

**Resolution No. 2004-374 was rescinded on October 11,
2005 by Resolution No. 2005-726**

RESOLUTION NO. 2004-374

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 18 2004

**A RESOLUTION ADOPTING FINDINGS OF FACT AND STATEMENT OF
OVERRIDING CONSIDERATIONS AND AUTHORIZING CITY MANAGER TO
EXECUTE AN OPTION AGREEMENT FOR ACQUISITION OF CITY PROPERTY
FOR FREEPORT REGIONAL WATER AUTHORITY INTAKE FACILITY
AND COUNTY PROPERTY FOR CITY WATER SUPPLY PROJECT**

WHEREAS, the Sacramento County Water Agency (the "SCWA") and the East Bay Municipal Utility District (the "EBMUD") formed a joint powers agency, the Freeport Regional Water Authority (the "FRWA"), to pursue, subject to environmental review, the development and implementation of a project, the Freeport Regional Water Project (the "FRWP"), to divert surface water from the Sacramento River for subsequent treatment and use by SCWA and EBMUD; and

WHEREAS, the FRWP includes the construction of a new water diversion facility on property (the "City Site") that is owned by the City of Sacramento and was formerly the site of the City's Meadowview sewage treatment plant; and

WHEREAS, on August 8, 2003, FRWA, as lead agency under the California Environmental Quality Act (CEQA) and the CEQA Guidelines (Title 14, California Code of Regulations, §§ 15000 and following), circulated for public review a Draft Environmental Impact Report (the "DEIR") for the FRWP, and the City of Sacramento and others submitted comments on the DEIR; and

WHEREAS, on April 15, 2004, the FRWA Board of Directors adopted Resolution No. FWA-0026, which certified the Final Environmental Impact Report for the FRWP, adopted its Findings of Fact and Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, and approved the FRWP. The Final Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the FRWP are on file and available for review in the Office of the City Clerk; and

WHEREAS, the City of Sacramento currently is participating in the Sacramento River Water Reliability Study (the "SRWRS"), a multi-agency effort being conducted

FOR CITY CLERK USE ONLY

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