

ATTACHMENT 1

Authorization and Eligibility Requirements

ATTACHMENT 1 CONTENTS

1	Attachment 1 - Authorization and Eligibility Requirements.....	1-2
1.1	Authorizing Documentation.....	1-2
1.2	Eligible Applicant Documentation.....	1-2
1.3	Urban Water Management.....	1-3
1.3.1	DWR Verification of Urban Water Management Plan.....	1-3
1.3.2	Demand Management Measures (AB 1420 Compliance Forms).....	1-3
1.3.3	Water Meter Requirements (AB 1420 Metering Compliance Form).....	1-3
1.4	Groundwater Management CASGEM.....	1-4
1.5	Agricultural Water Management.....	1-4
1.6	Surface Water Diversion.....	1-4

LIST OF APPENDICES

Appendix 1.1:	Authorizing Documentation (Draft Resolution adopted City of Bakersfield City Council)
Appendix 1.3.2:	AB 1420 Self-Certification Statement Table 1
Appendix 1.3.3:	AB 1420 Water Meter Compliance Self-Certification Form

1 Attachment 1 - Authorization and Eligibility Requirements

1.1 Authorizing Documentation

The applicant must provide a copy of documentation, such as a resolution adopted by the applicant's governing body, designating an authorized representative to submit a proposal for the 2014 Water-Energy Grant Program and enter into an agreement with the State of California for the grant.

A resolution was adopted by the City of Bakersfield City Council on December 10, 2014 authorizing the City's Water Resources Manager, Art Chianello, to submit a proposal for the 2014 Water-Energy Grant Program and to execute an agreement with the State of California for the grant. An unsigned copy of the draft resolution that was adopted by the City Council is included as **Appendix 1.1**. The signed resolution will be forwarded to the DWR by December 31, 2014 at the address referenced in the grant guidelines and proposal solicitation package.

1.2 Eligible Applicant Documentation

Eligible applicants are local agencies, joint powers authority, or nonprofit organizations. The applicant must provide a written statement (and additional information if needed) containing the appropriate information outlined below.

- Is the applicant a local agency, joint powers authorities, or nonprofit organization as defined in Appendix B of the 2014 solicitation package? Please Explain?

The City of Bakersfield is a local agency, as defined in Appendix B of the solicitation package, because it is a Charter City.

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

Authority to operate as a city is enacted by Assembly Concurrent Resolution No. 3, relative to approving Charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the qualified voters of said City at a Special Municipal Election held therein for that purpose on the November 7, 1914.

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

The resolution adopted by City Council on December 10, 2014 gives the City legal authority to enter into a grant agreement with the State of California.

- Describe any legal agreements among partner agencies and/or organizations that

ensure performance of project and tracking of funds.

No legal agreements are required among partner agencies and/or organizations for the proposed project.

1.3 Urban Water Management

List the urban water suppliers that will receive funds from the proposed grant. If there are none, please indicate so.

The City of Bakersfield is the urban water supplier that will receive funds from the proposed grant.

1.3.1 DWR Verification of Urban Water Management Plan

The City of Bakersfield Water Board adopted the City's 2010 Urban Water Management Plan (UWMP) on April 23, 2014. The State of California Department of Water Resources (DWR) received the City's 2010 UWMP update for review on May 23, 2014. In correspondence date July 28, 2014, DWR notified the City and confirmed that the City's 2010 UWMP addressed the requirements of the Urban Water Management Planning Act.

The City's 2010 UWMP update can be found at the following website link:

http://www.bakersfieldcity.us/cityservices/water/pdfs/2010_FINAL%20UWMP%20Bakersfield_2014_05_13.pdf

1.3.2 Demand Management Measures (AB 1420 Compliance Forms)

The City of Bakersfield is not currently a member of the CUWCC. However, as part of this Proposal, the City is submitting the required AB 1420 self-certification forms directly to DWR to document compliance with AB 1420. Currently, the City is showing compliance with the BMP water savings goal by accomplishing set water savings goals as measured in gallons per capita per day consumption.

A copy of AB 1420 Self-Certification Statement Table 1 is included in **Appendix 1.3.2**.

1.3.3 Water Meter Requirements (AB 1420 Metering Compliance Form)

The City of Bakersfield's domestic water system is fully metered and all new connections are required to have a meter prior to obtaining domestic water service per City of Bakersfield's Domestic Water Standards. The City of Bakersfield is submitting a Water Meter Compliance

self-certification form as part of this Proposal and has included it in **Appendix 1.3.3**.

1.4 Groundwater Management CASGEM

The City's proposed project will reduce water consumption and therefore does not directly affect groundwater levels or quality in the areas of the City limits where the project will take place. Therefore, the City does not need to demonstrate that the project is consistent with the California Statewide Groundwater Elevation Monitoring (CASGEM).

1.5 Agricultural Water Management

The City of Bakersfield is not defined as an agricultural water supplier per the Water Code.

1.6 Surface Water Diversion

The City of Bakersfield is a surface water diverter. The City's Water Resources Department operates and maintains the Kern River channel through the City limits, and has pre-1914 Kern River water rights. For more information please contact John Ryan, Hydrographer for the City of Bakersfield. He can be reached by phone at (661) 326-3715 or by email at jryan@bakersfieldcity.us. The City complies with surface water diversion reporting requirements outlined in Part 5.1 (commencing with Section 5100) of Division 2 of the Water Code and submits surface water diversion reports to the State Water Resources Control Board.

