

RESOLUTION NO. 13R-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BIGHORN-DESERT VIEW WATER AGENCY
EXPRESSING ITS UNQUALIFIED SUPPORT FOR THE ENACTMENT
OF SENATE BILL SB 246, AMENDING THE
BIGHORN MOUNTAINS WATER AGENCY LAW (1969 CHAPTER 1175)**

WHEREAS, the Bighorn-Desert View Water Agency ("Agency"), previously known as the "Bighorn Mountains Water Agency", was created in 1969 as a special act water agency; and

WHEREAS, in 1990 the Bighorn Mountains Water Agency and the Desert View Water District were consolidated into the "Bighorn-Desert View Water Agency" and continues to operate under the 1969 Act, as amended; and

WHEREAS, the Act was last amended 24 years ago, in 1989; and

WHEREAS, since the last amendment, several provisions of the Act have become irrelevant and, therefore, unnecessary, and other provisions of the Act have been made obsolete by subsequent enactment of legislation and ballot initiatives, such as Prop. 13 and Prop. 218; and

WHEREAS, the Board of Directors has been advised, and has found and determined, that the Act is not only outdated, but disorganized and difficult to use as an efficient resource in the conduct of the Agency's business; and

WHEREAS, the Executive Officer of the San Bernardino Local Agency Formation Commission has urged this Board to consider updating and modernizing the Act in order to eliminate the irrelevant provisions and make it a more useful resource document for staff, elected officials and the general public; and

WHEREAS, the Board of Directors authorized Agency staff to prepare an updated draft of the Act and, after extensive review and discussion and further amendment, the Board of Directors approved the revised Act at its regularly scheduled meeting on January 22, 2013; and

WHEREAS, the revised Act has been reviewed and was approved by the Executive Officer of the San Bernardino LAFCO on January 30, 2013; and

WHEREAS, the revised Act has been introduced to the California State Legislature by State Senator Fuller as Senate Bill No. SB 246 on February 12, 2013; and

WHEREAS, the enactment of this Senate Bill will not impact other public agencies.

NOW, THEREFORE, the Board of Directors of the Bighorn-Desert View Water Agency hereby expresses its unanimous and unqualified approval of, and support for, Senate Bill SB 246, introduced by Senator Fuller on February 12, 2013, and respectfully requests that the State Legislature to enact this measure at its earliest opportunity.

BIGHORN-DESERT VIEW WATER AGENCY

Dated: February 26, 2013

By


Mike McBride, Board President

CERTIFICATION

I hereby certify that this Resolution was duly adopted by the Board of Directors at its regularly-scheduled meeting on February 26, 2013, by the following vote:

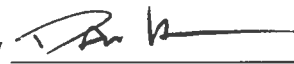
AYES: McBride, Corl-Lorono, Larson, Burkhart, Staley

NOES:

ABSTENTION:

BIGHORN-DESERT VIEW WATER AGENCY

By



David Larson, Board Secretary