

RESOLUTION NO. 17-04

A RESOLUTION OF THE CITY OF WILLIAMS 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, the City of Williams ("City") 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 City, upon authorization of its City Council, 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 City 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, the City has previously elected to become a GSA for lands within the jurisdictional boundaries of the City 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 City 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 City Council held a public hearing to consider whether to adopt a resolution authorizing execution of the JPA Agreement; and

WHEREAS, the City Council of the City of Williams has determined that execution of the JPA Agreement is in the City'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 City Council of the City of Williams as follows:

1. The Mayor of the City Council is hereby authorized to execute the JPA Agreement on behalf of the City.
2. The City Council hereby appoints Charles Bergson as its initial Director on the Authority's Board of Directors and Alfred Sellers Jr., as its initial Alternate on the Authority's Board of Directors.
3. Charles Bergson and Alfred Seller Jr., 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 City Council.
4. Upon execution of the JPA Agreement by all the Members, the City Administrator shall notify the California Department of Water Resources that the City rescinds its previous election to become a GSA for lands within the jurisdictional boundaries of the City overlying the Basin.

The foregoing resolution was duly passed and adopted by the City Council of the City of Williams at a meeting thereof held on June 21, 2017 by the following roll call vote:

AYES: Council Member Bergson, Troughton Jr., Jauregui, Mendoza and Sellers Jr.
NOES: None.
ABSTAIN: None.
ABSENT: None.

CERTIFICATION OF CITY CLERK

I, Mariana Pineda, hereby certify that I am, and at all times mentioned herein was, the duly-elected, qualified and acting City Clerk of the City of Williams, 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 City Council held on June 21, 2017, a quorum of the Members of the City Council being present and voting in favor of the Resolution as specified above; and the Resolution has not been modified, altered, or amended.


Mariana Pineda, City Clerk



