



# Board Agenda Item 80

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DATE: December 14, 2021

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Budget Resolution for County Service Area 34 - Millerton New Town

RECOMMENDED ACTION(S):

**Adopt Budget Resolution increasing FY 2021-22 appropriations for County Service Area 34 - Millerton New Town Org 9174 in the amount of \$122,777 using available fund balance for the Cross Valley Project Repayment Obligation (4/5 vote).**

Approval of the recommended action will increase FY 2021-22 appropriations for County Service Area 34 (CSA 34), Org 9174 in the amount of \$122,777, using available fund balance, for the Cross Valley Project (CVP) Repayment Obligation required for the execution of the National WIIN Act Permanent Water Supply Contract that was executed on November 1, 2021. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

No alternative action has been found. The execution of the permanent water supply contract requires for the County of Fresno to pay its proportional share of the repayment obligation for construction costs of the Cross Valley Canal.

FISCAL IMPACT:

There is no Net County Cost with the recommended action. All costs for administering the contracts associated with the County's CVP water allocation are budgeted in Department of Public Works and Planning (Department) - CSA 34, Org 9174 (Millerton New Town), and all costs for CSA 34 are paid by service fees and special benefit assessments.

DISCUSSION:

CSA 34 was formed in 1986 to provide various community services for the development of Millerton New Town, which consists of 1,420 acres lying on the north and south sides of Millerton Road, to the south of Millerton Lake. CSA 34 provides water contract administration to maintain the active status of three surface water supply contracts and the administration services associated with ensuring that the Millerton Lake raw water pumping facilities retain their standby, ready-to-serve status for the benefit of all CSA 34.

In 2016, Congress passed the WIIN Act. The WIIN Act affected negotiations with United States Bureau of Reclamation (USBR) for the use of the County's allocation of CVP water. Specifically, the WIIN Act provided for the conversion of water service contract, including the County's contract with USBR that is subject to interim renewals as described above, into "repayment contracts." Under a repayment contract, the party contracting for CVP water, such as the County, agrees to repay, either in a lump sum or by accelerated

repayment, its share of the remaining construction costs for the CVP, as required by the Reclamation Reform Act of 1982, together with ongoing rates and fees for the delivery of water.

The permanent contract will provide a firm water supply that will not terminate and will allow for the delivery of a secured water source for CSA 34 and its existing and future zones, including CSA 34A (Brighton Crest), CSA 34C (Bella Vista), CSA 34D Renaissance at Bella Vista), CSA 34F (The Vistas) and CSA 34G (Granville).

October 19, 2021, your Board adopted Resolution No. 21-301 (Exhibit A), adopting the environmental findings, approving the form of the permanent contract and authorizing the Director of Fresno County Public Works and Planning to sign and execute the contract once received from the USBR.

The increased appropriations in Org 9174, will allow Department staff to pay Fresno County's proportional share of the repayment obligation for construction and administrative costs related to the Cross Valley Project. Under the permanent contract, the County is obligated to pay either a lump sum of \$122,777, which is due 60-days from the effective date of the contract, or four installments of \$31,570, totaling \$126,281, within three years for its share of the remaining construction costs for the CVP. The Department intends to pay the lump sum. A copy of the final Fresno County repayment obligation is attached as Exhibit B. The source of funds for the payment is CSA 34, which is the area to be served and benefitted by the contract.

REFERENCE MATERIAL:

BAI # 36, October 19, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits A-B  
On file with Clerk - Resolution (9174)

CAO ANALYST:

Ron Alexander