

RESOLUTION NO. 2017-30

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON
APPROVING THE MERCED IRRIGATION-URBAN GROUNDWATER
SUSTAINABILITY AGENCY MEMORANDUM OF UNDERSTANDING AND
DECLARING ITS INTENTION TO FULFILL ITS COMMITMENT TO THE
SUSTAINABLE GROUNDWATER MANAGEMENT ACT AS PART OF THE MERCED
IRRIGATION-URBAN GROUNDWATER SUSTAINABILITY AGENCY**

WHEREAS, on September 16, 2014, Governor Edmund G. Brown, Jr. signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (SGMA); and

WHEREAS, SGMA requires all high and medium priority groundwater basins, as designated by the California Department of Water Resources (DWR) Bulletin 118, to be managed by a Groundwater Sustainability Agency (GSA); and

WHEREAS, the Central Valley Groundwater Basin (Basin) has been designated by DWR as a high priority basin and the Department of Water Resources (DWR) has designated the Merced Groundwater Subbasin as a critically overdrafted basin; and

WHEREAS, SGMA authorizes any local agency, with water or land management authorities, overlying the Basin to elect to become a GSA within the Basin; and

WHEREAS, the City of Merced, the City of Atwater, the City of Livingston, Winton Water and Sanitary District, Planada Community Services District, Le Grand Community Services District, and Merced Irrigation District are parties who have collectively negotiated the "Memorandum of Understanding Forming the Merced Irrigation-Urban Groundwater Sustainability Agency" (MIUGSA MOU); and

WHEREAS, the MIUGSA MOU is comprised of local agencies as defined under the SGMA and are therefore eligible to serve as an individual GSA within the Basin, or to join other parties in an MOU to serve as a GSA within the Basin; and

WHEREAS, Section 10723.2 of the SGMA requires that a GSA consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans; and

WHEREAS, Section 10723.8 of the SGMA requires that a local agency electing to be a GSA notify the DWR of its election and intention to undertake sustainable groundwater management within a basin; and

WHEREAS, Livingston City Council held a public hearing at 7:00 PM on Tuesday, May 16, 2017 at the Livingston City Council Chambers, 1416 "C" Street, Livingston, CA 95334, after publication of notice pursuant to Government Code section 6066 to consider the adoption of this Resolution; and

WHEREAS, the Livingston City Council wishes to exercise the powers and authorities of a GSA granted by the SGMA through the MIUGSA MOU.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livingston as follows:

1. The Livingston City Council hereby elects to become a party of the MIUGSA MOU for that portion of the Merced Groundwater Subbasin lying within its boundaries and authorizes the City Manager to execute the MIUGSA MOU on behalf of the City in a form approved by the City Attorney.

2. The MIUGSA will develop an outreach program to include all stakeholders to ensure that all beneficial uses and users of groundwater are considered.

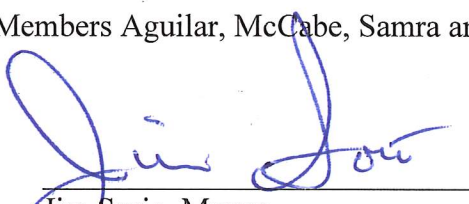
3. The City of Livingston has been authorized by the MIUGSA MOU to submit to the DWR a notice of intent to undertake sustainable groundwater management in accordance with the SGMA (Part 2.74 of the Water Code).

4. The notice of intent to the DWR shall include the boundaries of the Merced Groundwater Subbasin that the MIUGSA intends to manage, a copy of this resolution, a list of interested parties developed pursuant to Section 10723.2 of the SGMA, and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the MIUGSA groundwater sustainability plan.

5. This Resolution shall take effect immediately after its passage.

Passed and adopted this 16th day of May, 2017, by the following vote:

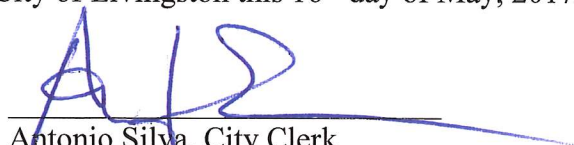
AYES:	Mayor Soria and Council Members Aguilar, McCabe, Samra and Sicairos
NOES:	None
ABSTAIN:	None
ABSENT:	None



Jim Soria, Mayor
of the City of Livingston

ATTEST:

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted at a Regular Meeting of the City Council of the City of Livingston this 16th day of May, 2017.



Antonio Silva, City Clerk
of the City of Livingston