

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC UTILITIES OR DESIGNEE(S) TO PREPARE AND SUBMIT APPLICATIONS, ACCEPT FUNDS, AND EXECUTE THE FINANCIAL ASSISTANCE AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD ON BEHALF OF THE CITY OF FRESNO FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF WATER INFRASTRUCTURE TO SERVE THE COMMUNITIES OF NEW HORIZON AND DEL ORO: CITY OF FRESNO REGIONAL CONSOLIDATION PROJECT GROUP 1

WHEREAS, the communities of New Horizons Mobile Home Park (NHMHP) and Del Oro-Metropolitan District (Del Oro), known as the City of Fresno Regional Consolidation Project Group 1, hereby referred to as the Project Beneficiaries, are located outside of city limits but within the City's Sphere of Influence (SOI); and

WHEREAS, the Project Beneficiaries have been identified as Disadvantaged Communities (DAC) per State Water Resources Control Board (SWRCB) Division of Financial Assistance criteria; and

WHEREAS, the Project Beneficiaries are served by residential groundwater wells and are not connected to the City's drinking water distribution system; and

WHEREAS, the Project Beneficiaries have been identified by the SWRCB as in urgent need of safe and reliable drinking water due to current groundwater wells that are either unsafe for consumption or vulnerable to failure; and


WHEREAS, the Project Beneficiaries desire to connect to the City of Fresno (City) drinking water distribution system to alleviate risks to public health and gain access to a stable source of safe drinking water; and

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. \_\_\_\_\_

WHEREAS, pursuant to California Government Code section 56133(c), the Fresno Local Area Formation Commission (LAFCo) may authorize a city or special district to provide new or extended services outside of its jurisdictional boundaries and outside of city limits or its SOI to respond to an existing or impending threat to the health or safety of the public or residents of the affected territory; and

WHEREAS, prior to executing any agreements with the SWRCB for funding, DPU will obtain approval from LAFCo for the extension of water and sewer services to the Project Beneficiaries; and

WHEREAS, prior to connecting to the City's water distribution system, the Project Beneficiaries will enter into Extraterritorial Service Agreements with the City; and

WHEREAS, the SWRCB has funding available through their Expedited Drinking Water Grant program (EDWG) that prioritizes safe, clean, reliable drinking water solutions for small, disadvantaged communities; and

WHEREAS, the Department of Public Utilities intends to apply for funding through EDWG to fund installation of water extensions to serve the Project Beneficiaries; and

WHEREAS, the SWRCB requires that the governing body of the applicant submit a resolution designating an authorized representative or their designee(s) to prepare and submit applications, accept funds, and execute the financial assistance agreements and any amendments thereto.

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

1. The Council of the City of Fresno, California authorizes this resolution.

2. The Director of Public Utilities (Authorized Representative) or designee(s) is authorized to prepare, sign, and file, for and on behalf of the City, a financial assistance application for a financial assistance agreement from the State Water Resources Control Board (SWRCB) and accept funds for the planning, design, and construction of the City of Fresno Regional Consolidation Project Group 1 to serve New Horizons Mobile Home Park and Del Oro-Metropolitan District.

3. The Authorized Representative or designee(s) is authorized and designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement with the SWRCB and any amendment or changes thereto.

4. The Authorized Representative or designee(s) is designated to represent the City in carrying out the City's responsibilities under the financing agreements, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws.

5. Subject to the foregoing provisions, the City certifies it has legal authority to participate in the aforementioned financial assistance programs with the state and federal government.

6. Nothing in this resolution binds or obligates the City's general fund, taxing authority, or borrowing power.

7. 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