

EXHIBIT 6

3/20/90

RESOLUTION NO. 90-31

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA MARIA ESTABLISHING THE SANTA BARBARA
WATER PURVEYORS AGENCY AS THE ENTITY THROUGH WHICH
DECISIONS ARE TO BE MADE AND TRANSMITTED PURSUANT
TO THE WATER SUPPLY RETENTION AGREEMENTS

WHEREAS, on June 25, 1985, the City of Santa Maria entered into an agreement with the Santa Barbara County Flood Control and Water Conservation District ("District") designated "Water Supply Retention Agreement", Model I, 12/11/84, as amended by First, Second & Third Amendments, ("WSRA") and is, pursuant to the WSRA, one of the "Contractors" to which "Retained Rights" were assigned pursuant to the WSRA; and

WHEREAS, this entity is a member of the Santa Barbara Water Purveyor's Agency ("SBWPA"), a joint powers agency formed on November 16, 1982 to, among other things, develop water and water supplies and to coordinate water planning and operations and relations with other agencies; and

WHEREAS, Article 5(c) of the WSRA provides that the Contractors under the WSRA shall make all decisions relating to the retained rights and shall transmit those decisions to the District, who shall communicate them to the State of California, Department of Water Resources ("DWR") or shall transmit those decisions to a "designated representative of the Contractors" for communication to DWR and "....shall organize themselves to enable the making and transmission of such decisions"; and

WHEREAS, to facilitate the joint decision-making contemplated and required by the WSRA, it is the desire and intention of the parties to the WSRA to use the SBWPA as the forum for the making and transmission of such decisions and to designate the Engineer Manager of the SBWPA as their representative to communicate such decisions to either the District or the DWR.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Santa Barbara Water Purveyors Agency is hereby acknowledged, ratified, and designated as the entity referred to in Article 5(c) of the WSRA, as the organization through which the making and transmission of all decisions relative to the WSRA shall be made.

2. Any decision of the SBWPA relating to the WSRA shall be subject to ratification by contractors holding a majority of the Retained Rights existing at the time of the decision in compliance with the provisions of Article 5(c) of the WSRA.

3. Ratification of any decision by this entity shall be in writing, communicated to the Engineer Manager of the SBWPA.

4. The Engineer Manager of the SBWPA is hereby designated as this entity's representative to transmit and communicate any decisions of the SBWPA ratified by Contractors holding a majority of the Retained Rights under the WSRA.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Santa Maria held on the 20th day of March 1990.

George S. Hobbs Jr.
Mayor

ATTEST:
Janet Kalland
City Clerk

APPROVED: [Signature]
CITY CLERK

CONTENTS:
[Signature]
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF SANTA MARIA)

I, JANET KALLAND, City Clerk of the City of Santa Maria and ex officio Clerk of the City Council DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution No. 90-31 which was duly and regularly introduced and adopted by said City Council at a regular meeting held March 20, 1990 by the following vote:

AYES: Councilmembers Dan A. Firth, Bob Orach, Curtis J. Tunnell, Thomas B. Urbanske and Mayor George S. Hobbs, Jr.

NOES: None.

ABSENT: None.

File: A-292.8

Janet Kalland
City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

EXHIBIT 7

RESOLUTION NO. 91-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA MARIA AUTHORIZING THE RATIFICATION OF
SANTA BARBARA WATER PURVEYORS AGENCY (SBWPA)
RESOLUTION REGARDING THE APPROVAL BY THE STATE
DEPARTMENT OF WATER RESOURCES OF THE ASSIGNMENT OF
RIGHTS EMBODIED IN THE WATER SUPPLY RETENTION AGREEMENTS

The City Council of the City of Santa Maria, California,
hereby resolve as follows:

1. The SBWPA Resolution No. 90-10 regarding the
approval by the State Department of Water Resources of the
Assignment of Rights Embodied in the Water Supply Retention
Agreements is hereby ratified.

