maintenance activities, including capital expenditures to ensure sufficient water quality and quantity is available for present beneficial use or uses, including water supply management, water demand management, water augmentation program expenses such as planning for, acquiring and/or reserving water supply capacity, including engineering, hydrologic, legal, geologic, financial, and property acquisition, and for reserves to meet the cash-flow needs of the District and to otherwise provide for the cost to provide services for which the charge is imposed.
- C. Adoption of this Ordinance is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15273 (a) CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits, (2) Purchasing or leasing supplies, equipment, or materials,(3) Meeting financial reserve needs and requirements, (4) Obtaining funds for capital projects, necessary to maintain service within existing service area. Adoption of this Ordinance is not a Project under CEQA Guidelines Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.
- D. This Ordinance is considered for action by the Board of Directors (Board) at a special and noticed meeting on August 6, 2024.
- E. The Ordinance prepared by the District's General Manager, in consultation with the District's legal counsel, was posted in the District Office at least five days prior to the Special Board Meeting of August 6, 2024.
- F. At least 10 days prior to the meeting, the District made available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the rates, fees and charges are levied, and the revenue sources anticipated to provide the service, including General Fund revenues.
- G. As required by Article XIII D, Section 6 of the California Constitution, the District mailed a Notice of Public Hearing on the Proposed Water Rates, dated June 16, 2024, along with the proposed new rate schedule, to each property owner within the District and each customer receiving water service from the District. That notice included: (i) a rate table setting forth the amount of the proposed water rates, (ii) the reasons for the water rate increase, (iii) the date, time, and location of the Public Hearing and (iv) information about how to submit a written protest against the proposed water rates. A public hearing was thereafter held not less than 45 days after mailing the notice at which time the District Board received, heard, and considered protests to the proposed new rate schedule and rate increases.

- H. The District accepted written protests against the water rates, fees, and charges pursuant to the procedures established by the Board in its Resolution No. 527.
- Rates, fees, and charges for water service were last adjusted by Ordinance 73 on August 6, 2013.
- J. This Ordinance provides for scheduled rate increases for monthly water service charges averaging 15% effective August 1, 2024; 8% effective July 1, 2025; 8% effective July 1, 2026; 8% effective July 1, 2027; 8% effective July 1, 2028; and continuing the current three tier rate structure for monthly consumption charges for single family residences and a uniform consumption charge for non-single family water customers.
- K. The District has received recommendations from its financial consultant, Raftelis Financial Consultants (Consultant), that certain rate amendments are necessary and appropriate to meet the District's revenue requirements to provide funds for water service, and to meet the District's payment and reserve obligations, including obligations under the District's CSCDA Series 2002A Revenue Bond pooled financing. Specifically, the Consultant recommends scheduled rate increases for water services resulting in revenue increases to the District of 15% the first year (Fiscal Year 2025) followed by 8% per year increases for the following 4 years (Fiscal Year 2026 through Fiscal Year 2029).
- L. The proposed water rates are supported by a Capacity Fee Rate Study dated May 21, 2024, prepared by the District's Consultant, which has been reviewed by the Board and is available for public inspection in the Office of the District and on the District's website.
- M. The amended rates, fees and charges for water services are for the purpose of (1) meeting operating expenses, including employee wage rates and fringe benefits, (2) purchasing or leasing supplies, equipment, or materials, (3) meeting financial reserve needs and requirements, (4) replacement and repair of water system facilities to maintain service within existing service areas, (5) meeting capital project costs associated with the San Benito Urban Areas Water Supply and Treatment Master Plan and (6) encouraging water conservation through a tiered rate structure in accordance with sections 375 of the California Water Code.
- N. The San Benito Urban Areas Water Supply and Treatment Master Plan includes the pass-through Water Reliability Charges implemented by San Benito County Water District to proceed with water storage and reliability projects identified in the 2022 master plan update. The expansion of the West Hills Water Treatment Plant to provide additional water for subsurface storage is identified as a reliability project. These improvements are essential in providing high quality water during prolonged times of drought to ensure the community meets specific goals for quality and hardness and reduce the need for water softeners resulting in a reduction in the amount of salt being discharged into the District's and the City of Hollister's wastewater collection system. The resulting reduction of salt entering the wastewater collection system is essential to meet State mandated wastewater discharge regulations for treated wastewater discharges from the District's wastewater treatment plant. These facilities result in increased costs for the purchase of surface water, for water treatment, and for operations and maintenance.
- O. 7,640 parcels are subject to the proposed water rates. A majority protest against the water rates would therefore require 3,821 valid written protests. Based on the number of protests received, a majority protest against the water rates does not exist. The proposed water rates are a property-related charge for water service, as that term is defined by law, and no election is required pursuant to Article XIII D, § 6(c) of the California Constitution. The District's compliance with Proposition 218 is complete.
- P. Although proceeds from the water rates may fund capital projects that might physically affect the environment, such capital projects will be subject to CEQA

