

IN THE BOARD OF SUPERVISORS
SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

_____ day _____, 20_____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AN
AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES
FOR THE 2013-2014 MULTI-YEAR WATER POOL PROGRAM**

The following resolution is hereby offered and read:

WHEREAS, the San Luis Obispo County Flood Control and Water Conservation District (FCWCD) has contracted with the State of California Department of Water Resources (DWR) for State Water Project (SWP) water service and other water deliveries pursuant to a long-term water supply contract dated February 26, 1963, and as subsequently amended (Water Supply Contract); and

WHEREAS, pursuant to Article 6(a) and Table A of the Water Supply Contract, FCWCD currently has an annual entitlement to 25,000 acre feet of SWP water per year; and

WHEREAS, Article 56(d) of the Water Supply Contract, added to the Water Supply Contract as part of the 1996 Monterey Amendment, establishes a single-year annual entitlement water pool program (Turnback Pool Program); and

WHEREAS, the Turnback Pool Program is the exclusive mechanism under the Water Supply Contract by which FCWCD may sell its excess (undesired) annual entitlement and/or purchase another SWP contractor's excess annual entitlement; and

WHEREAS, on January 14, 2003, the Board of Supervisors adopted Excess Entitlement Policies that create priorities for the use of excess water and authorize the Director of Public Works to determine the annual amount of excess entitlement to be transferred to the Turnback Pools; and

WHEREAS, in response to continuing dry conditions statewide and issuance of Executive Order B-21-13, DWR has established the 2013-2014 Multi-Year Water Pool Demonstration Program (Water Pool Program) in order to allow water-short SWP contractors to purchase water from other willing SWP contractors for two (2) consecutive years at a reasonable cost; and

WHEREAS, since entering into the Water Supply Contract, FCWCD has allocated only 8,487 acre feet per year of its annual entitlement to other local agencies and water purveyors (SWP Subcontractors); and

WHEREAS, FCWCD continues to hold an excess allocation of 15,273 acre feet per year; and

WHEREAS, the Water Pool Program provides FCWCD with an opportunity to sell its excess allocation and provides financial benefits to the FCWCD and its stakeholders; and

WHEREAS, consistent with the Excess Entitlement Policies, the Director of Public Works will consult with the SWP Subcontractors prior to entering into an agreement with DWR for the Water Pool Program.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District, as follows:

1. That the San Luis Obispo County Director of Public Works be and hereby is authorized and directed to execute on behalf of the San Luis Obispo County Flood Control and Water Conservation District the proposed agreement with the State of California Department of Water Resources for the 2013-2014 Multi-Year Water Pool Program.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By:


Deputy County Counsel

Dated: June 5, 2013

STATE OF CALIFORNIA,)
) ss.
County of San Luis Obispo,)

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20__.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board of Supervisors

By _____
Deputy Clerk.