

**BOARD OF DIRECTORS
COLUSA COUNTY WATER DISTRICT**

RESOLUTION NO. 2017-3

**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, Colusa County Water District (CCWD) 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 CCWD upon authorization of its Board of Directors, 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 CCWD 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 CCWD has previously elected to become a GSA for lands within the jurisdictional boundaries of the CCWD 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 CCWD 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 CCWD held a public hearing to consider whether to adopt a resolution authorizing execution of the JPA Agreement; and

WHEREAS, the Board of Directors of the CCWD has determined that execution of the JPA Agreement is in the CCWD'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 Directors of Colusa County Water District as follows:

1. The President of the Board of Directors is hereby authorized to execute the JPA Agreement on behalf of the CCWD.
2. The Board of Directors hereby appoints Knute Myers as its initial Director on the Authority's Board of Directors and the General Manager, Shelly Murphy, as its initial Alternate on the Authority's Board of Directors.
3. Knute Myers and/or the General Manager 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 District Board of Directors.
4. Upon execution of the JPA Agreement by all the Members, the General Manager shall notify the California Department of Water Resources that the CCWD rescinds its previous election to become a GSA for lands within the jurisdictional boundaries of the CCWD overlying the Basin.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Colusa County Water District at a meeting thereof held on June 14, 2017, by the following roll call vote:

AYES: D. Griffin, L. Rominger, K. Myers, J. Marsh

NOES: None

ABSTAIN: None

ABSENT: H. Charter

CERTIFICATION OF SECRETARY

I, Shelly Murphy, hereby certify that I am, and at all times mentioned herein was, the duly-elected, qualified and acting Secretary of Colusa County Water District, 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 Directors held on June 14, 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.


Shelly Murphy, Board Secretary