

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 CRITICAL WELLS FOR DROUGHT RELIEF 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, in 2017, the State of California notified the City of Fresno (City) of upcoming groundwater regulations for 1,2,3-Trichloropropane (TCP) that set the Maximum Contaminant Level (MCL) at 5 parts per trillion (ppt) and required that public water supply wells with detections of TCP above the MCL either have advanced wellhead treatment systems or be taken offline; and

WHEREAS, approximately 40 of the City's public water supply wells have been impacted by TCP since the regulations were implemented in 2018, and most of those impacted wells have been taken offline; and

WHEREAS, in March of 2017, the City entered into a funding agreement with the State Water Resources Control Board for a Sustainable Groundwater Planning Grant that funded the design of wellhead treatment systems for three critical TCP-impacted wells to return those critical wells to service; and

WHEREAS, the City's Department of Public Utilities (DPU) proposes to implement a Critical Wells for Drought Relief Project (Project) to construct the wellhead treatment systems at the three critical TCP-impacted wells utilizing the design funded by the Sustainable Groundwater Planning Grant; and

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Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: *JMQ*

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WHEREAS, an amendment to the Budget Act of 2021 (Stats. 2021, ch. 240, § 80) 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 remediate a contaminated aquifer posing a risk to human health and provide additional potable water supplies to the City; 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 Drought Relief, 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.

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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