



AGENDA REPORT
SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: June 19, 2012

Agenda Item 600
 Approvals: _____
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney _____
 Finance _____

Department: Public Works / Engineering Division
Prepared By: David Rebensdorf, Assistant City Engineer DR

Subject: **RESOLUTION NO. _____ DEDICATING SOURCES OF REVENUE FOR REPAYMENT OF THE STATE WATER RESOURCES CONTROL BOARD, STATE REVOLVING FUND LOAN FOR THE CITY'S RECYCLED WATER SYSTEM EXPANSION PROJECT.**

Summary: On January 20, 2009 the City Council authorized the City Manager to file and negotiate a State Revolving Fund (SRF) loan with the State Water Resource Control Board (SWRCB) for the expansion of the City's Recycled Water System. The City adopted Resolution No. 10-87 on November 16, 2010 dedicating source of revenue for repayment of the SRF loan from the net revenues of the City's Water Operating Fund service charges as part of the City's application. The State is requesting the City to make a change in the resolution to remove the reference to service charges and provide for net revenues of the City's Water Operating Fund as the dedicated source for repayment for the loan. Staff recommends Council's approval of a new resolution as requested by the State, and rescind of the existing resolution. There is no fiscal impact to the Water Operating Fund for this change.

Recommended Action: STAFF RECOMMENDS THAT the City Council adopt RESOLUTION NO. _____ entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DEDICATING SOURCES OF REVENUE FOR REPAYMENT OF THE STATE REVOLVING FUND LOAN FOR THE CITY'S RECYCLED WATER SYSTEM EXPANSION PROJECT; AND RESCIND PREVIOUSLY APPROVED RESOLUTION NO. 10-87 IN ITS ENTIRETY".

Fiscal Impact: None at this time

Attachments: Resolution – Dedicating Sources of Revenue for Repayment of the State Revolving Fund Loan for the City's Recycled Water System Expansion Project.

Notification: None

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DEDICATING SOURCES OF REVENUE FOR REPAYMENT OF THE STATE REVOLVING FUND LOAN FOR THE CITY'S RECYCLED WATER SYSTEM EXPANSION PROJECT; AND RESCIND PREVIOUSLY APPROVED RESOLUTION NO. 10-87 IN ITS ENTIRETY.

WHEREAS, by Resolution No. 09-06, adopted on January 20, 2009 the City Council of the City of San Clemente authorized the City Manager or his/her designee to apply for a State Revolving Fund ("SRF") loan to fund all or a portion of the cost of planning, design, and construction of the City's Recycle Water System Expansion Project ("Project"); and

WHEREAS, by Resolution No. 10-87, adopted on November 16, 2010 the City Council of the City of San Clemente dedicated sources of revenue for repayment of the State Revolving Fund Loan for the City's Recycled Water System Expansion Project; and

WHEREAS, Section 603(d)(1)(C) of the Federal Clean Water Act Amendments requires each loan recipient to establish one or more dedicated source of revenue for repayment for a SRF loan.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. All of the Recitals set forth hereinabove are true and correct and incorporated herein.

Section 2. City Council Resolution No. 10-87 is hereby rescinded in its entirety.

Section 3. The City of San Clemente hereby dedicates the net revenues of the Water Operating Fund to payment of any and all Clean Water SRF Recycled Water System Expansion, State Resources Control Board Project Number C-06-4516-110 for the cost of planning, design and construction of the City's Project. 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.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this _____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of
San Clemente, California

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) §
 CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

 CITY CLERK of the City of
 San Clemente, California

Approved as to form:

 City Attorney