

RESOLUTION NO.: _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING APPLICATIONS TO THE STATE WATER RESOURCES CONTROL BOARD FOR STATE REVOLVING FUND LOW INTEREST LOANS FOR CONSTRUCTION OF REGIONAL WATER TRANSMISSION PIPELINES AND SURFACE WATER SUPPLY PIPELINES TO THE CITY'S NORTHEAST AND SOUTHEAST SURFACE WATER TREATMENT FACILITIES AND AUTHORIZING THE EXECUTION OF DOCUMENTS

WHEREAS, during 1996, Congress adopted amendments to the Safe Drinking Water Act that included grants to states to establish a State revolving fund program. The objective of this program is to provide low interest loans and other types of assistance to public drinking water systems to make necessary improvements to those systems; and

WHEREAS, the State Water Resources Control Board (SWRCB) has been delegated the responsibility for the administration of the Safe Drinking Water State Revolving Fund Loan Program (Cal. Health & Safety Code Section 11676 et. seq.) within the state, setting up necessary guidelines for water systems under the program; and

WHEREAS, the City is desirous of submitting a loan application to fund said projects; and

WHEREAS, the SWRCB requires that the governing body of the applicant submit a resolution designating an authorized representative or designee to execute the loan application to the State.

1 of 3

Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: BC

Resolution No. _____

NOW, THEREFORE, BE IT RESOLVED BY THE Council of the City of Fresno as follows:

1. The Council of the City of Fresno, California, authorizes the submittal of applications to the SWRCB for Safe Drinking Water State Revolving Fund (SDWSRF) low interest loans in the amount of \$63,100,000 for the construction of the City's Regional Water Transmission Mains, \$75,165,000 for construction of the Kings River Pipeline to the City's Southeast Surface Water Treatment Facility, and \$26,520,000 for construction of the Friant-Kern Pipeline to the City's Northeast Surface Water Treatment Facility provided that: (i) the City shall not be bound under the applications, nor shall City accept or be deemed to have accepted the SDWSRF loan referenced in the application, absent City Council approval of loan terms and conditions that are consistent with SDWSRF program requirements and all constitutional and local law requirements, which terms and conditions shall be contained in written contract prior to approval as to form by the Office of the City Attorney, (ii) the applications do not and shall not be deemed to constitute a certification or opinion by the Office of City Attorney as to any matter embraced therein, (iii) the City's legal authority, liability and obligation under any program loan agreement is subject to constitutional and local law requirements, this resolution and pledged, segregated revenue sources identified and appropriated under the agreement.

2. The City's Director of the Department of Public Utilities' designee(s) thereof are authorized and empowered to execute the application in the name of the City.

3. The Office of the City Attorney is authorized to execute program related certifications, assurances and opinions.

4. Subject to the foregoing provisions, the City certifies it has legal authority to participate in the loan program with the State.

5. Nothing in this resolution binds or obligates the City's general fund, taxing authority, or borrowing power.

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

I, YVONNE SPENCE, 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 day of _____, 2015.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2015
Mayor Approval /No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon M. Collet Date
Deputy