

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING SUBMISSION OF A 2022 URBAN COMMUNITY DROUGHT RELIEF GRANT PROGRAM GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES FOR THE LEAKY ACRES GROUNDWATER RECHARGE IMPROVEMENTS PROJECT, AND AUTHORIZING THE DIRECTOR OF PUBLIC UTILITIES OR DESIGNEE TO ACCEPT GRANT FUNDS AND EXECUTE ALL APPLICATION AND GRANT AGREEMENT DOCUMENTS ON BEHALF OF THE CITY OF FRESNO.

WHEREAS, the City of Fresno (City) owns and operates the 200-acre Leaky Acres Recharge Facility, which was constructed in the early 1970's to recharge surface water from the San Joaquin River and Kings River; and

WHEREAS, groundwater recharge rates over the last few decades have significantly declined from the original rate of 0.4 ft/day to approximately 0.2 ft/day currently; and

WHEREAS, conclusions from the August 2022 Leaky Acres Master Plan indicated the need for several facility operational and capital improvements to maximize the ability of Leaky Acres to successfully capture surface water deliveries for groundwater recharge; and

WHEREAS, the City's Department of Public Utilities (DPU) proposes to implement the Leaky Acres Groundwater Recharge Improvements Project (Project), which was identified in the Leaky Acres Master Plan, to improve recharge rates and operational efficiency; and

WHEREAS, an amendment to the Budget Act of 2021 (Stats. 2021, ch. 240, § 80)

Date Adopted:  
Date Approved:  
Effective Date:

City Attorney Approval: *JMQ*

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in June 2022 allocated an additional \$545 million to the California Department of Water Resources (DWR) to deliver grants for drought relief to urban communities; and

WHEREAS, in October 2022, DWR issued the Guidelines and Proposal Solicitation Package establishing the processes, procedures, and criteria that DWR will use to implement the Urban Community Drought Relief Grant Program (Program); and

WHEREAS, grants awarded under the Program are intended to provide water to communities that face the loss or contamination of their water supplies, to address immediate impacts on human health and safety, to secure the future of California's water supply, and to protect fish and wildlife resources; and

WHEREAS, the Project being proposed fits the criteria of the Program, as it will replenish the over-drafted groundwater aquifer with surface water and increase the groundwater supplies available to the City for future drought events; and

WHEREAS, DPU intends to apply for grant funding from DWR for the Project; and

WHEREAS, the City has the legal authority and is authorized to enter into a funding agreement with the State of California.

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

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 240, §80) as amended (Stats. 2022, ch. 44, §25), the City of Fresno Director of Public Utilities or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources for the Critical Wells for the Leaky Acres Groundwater Recharge Improvements Project and take such other actions as necessary or appropriate to obtain grant funding.

2. The City of Fresno Director of Public Utilities or designee is hereby authorized and directed to execute the funding agreement, subject to approval as to form by the City Attorney's Office, with the Department of Water Resources and any amendments thereto.

3. The City of Fresno Director of Public Utilities or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

4. This resolution shall be effective upon final approval.

\* \* \* \* \*

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