

Rio Linda / Elverta Community Water District

RESOLUTION NO. 2011-06

**A RESOLUTION AMENDING SECTION 2.01.110 BY CHANGING
THE REGULAR BOARD MEETING START TIME
FROM 7:00 P.M. TO 6:30 P.M. ON THE
THIRD MONDAY OF EACH MONTH**

BE IT RESOLVED, by the Board of Directors of the Rio Linda / Elverta Community Water District that Section 2.01.110 of the Policy Manual is here by amended to read as follows:

2.01.110 Regular Meetings. The regular meeting of the Board of Directors shall be held on the Third Monday of each month at 6:30 p.m. at the Depot / Visitors Center located at 6730 Front Street, Rio Linda, CA 95673.

Passed and Adopted this 1st Day of August 2011 by the following vote:

Ayes, in favor hereof: 4-0-1, Frank Caron, Martin Smith, Cathy D. Hood and Vivien Spicer-Johnson

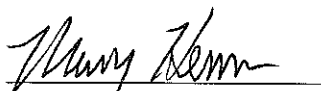
Noes: None

Absent: 1, Courtney Caron

Abstain: None


Courtney Caron
President, Board of Directors

Attest:


Mary Henrici
Secretary of the Board

RESOLUTION NO. 2011-05

**RESOLUTION OF RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT
AUTHORIZING THE PLEDGE OF REVENUES FROM THE CAPITAL PROJECTS
WATER SURCHARGE ADOPTED ON MAY 19, 2009, PURSUANT TO RIO LINDA /
ELVERTA COMMUNITY WATER DISTRICT ORDINANCE NO. 2009-03, AS
COLLATERAL TO SECURE REPAYMENT OF THE STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH SAFE DRINKING WATER STATE
REVOLVING FUND LOAN.**

WHEREAS, Rio Linda/Elverta Community Water District ("RLECWD") and the California Department of Public Health entered into a Funding Agreement dated as of June 30, 2011 (the "Funding Agreement"), for a loan ("Loan") in the amount of \$7,500,000 under the Safe Drinking Water State Revolving Fund program; and

WHEREAS, as a condition to disbursement of the Loan, RLECWD is required to adopt a resolution authorizing the pledge of gross revenues of the Capital Projects Water Surcharge adopted on May 19, 2009, pursuant to Rio Linda/Elverta Community Water District Ordinance No. 2009-03 (the "Surcharge").

WHEREAS, RLECWD is required to establish water rates and charges in amounts sufficient to generate and maintain annual net revenues equal to at least 1.2 times the total annual debt service.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that RLECWD does hereby pledges gross revenue of the Surcharge as collateral to secure repayment of the Loan. This pledge shall remain in full force and effect until such loan is fully discharged, unless modification or change of such pledge is approved in writing by the California Department of Public Health. If for any reason, the Surcharge and the Increased Water Rates prove insufficient to satisfy the debt service of the Loan, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet this loan obligation and to operate and maintain this project.

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. The California Department of Public Health is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by the California Department of Public Health. The California Department of Public Health shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of RLECWD.

BE IT FURTHER RESOLVED AND ORDERED, that RLECWD shall establish water rates and charges in amounts sufficient to generate and maintain annual net revenues equal to at least 1.2 times its total annual debt service until the Loan is repaid in full.

July 18, 2011

ADOPTED, SIGNED AND APPROVED this 18th day of July, 2011 by the following vote:

Director Martin Smith

AYES, in favor hereof: Director Courtney Caron, Director Frank Caron

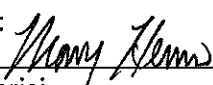
NOES: Director Cathy Nelson-Hood, Director Vivien Spicer Johnson

ABSTAIN: None

ABSENT: None



Courtney J. Caron
President of the Board of Directors

ATTEST: 

Mary Henrici
Secretary to the Board of Directors

Resolution 2011-04

APPOINTMENT OF ALTERNATE REPRESENTATIVE TO THE REGIONAL WATER AUTHORITY

BE IT RESOLVED, that the following person(s) are appointed to the position of alternate representative of the Regional Water Authority, to serve until their successor(s) shall be appointed, unless he or she resigns, is removed from position or is otherwise disqualified from serving as the alternate of this District, to take their respective position immediately upon such appointment:

BE IT FURTHER RESOLVED, that the representative of this District is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such representatives shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions.