review on a project-by-project basis. Accordingly, CEQA review of the use of the proceeds of the water rates would be unduly speculative at this time and therefore this action is not a "project" as the term is defined in Public Resources Code Section 21065 and 15 CCR 15002(d), and CEQA Guidelines Sections 15378 and 15061(b)(3).

NOW THEREFORE be it ordained as follows:

Section 1. The foregoing findings are adopted by the Board as though set forth fully herein.

Section 2. <u>Water Rates and Charges Amended</u>. Article II Section 3.40.150 of the District Code is amended such that Table 3.40.150 reads in full as follows:

Water Rates¹

	Effective Date						
Customer Class	Current	8/2024	6/2025	6/2026	6/2027	6/2028	
Single-Family Residential (SFR)							
Tier $1 - 0$ to 10 HCF	\$3.17	\$3.77	\$4.34	\$4.69	\$5.07	\$5.84	
Tier $2 - 11$ to 20 HCF	\$4.70	\$5.78	\$6.65	\$7.19	\$7.77	\$8.40	
Tier $3 - 20 + HCF$	\$6.97	\$6.99	\$8.04	\$8.69	\$9.39	\$10.15	
Non-SFR	\$4.22	\$5.09	\$5.86	\$6.33	\$6.84	\$7.39	
All Customers – Base Charge							
Meter Size							
5/8"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48	
3/4"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48	
1"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48	
1 1/2"	\$53.22	\$65.91	\$75.80	\$81.87	\$88.42	\$95.50	
2"	\$78.02	\$101.55	\$116.79	\$126.14	\$136.24	\$147.14	
3"	\$156.60	\$214.43	\$246.60	\$266.33	\$287.64	\$310.66	
4"	\$272.39	\$380.77	\$437.89	\$472.93	\$510.77	\$551.64	
6"	\$549.45	\$778.80	\$895.62	\$967.27	\$1,044.66	\$1,128.24	
8"	\$1,004.35	\$1,669.92	\$1,920.41	\$2,074.05	\$2,239.98	\$2,419.18	

¹Inside District but outside Zone 3 commodity rates will be 6 cents more per tier; customers labeled Outside District but inside Zone 3 will also be charged these rates.

HCF = hundreds of cubic feet

Fire Service Charges

	Effective Date					
Fire Service Meters	Current	8/2024	6/2025	6/2026	6/2027	6/2028
Meter Size						
1"	\$8.73	\$8.27	\$9.52	\$10.29	\$11.12	\$12.01
1 1/2"	\$11.24	\$11.62	\$13.37	\$14.44	\$15.60	\$16.85
2"	\$18.09	\$17.42	\$20.04	\$21.65	\$23.39	\$25.27
3"	\$68.61	\$38.21	\$43.95	\$47.47	\$51.27	\$55.38
4"	\$87.33	\$74.07	\$85.19	\$92.01	\$99.38	\$107.34
6"	\$130.98	\$202.77	\$233.19	\$251.85	\$272.00	\$293.76
8"	\$180.90	\$424.76	\$488.48	\$527.56	\$569.77	\$615.36

Section 3. <u>Requirements for Rates, Fees, and Charges</u>. The rates, fees, and charges adopted by this Ordinance shall not exceed the estimated reasonable costs of providing the services for which the rates, fees, or charges are imposed.

