

RESOLUTION NO. 08-09-2016

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MALAGA COUNTY WATER DISTRICT WITHDRAWING FROM THE MEMORANDUM
OF UNDERSTANDING FOR IMPLEMENTATION OF THE SUSTAINABLE
GROUNDWATER MANAGEMENT ACT IN THE
FRESNO AREA / NORTH KINGS SUB-BASIN**

WHEREAS, on November 12, 2015, the Malaga County Water District, by Resolution No. 11-12-2015, approved entering into a Memorandum of Understanding for Implementation of the Sustainable Groundwater Management Act in the Fresno Area / North Kings Sub-Basin (“MOU”); and

WHEREAS, the purpose of the MOU was to facilitate the formation of a Joint Powers Authority to implement the Sustainable Groundwater Management Act; and

WHEREAS, the Malaga County Water District has participated with other signatories to the MOU in a series of meetings which culminated in the development of a purposed North Kings Groundwater Sustainability Joint Powers Agreement; and

WHEREAS, the Board of Directors of the Malaga County Water District has received and reviewed the draft North Kings Groundwater Sustainability Agency Joint Powers Agreement and considered the Staff Report and Public comments relating to said Agreement and has determined that it is not in the best interests of the Malaga County Water District to become a member of the North Kings Groundwater Sustainability Agency and that the interests of the District and its customers would be better served if the Malaga County Water District fulfilled its responsibilities under the Sustainable Groundwater Act by participating in the development of a Groundwater Management Plan with the applicable Groundwater Sustainability Agency within the Kings Basin or the North Kings Sub-Basin as a beneficial user or interested person; and

WHEREAS, having determined that the Malaga County Water District shall participate in the implementation of the Sustainable Groundwater Management Act within the Kings Basin or North Kings Sub-Basin as a beneficial user or interested person, the Malaga County Water District desires to and hereby does withdraw from the MOU pursuant to paragraph 14 of said MOU.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That the foregoing recitals are true and correct and are incorporated by this reference herein as though fully set forth at this point.
2. That pursuant to paragraph 14 of the Memorandum of Understanding for implementation of the Sustainable Groundwater Management Act in the Fresno Area / North Kings Sub-Basin, the Malaga County Water District hereby gives notice to all other signatories to the MOU that it will terminate its

membership in and withdraw from the MOU 30 days from the date Notice of Termination is given pursuant to paragraph 12 of said MOU.

3. That the General Manager of the Malaga County Water District is hereby authorized to give notice of the District's termination or withdrawal from the MOU pursuant to paragraph 12 of said MOU.

This Resolution is approved and adopted this 9th day of August, 2016, at the regular meeting of the Malaga County Water District, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

Date: _____

Charles Garabedian, Jr., President
of the Board of Directors of the
Malaga County Water District

ATTEST:

James D. Anderson, General Manager/Secretary
to the Board of the Malaga County Water District