

RESOLUTION NO. 2020-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
ADOPTING ADDENDUM NO. 1 TO THE AMENDED AND RESTATED MOU**

WHEREAS, in September 2014, the Sustainable Groundwater Management Act (“SGMA”) was signed into law, with an effective date of January 1, 2015, and codified at California Water Code, Section 10720 et seq; and

WHEREAS, the legislative intent of SGMA is to, among other goals, provide for sustainable management of alluvial groundwater basins and Basins defined by the California Department of Water Resources (“DWR”), to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide specified local agencies with the Agency and the technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, Water Code section 10723(a) authorizes a “local agency” with water supply, water management or local land use responsibilities, or a combination of local agencies with such responsibilities overlying a groundwater basin, to decide to become a Groundwater Sustainability Agency (GSA) under SGMA; and

WHEREAS, the Bear Valley Basin Groundwater Sustainability Agency (“Agency”) is a “local agency” comprised of the Big Bear City Community Services District (BCCSD), the City of Big Bear Lake, Department of Water and Power (BBLDWP), the Big Bear Municipal Water District (BBMWD) and the Big Bear Area Regional Wastewater Agency (BBARWA) (each a “Member”) with “water management” responsibilities within the Bear Valley Groundwater Basin (DWR Bulletin 118, No. 8-009) (the “Basin”); and

WHEREAS, effective July 24, 2018, the Agency, BCCSD, BBLDWP, BBMWD, and BBARWA, jointly referred to as the “Parties” agreed to a Memorandum of Understanding (MOU) to document their mutual intent regarding the contributions and reimbursements for the implementation of a reclamation project (Project); and

WHEREAS, in October and November 2019, the Parties agreed to an Amended and Restated MOU to provide for additional cost-sharing contributions from each member agency to fund water quality sampling and Phase II of the Project; and

WHEREAS, to simplify interagency accounting practices and to simplify the budget for the Agency, the Agency no longer desires to act as a clearinghouse for the Parties’ contributions related to the Project; and

WHEREAS, in Addendum No. 1, BBARWA desires to directly invoice the Parties for costs associated with the Project as agreed upon in the Amended and Restated MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BEAR VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY AS FOLLOWS:

Section 1. Unless otherwise agreed, BBARWA will invoice each of the Parties for 25% of the costs of the Studies as incurred. Along with such invoice, BBARWA will provide an accounting of total costs paid to date and the remaining available Contributions. Upon receipt of an invoice from BBARWA, each Party will reimburse BBARWA according to the payment terms presented by BBARWA.

PASSED, APPROVED AND ADOPTED this 16th day of June 2020 by the following vote:

AYES: Green, Ludecke, Miller
NOES:
ABSENT: Hjorten



Bob Ludecke, BOARD CHAIRMAN

ATTEST:



Jim Miller, SECRETARY