

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA RATIFYING THE CACHUMA OPERATION AND MAINTENANCE BOARD'S APPROVAL OF THE DROUGHT EMERGENCY PUMPING FACILITY PROJECT AND RELATED CITY EXPENDITURES IN AN AMOUNT NOT TO EXCEED THE CITY'S ALLOCATED PROPORTIONATE SHARE OF THE \$6,000,000 PROJECT COST AND AUTHORIZING CERTAIN OTHER ACTIONS

WHEREAS, the City of Santa Barbara is duly organized and existing under the Constitution and laws of the State of California;

WHEREAS, pursuant to the Ralph M. Brown Act constituting Chapter 9 of Part 1 of Division 2 of Title 5 (commencing with Section 54950) of the California Government Code this meeting was duly noticed;

WHEREAS, the City of Santa Barbara is a member agency of the Cachuma Operation and Maintenance Board ("COMB"), which operates pursuant to the 1996 Amended and Restated Agreement for the Establishment of a Board of Control to Operate and Maintain the Cachuma Project Cachuma Operation and Maintenance Board, dated May 23, 1996 ("Amended and Restated Agreement"), as amended by an Amendment to the Amended and Restated Agreement made effective September 16, 2003 (collectively, the "Joint Powers Agreement");

WHEREAS, the Council of the City of Santa Barbara has determined, in accordance with Section 1.3(i) of the Joint Powers Agreement, to ratify COMB's previous approval of the Drought Emergency Pumping Facility Project ("Emergency Project" or "Project"), which Project cost will exceed One Million Dollars (\$1,000,000);

WHEREAS, the COMB Governing Board approved the Project and related actions thereto pursuant to Resolution Nos. 576 and 577 adopted on April 16, 2014 and May 7, 2014, respectively (collectively "COMB Emergency Project Resolutions");

WHEREAS, the Project consists of maintenance and repair operations to, among other things, install a floating platform-mounted system to pipe water from Lake Cachuma to the existing lake inlet tower, and to re-establish service of an existing water entry gate (Gate 5) on the inlet tower; and

WHEREAS, the purpose of the Project is to ensure the conveyance of Cachuma Lake water to the Tecolote Tunnel/South Coast Conduit and thence to customers on the south coast of Santa Barbara County, including the City of Santa Barbara's customers.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Council finds that the statements, findings and determinations set forth in the preambles above are true and correct.

SECTION 2. Pursuant to Section 1.3(i) of the Joint Powers Agreement, the Council of the City of Santa Barbara hereby ratifies COMB's approval of the Project and incurring of indebtedness for the Project in an amount not to exceed Six Million Dollars (\$6,000,000), as described in the COMB Emergency Project Resolutions, to be budgeted and paid over two fiscal year(s) from July 1, 2013 through June 30, 2015. The City of Santa Barbara is a South Coast Member Agency responsible for its portion of the cost of the Project in accordance with the COMB Emergency Project Resolutions.

The Council ratification is further expressly conditioned upon the approval and execution of an indemnification agreement between COMB and the Santa Ynez River Water Conservation District, Improvement District No. 1 ("Improvement District No. 1") with respect to the Project. Improvement District No. 1 shall have no obligation to pay any amount due or percentage share of the Project.

SECTION 3. As a South Coast Member Agency, the City of Santa Barbara shall have an obligation to pay its respective share of the costs of the Emergency Project in accordance with its respective percentage allocation as set forth in the COMB Emergency Project Resolutions. The respective percentage allocations of the South Coast Member Agencies as set forth therein is as follows:

Goleta Water District:	40.42%
City of Santa Barbara	35.88%
Montecito Water District:	11.50%
Carpinteria Valley Water District:	12.20%

The respective allocations and a South Coast Member Agency's liability thereto may be modified for the component of the Project cost related to the Electrical Power Component, as described in the COMB Emergency Project Resolutions.

SECTION 4. The City Administrator or the Public Works Director are hereby authorized to do any and all things and to execute and deliver any and all documents, which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this resolution.

SECTION 5. This resolution shall take effect immediately upon its passage.