Section 4. <u>Effect of Repeal or Amendment on Past Actions and Obligations</u>. This Ordinance does not affect prosecutions for ordinance violations committed prior to the effective date of this Ordinance, does not waive any fee or penalty due and unpaid on the effective date of this Ordinance, and does not affect the validity of any bond or cash deposit posted, filed, or deposited pursuant to the requirements of any ordinance.

provision of law, suc remaining provision this Ordinance and e the fact that any othe provision of law. The	Severability. If any section, subsection, sentence, clause, reason held to be unconstitutional or invalid, or superseded ch provisions shall be severed from and shall not affect the vas of this Ordinance. The Board hereby declares that it would each section, subsection, sentence, clause, or phrase thereof it er part thereof be unconstitutional or invalid, or superseded the parts of this Ordinance that are not unconstitutional, invalid force and effect and shall be enforced according to their terms	by some other validity of the d have passed irrespective of by some other lid, or superseded					
District Code, unless	<u>Interpretation</u> . Words and phrases used in this Ordinance and shall have the same meaning as in prior District ordinance is specifically changed by this Ordinance or unless the context of there is any inconsistency between this Ordinance and prior control.	ces and the xt requires some					
Section 7.	Effective Date. This Ordinance shall take effect immedia	tely on adoption.					
	<u>Judicial Review</u> . Any judicial review of this Ordinance sle of Civil Procedure Section 1085. Any action or proceeding side, void, or annul this Ordinance shall be commenced with Ordinance.	g seeking to					
full text of this Ordin	publish, in a newspaper published in San Benito County and circulated within the District, the full text of this Ordinance, and shall post in the District office a certified copy of the full text of this Ordinance, as adopted, along with the names of those Directors voting for and against						
	Notice of Exemption and Notice of Determination. The Setted to give due notice of exemption of this Ordinance from the CEQA Guideline 15062.	decretary is the provisions of					
	tor Villalon, seconded by Director Clapham, the foregoing Oke effect on August 6, 2024, by the following roll call of the						
AYES:							
NAYS:							
ABSENT:							
	By:						
	Edward Mauro, President						
ATTEST:							
Drew A. Lander, Se	ecretary						
,	,						
CERTIFICATE O	OF SECRETARY						
	reby certifies that the foregoing Ordinance was adopted and at their special meeting on August 6, 2024.	approved by the					
	Drew A. Lander, Secretary						

NOTICE OF EXEMPTION

To: County Clerk County of San Benito 440 5th St., 2nd Floor, Room 206 Hollister, CA 95023-3843 **From:** Sunnyslope County Water District 3570 Airline Highway Hollister, CA 95023

Project Title: Sunnyslope County Water District Ordinance No. 82

Project Location: Sunnyslope County Water District LAFCO Service Area

Assessor's Parcel No. Various Parcels in the Incorporated and Unincorporated area near

Hollister California

Project Location – City: Hollister, CA. Project Location – County: San Benito

Name of Public Agency Approving Project: Sunnyslope County Water District

Description of Project: An ordinance of Sunnyslope County Water District imposing rates, fees, and charges for wastewater service.