2. The Mayor or, in the Mayor's absence, the City
Administrator is hereby authorized to execute the necessary
documents.

PASSED AND ADOPTED at a regular meeting of the City
Council of the City of Santa Maria held on the 15th day of January
1991.

ATTEST

city clerk

Mayor

APPROVED AS TO FORM:

BY:

CITY ATTORNEY

CONTENTS:

BY:

DEPARTMENT HEAD

BY:

CITY ADMINISTRATOR

**DWR WSRA ASSIGNMENT APPROVAL
RESOLUTION NO. 90-10**

**A RESOLUTION OF
THE SANTA BARBARA WATER PURVEYORS AGENCY
REGARDING THE APPROVAL BY
THE STATE DEPARTMENT OF WATER RESOURCES
OF THE ASSIGNMENT OF RIGHTS EMBODIED IN
THE WATER SUPPLY RETENTION AGREEMENTS**

WHEREAS, on July 1, 1989, Model I of the Water Supply Retention Agreements (WSRAs), which had previously been entered into by various members and associate members of the Santa Barbara Water Purveyors Agency (the Contractors) and the Santa Barbara County Flood Control and Water Conservation District (the District), became effective assigning the District's rights under the 1963 State Water Contract (the Water Supply Contract) between the District and the Department of Water Resources (DWR) to the Contractors; and

WHEREAS, Article 41 of the Water Supply Contract contemplates formal approval by DWR of assignments of rights under that contract; and

WHEREAS, a search of the District's records indicates that the District has not yet sought and obtained the required approval of DWR of the WSRA assignments; and

WHEREAS, the Contractors have, in good faith reliance on the WSRAs, invested over \$4,881,500 in payments to the District for transmittal to DWR to pay the obligations assigned by the District to the Contractors, and are currently paying in excess of \$2,350,000 per year to maintain those assigned rights; and

WHEREAS, the Contractors since entering into the WSRAs have exercised their rights under the agreements and have contracted with the DWR through the District to have DWR complete preliminary design, feasibility and environmental analysis of two major water projects, and have taken action to import a portion of their Water Supply Contract entitlement water to Santa Barbara County through temporary pipeline facilities as part of ongoing emergency drought measures being implemented and have taken action to extend the time to exercise the option to reacquire relinquished entitlement under the Water Supply Contract and to relocate the Santa Maria terminus of the Coastal Branch Aqueduct Project; and

WHEREAS, the Contractors have made decisions, communicated their decisions to the District and the District has transmitted their decisions to DWR pursuant to and in compliance with the provisions of the WSRA, and all parties, the Contractors, the District and DWR have acted since 1989 in compliance with the terms and provisions of the WSRAs; and

**SBWPA Resolution
DWR WSRAs Assignment Approval**

WHEREAS, given the significant investment and future financial obligations, it is the desire of the Contractors to maintain full technical compliance with the terms of the WSRAs and the Water Supply Agreement.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Contractors hereby direct the Consultant Manager of the SBWPA, James Stubchaer, to submit the WSRAs to the DWR for its formal approval and to coordinate the submittal with the District and its staff.

2. The Contractors hereby request the District, pursuant to Article 5 (c) of the WSRAs, in coordination with the Consultant Manager, dated to provide certified copies of (a) District Resolution No. 1266, dated December 6, 1982, and (b) executed copies of Model I of the WSRAs, dated 12/11/84 (as amended by the First, Second and Third Amendments) for transmittal to DWR at the earliest possible date and in no event later than January 10, 1991.

3. The Contractors hereby agree, pursuant to Article 3 (c) of the WSRAs, to reimburse the District for all costs and expenses which the District becomes obligated to pay under the Water Supply Contract regarding the Contractors' retained rights as a result of any action which District may take pursuant to this request.

4. The Secretary of this Agency is hereby directed to submit this Resolution to each contractor holding retained rights for ratification.

