



**Vina
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: 4.5

Subject: Consideration of a Resolution Setting the 2024-25 Vina GSA Operations Fee and Request of County to Collect Fee on the 2025 Tax Roll

Contact: Dillon Raney

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Meeting Date: June 26, 2024

Special Agenda

Department Summary:

On July 26, 2023, the Vina Groundwater Sustainability Agency (GSA) adopted Resolution No. 03-23, titled "Resolution Certifying the Results of a Proposition 218 Majority Protest Proceeding and Basis for Setting the Vina GSA Operations Fee."

This resolution established a property-based fee to fund the Vina GSA's ongoing administration, Groundwater Sustainability Plan (GSP) implementation, and compliance with the Sustainable Groundwater Management Act (SGMA). The maximum fee was set at \$3.09 per acre per year. However, the Board is committed to cost efficiency and aims to set the fee below this maximum to minimize costs for landowners whenever feasible.

For the fiscal year 2024-25, the proposed fee is \$2.53 per acre per year, which is based off of the proposed 24/25 fiscal year budget. This fee aligns with the approved 2023 Fee Study and addresses updated revenue needs, ensuring efficient operation of the Vina GSA. The Vina GSA evaluates and updates these fees annually, informed by ongoing GSA operations, GSP implementation, and acquired grants. These fees offer immediate SGMA compliance benefits and local representation, providing a cost-effective alternative to potential oversight and higher fees from the State Water Resources Control Board (SWRCB). This approach provides significant benefits to landowners while maintaining SGMA compliance at the lowest possible cost.

The Vina GSA will request Butte County to collect the fee on the 2025 tax roll. To be placed on the Butte County Tax Roll for fiscal year 2024-25, the direct charge packet must be submitted to the Butte County Auditor-Controller by August 10, 2024. The Vina GSA agrees to the cost of direct charges and to the statutory and procedural terms for collection on the tax roll.

Staff Recommendations: That the Vina GSA Board approve Resolution No. 2024-02 Setting the 2024-25 Vina GSA Operations Fee and Request of Butte County to Collect the Fee on the 2025 Tax Roll.

VINA GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION NO. 2024-02

**RESOLUTION SETTING THE 2024-25 VINA GSA OPERATIONS FEE AND
REQUEST OF COUNTY TO COLLECT THE FEE ON THE 2025 TAX ROLL**

WHEREAS on July 26, 2023, the Vina Groundwater Sustainability Agency (Vina GSA) adopted Resolution No. 03-23 titled “Resolution Certifying the Results of a Proposition 218 Majority Protest Proceeding and Basis for Setting the Vina GSA Operations Fee.”; and

WHEREAS, also on July 26, 2023 the Vina GSA Board of Directors (“Board”) adopted Resolution No. 05-23 setting the maximum operations fee to be charged at \$3.09 per acre; and.

WHEREAS, by Resolution No. 2024-01 the Vina GSA Board of Directors adopted the 2024/25 FY annual budget on June 26, 2024.; and

WHEREAS, based on the 2024-25 annual budget, the Vina GSA intends to set the 2024/25 FY Vina GSA Operations Fee at \$2.53 per acre;

WHEREAS the Vina GSA requests Butte County (County) to collect on the County tax rolls the fee validly adopted pursuant to this Resolution and in order to be placed on the Butte County Tax Roll for fiscal year 2024/2025, the direct charge packet must be submitted to the Butte County Auditor-Controller by August 10, 2024; and,

WHEREAS the County has required as a condition of the collection of said charges that the Authority warrant the legality of said fees and defend and indemnify the County from any challenge to the legality thereof.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY does hereby resolve, declare and order as follows:

1. The Vina GSA requests the Auditor-Controller of the County collect the property-related fees of \$2.53 per acre on the County tax rolls.
2. The Vina GSA warrants and certifies the fees imposed by the Vina GSA, which are requested to be collected by the County on the 2024/25 Secured Property Tax bill, comply with all requirements of state law, including but not limited to the requirements of Proposition 218 including Articles XIII C and XIII D of the California Constitution.
3. The Vina GSA agrees to defend, indemnify, and hold harmless the County, the Board of Supervisors, the Director of Finance, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out whether the requirements of Proposition 218 and other state laws were met with respect to the imposition of fees by the Vina GSA.
4. The Vina GSA authorizes its agent to attest to the direct charge levies after verification and approval. The Vina GSA agrees to the cost of direct charges and to the statutory and procedural terms for collection on the tax.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the VINA GROUNDWATER SUSTAINABILITY AGENCY this 26th day of June 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

CERTIFICATE OF RESOLUTION

We, the undersigned, hereby certify as follows:

1. That we are the Board Chair and Secretary of the VINA GROUNDWATER SUSTAINABILITY AGENCY; and
2. That the foregoing resolution, consisting of 2 pages, including this page, is a true and correct copy of a resolution of the Board of Directors of the Vina Subbasin Groundwater Sustainability Agency, passed at the meeting of the Board of Directors held on June 26, 2024, at the City of Chico City Council Chambers, 421 Main Street, Chico, CA 95928.

IN WITNESS WHEREOF, we have signed this certificate this 26th day of June 2024, at Chico, California.

_____ Evan Tuchinsky, Chair of the Board of Directors

_____ Linda Herman, Secretary