

RESOLUTION NO. 20-07

**BEFORE
THE BOARD OF DIRECTORS
OF TRI-COUNTY WATER AUTHORITY
RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE
POLICY AND PROCEDURES FOR COLLECTING DELINQUENT FEES,
ASSESSMENTS, OR CHARGES**

WHEREAS, on August 29, 2014, the California Legislature passed comprehensive groundwater legislation contained in Senate Bills 1168 and 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the Sustainable Groundwater Management Act (“SGMA”). SGMA became effective on January 1, 2015; and

WHEREAS, on December 18, 2019, Tri-County Water Authority (“Authority”) Groundwater Sustainability Agency (“GSA”) adopted a groundwater sustainability plan (“GSP”) for the Tule Subbasin and on January 22, 2020 adopted a GSP for the Tulare Lake Subbasin (collectively, “Subbasins”) of the San Joaquin Valley Groundwater Basin consistent with SGMA; and

WHEREAS, California Water Code Section 10730 provides that a GSA has the authority to impose fees compliant with Proposition 218 as specified in Article XIIIID of the California Constitution; and

WHEREAS, the Authority complied with the statutory requirements of Proposition 218 to implement assessment rates for imposition of fees; and

WHEREAS, under Water Code §10730.6, any fee, assessment or charges levied pursuant to SGMA is due and payable to the GSA by each owner or operator on a day established by the GSA; and

WHEREAS, the Authority has the authority, and hereby sets forth policy and procedures, to take certain administrative or civil actions, including those authorized in SGMA (Water Code §10730.6), to collect delinquent fees, assessments, or charges; and

WHEREAS, the Authority sought public input of the proposed Policy and Procedures for Collecting Delinquent Fee, Assessment or Charges through a public hearing on November 5, 2020; and

WHEREAS, the Authority Board of Directors finds that the proposed Policy and Procedures for Collecting Delinquent Fee, Assessment or Charges is consistent with SGMA to further the sustainability goal for the Subbasins within its jurisdiction.

NOW THEREFORE BE IT RESOLVED, on the 5th day of November, 2020, the Authority Board of Directors does hereby adopt the Policy and Procedures for Collecting Delinquent Fees, Assessments or Charges.

Approved this day, the 5th of November, 2020



Mark Grewal
Mark Grewal, Vice-Chairman
Board of Director

ATTEST:



Deanna Jackson
Deanna Jackson
Executive Director