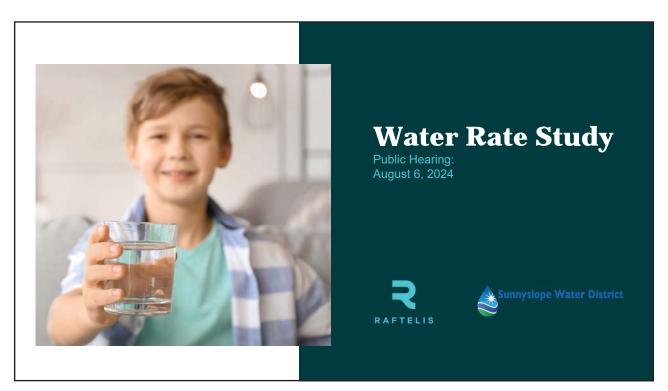
Name of Person or Agency Carrying Out Project: Sunnyslope County Water District

Exempt Status: Statutorily Exempt:

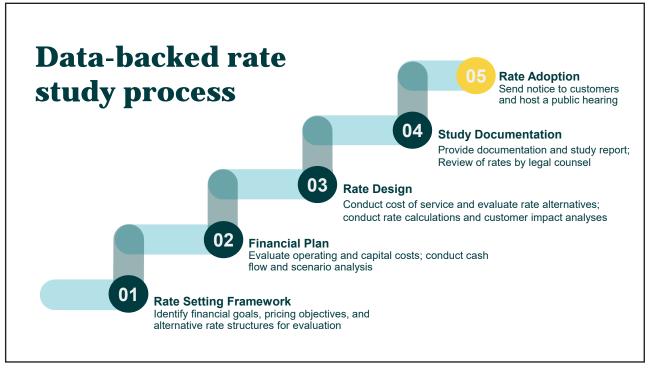
Section 15273(a)

Reasons why project is exempt: CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for he purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits, (2) Purchasing or leasing supplies, equipment, or materials, (3) Meeting financial reserve needs and requirements, (4) Obtaining funds for capital projects, necessary to maintain service within existing service area. Adoption of this Ordinance is not a Project under CEQA Guideline Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

Signed by Lead Agency	Date Received f	or Filing at OPR: n/a
Signature:	Date:	Title: General Manager
Lead Agency Contact Person: Drew A. Lander	Phone Number	er: 831-637-4670
Load Agancy Contact Porson.	Phono Numb	or. 831 637 1670

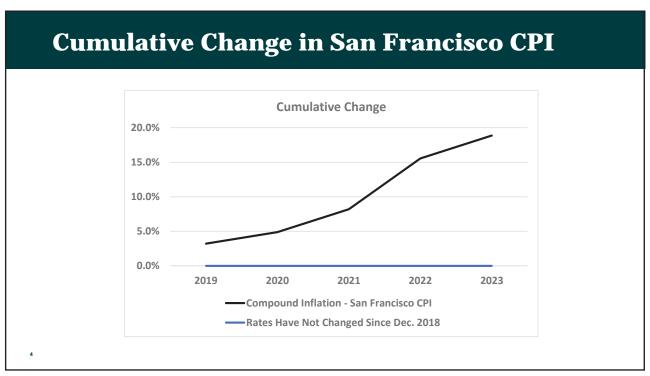


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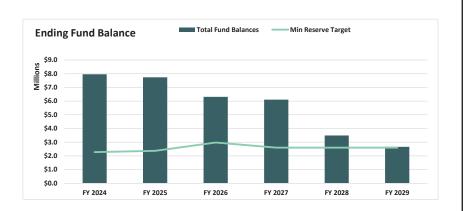
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Proposed Water Financial Plan: Combination of Revenue Adjustments and Loans

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- -\$3.5M Bond in FY2026 for West Hills
- Bond terms: 3.5%, 20 years, 1.5% issuance cost
- 5 May be able to get low interest loans.

