

RESOLUTION NO. 2024-37

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SAN BENITO COUNTY WATER DISTRICT
AUTHORIZING AND DIRECTING THE EXECUTION OF A JOINT EXERCISE OF
POWERS AGREEMENT BY AND BETWEEN THE SAN BENITO COUNTY WATER
DISTRICT AND THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT
AUTHORITY TO FORM THE SAN BENITO COUNTY WATER DISTRICT
FINANCING AUTHORITY**

WHEREAS, under the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with section 6500) of the California Government Code (the “JPA Act”), a number of California cities, counties and special districts, entered into a joint exercise of powers agreement pursuant to which California Statewide Communities Development Authority (“CSCDA”) was organized; and

WHEREAS, CSCDA, acting pursuant to the JPA Act, may enter into a joint exercise of powers agreement with one or more public agencies pursuant to which such contracting parties may jointly exercise any power common to them and to exercise additional powers granted under the JPA Act; and

WHEREAS, CSCDA and the San Benito County Water District (the “District”) desire to create and establish the San Benito County Water District Financing Authority (the “Authority”) pursuant to the JPA Act; and

WHEREAS, there has been presented to this meeting a proposed form of Joint Exercise of Powers Agreement (the “Authority Agreement”), by and between CSCDA and the District, which creates and establishes the Authority; and

WHEREAS, under California law and the Authority Agreement, the Authority will be a public entity separate and apart from the parties to the Authority Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of CSCDA, the District or any representative of the District serving on the governing body of the Authority or as an officer of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Water District as follows:

1. Direction to Facilitate Financings. The Board of Directors hereby approves the Authority Agreement in substantially the form on file with the Board Secretary, together with any changes therein or additions thereto approved by the General Manager, Administrative Services Director, or any of their designees (each, an “Authorized Officer”). The Authorized Officers are hereby authorized and directed for and in the name and on behalf of the District to execute the final form of the Authority Agreement, and the Board Secretary is hereby authorized and directed to attest to the final form of the Authority Agreement. Execution of the Authority Agreement by

an Authorized Officer shall be conclusive evidence of the approval of any changes therein or additions thereto by an Authorized Officer.

2. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

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PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District at a special meeting, this 17th day of October, 2024, by the following vote:

AYES: Shelton, Williams, Flores, Tonascia & Wright

NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

/s/Barbara L. Mauro
Barbara L. Mauro
Board Secretary

APPROVED:

/s/Andrew Shelton
Andrew Shelton, President