

RESOLUTION NO. 2017-1

A RESOLUTION OF RECLAMATION DISTRICT 479 AUTHORIZING EXECUTION OF JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE COLUSA GROUNDWATER AUTHORITY

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 (SGMA), which authorizes local agencies and mutual water companies to manage groundwater in a sustainable fashion; and

WHEREAS, *Reclamation District 479* is a local agency, as defined by SGMA, duly organized and validly existing under the Constitution and laws of the State of California, and

WHEREAS, in order to exercise the authority granted in SGMA, a local agency or combination of local agencies must elect to become or form a groundwater sustainability agency (GSA); and

WHEREAS, a combination of local agencies may form a GSA by using a joint powers agreement; and

WHEREAS, the *Reclamation District 479*, upon authorization of its Board, may, pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code (JPA Act), enter into a joint exercise of powers agreement to jointly exercise any power common to the contracting parties; and

WHEREAS, the *Reclamation District 479* has negotiated, with other public agencies and a mutual water company, the terms of the Joint Exercise of Powers Agreement Establishing the Colusa Groundwater Authority (JPA Agreement), attached hereto as Exhibit A, and

WHEREAS, the JPA Agreement is to be executed by the entities listed in Exhibit A of the JPA Agreement (Members); and

WHEREAS, each of the Members is either a "public agency" as defined in Government Code Section 6500 or a mutual water company; and

WHEREAS, the JPA Agreement provides that the Colusa Groundwater Authority (Authority) will be a public entity separate and apart from the parties to the JPA Agreement and that the debts, liabilities and obligations of the Authority will not be the debts, liabilities, or obligations of the Members, and

WHEREAS, the Members intend to sustainably manage groundwater throughout portions of the Colusa Sub Basin of the Sacramento Valley Groundwater Basin, California Department of Water Resources No. 5-21.52, and the West Butte Sub Basin of the Sacramento

Valley Groundwater Basin, California Department of Water Resources No. 5-21.58 (Basin) as shown in Exhibit B of the JPA Agreement; and

WHEREAS, the JPA Agreement provides that the Authority will be the GSA for the Basin and shall make any and all necessary filings with regulatory agencies to become and serve as the GSA for the Basin prior to June 30, 2017, and

WHEREAS, the *Reclamation District 479* published notice pursuant to Government Code section 6066 of its public hearing to consider adoption of a resolution authorizing execution of the JPA Agreement, thereby forming the Authority and electing the Authority to serve as the GSA for the Basin, in the *Colusa Sun Herald*, a copy of which is attached hereto as Exhibit B; and

WHEREAS, on this day, the *Reclamation District 479* held a public hearing to consider whether to adopt a resolution authorizing execution of the JPA Agreement; and

WHEREAS, the Board of the *Reclamation District 479* has determined that execution of the JPA Agreement is in the *Reclamation District 479's* best interest and in the public interest and

WHEREAS, adoption of this resolution does not constitute a "project" under California Environmental Quality Act Guidelines Section 15378(b)(5), including organization and administrative activities of government, because there would be no direct or indirect physical changes in the environment as a result of this action.

NOW, THEREFORE, BE IT RESOLVED by the Board of *Reclamation District 479* as follows:

1. The Chairman of the Board is hereby authorized to execute the JPA Agreement on behalf of the *Reclamation District 479*.
2. The Board hereby appoints Charles Marsh as its initial Director on the Authority's Board of Directors and Toby Engrahm and Derick Strain as its initial Alternates on the Authority's Board of Directors.
3. Marsh, Engrahm, and Strain are authorized and directed to take all action appropriate and necessary to implement the terms and conditions of the JPA Agreement, subject to oversight by the Board.

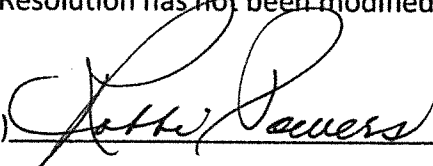
AYES: Charles Marsh; Jim Wallace; Toby Engrahm

NOES:

ABSTAIN:

CERTIFICATION OF SECRETARY:

I, Robbi Powers, hereby certify that I am, and at all times mentioned herein was the duly-elected, qualified and acting Secretary of *Reclamation District 479*, organized and existing under and by virtue of the laws of the State of California; the foregoing is a full, true and correct copy of a Resolution duly adopted at a special meeting of the Board held on June 1, 2017, a quorum of the Members of the Board being present and voting in favor of the Resolution as specified above; and the Resolution has not been modified, altered, or amended.

_(signed)  _____
Robbi Powers, Secretary