

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD TO RECEIVE PUBLIC WATER SYSTEM DROUGHT EMERGENCY RESPONSE PROGRAM GRANT FUNDING

WHEREAS on or about June 19, 2014, the City of Santa Barbara was identified by the California Department of Public Health, Division of Drinking Water and Environmental Management, now under the State Water Resources Control Board and herein referred to as the "State" as experiencing a threatened emergency; and

WHEREAS the City of Santa Barbara requested funding from the State for a grant in the amount of \$500,000 under the Public Water System Drought Emergency Response Funding Program (hereinafter referred to as the "Drought Emergency Program"); and

WHEREAS, on October 9, 2014, a funding agreement was issued by the State to the City of Santa Barbara for funding through the Drought Emergency Program for project number PDE-4210010-001, (hereinafter referred to as the "Project") in the amount of \$350,000, (herein referred to as "Grant Funding"); and

WHEREAS, the City of Santa Barbara acknowledges and confirms that the total Project capital cost is estimated to be \$6,022,603 and the City of Santa Barbara's share of that total cost is \$2,160,910; of which \$350,000 is to be funded with Grant Funding through the Drought Emergency Program and \$1,810,910 ("Supplier's Cost") is to be funded by the City of Santa Barbara; and

WHEREAS, prior to the State executing said Funding Agreement, the City Council of the City of Santa Barbara, is required to adopt a resolution authorizing the Project and designating a person or persons to sign the funding agreement and any amendments, designating a person or persons to approve claims for reimbursement, designating a person or persons to sign the Budget and Expenditure Summary, designating a person or persons to certify to State that the Project is complete, and designating a person to sign the Final Release form.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City of Santa Barbara is hereby authorized to carry out the Project, enter into a Funding Agreement with the State, accept and expend Drought Emergency Program funds for the Project.

SECTION 2. Due to the current extraordinary water shortage, the City of Santa Barbara plans to expend approximately \$8 million dollars in Fiscal Year 2015 for drought related projects including its share of the Project costs, which has required the City's use of reserves balances below policy levels.

SECTION 3. Grant Funding in excess of Supplier's Cost will provide funding to partly restore reserve balances to required policy levels.

SECTION 4. The Public Works Director, or designee, is hereby authorized and designated to sign the Drought Emergency Program funding agreement for the Project and any amendments thereto.

SECTION 5. The Public Works Director, or designee, is hereby authorized and designated to sign the claims for reimbursement requests under the Drought Emergency Program.

SECTION 6. The Public Works Director, or designee, is hereby authorized and designated to certify that the Project is complete and ready for an inspection by the State of any Project construction.

SECTION 7. The Public Works Director, or designee, is hereby authorized and designated to sign the Budget and Expenditure Summary for the Project.

SECTION 8. The Public Works Director, or designee, is hereby authorized and designated to sign a final release form for the Project.

SECTION 9. The authority granted hereunder shall be deemed retroactive. All acts authorized hereunder and performed prior to the date of this Resolution are hereby ratified and affirmed. State is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by State. State shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation or governance documents of the City of Santa Barbara or in any other document.

SECTION 10. Any and all actions, whether previously or subsequently taken by the City of Santa Barbara, which are consistent with the intent and purposes of the foregoing resolutions, shall be, and hereby are, in all respects, ratified, approved and confirmed.