

**TEJON-CASTAC WATER DISTRICT (TCWD)
TEJON-CASTAC GROUNDWATER SUSTAINABILITY AGENCY (GSA)
5665 Santa Elena Drive, Arvin, CA 93203**

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**Special Meeting of the Board of Directors of Tejon-Castac Water District
September 6, 2022 – 9:00 a.m.; In person and Remote**

Subject to the Board's approval of Resolution 2022-07, the Tejon-Castac Water District Board of Directors will conduct this meeting by teleconference. District members and the public are encouraged to attend.

Join Zoom Meeting

<https://us06web.zoom.us/j/83086177361?pwd=bTZrZlFtZGNlS0tqeTBZZFYrb3pJdz09>

Meeting ID: 830 8617 7361

Passcode: 580306

Phone No.: 1(669)444-9171

Meeting material can be found at <https://tejoncastacwd.com>

AGENDA

- 1) **Roll Call**
- 2) **Consider Adoption of Resolution 2022-07 to Allow Remote Teleconference Meetings Pursuant to AB361**
- 3) **Approval of Meeting Minutes of the Regular Board Meeting of June 14, and Special Board Meeting of July 20, 2022**
- 4) **Public Hearing on Proposed Increase in Certain District Rates for Improvement District No.1**
- 5) **Discussion and Possible Action on Resolution 2022-08 Certifying Result of Majority Protest Proceeding and Setting Rates.**
- 6) **Reports & Updates (Review and possibly action on):**
 - A. Facility Reports
 - B. Operations
 - C. SGMA Update
 - D. Financials

7) Public Input

Members of the public may address the Board on matters within the TCWD's jurisdiction, which is not on this agenda, at this time (As required by Gov. Code § 54954.3(a)). However, any such non-agenda matter that requires action will be referred to District staff or a report and action at a subsequent Board meeting.

8) Adjourn

AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide disability-related modification or accommodation in order to participate in any public meeting of the Tejon-Castac Water District. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests should be made in person, by telephone, facsimile and/or written correspondence to the Districts office, at least 72 hours before a regular public District Meeting.

TEJON-CASTAC WATER DISTRICT

RESOLUTION 2022-07

**RESOLUTION INITIALLY AUTHORIZING REMOTE
TELECONFERENCE MEETINGS UNDER AB361**

WHEREAS, meetings of the Board of Directors (“Board”) of Tejon-Castac Water District (“District”) and its committees are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business;

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill 361 (2021) (“AB361”), signed by the Governor on September 16, 2021, provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the District wishes to invoke the provisions of AB361 to authorize teleconference meetings subject to the modified standard of Government Code section 54953(e);

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Findings. The Board hereby finds as follows:

- (a) As required by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 2. Procedures for Teleconference Meetings. The District and its committees shall hold teleconference meetings pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

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Section 4. Renewal. Pursuant to Government Code section 54953(e)(3), the District will reconsider the state of emergency every 30 days.

PASSED AND ADOPTED by the Board of Directors of Tejon-Castac Water District on September 6, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Angelica Martin, Secretary of the Board

TEJON-CASTAC WATER DISTRICT (TCWD)
MINUTES
OF THE REGULAR BOARD OF DIRECTORS MEETING

Date of Meeting: Tuesday, June 14, 2022

Place of Meeting: **On-line only**

DIRECTORS PRESENT: Dennis Atkinson, George Cappello, Jeff Mettler, Mark Fanucchi, Mark Valpredo

DIRECTORS ABSENT: None

Meeting commenced at 9:04 a.m.

There was no sign-in sheet because the meeting was remote. Members of the public at the meeting who identified themselves were Hank McCarrick and John Soulliere from Subeca, Ben Mitchell from PERC, Allen Lyda, Robert Velazquez, Stephen Bednar, and Kenny Watkins from TRC, and Angelica Martin, District Legal Counsel, Alan Doud, was also present.

On motion by Director Mettler, seconded by Director Cappello, Resolution 2021-03, Initially Authorizing Remote Teleconference Meetings under AB 361, was unanimously approved by roll call vote.

On motion by Director Capello, seconded by Director Mettler, the draft minutes of the Regular Board Meeting of April 5, 2022, as well as Special Board Meeting of April 13, 2022, and Special Board Meeting of April 21, were approved unanimously by roll-call vote.

Anona Dutton gave a presentation on the South of Kern River (SOKR) GSP. She explained how three GSA's (AEWSD, WRMWSO, and TCWD) were getting their chapters out of the KGAGSA plan and making a single GSP. She added that a MOA was also being developed. This action would allow SOKR local groundwater management, and at the same time coordinate with other Kern Subbasin GSAs to support achievement of basin sustainability. She asked the Board to approve the release of the Draft SOKR GSP for Public Review through July 5th. After a discussion, Director Mettler motioned to approve the release, seconded by Director Fanucchi, the Board unanimously approved by roll-call vote.

