



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** March 26, 2019

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez    PHONE: (559) 624-7010		

**SUBJECT:** Cottonwood Creek Storm Water Retention Project Grant Resolution

**REQUEST(S):**

That the Board of Supervisors:

Adopt and approve the attached resolution regarding the Cottonwood Creek Storm Water Retention Project.

**SUMMARY:**

Resource Management Agency (RMA) is the lead agency on a project to design and construct flood control improvements to Cottonwood Creek in the vicinity of the Juvenile Detention Facility (the Project), which includes the realignment of approximately 8,500 linear feet of creek and the development of retention or detention basins in the area. An application by the Flood Control District for the Project was previously submitted to the State Water Resources Control Board (Water Board) for a grant under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) through Resolution No. FC2016-02. Proposition 1 authorized funding for 200 million in grants for storm water and dry weather runoff capture projects with the intent to encourage the use of storm water and dry weather runoff as a resource to improve water quality, reduce localized flooding, and increase water supplies for beneficial uses and the environment.

After submission, the project was placed on the Water Board's project waitlist in the name of the County of Tulare. On August 28, 2018, the Water Board notified staff that up to \$1,204,310 in 50% matching grant funds are conditionally available pending the development and approval of the Cottonwood Creek Watershed Storm Water Resources Plan (SWRP) within 90 days, no later than November 25, 2018,

**SUBJECT:** Cottonwood Creek Storm Water Retention Project Grant

**DATE:** March 26, 2019

from the date of notification and successful negotiation of a funding agreement with the State. The SWRP was approved on October 30, 2018 through Resolution FC 2018-07.

To further the grant process, the County as the awardee must approve the attached resolution in order to be eligible for funding. However, staff will return to your Board for approval of the final funding agreement. Depending on the time line of the agreement and requirements by the Water Board, this may happen before the agreement is signed or staff will return to ratify the agreement if funding for this project would be jeopardized by a delay in returning the signed funding agreement.

The attached resolution was originally adopted by the Tulare County Flood Control District on October 30, 2018 through Resolution No. FC 2018-08. On March 11, 2019, staff were notified by the Water Board that this resolution is not acceptable for funding purposes because grant funds were earmarked for the County of Tulare, which cannot be changed at this time. As such, staff are resubmitting this resolution on behalf of the County of Tulare for this project to meet the Water Board requirement that the resolution and all other associated documents with this grant to be in the name of the County of Tulare. This project will continue to be funded by the Tulare County Flood Control District and the process to establish the necessary partnership between the County and Flood Control District will be completed at or before a final funding agreement is entered into for this grant.

**FISCAL IMPACT/FINANCING:**

There is No Net County Cost to the General Fund.

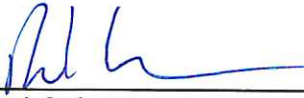
The construction cost of the Cottonwood Creek Storm Water Retention Project is included in the adopted FY 2018-19 Flood Control budget on line 771-771-2000-7043, with the grant revenues included on line 771-771-2000-5054. This project will be a partnership between the County and the Flood Control District, with funds provided by the Flood Control District and this grant. The grant will provide a 50% match for this project up to \$1,204,310 and the Flood Control District will cover all other project costs. Project costs and revenues will be facilitated through a General Fund Grant Unit. Staff will return with necessary AUD308's for the Flood Control District and the General Fund Grant Unit at the time of or before staff brings the grant agreement for consideration.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the "Safety and Security" initiative and the "Quality of Life" initiative. This project will improve the quality of life through the construction of storm water retention facilities, that will serve to replenish groundwater, and will enhance safety and security by improving flood protection in the area.

**SUBJECT:** Cottonwood Creek Storm Water Retention Project Grant Resolution  
**DATE:** March 26, 2019

**ADMINISTRATIVE SIGN-OFF:**



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Reed Schenke, P.E.  
Director

Cc: County Administrative Office

Attachment(s) Attachment "A" – Cottonwood Creek Storm Water Retention Project Grant Resolution

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF THE COTTONWOOD )  
CREEK STORM WATER RETENTION ) Resolution No. \_\_\_\_\_  
PROJECT GRANT RESOLUTION )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MARCH 26, 2019, BY THE  
FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

Adopted and approved the attached resolution regarding the Cottonwood Creek Storm  
Water Retention Project.

# **Attachment “A”**

Cottonwood Creek Storm Water Retention Project Grant Resolution

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

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

MARCH 26, 2019

A RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD AND AUTHORIZING AND DESIGNATING A REPRESENTATIVE FOR THE COTTONWOOD CREEK STORM WATER RETENTION PROJECT GRANT RESOLUTION

Whereas, the County of Tulare has submitted an application to the State Water Resources Control Board for funding for the Cottonwood Creek Storm Water Retention Project, which includes the realignment of approximately 8,500 linear feet of Cottonwood Creek and the construction of flood control facilities (Project); and

Whereas, prior to the State Water Resources Control Board's executing a funding agreement, the County of Tulare is required to adopt a resolution authorizing an agent, or representative, to sign the funding agreement, amendments, and requests for disbursement on behalf of the County of Tulare, and to carry out other necessary Project-related activities;

Now, therefore, be it resolved and ordered, that the County of Tulare County is hereby authorized to carry out the Project, enter into a funding agreement with the State Water Resources Control Board, and accept and expend State funds for the Project; and

Be it further resolved and ordered, that the Chairman of the Board, or designee, is hereby authorized and designated to sign, for and on behalf of the County of Tulare, the funding agreement for the Project and any amendments thereto subject to review and approval by County Counsel; and

Be it further resolved and ordered, that the Resource Management Agency Director, or designee, is hereby authorized and designated to represent the County of Tulare in carrying out the County of Tulare's responsibilities under the funding agreement, including certifying invoices and disbursement requests for Project costs on behalf of the County of Tulare and compliance with applicable state and federal laws.

Be it further resolved and ordered, that any and all actions, whether previously or subsequently taken by the County of Tulare, which are consistent with the intent and purposes of the foregoing resolution, shall be, and hereby are, in all respects, ratified, approved and confirmed.

**CERTIFICATION**

I hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted by the Board of Supervisors at the meeting thereof held on March 26, 2019.

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Abstained: \_\_\_\_\_  
Absent: \_\_\_\_\_

Signature: \_\_\_\_\_  
JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS