

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA PLEDGING THE WASTEWATER FUND NET REVENUE TO PAYMENT OF A CLEAN WATER STATE REVOLVING FUND FINANCING AGREEMENT

WHEREAS, an outside funding source has been identified by staff as an essential instrument to fund the planning, design, and construction costs of the El Estero Wastewater Treatment Plant Biosolids Improvement Project (“Project”);

WHEREAS, the Acting City Administrator, or his designee, was authorized by the City Council on December 9, 2014, to apply for State Revolving Funds to pay for a substantial portion of the cost of the Project;

WHEREAS, the State Water Resources Control Board has notified the Acting City Administrator that the loan application require the City Council action dedicating a funding source for repayment of the CWSRF financing agreement;

WHEREAS, upon acceptance of this resolution, City staff will finalize the request for proposal for the planning study, design work, and final project construction of said Project; and

WHEREAS, Council will take separate action to accept the financing agreement and award the contract for the planning study, design work, and final project construction of said Project.

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

SECTION 1. The City of Santa Barbara hereby dedicates and pledges the Wastewater Fund and the Wastewater Fund net system revenue to payment of any and all Clean Water State Revolving Fund for the El Estero Wastewater Treatment Plant Biosolids Improvement Project.

SECTION 2. Subject to the limitations provided in Article XVI of the California Constitution, the City of Santa Barbara commits to collect such revenue and maintain such funds throughout the term of such financing and until the City of Santa Barbara has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the State Water Resources Control Board.

SECTION 3. So long as the financing agreement is outstanding, the City of Santa Barbara’s pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the Wastewater Fund and Wastewater Fund new system revenue without any further action necessary.

SECTION 4. So long as the financing agreement is outstanding, the City of Santa Barbara commits to maintaining the Wastewater Fund and Wastewater Fund net system revenue at levels sufficient to meet its obligations under the financing agreement(s).