



City of Biggs

Agenda Item Staff Report for the Regular City Council Meeting: May 24, 2016

TO: Honorable Mayor and Members of the City Council
FROM: Mark Sorensen, City Administrator
Subject: Wastewater Project Phase 2 Financing Pledge of Revenues

Background:

In the process of working to finalize the financing arrangement for the Phase 2 wastewater project we discovered that the previously approved resolution 2013-24 is outdated. SRF now requires a slightly different resolution format, and the project number has changed due to SRF transition to a new project management platform.

Recommendation: Approve

RESOLUTION NO. 2016-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DEDICATING
PLEGGED REVENUES AND FUND FOR THE CLEAN WATER STATE
REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT
UPGRADE – PHASE 2

Mark Sorensen, City Administrator

RESOLUTION NO. 2013-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DEDICATING A SOURCE OF NET REVENUES FOR CLEAN WATER STATE REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT MODIFICATIONS – PHASE 2

WHEREAS, the City of Biggs has applied for financing of the Wastewater Treatment Plant Upgrade – Phase 2, to the Clean Water State Revolving Fund (CWSRF); and,

WHEREAS, the CWSRF requires a dedicated source of revenue for repayment of any financial assistance (except for grants); and,

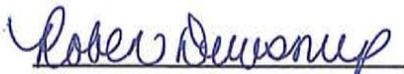
WHEREAS, the City Council of the City of Biggs, in accordance with procedures required in Proposition 218, has adopted new rates to be effective on July 1, 2013; now therefore,

BE IT RESOLVED, that the City Council of the City of Biggs hereby dedicates the net revenues of the Sewer Fund to payment of any and all CWSRF financing for the Wastewater Treatment Plant Modifications – Phase 2, Project No. C-06-5544-210. This dedicated source of net revenues shall remain in effect throughout the term of such financing unless modification or change of such dedication is approved in writing by the State Water Resources Control Board.

I HEREBY CERTIFY that the foregoing **RESOLUTION** was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Biggs, held on the 9th day of July, 2013, by the following vote:

AYES: Council Members: Frith, Sheppard, Arnold & Thompson
NOES: Council Members: _____
ABSENT: Council Members: Busch
ABSTAIN: Council Members: _____

ATTEST:


Roben Dewsnap, CITY CLERK


Roger Frith, MAYOR

RESOLUTION NO. 2016-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIGGS DEDICATING PLEDGED REVENUES AND FUND FOR THE CLEAN WATER STATE REVOLVING FUND FINANCING OF THE WASTEWATER TREATMENT PLANT UPGRADE – PHASE 2

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WHEREAS, the City of Biggs has applied for financing of the Wastewater Treatment Plant Upgrade – Phase 2, to the Clean Water State Revolving Fund (CWSRF); and,

WHEREAS, the CWSRF requires a dedicated source of revenue for repayment of any financial assistance (except for grants); and,

WHEREAS, the City Council of the City of Biggs, in accordance with procedures required in Proposition 218, has adopted new rates to be effective on July 1, 2013; now therefore.

THEREFORE BE IT RESOLVED, City of Biggs (the "Entity") hereby dedicates and pledges the Sewer Operating Fund to payment of any and all Clean Water State Revolving Fund financing for WWTP Upgrades - Phase 2 (7844-110). The Entity commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the Entity has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the State Water Resources Control Board. So long as the financing agreement(s) are outstanding, the Entity's pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing fund(s) and revenue(s) without any further action necessary. So long as the financing agreement(s) are outstanding, the Entity commits to maintaining the fund(s) and revenue(s) at levels sufficient to meet its obligations under the financing agreement(s).

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The foregoing resolution was adopted by the City Council of the City of Biggs at its regular meeting held on the 24th day of May 2016, by the following vote:

AYES: COUNCILMEMBER _____

NOES: COUNCILMEMBER _____

ABSENT: COUNCILMEMBER _____

ABSTAIN: COUNCILMEMBER _____

ATTEST:

APPROVED:

Roben Dewsnup
CITY CLERK

Roger L. Frith
MAYOR