

SACRAMENTO CENTRAL GROUNDWATER AUTHORITY

RESOLUTION NO. 2016- 04

RESOLUTION AMENDING SACRAMENTO CENTRAL GROUNDWATER AUTHORITY POLICIES AND PROCEDURES MANUAL "RULES OF PROCEDURE" POLICY NUMBER 100.1 CHAPTER 5, ARTICLE 2, SECTION 5.22

WHEREAS, the Sacramento Central Groundwater Authority Policies and Procedures Manual "Rules of Procedure" Policy Number 100.1 Chapter 1, Article 2, Section 1.25 identifies that changes to the "Rules of Procedure" shall be by resolution;

WHEREAS, changes to annual contribution amounts of Sacramento Central Groundwater Authority members necessitate amendment to Chapter 5, Article 2, Section 5.22 of the "Rules of Procedure" in the manner identified in Exhibit A, attached hereto;

NOW, THEREFORE, BE IT RESOLVED the SCGA Board of Directors:

- 1. Amends the Chapter 5, Article 2, Section 5.22 of the "Rules of Procedure" in the manner identified in Exhibit A, attached hereto.

ON A MOTION by Director WERDER, and seconded by Director NELSON, the foregoing resolution was passed and adopted by the Board of Directors of SCGA this 8th day of June, 2016, by the following vote, to wit:

AYES: Directors, FRAGIAO, EISING, QUINN, EWART, NELSON, MAHON, WERDER, BETTIS, LOWRY, RAMIREZ, ANDERSON

NOES: Directors,

RECUSAL: Directors, (PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Directors, MARTEL

ABSTAIN: Directors,

[Signature]

Chair of the Board of Directors of the Sacramento Central Groundwater Authority, a duly formed Joint Powers Authority



EXHIBIT A

**CHAPTER 5.
FINANCE**

**ARTICLE 1.
BUDGET**

§ 5.01 Establishment of Budget

- (a) Prior to the commencement of each fiscal year, the Board shall adopt a budget for the Authority for the ensuing fiscal year.
- (b) The Executive Director shall present to the Board a proposed budget no later than the last regularly scheduled meeting before the commencement of the ensuing fiscal year.
- (c) The Board shall direct that a copy of the budget be filed with the Controller within a reasonable time after adoption.
- (d) The Executive Director shall recommend modifications of the budget to the Board if the approved budget is inadequate due to events occurring subsequent to the approval of the budget. The Board shall consider the recommended modifications and shall vote to adopt the amended budget as it deems appropriate. The amended budget shall be filed with the Controller within a reasonable time after adoption.
- (e) The Executive Director shall implement the budgets and amended budgets approved by the Board. Expenditures of the Authority shall be made in accordance with the procedures set forth in Article 3 of this Chapter.
- (f) The fiscal year for the Authority is July 1 through June 30.
- (g) The Board shall maintain a reserve for operation expenses at a minimum of twenty (20) percent of the projected annual expenditures. Said reserve will be taken from the prior year fund balance and shall be used to meet Authority operating expenses until contributions as set forth in Article 2 of this Chapter have been received.

**ARTICLE 2.
ASSESSMENTS, FEES, AND CHARGES**

§ 5.21 General

Assessments, fees and charges shall be approved, levied, collected and spent consistent with these Rules and all applicable laws and constitutional limitations.

§ 5.22 Adoption of Assessments, Fees and Charges

- (a) The Board shall establish assessments, fees, and/or charges sufficient to recover the costs of services provided by the Authority. Assessments, fees, and charges shall not exceed the reasonable cost of the services provided.

- (b) The Board shall conduct at least one public meeting and one public hearing prior to adopting or increasing an assessment, fee, or charge. Notice of the meeting and hearing shall be provided as specified in these Rules of Procedure and as required by law.
- (c) Prior to adopting or increasing an assessment, fee, or charge, the Board shall make a finding that the proposed assessment, fee, or charge is reasonable in relation to the services provided and the costs of those services. The finding shall be adopted by resolution of the Board.
- (d) The Board shall review its assessments, fees, or charges annually, and shall modify such assessments, fees and charges consistent with the findings made in the Board's annual review.

§ 5.23 Adoption of Assessments, Fees and Charges for Water Costs

- (a) The Board shall establish, approve, levy, and collect assessments, fees and/or charges for Water Costs incurred by the Authority. Consistent with applicable law and constitutional limitations, the Board may establish, as it deems appropriate, specific formulas, categories and/or rates applicable to such assessments, fees or charges.
- (b) Consistent with applicable law, constitutional limitations, and the Joint Powers Agreement, the Board may establish specific formulas, categories and/or rates for setting assessments, fees or charges necessary to create incentives and disincentives for the use or non-use of the groundwater resources within the boundaries of the Authority.

§ 5.24 Variances from Assessments, Fees and Charges by the Authority

In its discretion, and consistent with applicable law and constitutional limitations, the Board may establish procedures and criteria for issuing variances from assessments, fees and charges levied by the Authority.

§ 5.25 Challenges to Assessments, Fees and Charges by the Authority

In its discretion, and consistent with applicable law and constitutional limitations, the Board may establish procedures and administrative remedies governing challenges to assessments, fees and charges imposed and levied by the Authority.

**ARTICLE 3.
PURCHASING AND EXPENDITURES**

§ 5.31 Deposits

- (a) The Authority shall establish one or more deposit accounts with State or national banks or savings associations upon such terms and conditions as may be agreed upon. The Chair and Treasurer shall establish or cause to be established such accounts in the name of the Authority for general fund expenditures.