

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE EXECUTION OF CONTRACTS ANNUALLY FOR UNCONTROLLED SEASON WATER, SECTION 215 WATER, RECOVERED WATER ACCOUNT WATER, AND RECAPTURED WATER BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION AND THE CITY OF FRESNO THROUGH FEBRUARY 28, 2025, AND AUTHORIZING THE DIRECTOR OF PUBLIC UTILITIES TO PURCHASE AND ACCEPT THE AFOREMENTIONED WATER ANNUALLY IN AN AMOUNT NOT TO EXCEED \$4 MILLION

WHEREAS, the City of Fresno (City) has entered into a contract (9D Contract) with the United States Department of the Interior, Bureau of Reclamation (USBR) providing for a Class 1 allocation of Central Valley Project Water from Millerton Lake; and

WHEREAS, through the 9D Contract a variety of additional types of water supplies may become available based on precipitation and high Sierra snowpack; and

WHEREAS, the USBR, may offer the sale of Uncontrolled Season water, Section 215 water, Recovered Water Account water, and Recaptured water through February 28, 2025; and

WHEREAS, the City has existing facilities through which it can take delivery of this water; and

WHEREAS, each Water Year, City staff will determine a need for any water made available by the USBR, and that taking said water would cause no apparent detriment to the City; and

WHEREAS, each year water is available the USBR will present to the City the opportunity to purchase said water, sometimes on short notice; and

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: *JMQ*

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WHEREAS, historically the USBR has also required that Council adopt a resolution of intent to enter into the required contracts prior to execution of such contracts; and

WHEREAS, authorizing the Director of Public Utilities or designee to enter into agreements to purchase said water will benefit the City by allowing it to maximize access to water.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Council authorizes the Director of Public Utilities or designee to purchase Uncontrolled Season water, Section 215 water, Recovered Water Account water, and Recaptured water through February 28, 2025, should such water be made available by the United States Department of the Interior, Bureau of Reclamation (USBR), at rates to be determined annually by the USBR.

2. The Director is authorized to purchase the aforementioned water annually, in an amount not to exceed \$4 million.

3. Council authorizes the Director of Public Utilities or designee to request and execute contracts between the USBR and the City of Fresno for Uncontrolled Season water, Section 215 water, Recovered Water Account water, and Recaptured water, subject to approval as to form by the City Attorney's Office, to facilitate the purchase and acceptance of this water annually through February 28, 2025.

4. This resolution shall be effective upon final approval.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2023.

AYES :

NOES :

ABSENT :

ABSTAIN :

Mayor Approval: _____, 2023

Mayor Approval/No Return: _____, 2023

Mayor Veto: _____, 2023

Council Override Vote: _____, 2023

TODD STERMER, CMC
City Clerk

By: _____
Deputy _____ Date _____

APPROVED AS TO FORM:

ANDREW JANZ
City Attorney

By: _____
Jennifer M. Quintanilla Date _____
Senior Deputy City Attorney