

RESOLUTION NO.

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * *

RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT BETWEEN THE BURLINGAME HILLS SEWER MAINTENANCE DISTRICT AND THE COUNTY THAT PROVIDES A \$465,000 LOAN TO THE BURLINGAME HILLS SEWER MAINTENANCE DISTRICT TO PAY A PORTION OF THE OF COST FOR THE HILLSIDE AND ADELINE AREA SANITARY SEWER REHABILITATION PROJECT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the Burlingame Hills Sewer Maintenance District (District) is a public entity organized and existing under Division 5, Part 3, Chapter 4 (commencing with Section 4860) of the Health and Safety Code and under the supervision and control of the County; and

WHEREAS, the District completed a Capacity Assurance Plan (Plan) in 2011, which provided an update to the District’s 1999 Sewer Master Plan and included a list of recommended Capital Improvement Projects; and

WHEREAS, the Plan identified the need to rehabilitate the Hillside and Adeline Area sewer main segments to address infiltration and inflow deficiencies in the collection system to reduce the occurrences of sanitary sewer overflows; and

WHEREAS, the District wishes to complete the Hillside and Adeline Area Sanitary Sewer Rehabilitation Project (Project); and

WHEREAS, pursuant to California Government Code § 29000 *et seq.* (the “County Budget Act”), the county budget includes the operations of the governmental and proprietary funds of the county, dependent special districts and other agencies whose affairs and finances are under the supervision and control of the board of supervisors; and

WHEREAS, pursuant to the County Budget Act, the County has broad authority to appropriate funds as it deems necessary or desirable to carry out the functions of the County or its dependent special districts or other agencies under the Board of Supervisors’

supervision and control; and

WHEREAS, Section 4894 of the Health and Safety Code of the State of California provides that sewer maintenance districts may borrow money from a county or another sewer maintenance district for construction, reconstruction, and repair of sewer systems; and

WHEREAS, pursuant to Health and Safety Code Section 4885, the County's Board of Supervisors, as the governing board of the District, has the authority to "make and enforce all rules and regulations necessary for the administration and government of the district and for the cleaning, repair, reconstruction, renewal, replacement, operation, and maintenance of lateral and collecting sewers"; and

WHEREAS, the District does not have adequate funds to pay for the total costs necessary to construct the Project; and

WHEREAS, the Director of Public Works has recommended that the District obtain a loan from the General Fund in the amount of \$465,000 to finance a portion of the Project costs, with said loan being repaid over a fifteen (15) year period with interest from the revenue of the District; and

WHEREAS, there has been presented to this Board a form of agreement providing for said loan and the repayment thereof; and

WHEREAS, this Board has reviewed and considered said agreement and the recommendation of the Director of Public Works and concurs in the Director's recommendation.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Agreement for and on behalf of the County and signature of the Clerk of this Board shall attest thereto.

* * * * *