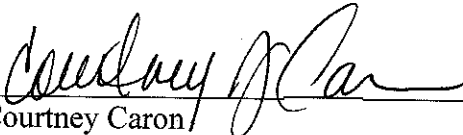
BE IT FURTHER RESOLVED, that any actions taken by such representatives prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of this District.

NOW, THEREFORE BE IT RESOLVED, by the undersigned that the foregoing resolution was duly passed by the Board of Directors of the Rio Linda / Elverta Community Water District on the 20th day of June, 2011.

Passed and Adopted this 20th Day of June 2011 by the following vote:

Ayes, in favor hereof: (5) Directors Courtney, Frank Caron, Martin Smith,
Vivien Spicer-Johnson, and Cathy Nelson Hood

Noes: None
Absent: None
Abstain: None



Courtney Caron
President, Board of Directors

Attest:



Mary Henrici
Secretary of the Board

Rio Linda / Elverta Community Water District

Resolution 2011-03

RESOLUTION AUTHORIZING THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT BOARD OF DIRECTORS THE AUTHORITY TO APPROVE ON A CASE BY CASE BASIS WATER SERVICE CONNECTIONS FOR FIRE PROTECTION BEFORE THE PAYMENT OF ESTABLISHED FEES TO THE DISTRICT.

WHEREAS, by Ordinance 2008-02 the Rio Linda/Elverta Community Water District (RLECWD) adopted modifications to fees and charges for fire protection, water service connections, water hydrant usage, reproduction and other miscellaneous services; and

WHEREAS, pursuant to Ordinance 2008-02 and its attached exhibits, the RLECWD requires that all Water Service Capacity Fees shall be paid prior to plan approval by the General Manager; and

WHEREAS, section 4.07.030 of the RLECWD Policy Manual, dated November 2008, requires that installation of a new service and continuation of service shall be conditioned upon payment of fees and charges; and

WHEREAS, the RLECWD Board of Directors believe that under certain circumstances it may be in the best interests of the community and ratepayers to permit the installation/connection of a new service for fire protection before the payment of the established fees to the District.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the RLECWD Board of Directors are hereby authorized, upon request by an applicant for a new fire protection service installation/connection, and after a public hearing, to permit such installation/connection prior to the payment of the District's established fees; and

BE IT FURTHER RESOLVED AND ORDERED, that any authorization shall be conditioned on the applicant for the new fire protection service installation/connection entering into a written agreement with the RLECWD to pay all fees due no later than six months from the date the fees are originally due.

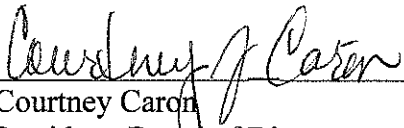
Passed and Adopted this 16th Day of May 2011 by the following vote:

Ayes, in favor hereof:

Noes:

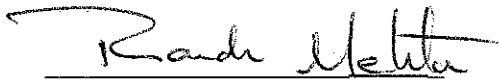
Absent:

Abstain:



Courtney Caron
President, Board of Directors

Attest:



Ravi Mehta
Secretary of the Board

Rio Linda / Elverta Community Water District

Resolution 2011-02

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SIGN FUNDING AGREEMENT, AMENDMENTS, AND CERTIFICATIONS FOR FUNDING UNDER THE SAFE DRINKING WATER STATE REVOLVING FUND; TO APPROVE CLAIMS FOR REIMBURSEMENT; TO EXECUTE BUDGET AND EXPENDITURE SUMMARY; TO SIGN THE CONTRACTOR'S RELEASE FORM AND TO SIGN THE CERTIFICATION OF PROJECT COMPLETION; AND DEDICATING REVENUES FROM DISTRICT SURCHARGE ACCOUNT PURSUANT TO ORDINANCE NUMBER 2009-03 AS THE SOURCE OF REVENUE TO REPAY SAID LOAN

