

RESOLUTION NO. 2021-____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE PREPARATION AND SUBMISSION OF FINANCIAL ASSISTANCE APPLICATIONS TO THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD FOR PLANNING, DESIGN, AND CONSTRUCTION OF SEWER INFRASTRUCTURE FOR THE DALEVILLE RESIDENTIAL COMMUNITY

WHEREAS, on July 1, 2008, the State Water Resources Control Board (SWRCB) adopted Resolution No. 2008-0048 to assist small and/or Disadvantaged Communities (DACs) with their wastewater needs; and

WHEREAS, the Daleville residential community, located southwest of the existing city limits and within the City Sphere of Influence, qualifies as a small and/or DAC per SWRCB Division of Financial Assistance criteria; and

WHEREAS, the Daleville residential community is currently served by aging residential septic systems; and

WHEREAS, maintenance and replacement costs for failing septic systems are higher per capita for small and/or DACs; and

WHEREAS, the installation of a sewer extension from the City's collection system to Daleville Avenue will provide the infrastructure to serve neighboring properties that are currently served by aging residential septic systems; and

WHEREAS, the non-profit organization Self-Help Enterprises has conducted outreach to the residents and property owners of the affected area and has generated documentation demonstrating support from the residents and property owners for a

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

sewer extension on Daleville Avenue; and

WHEREAS, septic-to-sewer projects that prevent or reduce contamination of municipal or domestic wells are eligible for Groundwater Grant Program grants in addition to grants or principal forgiveness awarded through the SWRCB Clean Water State Revolving Fund/Small Community Grant Fund; and

WHEREAS, the City is desirous of submitting grant applications to fund installation of a sewer extension on Daleville Avenue and connect the Daleville residential community to the City's collection system; and

WHEREAS, in regards to the Fresno County Local Agency Formation Commission (LAFCo), and Government Code Section 56133(a), a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county; and

WHEREAS, pursuant to Government Code Section 56133(b), LAFCo may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization; and

WHEREAS, the non-profit organization Self-Help Enterprises, via SWRCB Clean Water State Revolving Funds, can use said funds for applicable LAFCo application fees; and

WHEREAS, the SWRCB requires that the governing body of the applicant submit a resolution designating an authorized representative or their designee(s) to execute

application documents.

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 hereby authorized and directed to sign and file, for and on behalf of the City, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for planning, design, and construction of the Daleville Residential Septic to Sewer Construction Project.
3. The Authorized Representative is authorized and designated to provide assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or charges 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.

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

I, YVONNE SPENCE, 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 _____ 2021.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2021
Mayor Approval/No Return: _____, 2021
Mayor Veto: _____, 2021
Council Override Vote: _____, 2021

YVONNE SPENCE, CRM MMC
City Clerk

BY: _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Jennifer M. Quintanilla Date
Senior Deputy