

RESOLUTION NUMBER ONE OF THE BOARD OF THE EAST ACTON
GROUNDWATER SUSTAINABILITY AGENCY

GOVERNANCE

WHEREAS, the Sustainable Groundwater Management Act of 2014, California Water Code section 10720 et. seq. (SGMA), went into effect on January 1, 2015; and

WHEREAS, the legislative intent of SGMA is to provide for the sustainable management of groundwater basins, to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to manage groundwater basins through the actions of local governmental agencies to the greatest extent feasible while minimizing state intervention; and

WHEREAS, SGMA requires that California groundwater basins and subbasins designated by the California Department of Water Resources as high priority or medium priority be managed by one or more Groundwater Sustainability Agencies (GSAs) and that such management be accomplished pursuant to one or more approved Groundwater Sustainability Plans (GSPs) for the basin; and

WHEREAS, California Water Code Section 10721(j) defines a GSA as one or more local agencies that implement the provisions of SGMA; and

WHEREAS, any local public agency that has water supply, water management, or land use responsibilities within a groundwater basin may decide to become a GSA over that basin (California Water Code Sections 10721 and 10723); and

WHEREAS, SGMA provides that a combination of local agencies may form a GSA by a joint powers agreement, a memorandum of agreement, or other legal agreement (Water Code Section 10723.6); and

WHEREAS, County of Los Angeles and Los Angeles County Waterworks District No. 37, Acton, overlies a portion of the non-adjudicated Antelope Valley Basin number 6-044 per the State of California, Department of Water Resources (DWR) Groundwater Bulletin 118, which has been designated by the State of California as a high priority basin; and

WHEREAS, County of Los Angeles and Los Angeles County Waterworks District No. 37, Acton, has water supply and water management responsibilities within the Antelope Valley Basin; and

WHEREAS, it is beneficial to the health, safety, and water supply reliability of the Antelope Valley Basin for the County of Los Angeles and Los Angeles County Waterworks District No. 37, Acton, to retain local jurisdiction and control over groundwater resources within the non-adjudicated portions of Antelope Valley Basin; and

WHEREAS, County of Los Angeles and Los Angeles County Waterworks District No. 37, Acton, will work cooperatively with other local users of groundwater to manage groundwater in compliance with SGMA; and

WHEREAS, County of Los Angeles and Los Angeles County Waterworks District No. 37, Acton, formed the East Acton Groundwater Sustainability Agency (East Acton-GSA) by executing a Memorandum of Understanding approved through a resolution by the Los Angeles County Board of Supervisors on the May 23, 2017 public hearing to work collaboratively to manage groundwater resources within their respective service areas in the Antelope Valley Basin and to comply with SGMA; and

WHEREAS, adoption of this Resolution does not constitute a project under the California Environmental Quality Act because it does not result in any direct or indirect physical change in the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the East Acton Groundwater Sustainability Agency does hereby:

- 1) Affirm the Appointment Mitch Glaser from the County of Los Angeles and affirm the Appointment of Paul Maselbas of Los Angeles County Waterworks District No. 37, Acton, to become the two equally weighted voting members of the newly formed East Acton Groundwater Sustainability Agency.
- 2) Approve the Appointment of Chairperson of the Board.
- 3) Approve the governance Bylaws for East Acton Groundwater Sustainability Agency as prepared in Exhibit A.

The foregoing Resolution was on the 6th day of November, 2017, adopted by the Board Members of the governing body of the East Acton Groundwater Sustainability Agency.

PAUL MASELBAS
Director of the East Acton
Groundwater Sustainability Agency

By: 
Director

MITCH GLASER
Director of the East Acton
Groundwater Sustainability Agency

By: 
Director

BYLAWS

ARTICLE I. NAME OF ORGANIZATION

East Acton Groundwater Sustainability Agency

ARTICLE II. ORGANIZATION PURPOSE

Section 1. Purpose

The purpose of the East Acton Groundwater Sustainability Agency is to manage groundwater in the non-adjudicated portion of the Antelope Valley Groundwater Basin 6-044 in accordance with the Sustainable Groundwater Management Act (SGMA).

The SGMA, a collection of three bills (AB 1739, SB 1168, and SB 1319), provides East Acton Groundwater Sustainability Agency with the framework necessary to sustainably manage medium and high priority groundwater basins, as described by the act, with the goal to bring the basin into balance in 20 years. The SGMA is the State's first attempt to regulate and manage the use of groundwater.

The California Department of Water Resources has identified groundwater basins in California that are subject to the SGMA. The SGMA provides local agencies or counties the authority to establish GSAs and develop and implement Groundwater Sustainability Plans (GSPs) that consider all beneficial uses and users of groundwater in the basin. Groundwater basins designated as high and medium priority by the State must develop GSPs. Adjudicated basin areas are not required to form a GSA, as they are already being effectively managed.

The SGMA provides for a tailored approach to planning, and puts responsibilities at the local level for managing a basin's groundwater resources. Minimum standards are established for sustainable groundwater management by improving coordination between land use and groundwater planning.

