

TRI-COUNTY WATER AUTHORITY

RESOLUTION NO. 19-03

**RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE
LEVYING OF 2020 ASSESSMENTS**

WHEREAS, the Tri-County Water Authority (the "Authority") is a joint powers authority, formed pursuant to the Joint Exercise of Powers Act (Gov. Code §§ 6500, *et seq.*); and

WHEREAS, pursuant to the Sustainable Groundwater Management Act ("SGMA"), the Authority is also an exclusive Groundwater Sustainability Agency ("GSA") in a portion of the Tule Subbasin and a portion of the Tulare Lake Subbasin (Subbasins 5-22.13 and 5-22.12, respectively, of the San Joaquin Valley Basin as defined by California Department of Water Resources Bulletin 118) underlying the Authority's boundaries; and

WHEREAS, California Water Code Section 10730 provides that a GSA may levy fees or assessments and each member of the Authority has the authority to impose assessments in compliance with Proposition 218 as specified in Article XIID of the California Constitution; and

WHEREAS, on March 13, 2018, the Authority adopted an engineer's report to explain the need for the imposition of a land-based assessments pursuant to Proposition 218 and authorized mailing ballots to the landowners; and

WHEREAS, on May 21, 2018, the Authority held a public hearing to receive public comment and calculated the ballots for the Proposition 218 election; and

WHEREAS, 72.8 percent of the landowners that returned their ballots voted in favor of levying the land-based assessments in an amount up to and including six and 50/100 dollars (\$6.50) per acre per year for those parcels that are five acres or more for 2018 and 2019, and four and no/100 dollars (\$4.00) per acre per year thereafter for those parcels that are five acres or more; and

WHEREAS, the Board of Directors of the Authority has authorization and desires to set the 2020 land-based assessments.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TRI-COUNTY WATER AUTHORITY does hereby resolve, declare and order as follows:

1. The above Recitals are deemed true and correct and are incorporated herein by this reference.
2. The Board of Directors of the Authority hereby sets the 2020 land-based assessment rate at Four and No/100 dollars (\$4.00) per acre.
3. The Authority hereby directs and authorizes the County of Tulare and the County of Kings to collect the assessments on the Authority's behalf for the 2020 assessment year.

4. Authority consultants/staff are authorized and directed to complete the necessary documentation to levy the Authority's 2020 assessment and send out invoices to those that either County does not assess.

PASSED AND ADOPTED this 9th day of July, 2019, by the following vote to wit:

AYES: 4 Cory VanderHam, Mark Grewal, Steve Jackson, Jack Mitchell

NOES: 0

ABSTAIN: 0

ABSENT: 0

ATTEST:


SECRETARY OF THE BOARD

**CERTIFICATE OF SECRETARY
OF
TRI-COUNTY WATER AUTHORITY,
a California joint powers agency**

I, Deanna Jackson, do hereby certify that I am the duly authorized and appointed Secretary of the Tri-County Water Authority, a California joint powers agency (the "Authority"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the Authority on the 9th day of July, 2019; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 9th day of July, 2019.

 _____, Secretary
Tri-County Water Authority