

# panoche Water District

## Resolution No. 779-2021

### Resolution Calling for a Public Hearing on the District's Proposed Assessments and Authorizing Required Actions

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WHEREAS, Panoche Water District (the "District") is a California water district established in 1953 with statutory authority pursuant to California Water District Law (Water Code sections 34000-38500) to provide water service to users spanning over 38,000 acres in the Central Valley of California. The District is a multi-county district located on the west side of the San Joaquin Valley, spanning portions of Merced and Fresno Counties, and is authorized through the California Constitution, Articles XIII C and D to levy assessments against lands that receive a special benefit; and

WHEREAS, on February 23, 2021, at the direction of the Board of Directors to District staff to explore bonding to finance a variety of projects and to fund recent agreements with the United States for more secure water supply, District staff identified for the Board of Directors several costs that could be analyzed for funding through the land-based assessments and the resulting Proposition 218 process; and

WHEREAS, on March 9, 2021, District staff and consultants held the Proposition 218 Growers Workshop to explain the District's efforts to establish land-based assessments to reduce the District's cost of borrowing and of administration; and

WHEREAS, on March 23, 2021, the Board of Directors reviewed and adopted as final the District's Proposition 218 Engineer's Report, and directed staff to take action to prepare and mail the appropriate materials, including notices and ballots; and

WHEREAS, on April 15, 2021, ballots were mailed to all landowners and owners of record of lands within the District whose lands may be subject to the assessment.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the Panoche Water District that:

1. The Board finds that the above Recitals are true and correct.
2. The Board hereby resolves that a public hearing, held in accordance with the requirements of Proposition 218, shall be held at Panoche Water District, located at 52027 W. Althea Ave., Firebaugh, CA 93622, on June 2, 2021, beginning at 9:00 am.
3. An opportunity for public testimony shall be provided during this hearing, and at the

conclusion of public comment and testimony, District staff and consultants shall tabulate the ballots in accordance with the law and as provided for in the notice and ballots mailed to landowners. After tabulation is complete, the District shall announce the results of the election.

4. District staff are hereby directed to take all actions necessary to effectuate the public hearing and ensure an open, transparent, and lawful election.

PASSED AND ADOPTED this 27<sup>th</sup> day of April, 2021, in a duly noticed and open meeting of the Board of Directors by the following vote, to wit:

- AYES: Bennett, Stearns, Redfern-West, Linneman, Koda
- NOES: None
- ABSENT: None
- ABSTAIN: None


  
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John. Bennett, President  
Panache Water District

Attest:   
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Michael Stearns, Secretary

**CERTIFICATE OF SECRETARY  
OF  
PANOCHÉ WATER DISTRICT,  
A California Water District**

I, Michael Stearns, do hereby certify that I am the duly authorized and appointed Secretary of the Panoche Water District, a California Water District (the "District"); 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 District on the 27th day of April, 2021; 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 27<sup>th</sup> day of April, 2021.



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MICHAEL STEARNS

Secretary of Panoche Water District