

**TRI-COUNTY WATER AUTHORITY**

**RESOLUTION NO. 20-03**

**RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE  
LEVYING OF 2021 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 2021 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 2021 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 2020-2021 assessment year.

4. Authority consultants/staff are authorized and directed to complete the necessary documentation to levy the Authority's 2021 assessment and send out invoices to those that either County does not assess.

PASSED AND ADOPTED this 2<sup>nd</sup> day of July, 2020, by the following vote to wit:

AYES: 3 Cory VanderHam, Mark Grewal, Steve Jackson

NOES: 0

ABSTAIN: 0

ABSENT: 1

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 2<sup>nd</sup> day of July, 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 2<sup>nd</sup> day of  
July, 2020.

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

**RESOLUTION 20-05**

**A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY AUTHORIZING THE COUNTY OF KINGS TO PLACE THE SPECIAL ASSESSMENT ON THE 2020-2021 TAX ROLL AND CERTIFYING TO THE COUNTY OF KINGS THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL.**

WHEREAS, the notices and election for special assessment fees for the purpose of Groundwater Sustainability Management to be included on the regular County property tax bill for property owners of the Tri-County Water Authority was completed on May 21, 2018; and

WHEREAS, the District is authorizing the County of Kings to place the special assessments on the Kings County secured property tax roll for collection; and

WHEREAS, the District has complied with all laws pertaining to the levy of the special assessments to be collected; and

WHEREAS, the monies collected are not in any way to be based on the assessed valuation of the properties involved.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tri-County Water Authority that the list submitted with parcel numbers and amounts are certified as being correct, and the Executive Director or Chairman is hereby authorized to sign any documents required and directed to give the list to the Kings County Auditor on behalf of the Tri-County Water Authority for placement on the secured tax roll for collection:

1. Parcel and Assessment listing
2. Direct Charge (Special Assessment) Control Sheet

UPON MOTION OF BOARD MEMBER Steve Jackson, SECONDED BY BOARD MEMBER Mark Grewal, THE FOLLOWING WAS ADOPTED BY THE BOARD OF THE TRI-COUNTY WATER AUTHORITY, AT AN OFFICIAL MEETING HELD ON JULY 2, 2020, BY THE FOLLOWING VOTE:

AYES: 3 Cory VanderHam, Mark Grewal, Steve Jackson

NOS: 0

ABSTAIN: 0

ABSENT: 1

ATTEST:

  
SECRETARY OF THE BOARD