

A Resolution of the Board of Directors of the  
Santa Barbara County Flood Control and Water Conservation District  
State of California

Delegating the County Public Works            )  
Director the Authority to Approve Certain    )  
Actions regarding the State Water Project    )     Resolution No. \_\_\_\_\_

WHEREAS, In 1963, the Santa Barbara County Flood Control & Water Conservation District (District) and the State of California, Department of Water Resources (Department) executed a contract by which the District could participate in the State Water Project (SWP); and

WHEREAS, The SWP contract stipulates the amount of water that the District may request in each year (Table A Allocation) and the obligation to pay the Department for specified costs, including construction, transportation, maintenance and repair; and

WHEREAS, The SWP contract established conditions under which the Department would complete the facilities necessary to deliver water to Santa Barbara County area; and

WHEREAS, The District attempted to partially satisfy those conditions as to funding local distribution facilities through a County-wide bond election in 1978, which election failed; and

WHEREAS, Rather than relinquish its rights under the SWP Contract as a result of the bond election failure, the District agreed to contracts known as Water Supply Retention Agreements (WSRA) with a number of individual water purveyors; and

WHEREAS, The various WSRA's transferred certain rights and responsibilities to the water purveyors, including approving completion of local facilities and connection to the SWP; and

WHEREAS, The water purveyors and the District executed the WSRA's in good faith, including gaining necessary voter approval for local bonds in June 1991; and

WHEREAS, In August 1992, the water purveyors formed the Central Coast Water Authority (CCWA) to act on their behalf in constructing and operating the Coastal

Branch and related facilities, and to represent their interests to other agencies including the Department and the District; and

WHEREAS, The Department has declined to consent to a complete assignment of the SWP contract by the District to CCWA; and

WHEREAS, The District and CCWA executed a Transfer of Financial Responsibility agreement (TFRA) in November 1991; and

WHEREAS, The TFRA establishes the rights and responsibilities of CCWA relating to delivery of SWP water to Santa Barbara County area, including an obligation that CCWA pay for all SWP Contract related costs; and

WHEREAS, The TFRA provides protection to the District against failure of CCWA or any of its members to pay SWP Contract costs; and

WHEREAS, The Coastal Branch and local facilities were constructed to the satisfaction of DWR; and

WHEREAS, The Department has agreed to the District and CCWA entering into the TFRA, and since 1991 has dealt with CCWA directly on issues within the scope of the TFRA; and

WHEREAS, The District and CCWA have carried out their respective responsibilities under the TFRA without conflict since 1991; and

WHEREAS, From time to time, CCWA proposes activities or agreements that the Department will agree to provided the District gives its consent; and

WHEREAS, From time to time the Department seeks the District's concurrence with agreements relating to activities under the SWP contract; and

WHEREAS, The District and CCWA wish to reduce the administrative burden of certain of these agreements; and

WHEREAS, The District and CCWA have identified a number of activities that are consistent with the scope of the SWP Contract and TFRA and do not conflict with established policy; examples of which are operational changes, delivery specifics and short term acquisitions, exchanges or sales.

NOW, THEREFORE, it is resolved by the Board of Directors as follows:

The Public Works Director or designee are hereby authorized to review and approve, on behalf of the District, any action including agreements between the CCWA and the Department so long as the Director determines that any such action is consistent within the TFRA and satisfies all of the following conditions:

1. The proposed action does not affect existing SWP Contract Table A amount and does not increase financial risk to the District; and
2. The proposed action does not change the financial protections afforded the District under the TFRA; and
3. The proposed action does not change institutional relationships among the Department, the District and CCWA.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District, State of California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2008 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

ATTEST:  
MICHAEL F. BROWN  
CLERK OF THE BOARD

SANTA BARBARA COUNTY FLOOD  
CONTROL & WATER CONSERVATION  
DISTRICT

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_  
Supervisor Salud Carbajal  
Chair, Board of Directors

APPROVED AS TO FORM:  
DENNIS MARSHALL,  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS,  
AUDITOR CONTROLLER

By:   
Deputy County Counsel

By:   
Deputy