The Los Angeles County Department of Public Works and the Los Angeles County Department of Regional Planning, which is the land use planning agency for unincorporated areas, are required to form GSAs by executing MOUs with other involved water agencies in each applicable basin by June 30, 2017. SGMA allows multiple local agencies to act as a single GSA through a legal agreement.

Section 2. Specific Purpose

The specific objectives and purpose of this East Acton Groundwater Sustainability Agency shall be:

- a. to provide local decision making for the implementation of the SGMA;

BYLAWS OF THE EAST ACTON GROUNDWATER SUSTAINABILITY AGENCY

ARTICLE III. MEMBERSHIP

The membership of the East Acton Groundwater Sustainability Agency shall consist of the members of the Board of Directors.

Section 1. Non-voting Membership

The board shall have the authority to establish and define non-voting categories of membership such as advisory committees to SGMA matters.

ARTICLE IV. BOARD OF DIRECTORS

Section 1. General Powers

The affairs of the East Acton Groundwater Sustainability Agency shall be managed by its Board of Directors. The Board of Directors shall have control of and be responsible for the management of the affairs of East Acton Groundwater Sustainability Agency.

Section 2. Number, Tenure, Requirements, and Qualifications

The number of Directors shall be fixed from time-to-time by the Directors but shall consist of no less than two (2).

Each member of the Board of Directors shall be a staff of the local agencies that are signatory to the MOU forming East Acton Groundwater Sustainability Agency. Each member shall hold office for a three-year term. The initial terms may be staggered.

Each member shall be appointed by the Director, or his or her designee, of the County of Los Angeles Department that is a member of the GSA signatories (e.g. Department of Public Works and Department of Regional Planning).

The members of the Board of Directors shall, upon appointment, immediately enter upon the performance of their duties and shall continue in office until their successors are appointed. Subject to Section 5, all additional members of the Board of Directors, if any, must be approved by a majority vote of the members present and voting. No vote on new members of the Board of Directors, or Advisory Council, shall be held unless a quorum of the Board of Directors is present as provided in Section 6 of this Article.

Section 3. Meetings

Meetings will be scheduled as needed, but no less than two times per calendar year.

Section 4. Notices

Meeting Notice with Agenda shall be posted 72 hours in advance of the meeting at the public location of the meeting.

Section 5. Quorum

The presence, in person of both members of the Board of Directors shall be necessary at any meeting to constitute a quorum to transact business, but a lesser number shall have power to adjourn to a specified later date without notice.

Section 6. Vacancies

Whenever any vacancy occurs in the Board Members it shall be filled without undue delay by Director of the County of Los Angeles Department that the vacancy occurred in, If the then existing Board consists of more than two members, the appointment shall be a nominee, and subject affirmation by the remaining members of the Board Members at a scheduled meeting. If the nominee is not approved by the Board, the respective Director, or his or her designee, shall appoint another Board member who shall not need to be affirmed by the remaining members of the Board.

Section 7. Compensation

Members of the Board shall not receive any compensation for their services as Directors, other than as regularly provided by their County employment.

Section 8. Confidentiality

Directors shall use discretion and good business judgment in discussing the affairs of the Agency with third parties.

Section 9. Advisory Committee to Agency

An Advisory Committee may be created by the Board whose members shall be an interested party to the East Acton GSA. Board of Directors will provide approval of such a committee but who shall have no duties, voting privileges, nor obligations for attendance at regular meetings of the Board.

Section 10. Parliamentary Procedure

Any question concerning parliamentary procedure at meetings shall be determined by the Board Member by reference to Robert's Rules of Order.

ARTICLE V. INDEMNIFICATION

Section 1. General

To the full extent authorized under the laws of the State of California,, the Ordinances, Resolutions and Policies of the County of Los Angeles ("County), the County shall indemnify, defend, and hold harmless any County Director for his or her acts as a East Acton Groundwater Sustainability Agency Director.. The foregoing indemnification shall not be deemed exclusive of any other rights to which a Director may be entitled under any bylaw, agreement, resolution of the Board of Directors, or otherwise.

ARTICLE VI. MEETINGS

Section 1. Meetings shall be open to the public.

Section 2. Meetings shall conform to Roberts Rules of Order to the extent reasonably practicable. (e.g. motion, second, discussion, public discussion, vote).

Section 3. The Chairperson of the Board shall be approved by majority vote of the Board from time to time. Only a Director may be the Chairperson.

Section 4. Meeting shall be run by the Chairperson of the Board

Section 5. To the extent practicable, resolutions shall be used to evidence the actions of the Board.

Section 6. Minutes of Board meetings, including votes taken, shall be kept and be available to the public to review.

ARTICLE VII. AMENDMENTS

Section 1. Articles of Incorporation

The Articles may be amended in any manner at any notice meeting of the Board Members. All amendments of the Articles shall require the affirmative vote of an majority of voting Board members then in office.

Section 2. Bylaws

The Board of Directors may amend these Bylaws by majority vote at any noticed meeting. Written notice setting forth the proposed amendment or summary of the changes to be effected thereby shall be given to each voting Board Member within the time and the manner provided for the giving of notice of meetings of directors.

