

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
ACTING AS THE GOVERNING BOARD OF THE FAIR OAKS SEWER  
MAINTENANCE DISTRICT**

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**RESOLUTION**

- A) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SUBMIT A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR THE CLEAN WATER STATE REVOLVING FUND TO FUND THE CONSTRUCTION OF COLLECTION SYSTEM IMPROVEMENTS TO THE SANITARY SEWER FACILITIES; AND**
- B) AUTHORIZING THE PRESIDENT OF THE BOARD OR HIS/HER DESIGNEE TO NEGOTIATE AND EXECUTE FINANCIAL ASSISTANCE AGREEMENTS FROM THE STATE WATER RESOURCES CONTROL BOARD AND ANY AMENDMENTS OR CHANGE ORDERS THERETO, AND CERTIFY FINANCING AGREEMENT DISBURSEMENTS; AND**
- C) DEDICATING THE NET REVENUES COLLECTED THROUGH THE SEWER SERVICE CHARGES FOR REPAYMENT OF THE FUNDS ACCESSED THROUGH THE CLEAN WATER STATE REVOLVING FUND**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo (County), State of California, acting as the Governing Board of the Fair Oaks Sewer Maintenance District (FOSMD), that

**WHEREAS**, this Board did, on May 19, 2009, adopt Resolution No. 070109, which authorized the Director of Public Works to submit one Financial Assistance Application to the State Water Resources Control Board (SWRCB) for Clean Water State Revolving Funds (CWSRF) for collection system improvement projects in nine County Sewer Maintenance/Sanitation Districts, including the Fair Oaks Sewer Maintenance District; and

**WHEREAS**, current SWRCB policy requires that individual applications and

resolutions be submitted for each district; and

**WHEREAS**, each funding recipient is required to establish one or more dedicated sources of revenue for payment of the financing agreement; and

**WHEREAS**, the CWSRF financing for the FOSMD is expected to be in the amount of \$4,000,000 at a low interest rate for twenty (20) years, which will be paid in annual installments, commencing upon completion of the FOSMD's Collection System Improvement Project (Project); and

**WHEREAS**, this Board adopted Ordinance No. 04625 on July 24, 2012, setting the FY 2012-13 sewer service rate for the FOSMD; and

**WHEREAS**, the annual sewer service rate set by the above ordinance included funds to implement the Project within the FOSMD to increase the size of sewer mains where capacity is insufficient or replace sewer mains in poor condition; and

**WHEREAS**, it is prudent and cost effective to obtain CWSRF financing to pay for the identified Project within the FOSMD; and

**WHEREAS**, current and future sewer service rates are sufficient to support repayment of a twenty year (20-year) CWSRF loan and the FOSMD's budget will be financially responsible for the construction cost of the Project within the FOSMD; and

**WHEREAS**, the net revenues of the FOSMD collected in accordance with the

sewer service rates are to be dedicated for payments required in connection with the CWSRF financing in accordance with the financial assistance agreement to be executed for the FOSMD Project, which has been assigned the Project No. 7814-110 by the SWRCB.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as

follows:

1. The County Director of Public Works, acting as Director of Public Works for the FOSMD, is hereby authorized and directed to sign and file, for and on behalf of the FOSMD, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the FOSMD's Project.
2. On behalf of the FOSMD, this Board of Supervisors hereby agrees and further does authorize the aforementioned representative or his/her designee to certify that the FOSMD has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board.
3. The President of the Board of Supervisors or his/her designee of the County of San Mateo is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto and certify financing

agreement disbursements on behalf of the FOSMD.

4. The FOSMD hereby dedicates net revenues to payment of any and all Clean Water State Revolving Fund financing for Project No. 7814-110. 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.

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