Appendix 1.1

Authorizing Documentation
(Draft Resolution adopted by City of Bakersfield City Council)

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING CITY OF
BAKERSFIELD WATER RESOURCES MANAGER
TO SUBMIT A PROPOSAL FOR THE 2014 WATER-
ENERGY GRANT AND ENTER INTO AN
AGREEMENT WITH THE STATE OF CALIFORNIA.**

RECITALS

WHEREAS, the purpose of the California Department of Water Resources (DWR) 2014 Water-Energy Grant Program is to fund residential, commercial, and institutional water efficiency programs or projects that reduce greenhouse gas emissions and also reduce water and energy use; and

WHEREAS, the Water Resources Department has a water conservation program that saves water, reduces energy use, and reduces greenhouse gas emissions; and

WHEREAS, the Public Works Department has a proposed project to convert the compost facility to a water and energy saving system, using efficient electric blowers and conveyors in place of heavy diesel equipment; and

WHEREAS, the Recreation and Parks Department has a proposed project to install 20 smart-irrigation controller systems at park sites within the City of Bakersfield. The smart irrigation controllers would reduce water consumption at these parks and save water and energy, and reduce greenhouse gas emissions; and

WHEREAS, the DWR is requiring a resolution be submitted with the grant application to authorize City staff to submit a proposal for the grant; and

WHEREAS, the City of Bakersfield, if selected, will enter into an agreement with the DWR to carry out the proposed water and energy saving and greenhouse gas emission reducing projects.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Bakersfield:

1. Approves the filing of an application to the California Department of Water Resources to obtain a 2014 Water-Energy Grant pursuant to Senate Bill No. 103 Section 11 (2013 - 2014 Regular Session).

2. Authorizes the City to enter into an agreement to receive a grant for the: City of Bakersfield Compost Facility Water and Energy Upgrades and Parks Smart Irrigation Controller Project.
3. Authorizes the Water Resources Manager to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement and any amendments thereto, with the California Department of Water Resources.
4. Certifies that the above recitals are true and correct and are incorporated herein by reference.

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I **HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on _____, by the following vote:

AYES: COUNCILMEMBER: RIVERA, MAXWELL, WEIR, SMITH, HANSON, SULLIVAN, PARLIER
NOES: COUNCILMEMBER: _____
ABSTAIN: COUNCILMEMBER: _____
ABSENT: COUNCILMEMBER: _____

CITY CLERK and Ex Officio Clerk of the
Council of the City of Bakersfield

APPROVED _____

By _____
HARVEY L. HALL
Mayor

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By _____
JOSHUA H. RUDNICK
Deputy City Attorney

Appendix 1.3.2

AB 1420 Self-Certification Statement Table 1

C1 C2 C3 C4 C5 C6 C7 C8 C9 C10 C11 C12 C13 C14 C15 C16 C17 C18

BMPs required for Wholesale Supplier	BMPs required for Retail Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers / BMP			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met					
			Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Retailer Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2007-2008) (MOU Signatories) (3)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No		
		BMP 5 Large Landscape Conservation Programs and Incentives															
	✓	BMP 6 High-Efficiency Washing Machine Rebate Programs															
✓	✓	BMP 7 Public Information	Y						Y								5/23/2014 Y
✓	✓	BMP 8 School Education	Y						Y								5/23/2014 Y
		BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts															
✓		BMP 10 Wholesale Agency Assistance Programs	Y						Y								5/23/2014 Y
	✓	BMP 11 Conservation Pricing															5/23/2014 Y
✓	✓	BMP 12 Conservation Coordinator	Y						Y								5/23/2014 Y
	✓	BMP 13 Water Waste Prohibitions	Y						Y								5/23/2014 Y
		BMP 14 Residential ULFT Replacement Programs							Y								5/23/2014 Y

*C6: Wholesaler may also be a retailer (supplying water to end water users)
 **C8, **C9, **, and C10: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.
 (1) For details, please see: <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.
 (2) BMP is exempt based on cost-effectiveness, lack of funding, and lack of legal authority criteria as detailed in the CUWCC MOU
 (3) Non MOU signatories must submit to DWR reports and supporting documents in the same format as CUWCC.

Table 1: Gallons Per Capita Per Day (GPCD) Calculation for Years 2010 through 2013

Year	Single Family Residential Connections	Multi-family Residential Connections	Total Residential Connections	Estimated Persons Per Residential Connection	Estimated Population	Annual Water Usage (MG)	GPCD
2010	37125	374	37499	3.48	130600	14080.18	295
2011	37508	382	37890	3.48	131962	13965.54	290
2012	38131	386	38517	3.48	134145	13399.87	274
2013	38926	387	39313	3.48	136918	13802.4	276

Appendix 1.3.3

AB 1420 Water Meter Compliance
Self-Certification Form

Smart Irrigation Controller Project

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

Funding Agency name: California Department of Water Resources
Funding Program name: 2014 Water-Energy Grant Program
Applicant (Agency name): City of Bakersfield
Project Title (as shown on application form): Smart Irrigation Controller Project

Please check one of the boxes below and sign and date this form.

- As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the agency is not an urban water supplier, as that term is understood pursuant to the provisions of section 529.5 of the Water Code.
- As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the applicant agency has fully complied with the provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7 inclusive) and that ordinances, rules, or regulations have been duly adopted and are in effect as of this date.

I understand that the Funding Agency will rely on this signed certification in order to approve funding and that false and/or inaccurate representations in this Certification Statement may result in loss of all funds awarded to the applicant for its project. Additionally, for the aforementioned reasons, the Funding Agency may withhold disbursement of project funds, and/or pursue any other applicable legal remedy.

Jason L. Meadors
Name of Authorized Representative
(Please print)

Water Resources Director
Title

Jason L. Meadors
Signature

12/10/2014
Date