

RESOLUTION NO. 2017-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO FULFILL ITS
COMMITMENT TO THE SUSTAINABLE
GROUNDWATER MANAGEMENT ACT AS PART
OF THE MERCED IRRIGATION-URBAN
GROUNDWATER SUSTAINABILITY AGENCY
MEMORANDUM OF UNDERSTANDING FOR
OUR PORTION OF THE MERCED
GROUNDWATER BASIN**

WHEREAS, on September 16, 2014, Governor Edmund G. Brown, Jr. signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (SGMA); and

WHEREAS, SGMA went into effect on January 1, 2015; and

WHEREAS, SGMA requires all high and medium priority groundwater basins, as designated by the California Department of Water Resources (DWR) Bulletin 118, to be managed by a Groundwater Sustainability Agency (GSA); and

WHEREAS, the Merced Groundwater Subbasin (Basin) has been designated by DWR as a high priority basin; and

WHEREAS, the DWR has designated the Merced Groundwater Subbasin as a critically overdrafted basin; and

WHEREAS, SGMA authorizes any local agency, with water or land management authorities, overlying the Basin to elect to become a GSA within the Basin; and

WHEREAS, the City of Merced, the City of Atwater, the City of Livingston, Winton Water and Sanitary District, Planada Community Services District, Le Grand Community Services District, and Merced Irrigation District are parties who have collectively executed the "Memorandum of Understanding Forming the Merced Irrigation-Urban Groundwater Sustainability Agency" (MIUGSA MOU); and

WHEREAS, the MIUGSA MOU is comprised of local agencies as defined under the SGMA and are therefore eligible to serve as an individual GSA within the Basin, or to join other parties in an MOU to serve as a GSA within the Basin; and

WHEREAS, each of the parties to the MIUGSA MOU have approved and executed said MOU through a public meeting as a result of an action undertaken by the respective party; and

WHEREAS, Section 10723.2 of the SGMA requires that a GSA consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans; and

WHEREAS, Section 10723.8 of the SGMA requires that a local agency electing to be a GSA notify the DWR of its election and intention to undertake sustainable groundwater management within a basin; and

WHEREAS, the City of Merced held a public hearing at 6:00 p.m. on Monday, May 1, 2017 at the Merced Civic Center, 678 West 18th Street, Merced, CA 95340, after publication of notice pursuant to Government Code section 6066 to consider the adoption of this Resolution; and

WHEREAS, the City of Merced wishes to exercise the powers and authorities of a GSA granted by the SGMA through the MIUGSA MOU;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City of Merced hereby elects to become a party of the MIUGSA MOU for that portion of the Merced Groundwater Subbasin lying within its boundaries.

SECTION 2. The MIUGSA will develop an outreach program to include all stakeholders to ensure that all beneficial uses and users of groundwater are considered.

SECTION 3. The City of Merced has been authorized by the MIUGSA MOU to submit to the DWR a notice of intent to undertake sustainable groundwater management in accordance with the SGMA (Part 2.74 of the Water Code).

SECTION 4. The notification shall include the boundaries of the Merced Groundwater Subbasin that the MIUGSA intends to manage, a copy of this resolution, a list of interested parties developed pursuant to Section 10723.2 of the SGMA, and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the MIUGSA groundwater sustainability plan.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2017, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 4-12-2017

City Attorney Date