

**TRI-COUNTY WATER AUTHORITY**

**RESOLUTION NO. 20-08**

**RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE  
LEVYING OF 2021 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 XIII D 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 2021 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 2021 year.

5. Authority consultants/staff are authorized and directed to complete the necessary documentation to levy the Authority's 2021 groundwater extraction fee.

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

AYES: 3 Mark Grewal, Steve Jackson, Wade Magden

NOES: 0

ABSTAIN: 0

ABSENT: 1 Cory Vander Ham

**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 November, 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 November, 2020.

  
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11-5-20, Secretary  
Tri-County Water Authority