

PSP Attachment 5

Attorney's Certification

(The applicant's attorney shall answer the following questions regarding this proposal and where indicated, shall cite statutory authority or other references).

- * Is the Applicant a political subdivision of the State of California? (☒) Yes () No

Citation: JOINT POWERS AGENCY ACT

- * Does the Applicant have legal authority to enter into a funding contract with the State of California? (☒) Yes () No

Citation: JOINT POWERS AGENCY ACT

- * What steps are required by law for the Applicant to contract with the State?

Exemption

Citation: JOINT POWERS AGENCY ACT

- * What is the statutory authority under which the Applicant may obtain funds for the purpose, amount, and duration requested?

Citation: JOINT POWERS AGENCY ACT

- * What is the statutory authority under which the Applicant was formed and is authorized to operate?

Citation: JOINT POWERS AGENCY ACT

- * Is the Applicant required to hold an election before entering into a funding contract with the State? (☒) Yes () No

Citation: PROPOSITION 218 + 1932 ACT

- * Will a funding agreement between the Applicant and the State be subject to review and approval by other governmental agencies? () Yes (X) No

Identify all such agencies: _____

Citation: _____

- * Describe any pending litigation that impacts the financial condition of the Applicant or the operation of flood management facilities. If none is pending, so state.

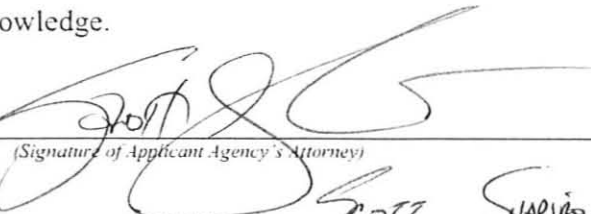
NONE

- * Does the Applicant have legal authority and jurisdiction to implement a flood control program at the Project site and in the protected area? (X) Yes () No

Citation: Joint Powers Agency Act

I certify that I am a duly qualified and licensed attorney in California representing the applicant agency and that I have answered the questions on this page and the preceding page to the best of my knowledge.

By



(Signature of Applicant Agency's Attorney)

Date

2/8/11

(Printed Name of Applicant Agency's Attorney)

Scott Shapiro

(Title)

Consa

SJA FCA

(Name of Applicant Agency)