

Resolution No. _____
County Administration Bldg.
Santa Rosa, CA

Date: _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA APPROVING AND AUTHORIZING THE CHAIR TO EXECUTE A FRANCHISE AGREEMENT WITH CALIFORNIA-AMERICAN WATER COMPANY AND EXPRESSING ITS INTENTION TO PASS THROUGH A PORTION OF THE REVENUES RECEIVED FROM THE FRANCHISE AGREEMENT TO A MARK WEST-LARKFIELD COMMUNITY SERVICES DISTRICT IF SUCH A DISTRICT IS APPROVED BY LAFCO AND THE VOTERS WITHIN THE PROPOSED DISTRICT

WHEREAS, California-American Water Company (Cal-Am) provides water service within the unincorporated area of the County of Sonoma commonly known as Mark West-Larkfield-Wikiup; and

WHEREAS, under the Franchise Act of 1937, the County may grant a franchise to Cal-Am for the use of public streets and property for the purposes of supplying water to consumers in the Mark West-Larkfield-Wikiup area; and

WHEREAS, the County and Cal-Am have negotiated a franchise agreement under which the County would grant such a franchise in return for the payment of a portion of revenues from Cal-Am's water sales in the Mark West-Larkfield-Wikiup area; and

WHEREAS, a Community Services Committee of certain members of the Mark West-Larkfield-Wikiup area have expressed a desire to bring more public services into the community to enhance the quality of life in the area, while at the same time bringing greater local input into what and how the such services are delivered; and

WHEREAS, the Community Services Committee has requested assistance from the County in establishing a community services district (CSD); and

WHEREAS, revenues from the Cal-Am franchise agreement may be used as the County desires; and

WHEREAS, the County wishes to assist the Community Services Committee by expressing its intention to pass through to the CSD a portion of the revenues from the franchise agreement (after reimbursement to the County of the costs associated with developing and administering the franchise agreement), provided that the CSD is approved by the Local Agency Formation Commission and approved by the voters in the area to be served by the CSD;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Sonoma:

1. All of the above recitals are true and correct;
2. The franchise agreement with California-American Water Company is approved, and the Chair of the Board is authorized and directed to execute the franchise agreement.
3. It is the intent of the County to provide a pass-through of a portion the franchise revenues to a Mark West-Larkfield-Wikiup CSD, subject to the approval of such district by LAFCO and approval of such district by the voters within the proposed district. Pending the formation and approval of the district, the franchise revenues shall be deposited in the County's district formation fund and set aside specifically to reimburse and fund the start-up costs of the district when formed. If the CSD is not formed, the County may use these funds for any other lawful, appropriate uses.

DIRECTORS:

BROWN_____ KERNS_____ ZANE_____ CARRILLO_____ KELLEY_____

Ayes _____ Noes _____ Absent _____ Abstain _____

SO ORDERED.