

# ATTACHMENT 1

## Authorization and Eligibility Requirements

### *Eligible Applicant Documentation*

Includes:

- Eligible Applicant Documentation

*Upper San Gabriel Valley Municipal Water District  
 Large Landscape Survey and Retrofit  
 2014 Water-Energy Grant - Attachment 1, Authorization and Eligibility Requirements  
 Eligible Applicant Documentation*

## **Eligible Applicant Documentation**

The following section documents that Upper District is an eligible applicant.

- 1) *Is the applicant a local agency, joint powers authorities, or nonprofit organization, as defined in Appendix B? Please explain.*

Yes, the Upper District is a local public agency as defined in Appendix B.

Appendix B defines a “Local Agency” as “...*any city, county, city and county, special district, joint powers authority, or other political subdivision of the State; a public utility, as defined in Public Utilities Code §216; or a mutual water company, as defined in Public Utilities Code §2725.*”

Upper District was incorporated on January 7, 1960 in accordance with Section 71000 of the California Water Code (CWC) which is known as the Municipal Water District Act. Upper District is a special district and is the sole provider of wholesale water service within specified boundaries in the San Gabriel Valley.

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

The Upper District is a wholesale water agency formed by voters in the San Gabriel Valley on December 8, 1959. Upper District was then incorporated on January 7, 1960 in accordance with Section 71000 of the CWC which is known as the Municipal Water District Act. The Municipal Water District Act provides for, “*The people of any county or counties, or of any portions thereof, whether such portions include unincorporated territory only or incorporated territory of any city or cities, or both such incorporated and unincorporated territories...*,” to organize municipal water districts. With respect to water supply, the Municipal Water District Act allows such a district to “*...acquire, control, distribute, store, spread, sink, treat, purify, reclaim, recapture, and salvage any water, including sewage and storm waters, for the beneficial use or users of the District, its inhabitants, or the owners of rights to water in the District.*”

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

Yes, the applicant (Upper District) has legal authority to enter into a grant agreement with the State of California. According to CWC Section 71722, the Upper District may contract with other public agencies, including the State of California, for financing. In addition a resolution will be provided to the Upper District’s Board of Directors to authorize Mr. Shane Chapman, General Manager of the Upper District, to file an application for the Water-Energy Grant Program and enter into an agreement with the State of California. The draft of that resolution is provided and discussed in Attachment 1, *Authorizing Documentation*.

*Upper San Gabriel Valley Municipal Water District*

**Large Landscape Survey and Retrofit**

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

The Upper District plans to be solely responsible for ensuring project performance and tracking of funds.