



Brooktrails Township

COMMUNITY SERVICES DISTRICT

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DATE: February 20, 2015

AGENDA ITEM K-5

TO: Board of Directors

FROM: Denise Rose

RE: Consideration of Resolution authorizing the general manager to sign a funding agreement and amendments for funding under the public water system drought emergency response program

BACKGROUND:

The Board authorized the submission of a preliminary funding request for several water projects ranging from an intertie with the city of Willits to expansion of Lake Ada Rose to State Water Resources Control Board - Division of Drinking Water.

Subsequently, the Division accepted the Township's request for funding for ground water exploration and possible development of wells should the exploration phase yield site that could be developed. The Township submitted an expanded application on or about September 9, 2014.

The phase one of the project has been funded through a grant from the public water system drought emergency response program in the amount of \$60,000. Should phase one of the project yield positive results the Division has advised the Township that it would fund phase two of the project.

At its January 27, 2015 the Board approved a resolution authorizing the signing of the grant agreement, as well other documents required by the Division in order to implement and carry out the project.

Subsequent to the January 27, 2015 meeting, the Division of Drinking Water revised the resolution and requested that the Board adopt the attached resolution. The new resolution eliminates all reference to the Township's in-kind donation to the project and only discusses the grant funding to be provided by the State of California through the Division of Drinking Water.

MOTION: By roll-call vote, adopt Resolution 2015- 6 authorizing the General Manager to sign a funding agreement and amendments for funding under the public water system drought emergency response program; authorizing the general manager to approve claims for reimbursement; authorizing the General Manager to approve the budget and expenditure summary, and authorizing the General Manager to sign the final release form and certification of project completion.

RESOLUTION NO. 2015-6

Resolution by the governing body of **Brooktrails Township Community Services District** authorizing a representative to sign a funding agreement and amendments for funding under The Public Water System Drought Emergency Response program; authorizing representatives to approve claims for reimbursement; authorizing a representative to approve the budget and expenditure summary, and authorizing a representative to sign the final release form and certification of project completion

WHEREAS, Brooktrails Township Community Services District was identified by the State Water Resources Control Board (herein referred to as the "State"), as experiencing a drought related drinking water emergency or threatened emergency eligible for funding under the Public Water System Drought Emergency Response Program (hereinafter referred to as the "Drought Emergency Program"), for project number **PDE-2310009-001**, (hereinafter referred to as the "Project"); and

WHEREAS, Brooktrails Township Community Services District adopted a Project budget totaling **\$60,000**; and

WHEREAS, a funding agreement for the Project under the Drought Emergency Program will provide for a grant in the amount of \$60,000; and

WHEREAS, Brooktrails Township Community Services District affirms and designates any balance between the total Project cost amount and funding through the Drought Emergency Program as "Supplier's Cost" to be the responsibility of **Brooktrails Township Community Services District** to ensure a fully funded Project unless otherwise defined by the funding agreement; and

WHEREAS, prior to the State executing a funding agreement, Brooktrails Township Community Services District is required to pass a resolution authorizing an representative to sign the funding agreement, amendments, and certifications; designating a person to approve the Claims for Reimbursement form; designating a person to sign the Budget and Expenditure Summary; designating a person to certify that the Project is complete, and designating a person to sign the Final Release form; and

NOW, THEREFORE BE IT RESOLVED AND ORDERED, that Brooktrails Township Community Services District 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; and

BE IT FURTHER RESOLVED AND ORDERED, Brooktrails Township Community Services District has no funds available for the Project in excess of the Supplier's Cost prior to State's disbursement of Grant Funding; and

BE IT FURTHER RESOLVED AND ORDERED, that the General Manager is hereby authorized and designated to sign the Drought Emergency Program funding agreement for the Project and any amendments thereto for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, that the General Manager is hereby authorized to sign the Budget and Expenditure Summary for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, that the **General Manager** is hereby authorized to approve Claims for Reimbursement forms for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, that the **General Manager** is hereby authorized to certify that the Project is complete; and

BE IT FURTHER RESOLVED AND ORDERED, that the **General Manager** is hereby authorized to sign a Final Release form for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, 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 **Brooktrails Township Community Services District** or in any other document; and

BE IT FURTHER RESOLVED AND ORDERED, any and all actions, whether previously or subsequently taken by **Brooktrails Township Community Services District**, which are consistent with the intent and purposes of the foregoing resolutions, shall be, and hereby are, in all respects, ratified, approved and confirmed.

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Passed and adopted by the duly authorized governing body of **Brooktrails Township Community Services District** on February 24, 2015 by the following vote:

Ayes: Directors:
Nays: Directors:
Absent: Directors

R. Richard Williams, President

ATTEST:

Denise M. Rose, Secretary

Brooktrails Township Community Services District