Mr. Watkins introduced Hank McCarrick and John Soulliere from Subeca, who gave a presentation on a proposal for Electronic Meter to replace hand read meters in the District. After a brief discussion the Board authorized Mr. Watkins to proceed with the replacement while staying within the District's budget.

Robert Velazquez presented the District's draft 2022-2023 Budget. After a brief discussion, Director Mettler motioned to approve the budget, seconded by Director Valpredo. the Board unanimously approved by roll-call vote.

There was no public comment.

There was no closed session.

The meeting adjourned at 9:55 a.m.

Angelica Martin, Secretary, Tejon-Castac Water District

Approved by: Tejon-Castac Water District Board of Directors

Dated: September 6, 2022

TEJON-CASTAC WATER DISTRICT (TCWD)
5665 Santa Elena Drive, Arvin, CA 93203
MINUTES
OF THE SPECIAL BOARD OF DIRECTORS MEETING

Date of Meeting: Wednesday, July 20, 2022

Place of Meeting: On-line only

DIRECTORS PRESENT: George Cappello, Mark Valpredo, Mark Fanucchi

DIRECTORS ABSENT: Dennis Atkinson, Jeff Mettler

Meeting commenced at 9:22 a.m., due to technical difficulties.

There was no sign-in sheet because the meeting was remote. Members of the public at the meeting who identified themselves were Jeff Eklund from P&P, Anona Dutton from EKI, Allen Lyda from TRC, Angelica Martin, and Legal Counsel Alan Doud, were present.

Director preceded the meeting in the absence of Director Atkinson.

Resolution 2022-04 was presented, to allow remote teleconference meetings pursuant AB361. On motion by Director Valpredo, seconded by Director Fanucchi, Resolution 2022-04 was unanimously approved by roll-call vote.

At this time a Public Hearing on Adoption of the South of Kern River Groundwater Sustainability Plan commenced. Director Cappello opened the Public Hearing by providing instructions to the public on how to make their comments, through the chat box, or by audio. No comments were received. The hearing was closed.

The next item in the agenda was Resolution 2022-05, Resolution Approving the South of Kern River Groundwater Sustainability Plan and Kern County Subbasin Coordination Agreement. Angelica Martin provided a recap of this matter. After a brief discussion, on motion by Director Fanucchi, seconded by Director Valpredo, resolution 2022-05 was unanimously approved by the Board by roll-call vote.

Legal Counsel explained Resolution 2022-06, Approving Establishing Procedures for a Majority Protest Hearing on Proposed Increase in Certain District Rates for Improvement District No. 1. After a brief discussion, on motion by Director Fanucchi, seconded by Director Valpredo, resolution 2022-06 was unanimously approved by the Board by roll-call vote.

There were no public comments.

The meeting was adjourned at 9:48 a.m.

Angelica Martin, Secretary, Tejon-Castac Water District

Approved by: Tejon-Castac Water District Board of Directors

Dated: September 6, 2022

**BEFORE THE BOARD OF DIRECTORS OF
TEJON-CASTAC WATER DISTRICT**

IN THE MATTER OF:

RESOLUTION NO. 2022-08

**RESOLUTION CERTIFYING THE RESULTS OF A PROPOSITION 218
MAJORITY PROTEST PROCEEDING ON PROPOSED
INCREASES IN CERTAIN DISTRICT RATES
FOR IMPROVEMENT DISTRICT NO 1 AND SETTING RATES**

WHEREAS, the California Water District Law (Water Code sections 34000 *et seq.*) authorizes this Board to prescribe and collect charges for any services or facilities rendered by it; and,

WHEREAS, through the adoption of Proposition 218, the State of California’s Constitution requires that public agencies subject certain rate increases to a “Majority Protest” proceeding, wherein the owners of property effected by the rate increases may protest the same; and,

WHEREAS, on July 20, 2022, the Board of Directors adopted Resolution 2022-06 that, among other things, (1) outlined procedures to be used in a majority protest proceeding for adopting the proposed District Rate increases, (2) called for the majority protest proceeding, (3) scheduled the hearing for the adoption of the District Rate increases, and (4) directed District personnel to prepare and send notices and protest forms for the proceedings, all in a manner that is consistent with Article XIID of the California Constitution (Proposition 218) and Government Code sections 53750 *et seq.* (“Implementation Act”) ; and

WHEREAS, on July 21, 2022, the District mailed notices and protest forms related to the proposed Rate increases to all affected landowners, consistent with the requirements of Proposition 218 and the Implementation Act; and

WHEREAS, the properly noticed “majority protest” hearing on the adoption of the proposed District Rate increases was held on September 6, 2022; and,

WHEREAS, in accordance with the provisions of Proposition 218, the Board accepted written protests up through the conclusion of a public hearing; and,

WHEREAS, at the conclusion of that public hearing, the properly submitted written protests were tabulated by a disinterested party charged with such duty.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TEJON-CASTAC WATER DISTRICT does hereby resolve, declare and order as follows:

- 1) Each of the matters set forth above is true and correct and the Board so finds and determines.

