

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION DETERMINING SUFFICIENCY OF RESOLUTIONS TO FORM AND JOIN THE BAY AREA WATER SUPPLY AND CONSERVATION AGENCY

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of

California, that

WHEREAS, the Bay Area Water Supply and Conservation Agency Act, enacted in 2002 (AB 2058), and now contained at Section 81300 et seq. of the Water Code, provides for the formation of an agency to participate in the coordinated planning and implementation of strategies for water supply, water conservation, water recycling, and repair and improvement of the San Francisco regional water system; and

WHEREAS, the Act further provides that the agency will be formed if at least 15 of the 26 public entities which purchase water from San Francisco under the Master Water Sales Contract, representing at least 60% of the total water deliveries under the Master Water Sales Contract to those 26 public entities, adopt resolutions stating that the Agency should be formed and that the entity should become a member of the Agency; and

WHEREAS, Section 81325 of the Act provides that the Board of Supervisors shall determine that the resolutions adopted by the affected public entities, and forwarded to the Board, meet the statutory threshold for creation of the Agency and shall enter such determination in the Board's minutes; and

WHEREAS, Section 81326 of the Act provides that the Clerk of the Board, not later than 10 days from the date of the Board's order, shall file a certificate with the Secretary of State

identifying the name of the Agency and the names of each public entity that is a member of the Agency, along with a map indicating the boundaries of the Agency and its constituent entities;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The Board has received and examined resolutions from 26 public entities, a list of which is attached hereto as Exhibit A, representing 100% of the total water deliveries under the Master Water Sales Contract, and determines those Resolutions to be in order.

2. The Board hereby declares that the Bay Area Water Supply and Conservation Agency has been formed.

3. The Clerk of the Board is hereby directed to enter the declaration that the Agency has been formed into the minutes of the Board of Supervisors, and is further directed to file with the Secretary of State, within 10 days, a certificate identifying the name of the Agency and the names of each public entity that is a member of the Agency, and a map of the Agency with reference to the boundaries of each member public entity substantially in the form attached hereto as Exhibit B.

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