BEFORE THE BOARD OF DIRECTORS

OF THE

LINDMORE IRRIGATION DISTRICT

COUNTY OF TULARE, STATE OF CALIFORNIA

RESOLUTION OF THE BOARD CERTIFYING THE RESULTS OF A PROPOSITION 218 ASSESSMENT BALLOT ELECTION AND AS A RESULT SETTING AMOUNT OF THE DISTRICT'S STANDBY CHARGE, AND ADOPTING A SCHEDULE OF INFLATIONARY FEE INCREASES THERETO

RESOLUTION 2017-05

WHEREAS, the District has, as of the date of this action, been charging a standby charge of $25.00 per acre; and

WHEREAS, in 1988, the legislature adopted the Uniform Standby Charge Procedures Act at Government Code section 54984, et seq. ("Uniform Act") to, among other things, avoid having to amend numerous acts to increase the maximum standby charge permitted by law; and

WHEREAS, the current maximum amount of the standby charge, after adjustment, is said $25.00 per acre; and

WHEREAS, this Board has determined that it is necessary and in the best interests of the District to increase the District's Standby Charge, adopt a schedule of inflationary fee increases thereto; and

WHEREAS, in accordance with the Board's determination, the District called for and held a Proposition 218 hearing and election on November 16, 2017; and

WHEREAS, in accordance with the provisions of Proposition 218, the Uniform Act and the motion regarding the above acted on in the affirmative by the Board of Directors of the District, the District mailed notice of the hearing and ballots to those permitted by law to vote on the proposed changes; and

WHEREAS, in accordance with the provisions of Proposition 218 and the motion regarding the above acted on in the affirmative by the Board of Directors of the District, the ballots on the proposed change have been received, collected and tabulated; and

WHEREAS, the landowners in the District have approved the imposition of the increased Standby Charge and the schedule of inflationary fee increases thereto.2

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LINDMORE IRRIGATION DISTRICT do hereby resolve, declare and order as follows:

1) **Election Results.** In accordance with the provisions of Proposition 218, the Uniform Act and the motion regarding the above acted on in the affirmative by the Board of Directors of the District, a disinterested party of voting age, one Michael Hagman, oversaw and tabulated all ballots received. As further described in Mr. Hagman's "Affidavit Certifying Election Results For An Increase In The District's Standby Charge And Schedule Of Inflationary Fee Increases

Thereto," which is on file with the District and attached to this resolution as Exhibit A, the results of said election are as follows:

Total Ballots Mailed to Landowners: 626

Total Ballots Received by District: 250

Total Number of Ballots Rejected: 29

Total Number of Potential Votes: 25,069.68

Total Number of Votes Received for the

Standby Charge Increase: 13,306.52

Total Number of Votes Rejected for the

Standby Charge Increase: 664.10

Total Number of Votes Supporting an Increase

for the Standby Charge Increase: 8,534.55

Total number of Votes Opposing an Increase

for the Standby Charge Increase: 4,107.87

Total Number of Votes Received for the

Schedule of Inflationary Fee Increases: 13,304.31

Total Number of Votes Rejected for the

Schedule of Inflationary Fee Increases: 667.10

Total Number of Votes Supporting an Increase

for the Schedule of Inflationary Fee Increases: 7,544.18

Total number of Votes Opposing an Increase

for the Schedule of Inflationary Fee Increases: 5,093.033

2) **Imposition of the increase in the District Standby Charge and Schedule of Inflationary Fee Increases.** The results listed above demonstrate that a majority of properly cast votes were in support of the increase to the District Standby Charge and Schedule of Fee Increases thereto. Therefore, based upon those results and in accordance with the provisions of Proposition 218, the Uniform Act and the motion regarding the above acted on in the affirmative by the Board of Directors of the District, the Board does hereby set the amount of the District Standby Charge and Schedule of Fee Increases thereto, which may be charged to parcels in the District immediately following tax year, as follows:

A. **District Standby Charge for 2018**

For 2018, the total amounts to be collected under the Standby Charge category are hereby set at $95.95 per acre.

3) **Imposition of Schedule of Inflationary Fee Increases to the District Standby Charge.** The results listed above further demonstrate that a majority of properly cast votes were in support of the proposed future increase policy. Therefore, based upon those results and in accordance with the provisions of Proposition 218, the Uniform Act and the motion regarding the above acted on in the affirmative by the Board of Directors of the District, this Board does hereby adopt the following schedule of modifications to the District Standby Charges:

a. 2019: Increase of $1.94; Total of $97.89;

b. 2020: Decrease of -$1.30; Total of $96.59;

c. 2021: Increase of $2.52; Total of $99.11;

d. 2022: Increase of $2.30; Total of $101.41; and

e. 2023: Increase of $2.72; Total of $104.13.

4) **Staff Direction.** In accordance with this resolution and applicable law, this Board does hereby direct District staff to take the appropriate steps necessary to ensure the imposition and collection of the assessments adopted herein.

All the foregoing being on motion of Director Brownfield, seconded by Director Adam, and authorized by the following vote, to wit:

AYES: Arnold, Adam, Brownfield, DePaoli, Milanesio

NOES: None

ABSTAIN: None

ABSENT: None

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John A. Arnold, President

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Michael D. Hagman, Secretary

CERTIFICATE OF SECRETARY

I do hereby certify that I am the Secretary of the Lindmore Irrigation district, an irrigation district organized and existing under the laws of the state of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly and regularly held at the office of the said District at 315 East Lindmore Avenue, Lindsay, California on the 8th day of August, 2017, at which meeting a quorum of said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Lindmore Irrigation District this 8th day of August 2017.

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Michael D. Hagman, Secretary
Lindmore Irrigation District