



RESOLUTION NO. 24-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AGUA CALIENTE WATER AUTHORITY APPLYING FOR THE WATERSMART PLANNING AND PROJECT DESIGN FOR FISCAL YEAR (FY) 2023 AND FY 2024 FUNDING OPPORTUNITY

ART BUNCE

Chair

DANIEL G. SHILLITO

Vice-Chair

RUSS MARTIN

Secretary/Treasurer

THOMAS J. DAVIS

Member

HEATHER WHITEMAN RUNS HIM

Member

REID D. MILANOVICH

Ex-Officio Member

WHEREAS, the Agua Caliente Water Authority ("**Water Authority**") is an independent public agency established pursuant to the laws of the Agua Caliente Band of Cahuilla Indians, a federally recognized Indian tribe ("**Tribe**"); and

WHEREAS, pursuant to Section 7.12.060(a) of the Agua Caliente Tribal Code ("**Tribal Code**"), the Tribe has authorized the Agua Caliente Water Authority Board of Directors ("**Board**") to carry out the duties and powers of the Water Authority set forth in Chapter 7.12 of the Tribal Code; and

WHEREAS, Section 7.12.060(c)(2) of the Tribal Code authorizes the Water Authority to enter into contracts and incur obligations; and

WHEREAS, the United States Department of the Interior ("**DOI**"), through the Bureau of Reclamation ("**BOR**"), issued a Notice of Funding Opportunity ("**NOFO**") (R23AS00109) for WaterSMART Planning and Project Design Grants for FY 2023 and FY 2024 (the "**WaterSMART Grant**"), last revised on May 16, 2024; and

WHEREAS, through the WaterSMART Grant, BOR provides 50/50 cost share funding to states, tribes, irrigation districts, and water districts to undertake projects to conduct planning to support water supply and management solutions; and

WHEREAS, the Water Authority, pursuant to P.L. 111-11, Section 9502, is eligible to apply for and receive the WaterSMART Grant; and

WHEREAS, due to increasing threats to local groundwater supplies including reductions in natural groundwater recharge due to climate change, the Tribe desires to submit the WaterSMART Grant application for the proposed project entitled "Coachella Valley Water Supply Enhancement Study" (the "**Project**") in response to NOFO No. R23AS00109; and

WHEREAS, the Water Authority submitted the WaterSMART Grant application for the Project prior to the May 23, 2024, closing date; and

WHEREAS, if selected, the Water Authority will be required to provide an official resolution of the Board committing the Water Authority to the financial and legal obligations associated with receipt of WaterSMART Grant funding.

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NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE AGUA CALIENTE WATER AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. All of the recitals set forth above are true and correct, and the Board so finds and determines.

SECTION 2. The Board hereby designates any elected officer of the Board (Chairperson, Vice-Chairperson, or Secretary/Treasurer) as an authorized agent of the Water Authority with authority to execute for or on behalf of the Water Authority the WaterSMART Grant application and any other document necessary for the Water Authority's receipt of funds from the DOI to carry out the Grant purposes.

SECTION 3. The Board has reviewed and supports the WaterSMART Grant application submitted to the BOR.

SECTION 4. The Water Authority is capable of contributing, and will contribute, the required fifty percent (50%) cost share of total Project costs through cash contributions.

SECTION 5. The Board hereby authorizes its agent(s) set forth above to work with BOR to meet established deadlines for entering into a WaterSMART Grant or cooperative agreement.

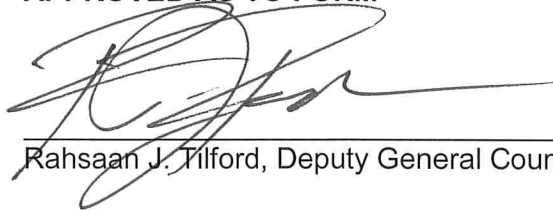
PASSED and ADOPTED by the Agua Caliente Water Authority this 25th day of September, 2024.

AGUA CALIENTE WATER AUTHORITY



Art Bunce, Chairman

APPROVED AS TO FORM



Rahsaan J. Tilford, Deputy General Counsel

CERTIFICATION

I, the undersigned, the Secretary/Treasurer of the Agua Caliente Water Authority, hereby certify that the Board of Directors is composed of six members of whom 6 constituting a quorum, were present at a meeting whereof duly called and noticed, convened and held this 25th day of September, 2024; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5-0-0 members and that said Resolution has not been rescinded or amended in any way.



Russ Martin, Secretary/Treasurer