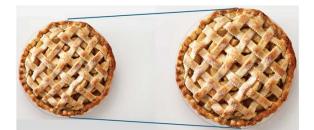
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Cost of Service and Rate Design



Financial Plan vs. Cost of Service

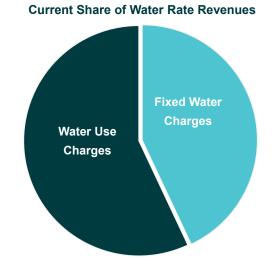
Financial Plan



Cost of Service



Fixed & Variable Revenue Recovery



- Currently 43% fixed and 57% variable
- No proposed changes to fixed revenue recovery to ensure revenue stability
 - > Rates designed to keep the percentage of revenue from fixed charges the same

Proposed 5-Yr Rate Schedule – Monthly Service Charge

Retain the current service charge rate structure

Monthly	Current	Proposed	Proposed	Proposed	Proposed	Proposed
Service Charge	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
5/8"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48
3/4"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48
1"	\$32.54	\$36.21	\$41.65	\$44.99	\$48.59	\$52.48
1 1/2"	\$53.22	\$65.91	\$75.80	\$81.87	\$88.42	\$95.50
2"	\$78.02	\$101.55	\$116.79	\$126.14	\$136.24	\$147.14
3"	\$156.60	\$214.43	\$246.60	\$266.33	\$287.64	\$310.66
4"	\$272.39	\$380.77	\$437.89	\$472.93	\$510.77	\$551.64
6"	\$549.45	\$778.80	\$895.62	\$967.27	\$1,044.66	\$1,128.24
8"	\$1,004.35	\$1,669.92	\$1,920.41	\$2,074.05	\$2,239.98	\$2,419.18

Private Fireline Charges	Current FY 2024	Proposed FY 2025	Proposed FY 2026	Proposed FY 2027	Proposed FY 2028	Proposed FY 2029
1"	\$8.73	\$8.27	\$9.52	\$10.29	\$11.12	\$12.01
1 1/2"	\$11.24	\$11.62	\$13.37	\$14.44	\$15.60	\$16.85
2"	\$18.09	\$17.42	\$20.04	\$21.65	\$23.39	\$25.27
3"	\$68.61	\$38.21	\$43.95	\$47.47	\$51.27	\$55.38
4"	\$87.33	\$74.07	\$85.19	\$92.01	\$99.38	\$107.34
6"	\$130.98	\$202.77	\$233.19	\$251.85	\$272.00	\$293.76
8"	\$180.90	\$424.76	\$488.48	\$527.56	\$569.77	\$615.36

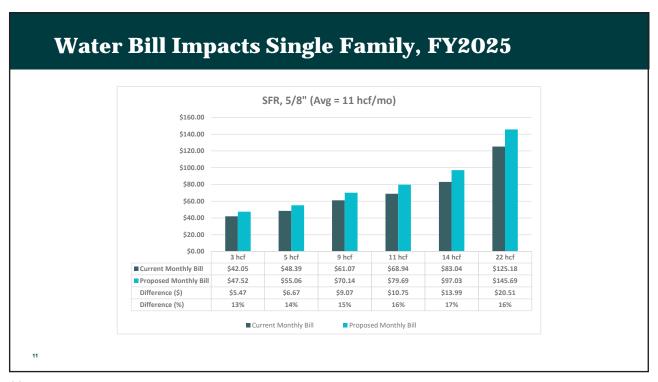
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Proposed 5-Yr Rate Schedule – Volume

Volume Charges	Current FY 2024	Proposed FY 2025	Proposed FY 2026	Proposed FY 2027	Proposed FY 2028	Proposed FY 2029
SFR						
Tier 1: First 1,000 cu ft	\$3.17	\$3.77	\$4.34	\$4.69	\$5.07	\$5.48
Tier 2: 1,100 - 2,000 cu ft	\$4.70	\$5.78	\$6.65	\$7.19	\$7.77	\$8.40
Tier 3: Over 2,100 cu ft	\$6.97	\$6.99	\$8.04	\$8.69	\$9.39	\$10.15
Non-SFR	\$4.22	\$5.09	\$5.86	\$6.33	\$6.84	\$7.39

- Currently "Inside District but Outside Zone 3" is 6 cents more than inside.
- Insufficient information to allocate costs to "Inside District but Outside Zone 3".
- Recommend condensing volumetric rates to a single schedule.
- Outside District, but inside Zone 3 customers would also be charged these rates

10



11