5. The Consultant Manager is hereby authorized to communicate this action to the District and to DWR as soon as (a) contractors holding a majority of the retained rights under the WSRAs have ratified this Resolution. The Consultant Manager is further authorized to take whatever action is required, in cooperation with the District, on behalf of the Contractors, to carry out the purpose and intent of this resolution.

Adopted this 13th day of December 1990 at a duly noticed meeting of the Santa Barbara Water Purveyors Agency by the following vote:

AYES, in favor thereof:

Buellton CSD
Carpinteria CWD
Goleta WD
City of Lompoc
Mission Hills CSD

**SBWPA Resolution
DWR WSRA Assignment Approval**

Montecito WD
City of Santa Barbara
City of Santa Maria
Santa Ynez RWCD
Santa Ynez RWCD ID #1
Vandenberg Village CSD

NOS, opposed:

None

ABSENT, and not voting:

Casmalia CSD
City of Guadalupe
Summerland CWD

ABSTENTIONS:

None


Reese Riddiough, Secretary


Curtis Tunnell, Chair

RATIFIED BY:

CITY OF SANTA MARIA

[Contractor]

CONTENTS:

11,300

AF

BY: 
DEPARTMENT HEAD

[Amount of Retained Rights]

BY: 
CITY ADMINISTRATOR

[Date]

APPROVED AS TO FORM:

By: 
[President or Mayor] [Title] City Administrator

BY: 
CITY ATTORNEY

By: 
[Secretary or Clerk] [Title] City Clerk


STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF SANTA MARIA)

I, JANET KALLAND, City Clerk of the City of Santa Maria and ex officio Clerk of the City Council DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution No. 91-12 which was duly and regularly introduced and adopted by said City Council at a regular meeting held January 15, 1991 by the following vote:

AYES: Councilmembers Dan A. Firth, Bob Orach,
 Curtis J. Tunnell, Thomas B. Urbanske and
 Mayor George S. Hobbs, Jr.

NOES: None.

ABSENT: None.



City Clerk of the City of Santa
Maria and ex officio Clerk of the
City Council

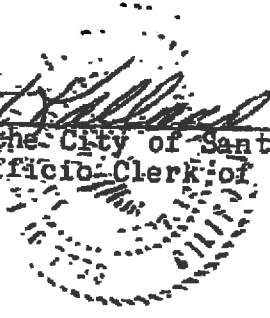


EXHIBIT 8


RESOLUTION NO. 91- 151

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA MARIA AUTHORIZING THE RATIFICATION OF
SANTA BARBARA WATER PURVEYORS AGENCY (SBWPA)
RESOLUTION NO. 91-14 REGARDING REACQUISITION OF
ENTITLEMENT IN THE STATE WATER PROJECT (SWP) FROM
THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR)**

The City Council of the City of Santa Maria, California,
hereby resolve as follows:

1. The SBWPA Resolution #91-14 regarding reacquisition of entitlement in the State Water Project is hereby ratified.
2. The Mayor or, in the Mayor's absence, the City Administrator is hereby authorized to execute the necessary documents.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Santa Maria on the 3rd day of September 1991.



Mayor

ATTEST



City Clerk

APPROVED AS TO FORM:

BY: 

CITY ATTORNEY

CONTENTS:

BY: 

DEPARTMENT HEAD

BY: 

CITY ADMINISTRATOR

EXHIBIT "D"

**SBWPA Resolution 91-14
Reacquisition of Water
Entitlement from DWR**

**RESOLUTION NO. 91-14 OF THE
SANTA BARBARA WATER PURVEYORS AGENCY
REGARDING REACQUISITION OF ENTITLEMENT IN THE
STATE WATER PROJECT**

WHEREAS, pursuant to the 1963 State Water Supply Contract (SWP Contract) between the State of California, Department of Water Resources (DWR) and the Santa Barbara County Flood Control and Water Conservation District (District), the District acquired entitlement to 57,700 acre-feet per year (AFY) from the State Water Project (SWP) for the benefit of local water purveyors. In 1981, the District polled public and private water purveyors and other interested parties in Santa Barbara (Water Purveyors) to determine how much, if any, SWP entitlement they wished to reserve. After considering the responses, the District determined that 12,214 AFY was surplus to the needs of the Water Purveyors and requested DWR to reduce the District's entitlement (the 12,214 AFY is hereinafter referred to as the "Relinquished Entitlement"); and

