

RESOLUTION NO. 17-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ESPARTO COMMUNITY SERVICE DISTRICT APPROVING JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE YOLO SUBBASIN GROUNDWATER AGENCY

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 to manage groundwater in a sustainable fashion; and

WHEREAS, the Esparto Community Services District (“ECSD”) 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, the ECSD overlies the Yolo Subbasin of the Sacramento Valley Groundwater Basin (designated as subbasin 5-21.67 by the California Department of Water Resources) (“Subbasin”) and is committed to the sustainable management of the Subbasin; and

WHEREAS, the ECSD, 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 ECSD has negotiated, with other public agencies and interested parties, the terms of a Joint Exercise of Powers Agreement Establishing the Yolo Subbasin Groundwater Agency (“JPA Agreement”) to be executed by the Members listed in Exhibit A of the JPA Agreement (“Members”); and

WHEREAS, each of the Members is a “public agency” as defined in Government Code § 6500; and

WHEREAS, the JPA Agreement provides that the Yolo Subbasin Groundwater Agency (“Agency”) will be a public entity separate and apart from the parties to the JPA Agreement and that the debts, liabilities, and obligations of the Agency will not be the debts, liabilities, or obligations of the Members; and

WHEREAS, the Board of Directors of the ECSD has determined that approval and execution of the JPA Agreement is in the ECSD’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.

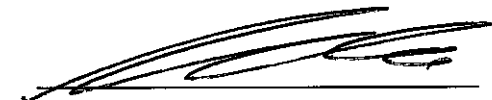
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Esparto Community Services District as follows:

1. The JPA Agreement is hereby approved and the Chair of the Board of Directors is hereby authorized to execute the JPA Agreement on behalf of the ECSD.
2. The Secretary is hereby authorized and directed to attest the signature of the authorized signatory, and to affix and attest the seal of the ECSD, as may be required or appropriate in connection with the execution and delivery of the JPA Agreement.
3. The General Manager of the ECSD is authorized and directed to take all action appropriate and necessary to implement the terms and conditions of the JPA Agreement.

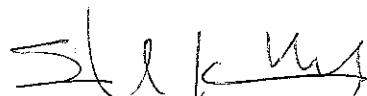
The foregoing resolution was duly passed and adopted by the Board of Directors of the Esparto Community Services District at a meeting thereof held on May 17, 2017 by the following roll call vote:

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1

Signed by me after its passage this 17th day of May 2017.


Charlie Schaupp, Chair

ATTEST:



Steven Knightley, Secretary