

**RESOLUTION NO. 17-08
OF THE
BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 108**

**IN THE MATTER OF: 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 No. 108 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 No. 108, upon authorization of its Board of Trustees 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 No. 108 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 Subbasin of the Sacramento Valley Groundwater Basin, California Department of Water Resources No. 5-21.52, and the West Butte Subbasin 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, Reclamation District No. 108 has previously elected to become a GSA for lands within the jurisdictional boundaries of the Reclamation District No. 108 overlying the Basin; 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 County of Colusa on behalf of the Board of Trustees of Reclamation District No. 108 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 Board of Trustees of Reclamation District No. 108 held a public hearing to consider whether to adopt a resolution authorizing execution of the JPA Agreement; and

WHEREAS, the Board of Trustees of Reclamation District No. 108 has determined that execution of the JPA Agreement is in the District'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 Trustees of Reclamation District No. 108 as follows:

1. The General Manager of Reclamation District No. 108 is hereby authorized to execute the JPA Agreement on behalf of the District.
2. The Board of Trustees hereby Hilary Reinhard as its initial Director on the Authority's Board of Directors and William Vanderwaal as its initial Alternate on the Authority's Board of Directors.
3. Deputy Manager Vanderwaal is 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 of Trustee.

4. Reclamation District No. 108, upon execution of the JPA Agreement by all the Members, the General Manager Bair or Deputy Manager Vanderwaal shall notify the California Department of Water Resources that the District rescinds its previous election to become a GSA for lands within the jurisdictional boundaries of Reclamation District No. 108 overlying the Basin.

The foregoing resolution was duly passed and adopted by the Board of Trustee of Reclamation District No. 108 at a meeting thereof held on June 15, 2017 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CERTIFICATION OF SECRETARY

I, Lewis Bair, Secretary, hereby certify that I am, and at all times mentioned herein was, the duly-elected, qualified and acting Secretary of Reclamation District No. 108, 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 Regular meeting of the Board of Trustees held on June 15, 2017, a quorum of the Members of the Board of Trustees being present and voting in favor of the Resolution as specified above; and the Resolution has not been modified, altered, or amended.



Lewis Bair, Secretary