

RESOLUTION NO. 2010-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AGREEMENTS WITH NIPOMO COMMUNITY SERVICES DISTRICT ON THE SALE AND DELIVERY OF SUPPLEMENTAL WATER

WHEREAS, the Nipomo Community Services District wishes to purchase supplemental water from the City of Santa Maria; and

WHEREAS, pursuant to a 2004 Memorandum of Understanding and a 2005 Stipulation settling groundwater litigation filed by Santa Maria Water Conservation District, the City and the District have negotiated acceptable terms for the sale; and

WHEREAS, the District, as lead agency, has certified an Environmental Impact Report (State Clearinghouse Number 2005071114), made required findings, and adopted a Statement of Overriding Considerations and a Mitigation Monitoring Program for a waterline intertie to facilitate the purchase; and

WHEREAS, the City, acting as a Responsible Agency, participated in the drafting of the Environmental Impact Report, considered the final report, adopted the District's mitigation measures and findings by reference, and approved the District's Mitigation Monitoring Report; and

WHEREAS, the City Council has caused preparation of, and has considered, an Addendum to the EIR;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Santa Maria, California, as follows:

1. An Agreement for Wholesale Water Supply in substantially the form attached hereto as Exhibit "A" is hereby approved;
2. An Agreement for Waterline Intertie Project Consistency Review in substantially the form attached hereto as Exhibit "B" is hereby approved;
3. The Acting Director of Administrative Services is authorized to receive funds from the Nipomo Community Services District for supplemental water sales.
4. The Director of Utilities or the Director's designee is hereby authorized and directed to execute the Agreement on the City's behalf, and to take all further steps necessary to implement the Agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Santa Maria held this 15th day of December, 2009.

Mayor

ATTEST:

Chief Deputy City Clerk

APPROVED AS TO FORM

Wendy K. ...
S1 ... City Attorney

APPROVED AS TO CONTENTS

[Signature]
City Manager

Department Head