WHEREAS, Amendment #9 to the SWP Contract was signed in September 1981, and reduced the District's entitlement to 45,486 AFY, without the approval of the Water Purveyors; and

WHEREAS, in 1983 the District entered into Water Supply Retention Agreements (WSRAs) with certain Water Purveyors (hereinafter the Water Purveyors which executed the WSRA's are referred to as "Contractors") transferring the District's rights under the SWP Contract to the Water Purveyors; and

WHEREAS, over the past several years, a number of Water Purveyors have indicated that they wish to increase their allocated share of SWP water under the SWP Contract or to acquire SWP rights for the first time; and

WHEREAS, the reacquisition of Relinquished Entitlement is the most expedient, logical and only means of securing additional water supplies and entitlement in the SWP; and

WHEREAS, pursuant to the terms of a 1987 settlement of the lawsuit by the San Luis Obispo Flood Control and Water Conservation District against DWR alleging improper administration of the SWP Contract regarding Aqueduct Reach 31A, the District has the right to reacquire part or all of the Relinquished Entitlement; and

WHEREAS, the reacquisition right was originally granted to March 12, 1989, and was extended twice by DWR, at the request and direction of the Contractors through the Santa Barbara Water Purveyors Agency, first to December 31, 1990, and then to December 31, 1991, in order to permit completion of the environmental impact reports being prepared for the Coastal Aqueduct, the Cachuma Enlargement Project, and related projects, which reports would assist the Contractors in ascertaining their needs to acquire Relinquished Entitlement; and

**SBWPA Resolution 91-14
Reacquisition of Water
Entitlement from DWR**

WHEREAS, rights to SWP water have great value, inasmuch as SWP facilities were constructed at 1960's prices and most of the bonds were sold to construct those facilities at very low interest rates. Construction of those same facilities today would cost many times as much and the bond rates would be approximately twice as high; and

WHEREAS, as a party to the SWP Contract, the District was acting on behalf of the Contractors, inasmuch as the District does not supply water to consumers but instead has historically acted as a conduit for water policy decisions made by the Water Purveyors; and

WHEREAS, the status of the Water Purveyors as third party beneficiaries under the SWP Contract, and the role of District as a fiduciary for the Water Purveyors under that contract, was confirmed by the terms of the various WSRAs executed over the years by the District and the Contractors; and

WHEREAS, the right to acquire all or part of the Relinquished Entitlement is an integral part of the Retained Rights (as that term is defined in the WSRAs) acquired by the Contractors in the WSRAs.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Contractors holding a majority of the Retained Rights under the WSRAs, through the Santa Barbara Water Purveyors Agency, hereby direct the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, pursuant to Article 5(c) of the WSRAs, to request the State of California, Department of Water Resources, to amend the SWP Contract so that the District may reacquire, on behalf of and for the benefit of each Water Purveyor submitting a request therefor in the form of the attached Exhibit A, the amount of Relinquished Entitlement that Water Purveyor has requested thereon.

2. The Secretary of this Agency is hereby directed to submit this Resolution for ratification to each Contractor. Each Contractor shall be asked to ratify this resolution, whether or not that Contractor intends to submit a Request for Reacquisition of Relinquished Entitlement. The Secretary of this Agency, in consultation with the Consultant-Manager is hereby directed to disseminate this Resolution to such non-Contractor Water Purveyors in Santa Barbara County as may be known to either individual.

3. The Consultant-Manager is hereby authorized to communicate this action to the District and to the DWR as soon as Water Purveyors who have expressed an interest in reacquisition of entitlement have been provided an opportunity to consider and act upon this Resolution.

