

RESOLUTION NO. 2017-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH EAST CONTRA COSTA COUNTY PARTICIPATING AGENCIES THAT INCLUDE THE CITY OF ANTIOCH, BYRON-BETHANY IRRIGATION DISTRICT, CONTRA COSTA WATER DISTRICT, CONTRA COSTA COUNTY, DIABLO WATER DISTRICT, EAST CONTRA COSTA IRRIGATION DISTRICT, AND THE TOWN OF DISCOVERY BAY TO FACILITATE THE CREATION OF LOCAL GROUNDWATER SUSTAINABILITY AGENCIES AND TO ADOPT AND IMPLEMENT A GROUNDWATER SUSTAINABILITY PLAN .

WHEREAS, on March 22, 2016, by Resolution No. 2016-34, City Council approved and authorized the City Manager or designee to submit an initial notification to the Department of Water Resources ("DWR") regarding the City of Brentwood's intent to pursue a request to modify the boundary of the Tracy Sub-basin, Basin 5-22.15 San Joaquin Valley ("Tracy Subbasin") to comply with the Sustainable Groundwater Management Act ("SGMA") to promote the local, sustainable management of groundwater supplies; and

WHEREAS, the SGMA, effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State of California; the legislative intent of the SGMA is for groundwater to be managed in California's groundwater basins by local public agencies and newly-formed GSAs; and

WHEREAS, in order to comply with SGMA, the City must either form a GSA or become a member of a multi-agency GSA; and

WHEREAS, other East Contra Costa County participating agencies that include the City of Antioch, Byron-Bethany Irrigation District, Contra Costa Water District, Contra Costa County, Diablo Water District, East Contra Costa Irrigation District, and Town of Discovery Bay intend to form GSAs for their service area of the Tracy Subbasin in Contra Costa County as well; and

WHEREAS, Brentwood intends to work cooperatively with the other East Contra Costa County participating agencies that have decided to form GSAs in their portion of the Tracy Subbasin within Contra Costa County with the execution of the MOU; and

WHEREAS, Brentwood and the other East Contra Costa County agencies identified in the MOU desire to enter into an agreement that will facilitate the creation of local GSAs and to coordinate development and implementation of a single GSP for the portion of the Tracy Subbasin in Contra Costa County; and

WHEREAS, the primary purposes of an MOU is to establish separate GSAs for each of the East Contra Costa County participating agencies and facilitate a cooperative and ongoing working relationship among the parties and to develop and implement mutually beneficial approaches and strategies for implementing the SGMA in the Tracy Subbasin; and

WHEREAS, the East Contra Costa County member agencies ultimately intend to execute an agreement with groundwater sustainability agencies located in the Tracy Subbasin, outside of Contra Costa County to coordinate the development and implementation of GSPs throughout the entire Tracy Subbasin; and

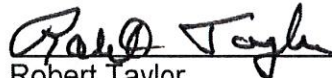
WHEREAS, Water Code section 10727(b)(2) provides that multiple groundwater sustainability agencies may develop and implement multiple groundwater sustainability plans coordinated pursuant to a single coordination agreement that covers the entire basin; and

WHEREAS, an agreement amendment with Luhdorff & Scalmanini, Inc. for technical assistance for the planning and compliance with the 2014 SGMA is in process and the estimated total not to exceed agreement amount to \$48,660, of which \$23,656 has been expended to date, and a Legal Services Agreement for groundwater issues in the amount of \$25,000 with Downey Brand LLC is available for FY 2016/17, will be expended through the Water Enterprise Fund; and the FY 2016/17 funds are included in the City Council adopted 2016/17 Operating budget.

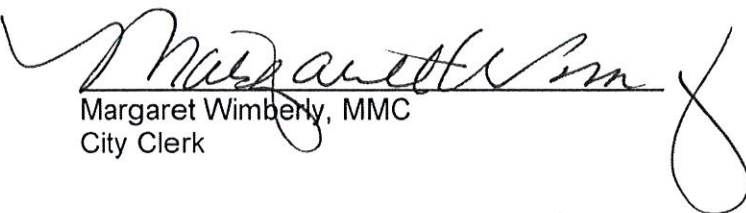
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Brentwood does hereby approve and authorize the City Manager or designee to execute a Memorandum of Understanding with East Contra Costa County participating agencies that include the City of Antioch, Byron-Bethany Irrigation District, Contra Costa Water District, Contra Costa County, Diablo Water District, East Contra Costa Irrigation District, and Town of Discovery Bay to facilitate the creation of the local Groundwater Sustainability Agencies and to adopt and implement a Groundwater Sustainability Plan.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 28th day of March, 2017 by the following vote:

AYES:	Barr, Bryant, Rarey, Staton, Taylor
NOES:	None
ABSENT:	None
RECUSE:	None


Robert Taylor
Mayor

ATTEST:


Margaret Wimberly, MMC
City Clerk