

# *ATTACHMENT 1. AUTHORIZATION AND ELIGIBILITY REQUIREMENTS*

✓ **Eligible Applicant Documentation**

A written statement documenting City of Modesto's eligibility as an applicant for the Proposition 84 IRWM Implementation Grant Program is provided in Appendix 1.2.

**Appendix 1.2 – Written Statement Documenting Applicant Eligibility**

## ELIGIBLE APPLICANT INFORMATION

*Is the applicant a local public agency as defined in Appendix B of the 2014 IRWM Drought Guidelines? Please explain.*

Yes, the City of Modesto is a city which is included in the definition of a local agency according to Appendix B of the 2014 IRWM Drought Guidelines.

*What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?*

The City of Modesto was incorporated on August 6, 1884 pursuant to provisions of Section 3 of an act of the Legislature of the State of California providing for the organization, incorporation and government of municipal corporations, as approved on March 13, 1883. The Charter of the City of Modesto was effective as of January 14, 1963. The Certificate of Incorporation of the City of Modesto was authenticated by Secretary of State Thos. L. Thompson on September 15, 1884.

*Does the applicant have legal authority to enter into a grant agreement with the State of California?*

The City is authorized to enter into contracts under its charter city authority. Modesto City Charter Section 706 vests all powers in the City Council unless otherwise provided in the Charter. Charter Section 801 authorizes the City Manager to execute any contract on behalf of the City when authorized to do so by the charter or resolution of the City Council. The City Manager has been authorized to enter into a grant agreement per Resolution No. 2014-284, adopted by the Modesto City Council on July 8, 2014.

*Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.*

The City of Modesto is a member of the East Stanislaus Regional Water Management Partnership (ESRWMP), the Regional Water Management Group for the East Stanislaus Integrated Regional Water Management (IRWM) region. This organization (ESRWMP) is governed by a Memorandum of Understanding with its partners, the Cities of Turlock, Ceres and Hughson. The MOU describes member responsibilities, goals of the ESRWMP, and commits the cities to preparing the IRWMP for the East Stanislaus Region. The ESRWMP also has a cost-sharing agreement to track funds, which helps ensure the performance of implementation of this grant application.