

**TRI-COUNTY WATER AUTHORITY**

**RESOLUTION NO. 2020-02**

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

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 fees in compliance with Proposition 218 as specified in Article XIID of the California Constitution; and

WHEREAS, on December 18, 2019, the Authority adopted a rate study to explain the need for the imposition of a groundwater extraction fee pursuant to Proposition 218 and authorized mailing notices to all the record landowners at least 45 days in advance of March 5, 2020; and

WHEREAS, on March 5, 2020, the Authority held a public hearing in compliance with the California Constitution to receive public comment and protests on the proposed groundwater extraction fee; and

WHEREAS, less than fifty percent (50%) of the landowners subject to the groundwater extraction fee submitted a written protest against imposition of the groundwater extraction fee; and

WHEREAS, the Board of Directors of the Authority now has authorization to set a groundwater extraction fee up to Ten Dollars and No/00 (\$10.00) per acre-foot.

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. Because a majority of the landowners within the Authority’s boundaries did not file a written protest against the groundwater extraction fee, the landowners authorized the Board of Directors of the Authority to levy a groundwater extraction fee of up to Ten Dollars and No/100 (\$10.00) per acre-foot per year.

3. The Board of Directors of the Authority hereby sets the 2020 groundwater extraction fee at Ten Dollars and No/100 (\$10.00) per acre-foot.

4. The Authority hereby directs and authorizes its consultants/staff to collect the groundwater extraction fee on the Authority's behalf for the 2020 year.

5. Authority consultants/staff are authorized and directed to complete the necessary documentation to levy the Authority's 2020 groundwater extraction fee.

PASSED AND ADOPTED this 5<sup>th</sup> day of March, 2020, by the following vote to wit:

AYES: 3 Cory VanderHam, Steve Jackson, Mark Grewal  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1

  
Cory VanderHam, Chairman

Attest:

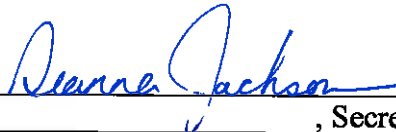
  
Deanna Jackson, Secretary

Date: 3-5-20

**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 5<sup>th</sup> day of March, 2020; 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 5<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_, Secretary  
Tri-County Water Authority