

**INDIAN VALLEY COMMUNITY SERVICES DISTRICT
127 CRESCENT ST SUITE 1
GREENVILLE, CALIFORNIA 95947**

**RESOLUTION NO. 2016-006
March 9, 2016**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
INDIAN VALLEY COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL
MANAGER TO SIGN FINANCING AGREEMENT, AMENDMENTS, AND CERTIFICATION
FOR FUNDING UNDER THE DRINKING WATER STATE REVOLVING FUND (DWSRF);
AUTHORIZING THE GENERAL MANAGER TO APPROVE CLAIMS FOR
REIMBURSEMENT; AUTHORIZING THE GENERAL MANAGER TO EXECUTE BUDGET
AND EXPENDITURE SUMMARY; AUTHORIZING THE GENERAL MANAGER TO SIGN
THE FINAL RELEASE FORM AND THE GENERAL MANAGER TO SIGN THE
CERTIFICATION OF PROJECT COMPLETION; AND PLEDGING AND DEDICATION NET
WATER REVENUES FROM TO PAYMENT OF DWSRF FINANCING.**

WHEREAS, the Indian Valley Community Services District seeks financing from the State Water Resources Control Board for a project commonly known as Crescent Mills Filter Programmable logic controller (PLC) and SCADA Rehabilitation Project (“Project”); and

WHEREAS, the Indian Valley Community Services District seeks to improve the overall health of its entire water system; and

WHEREAS, the District has not had sufficient funding to complete this project.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that

1. The **General Manager** is hereby authorized and directed to sign and file, for and on behalf of the **Indian Valley Community Services District** a financial assistance application for a financing agreement from the State Water Resources Control Board for the Project;
2. The **General Manager** or designee is hereby authorized to sign the DWSRF program financing agreement for the Project and any amendments thereto, and provide the assurances, certifications and commitments required therefor;
3. The **General Manager** or designee is hereby authorized to represent the **Indian Valley Community Services District** is carrying out the **District’s** responsibilities under the financing agreement, including approving and submitting disbursement requests (including Claims for Reimbursement) or other required documentation, compliance with applicable state and federal laws, and making any other necessary certifications;
4. The **Indian Valley Community Services District** does hereby dedicate and pledge its net water revenues and its water enterprise fund to payment of the DWSRF financing for the Project. The **Indian Valley Community Services District** commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the **Indian Valley Community Services District** has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the State Water Resources Control Board. So long as the financing agreement(s) are outstanding, the **Indian Valley Community Services District** pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing fund(s) and revenue(s) without any further action necessary. So long as the financing agreement(s) are outstanding, the **Indian Valley Community Services District** commits to maintaining the fund(s) and revenue(s) at

levels sufficient to meet its obligations under the financing agreement(s). If for any reason, the said source of revenues proves insufficient to satisfy the debt service of the DWSRF obligation, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet the DWSRF obligation and to operate and maintain the project.; and

5. 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 State Water Resources Control Board is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by the State Water Resources Control Board. The State Water Resources Control Board shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of the **Indian Valley Community Services District** or in any other document.

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APPROVED, PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Indian Valley Community Services District this 9th day of March 2016 by the following vote:

AYES _____
NOES _____
Directors Absent _____

Directors:
Lee Anne Schramel _____
Sarah Holcomb _____
Philip Shannon _____
Robert Heard _____
Mina Admire _____

ATTEST:

Jeff Titcomb, Secretary of the Board

By: _____,