

RESOLUTION NO. 2024-

Resolution of the City Council of the City of Orland Memorializing the City's Intention to Directly Fund the Glenn Groundwater Authority

WHEREAS, on August 29, 2014, the California State Legislature passed comprehensive groundwater legislation contained in Senate Bill ("SB") 1168, SB 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the "Sustainable Groundwater Management Act" ("SGMA"). Governor Brown signed the legislation on September 16, 2014, and it became effective on January 1, 2015.

WHEREAS, SGMA anticipates that each affected groundwater basin or subbasin will be regulated separately by one or more Groundwater Sustainability Agencies ("GSAs"). A local agency or combination of local agencies may elect to be the GSA for a basin or sub-basin. SGMA generally provides that a combination of local agencies may form a GSA through a joint powers agreement.

WHEREAS, the City of Orland is a signatory to the Joint Exercise of Powers Agreement, dated June 20, 2017, which established the Glenn Groundwater Authority ("GGA"), a separate legal entity that serves as the GSA for portions of the Colusa Subbasin.

WHEREAS, GGA is working in collaboration with the Colusa Groundwater Authority ("CGA"), a separate Colusa Subbasin GSA, to draft and implement a single Groundwater Sustainability Plan ("GSP") to manage the Colusa Subbasin under SGMA.

WHEREAS, when the GGA was created, its members agreed to fund the GGA's operations for the first two years of its existence. Thereafter, the joint powers agreement provided that the GGA's members would establish a source of funding to finance the GGA's long-term SGMA compliance responsibilities.

WHEREAS, funding is needed for the GGA's long-term SGMA compliance responsibilities which include, but are not limited to: GSP development, technical studies, monitoring and data management, coordination and public outreach efforts, implementation of the GSP, yearly reporting to the Department of Water Resources, updating the GSP every five years, staff, insurance, legal services, bookkeeping, and office needs.

WHEREAS, the GGA has previously adopted a property related fee of \$1.93 per acre on parcels in its service area to finance its SGMA compliance responsibilities. The GGA's property related fee was adopted in compliance with the applicable procedural and substantive requirements of the California Constitution, Article XIII D, § 6, commonly known as Proposition 218. The GGA is currently undertaking an analysis to adjust this property related fee.

WHEREAS, to reduce the administrative costs of levying the property related fee, the City of Orland will pay the GGA directly in the amount of property related fee as applied to the acreage within the City limits of Orland as adjusted and to property owned outside the City limits by the City of Orland.

WHEREAS, submitting the property related fee for acreage within City limits and other property owned by the City will reduce the administrative costs of administering the property-related fee by reducing the number of smaller parcels for which the GGA would need to include in the Proposition 218 process of adopting a property-related fee.

WHEREAS, the GGA's property-related fee as adjusted will be levied for five (5) years. Accordingly, the City of Orland's commitment is to fund the GGA for at least the next five (5) years at the same rate applied in the GGA-adopted property-related fee.

NOW, THEREFORE, BE IT RESOLVED, that the City of Orland commits to fund the GGA each year for the next five years in the amount of the GGA property-related fee as adjusted and as applied to acreage in the City limits and/or owned by the City.

PASSED AND ADOPTED by the Orland City Council this 7th day of May, 2024 by the following vote:

AYES:

NOES: None

ABSENT: None

ABSTAIN: None

Chris Dobbs, Mayor

ATTEST:

Jennifer Schmitke, City Clerk