WHEREAS, beginning on February 29, 2008, the Rio Linda/Elverta Community Water District (RLECWD) made application to the California Department of Public Health for a \$8,300,000 loan under the Safe Drinking Water State Revolving Fund; and

WHEREAS, the California Department of Public Health has issued a Notice of Application Acceptance to said RLECWD committing \$7,499,045 in Loan Funding from the Safe Drinking Water State Revolving Fund for Wells 15, 16, and 17 with associated pipeline improvements as described under Project Number 3410018-001; and

WHEREAS, on this date, said RLECWD Management and Board of Directors adopted a project budget totaling \$7,499,045; and

WHEREAS, the California Department of Public Health committed funding in the amount of \$7,499,045 under the Safe Drinking Water State Revolving Fund program; and

WHEREAS, the Funding Agreement under the Safe Drinking Water State Revolving Fund will provide for a 20 year repayment period at a 2.5707 percent interest rate.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the General Manager is hereby authorized to sign the Safe Drinking Water State Revolving Fund program Funding Agreement and any amendments thereto; and

BE IT FURTHER RESOLVED AND ORDERED, that the Registered District Professional Engineer is hereby authorized to approve Claims for Reimbursement under the Safe Drinking Water State Revolving Fund program; and

BE IT FURTHER RESOLVED AND ORDERED, that the Registered District Professional Engineer is hereby authorized to execute the Budget and Expenditure Summary for the Safe Drinking Water State Revolving Fund program; and

BE IT FURTHER RESOLVED AND ORDERED, that the Registered District Professional Engineer is hereby authorized to sign the Contractor's Release Form for the Safe Drinking Water State Revolving Fund Program; and

BE IT FURTHER RESOLVED AND ORDERED, that the Registered District Professional Engineer is hereby authorized to certify that the project is complete and ready for final inspection; and

BE IT FURTHER RESOLVED AND ORDERED, that the RLECWD does hereby designate revenues from the Proposition 218 Rate increase adopted pursuant to Rio Linda/Elverta Community Water District Ordinance 2011-01 as the dedicated source of revenue to repay the Safe Drinking Water State Revolving Fund loan. This dedication shall remain in full force and effect until such loan is fully discharged, unless modification or change of such dedication is approved in writing by the California Department of Public Health. If for any reason, said source of revenues proves insufficient to satisfy the debt service of the Safe Drinking Water State Revolving Fund loan, sufficient funds shall be raised through increased water rates, user charges, or assessments of any other legal means available to meet this loan obligation and to operate and maintain this project.

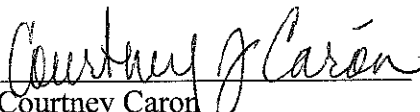
BE IT FURTHER RESOLVED AND ORDERED, that the Rio Linda/Elverta Community Water District does hereby covenant to establish water rates and charges in amounts sufficient to generate and maintain net revenues equal at least 1.2 times annual total debt service, supported by the Water Enterprise Fund until the loan is repaid in full.

BE IT FURTHER RESOLVED AND ORDERED, that the RLECWD shall secure the Safe Drinking Water State Revolving Fund loan on parity with the outstanding Series 2003 Water Revenue Refunding Bonds.


Passed and Adopted this 9th day of May 2011 by the following vote:

Ayes, in favor hereof: 5-0-0 Director's Courtney Caron, Martin Smith, Cathy Nelson-Hood, Frank Caron, and Vivien Spicer-Johnson

Noes: None
Absent: None
Abstain: None


Courtney Caron
President, Board of Directors

Attest:


Ravi Mehta
Secretary of the Board