

RESOLUTION NO. 2007-136



A RESOLUTION OF THE MAYOR AND THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, PROCLAIMING THEIR OPPOSITION TO CALIFORNIA STATE SENATE BILL 931 (RIDLEY-THOMAS) AND PROCLAIMING THEIR SUPPORT FOR ENABLING LEGISLATION THAT WILL CREATE A "LEVEL PLAYING FIELD" FOR APPLICANTS APPLYING FOR PROPOSITION 84 FUNDS.

WHEREAS, the voters of the State of California approved "The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" – Proposition 84 – on November 7, 2006; and,

WHEREAS, Proposition 84 set aside \$100 million to fund competitive grants for nonprofit and/or public institutions; and,

WHEREAS, said grants must further nature education, research, or equipment for natural history museums, aquariums, research facilities, or botanical gardens; and,

WHEREAS, Senate Bill 931 (Ridley-Thomas) is the enabling legislation for Proposition 84's \$100 million grant program, and SB931 establishes the process that will be used to evaluate and award grants to the institutions that apply; and,

WHEREAS, sections 5095.53(b) and 5095.53(c) of SB 931 reward established institutions at the expense of newer institutions in underserved areas; and,

WHEREAS, in particular, section 5095.53(b) of SB 931 unfairly requires applicants to demonstrate a "record of success in using grant funding" – in other words, this section requires applicants to have money in order to apply for money (whereas, if the applicants had money they would not need to apply for the funds from Proposition 84) and, thus, SB 931 creates a "Catch-22" situation for less affluent institutions; and,

Adopted \_\_\_\_\_  
Approved \_\_\_\_\_  
Effective 4-10-07



WHEREAS, new institutions are also disadvantaged by section 5095.53(c) of SB 931, since this section requires applicants to have a minimum number of visitors each year in order to be eligible, a requirement which new institutions cannot meet; and,

WHEREAS, new and less affluent institutions are often the most in need of grant funding, yet SB 931 blocks them from accessing the Proposition 84 funds; and,

WHEREAS, in so doing, SB 931 violates the intent of Proposition 84 and conflicts with the will of the people of the State of California by restricting funds to established institutions in large urban centers; and,

WHEREAS, SB 931, especially sections 5095.53(b) and 5095.53(c), adversely affect the Central Valley by excluding the Aquarius Aquarium Institute, a nonprofit 501(c)(3) corporation located in Fresno; and,

WHEREAS, the mission of Aquarius Aquarium Institute is to educate children in Central Valley schools with interpretive exhibits about California aquatic life, both past and present, and advocate for the propagation of endangered tropical marine life; and,

WHEREAS, Aquarius Aquarium Institute secured the necessary entitlements to build an education public aquarium facility on this site and, in August 2006, the institute closed escrow on ten donated acres along Highway 99; and,

WHEREAS, the proposed location is situated on a bluff overlooking the soon-to-be restored San Joaquin River, placing the aquarium in a prime position to provide educational insight about the surrounding San Joaquin River environment, an environment that has a significant impact on the entire Central Valley; and,

WHEREAS, although Aquarius Aquarium Institute has received state grants from First 5 and the California Coastal Commission, the institute will need additional grant



funding to provide for the construction of its buildings and the two million gallon Oceanarium, its centerpiece exhibit; and,

WHEREAS, Aquarius Aquarium Institute worked to campaign for the passage of Proposition 84 with the understanding they would be eligible to compete for the \$100 million set aside for grants to natural history museums, aquariums, research facilities, and botanical gardens; and,

WHEREAS, without the grant funding from Proposition 84, Aquarius Aquarium Institute will be unable to offer educational outreach to the Central Valley, depriving this historically underserved urban and rural population.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Fresno:

1) Extend their appreciation to the Honorable Governor Arnold Schwarzenegger and the local State legislators for their support for the San Joaquin Valley, and seek their support for this area's only aquarium;

2) Oppose sections 5095.53(b) and 5095.53(c) of SB 931 (Ridley-Thomas) – these two sections delineate an application process that unfairly advantages the natural history museums, aquariums, research facilities, and botanical gardens of urban and coastal regions at the detriment to similar institutions in rural and underserved communities;

3) Request that the California State Legislature and the Honorable Governor of California, Arnold Schwarzenegger, draft enabling legislation for Proposition 84 that will create a "level playing field" application process for Proposition 84 funds, a process that



will allow the San Joaquin Valley's only aquarium to compete fairly with the museums, aquariums, research facilities, or botanical gardens from other regions;

4) Encourage the Fresno County Board of Supervisors, the Madera County Board of Supervisors, the Tulare County Board of Supervisors, and the Kings County Board of Supervisors to join the Mayor and Council of the City of Fresno in support of this resolution.

The Mayor and the Council of the City of Fresno requests this on behalf of all the citizens of Fresno and their quality of life.

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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 10th day of April, 2007.

AYES : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea  
NOES : None  
ABSENT : None  
ABSTAIN : None



REBECCA E. KLISCH

City Clerk

BY: Rebecca E. Klisch

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_