

BCPUD RESOLUTION NO. 599

AUTHORIZING THE GENERAL MANAGER TO SIGN FUNDING AGREEMENT, AMENDMENTS, AND CERTIFICATIONS FOR FUNDING UNDER THE SAFE DRINKING WATER STATE REVOLVING FUND FOR THE TERRACE AVENUE WATER MAIN RELOCATION PROJECT AND TO SIGN THE CONTRACTOR'S RELEASE FORM AND TO SIGN THE CERTIFICATION OF PROJECT COMPLETION; DEDICATING REVENUES FROM THE WATER ENTERPRISE FUND AS THE SOURCE OF REVENUE TO REPAY SAID LOAN; AND, AUTHORIZING BRELJE & RACE CONSULTING ENGINEERS TO APPROVE CLAIMS FOR REIMBURSEMENT AND EXECUTE BUDGET AND EXPENDITURE SUMMARY.

WHEREAS, on October 31, 2008, the Bolinas Community Public Utility District ("BCPUD") made application to the California Department of Public Health ("CDPH") for a \$365,000 loan under the Safe Drinking Water State Revolving Fund; and

WHEREAS, on April 4, 2011, the CDPH issued a Notice of Application Acceptance to said BCPUD committing \$365,000 in Loan Funding from the Safe Drinking Water State Revolving Fund for the Terrace Avenue Water Main Relocation Project, Project No. 2110005-003 E; and

WHEREAS, on May 18, 2011, the Board of Directors of the BCPUD adopted a project budget totaling \$365,000; and

WHEREAS, on April 4, 2011, the CDPH committed funding in the amount of \$365,000 under the Safe Drinking Water State Revolving Fund program; and

WHEREAS, the Funding Agreement under the Safe Drinking Water State Revolving Fund will provide for a 20-year repayment period at a 2.3035 percent interest rate.

WHEREAS, prior to the CDPH issuing said Funding Agreement, the Board of Directors of the BCPUD is required to pass a resolution formally establishing a dedicated source of revenue to repay said loan, authorizing an officer to execute said Funding Agreement, amendments, and certifications, designating a person (registered engineer) to approve claims for reimbursement, designating a person (registered engineer) to sign the Budget and Expenditure Summary, designating a person (registered engineer) to sign Certification of Project Completion, and designating a person to sign the Contractor's Release Form.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the General Manager of the BCPUD is hereby authorized to sign the Safe Drinking Water State Revolving Fund program Funding Agreement and any amendments thereto; and

BE IT FURTHER RESOLVED AND ORDERED, that Brelje & Race Consulting Engineers is hereby authorized to approve Claims for Reimbursement under the Safe Drinking Water State Revolving Fund program; and

BE IT FURTHER RESOLVED AND ORDERED, that the Brelje & Race Consulting Engineers is hereby authorized to execute the Budget and Expenditure Summary for the Safe Drinking Water State Revolving Fund program; and

BE IT FURTHER RESOLVED AND ORDERED, that the General Manager of the BCPUD is hereby authorized to sign the Contractor's Release Form for the Safe Drinking Water State Revolving Fund Program; and

BE IT FURTHER RESOLVED AND ORDERED, that the General Manager of the BCPUD is hereby authorized to certify that the project is complete and ready for final inspection; and

BE IT FURTHER RESOLVED AND ORDERED, that the BCPUD does hereby designate water revenues as the dedicated source of revenue to repay this Safe Drinking Water State Revolving Fund loan. This dedication shall remain in full force and effect until such loan is fully discharged, unless modification or change of such dedication is approved in writing by the CDPH. If for any reason, said source of revenues proves insufficient to satisfy the debt service of the Safe Drinking Water State Revolving Fund loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain this project.

BE IT FURTHER RESOLVED AND ORDERED, that the BCPUD does hereby covenant to establish water rates and charges in amount sufficient to general net income from water revenues equal to at least 1.2 times total debt service supported by its water enterprise fund (the "Debt Coverage Ratio") and agrees to maintain at all times the Debt Coverage Ratio until all amounts due to CDPH have been paid in full.

IT IS HEREBY CERTIFIED that this resolution was duly introduced and adopted by the Board of Directors of the Bolinas Community Public Utility District this 18th day of May, 2011, by the following vote:

AYES: AMOROSO, BENDER, KIMBALL, SIEDMAN, SMITH

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



President, Board of Directors

attest:



secretary