4. The Consultant-Manager is further authorized to take whatever action is required, in cooperation with the District, on behalf of the Water Purveyors, to carry out the purposes and intent of this Resolution.

**SBWPA Resolution 91-14
Reacquisition of Water
Entitlement from DWR**

5. The Contractors who request Reacquisition of Relinquished Entitlement will be required to agree, pursuant to Article 3(c) of the WSRA, to reimburse the District for all costs and expenses which the District becomes obligated to pay under the State Water Contract regarding the participant Contractors' Retained Rights as a result of any action which District may take pursuant to this request.

Adopted this 27th day of June, 1991, at a duly noticed meeting of the Santa Barbara Water Purveyors Agency by the following vote:

AYES, in favor thereof:

Carpinteria CWD
Goleta WD
City of Guadalupe
City of Lompoc
Montecito WD
City of Santa Barbara
City of Santa Maria
Santa Ynez RWCD, ID#1
Summerland CWD
La Cumbre MWC
Southern Calif. Water Co.
Vandenberg AFB

NOES, opposed:

None

ABSENT, and not voting:

Buellton CSD
Casmalia CSD
Morehart Land Co.
Santa Barbara Research Center

ABSTENTIONS:

Mission Hills CSD
Vandenberg Village CSD


Curtis Tunnell, Chair


Reese Riddlough, Secretary

//
//
//

**SBWPA Resolution 91-14
Reacquisition of Water
Entitlement from DWR**

RATIFIED BY:

CITY OF SANTA MARIA
[Contractor]

11,300 Acre Feet
[Amount of Current Retained Rights]

September 3, 1991
[Date]

By:

Walter Schumann
[Signature]

City Administrator

[Title: Mayor or President]

By:

Mark Kellard
[Signature]

City Clerk

[Title: Clerk or Secretary]

REQUEST TO REACQUIRE PORTION OF RELINQUISHED ENTITLEMENT

FROM: CITY OF SANTA MARIA
[Type full name of requesting entity]

110 EAST COOK STREET, SANTA MARIA, CA 93454-5190
[Type address and telephone] (805) 925-0951

ADDITIONAL ENTITLEMENT REQUESTED: 4,900 AFY

(c) Take action, if required, to become a Late Participant by filing a Late Request and agree to pay its pro rata share of all costs previously incurred by the original participants and all amounts required to be paid under the 1986 Contract for Preliminary Studies of Financial Feasibility, Preliminary Design and Environmental Review Under State Water Supply Contract and all amounts paid by or through the Santa Barbara Water Purveyors Agency.

2. If the entity submitting this request is not a Contractor, it shall be referred to herein as a non-Contractor Water Purveyor and agrees as follows:

(b) In the event the aggregate of the requests for reacquisition of Relinquished Entitlement exceeds the amount available after satisfying the requests of the Contractors, then each requesting non-Contractor Water Purveyor shall be entitled to receive a pro rata share of the excess amount equal to the fraction produced by dividing that entity's request by the total of the requests by all such non-Contractor Water Purveyors.

SO AGREED.

3, 1991

By: Wayne Johnson
[Signature]

City Administrator

[Title: _____]

By: Scott L. [Signature]
[Signature]

City Clerk

[Title: Clerk or Secretary]

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF SANTA MARIA)

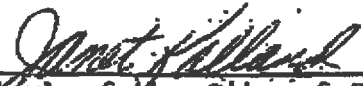
I, JANET KALLAND, City Clerk of the City of Santa Maria and ex officio Clerk of the City Council DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of Resolution No. 91-151 which was duly and regularly introduced and adopted by said City Council at a regular meeting held September 3, 1991 by the following vote:

AYES: Councilmembers Dan A. Firth, Curtis J. Tunnell and Thomas B. Urbanske.

NOES: None.

ABSENT: Councilmember Bob Orach.

ABSTAINED: Mayor George S. Hobbs, Jr.



City Clerk of the City of Santa
Maria and ex officio Clerk of
the City Council