- 2) Having reviewed the written protests submitted and the reported results provided by the disinterested party responsible for tabulation, the Board does hereby certify that 0 written protests were submitted out of a possible 17.
- 3) In accordance with those tabulated results, the Board does hereby certify, declare and affirm that the required “Majority Protest” threshold was not met.
- 4) Therefore, in accordance with the provisions of Proposition 218, the Board does hereby certify and declare that the District may adopt the following rates in a later resolution if it so desires:

	Proposed Rates					
	Meter Size / Unit	FY 2022-23	FY 2023-24*	FY 2024-25**	FY 2025-26**	FY 2026-27**
Utility Service						
Potable Water						
Service Charge	≤ 2"	\$ 170.00	\$ 182.75	\$ 191.89	\$ 201.48	\$ 211.56
	3"	\$ 340.32	\$ 365.84	\$ 384.14	\$ 403.34	\$ 423.51
	4"	\$ 531.69	\$ 571.57	\$ 600.14	\$ 630.15	\$ 661.66
	6"	\$ 1,063.06	\$ 1,142.79	\$ 1,199.93	\$ 1,259.92	\$ 1,322.92
	8"	\$ 1,700.96	\$ 1,828.53	\$ 1,919.96	\$ 2,015.95	\$ 2,116.75
Commodity Rate	ccf	\$ 4.80	\$ 5.16	\$ 5.42	\$ 5.69	\$ 5.97
Reclaimed Water						
Service Charge	≤ 2"	\$ 140.00	\$ 150.50	\$ 158.03	\$ 165.93	\$ 174.22
	3"	\$ 280.26	\$ 301.28	\$ 316.35	\$ 332.16	\$ 348.77
	4"	\$ 437.86	\$ 470.70	\$ 494.24	\$ 518.95	\$ 544.89
	12"	\$ 3,764.77	\$ 4,047.12	\$ 4,249.48	\$ 4,461.95	\$ 4,685.05
Commodity Rate	ccf	\$ 2.95	\$ 3.17	\$ 3.33	\$ 3.50	\$ 3.67
Wastewater						
Commodity Rate	water ccf	\$ 7.10	\$ 7.63	\$ 8.01	\$ 8.41	\$ 8.84
Private Fire Water Service						
Hydrant	hydrant	\$ 21.50	\$ 23.11	\$ 24.27	\$ 25.48	\$ 26.76
Fire Service Line	inch dia.	\$ 12.20	\$ 13.12	\$ 13.77	\$ 14.46	\$ 15.18
Storm Water						
Rate	acre	\$ 12.00	\$ 12.90	\$ 13.55	\$ 14.22	\$ 14.93
Lift Station Fee						
Rate	per user	\$ 500.00	\$ 537.50	\$ 564.38	\$ 592.59	\$ 622.22

* Assumed 7.5% escalator in Service Charges and Commodity Rates over prior year.

** Assumed 5% escalator in Service Charges and Commodity Rates over prior year.

- 5) The Board hereby does adopt the above specified rates for the remainder of the 2022-2023 Fiscal Year:
- a. Potable Water Monthly Service Charge Rates: of \$170.00 for meter \leq 2", \$340.32 for 3" meters, \$531.69 for 4" meters, \$1063.06 for 6" meters, and \$1,700.96 for 8" meters;
 - b. Reclaimed Water Monthly Service Charge Rates: \$140.00 for meters \leq 2", \$280.26 for 3" meters, \$437.86 for 4" meters, and \$3764.77 for 12" meters;
 - c. Potable Water Commodity Rates: \$4.80 per ccf;
 - d. Reclaimed Water Commodity Rate: \$2.95 per ccf;
 - e. Wastewater Commodity Rate: \$7.10 per ccf;
 - f. Private Fire Water Service Hydrant Rate: \$21.50;
 - g. Fire Line Service Rate: \$12.20 per inch diameter; and
 - h. Storm Water Rate: \$12.00 per acre
 - i. Lift Station Fee Rate: \$500.00 per user.

All the foregoing being on motion of Director, seconded by Director, and authorized by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution is the resolution of said District as duly passed and adopted by said Board of Directors on the 6th day of September, 2022.

WITNESS my hand and seal of said Board of Directors this 6th day of September, 2022.

Angelica Martin, Board Secretary