

Resolution No.
County Administration Building
Santa Rosa, California

Date

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA VALLEY COUNTY SANITATION DISTRICT AUTHORIZING THE GENERAL MANAGER/CHIEF ENGINEER OF THE SONOMA COUNTY WATER AGENCY TO: 1) SIGN AND FILE, FOR AND ON BEHALF OF THE SONOMA VALLEY COUNTY SANITATION DISTRICT (DISTRICT), A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR STATE REVOLVING FUND LOAN FUNDING FOR THE BIOSOLIDS MANAGEMENT UPGRADE PROJECT; 2) EXECUTE ANY DOCUMENTS NECESSARY TO APPLY FOR SUCH FUNDING; 3) TAKE ALL ACTIONS NECESSARY TO SECURE SUCH FUNDING; 4) NEGOTIATE AND EXECUTE A LOAN CONTRACT AND ANY AMENDMENTS OR CHANGE ORDERS THERETO; 5) CERTIFY LOAN DISBURSEMENTS ON BEHALF OF THE DISTRICT; 6) CERTIFY THAT THE DISTRICT HAS AND WILL COMPLY WITH ALL APPLICABLE STATE AND FEDERAL STATUTORY AND REGULATORY REQUIREMENTS RELATED TO ANY LOAN RECEIVED; AND 7) DEDICATE A SOURCE OF REVENUE FOR PAYMENT OF THE STATE REVOLVING FUND LOAN AGREEMENT UPON EXECUTION.

WHEREAS, the Sonoma Valley County Sanitation District (District) proposed the District's Biosolids Management Upgrade Project (Project) to design and construct a modern facility with operational flexibility and efficiency and reduce biosolids processing and disposal costs; and

WHEREAS, on February 1, 2005, the Board approved an agreement for a feasibility study for the Project; and

WHEREAS, on January 23, 2007, the Board approved an agreement for preliminary engineering design services; and

WHEREAS, the District will require Project funding assistance in the form of a low-interest loan in order to complete the Project; and

WHEREAS, the State Water Resources Control Board (SWRCB) offers low interest loans through the State Revolving Fund Loan Program for public agencies undertaking wastewater treatment plant improvements; and

WHEREAS, the SWRCB requires the governing board of the applying agency to adopt a resolution authorizing the agency to apply for said funding and dedicate a source of revenue for payment of the State Revolving Fund Loan financing agreement upon execution.

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NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds, determines, and declares as follows:

1. All of the above recitals are true and correct.
2. The General Manager/Chief Engineer of the Agency, or his designee, is hereby authorized and directed to sign and file, for and on behalf of the District, a Financial Assistance Application for a loan from the SWRCB for the Biosolids Management Upgrade Project in an amount not to exceed \$3,100,000, for the planning, design, and construction of the Project.
3. The District hereby agrees and authorizes the aforementioned representative, or his designee, to certify that the District has and will comply with all applicable state and federal statutory and regulatory requirements related to any federal and state loan received.
4. The General Manager/Chief Engineer, or his designee, is hereby authorized to execute any documents necessary to apply for such funding, take all actions necessary to secure such funding, negotiate and execute a loan contract and any amendments or change orders thereto and certify loan disbursements on behalf of the District.
5. The General Manager/Chief Engineer is authorized to and shall dedicate revenues derived from user charge proceeds for wastewater services and deposited in the Sonoma Valley County Sanitation District Operations Fund as the source of revenue for repayment of any and all final executed Clean Water State Revolving Fund financial agreements for the Sonoma Valley County Sanitation District Biosolids Management Upgrade Project. This dedicated source of revenue shall remain in effect until such financing agreement is fully discharged unless the State Water Resource Control Board approves modification or change of such dedication in writing.
6. The General Manager/Chief Engineer is authorized to and shall deposit to a capital reserve fund one-half of one percent of the final loan amount annually for the first ten years of the loan until a balance of five percent of the loan amount is accumulated. This amount shall be held within the fund until the loan is entirely repaid.
7. The foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at its meeting held on April 21, 2009.

DIRECTORS

K. BROWN:	V. BROWN:	KELLEY:	
Ayes	Noes	Absent	Abstain

SO ORDERED.

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