

CITY OF YUBA CITY  
STAFF REPORT

**Date:** October 6, 2009  
**To:** Honorable Mayor & Members of the City Council  
**From:** Utilities Department  
**Presentation By:** George Musallam, Public Works Director

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**Summary**

**Subject:** Approval of \$1,874,317 Funding Agreement under State Drinking Water State Revolving Fund American Recovery and Reinvestment Act funding for waterline installation

**Recommendation:** Adopt the attached Resolution authorizing acceptance of a State Drinking Water State Revolving Fund and American Recovery and Reinvestment Act funding and designation of the Utilities Director to sign and submit all required documents.

**Fiscal Impact:** None. These are grant funds through the American Recovery and Reinvestment Act

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**Background:**

City staff completed several preliminary requests for American Recovery and Reinvestment Act funding. Three projects were invited to submit a full application and are programmed to be funded. June 16, 2009 Council approved submission of full applications for the following projects:

- Water meters for existing accounts that are unmetered - \$3,500,000
- 16" water line near Lincoln and Sanborn Roads - \$375,000
- 14" water line Phillips to Walton on Lincoln Road, not including Highway 99 and Gilsizer Slough crossing - \$485,000

The waterlines will be constructed on Lincoln Road between Phillips and Walton Roads and near Lincoln and Sanborn Roads, see the attached map. These pipelines are being installed as part of the project to convert customers on groundwater to surface water supply.

Staff submitted full applications for the above projects. The first funding agreement to be received was the water metering project. Council approved that funding agreement on August 4, 2009. At the time this staff report was prepared the funding agreement for the waterline projects had not yet been received. Upon receipt the City Council has five days to approve the attached Resolution. The Funding Agreement will be made available as soon as it arrives. It is staff's understanding that the California Department of Public Health has added to the funding agreement all costs associated with the Highway 99 and Gilsizer Slough crossing. The funding agreement was also increased to actual bid cost, plus design, construction management and contingency.

**Fiscal Impact:**

None. These are grant funds through the American Recovery and Reinvestment Act. The Resolution and Funding Agreement state that it is a loan of which 100 percent does not have to be repaid.

**Alternatives:**

Do not adopt the Resolution and provide direction to staff. Without approval of a Resolution the grant submittal would be deemed incomplete and not be approved for funding.


**Recommendation:**

Adopt the attached Resolution authorizing acceptance of a State Drinking Water State Revolving Fund and American Recovery and Reinvestment Act funding and designation of the Utilities Director to sign and submit all required documents.

Prepared By:

  
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William P. Lewis, Utilities Director

Submitted By:

  
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Steven R. Jepsen, City Manager

Reviewed By:

Department UPL  
Finance RB  
City Attorney \_\_\_\_\_

**RESOLUTION NO. 09-\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AUTHORIZING UTILITIES DIRECTOR WILLIAM P. LEWIS TO SIGN  
WATERLINE FUNDING AGREEMENT  
ARRA PROJECT NUMBER 5115001-001  
AND AMENDMENTS FOR FUNDING UNDER THE CALIFORNIA SAFE  
DRINKING WATER STATE REVOLVING FUND AND THE AMERICAN  
RECOVERY AND REINVESTMENT ACT OF 2009; AUTHORIZING UTILITIES  
DIRECTOR WILLIAM P. LEWIS TO SIGN ALL CERTIFICATIONS AND  
REPORTS REQUIRED FOR SUCH FUNDING; AUTHORIZING UTILITIES  
DIRECTOR WILLIAM P. LEWIS TO APPROVE CLAIMS FOR  
REIMBURSEMENT; AUTHORIZING UTILITIES DIRECTOR WILLIAM P. LEWIS  
TO EXECUTE BUDGET AND EXPENDITURE SUMMARY; AUTHORIZING  
UTILITIES DIRECTOR WILLIAM P. LEWIS TO SIGN CONTRACTOR'S  
RELEASE FORM; AND AUTHORIZING UTILITIES DIRECTOR WILLIAM P.  
LEWIS TO SIGN THE CERTIFICATION OF PROJECT COMPLETION**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

WHEREAS, on July 7, 2009, the City of Yuba City made application to the California Department of Public Health for funding under the Safe Drinking Water State Revolving Fund and the American Recovery and Reinvestment Act of 2009 for a project commonly known and described as the Walton 14 inch and Walton 16 inch distribution line projects (herein the Project); and

WHEREAS, on June 16, 2009, said City of Yuba City City Council adopted a Project budget totaling \$860,000; and

WHEREAS, the Funding Agreement under the California Safe Drinking Water State Revolving Fund and the Federal American Recovery and Reinvestment Act of 2009 will provide for a loan in the amount of \$1,874,317 of which 100 percent or an estimated \$1,874,317 will not have to be repaid.

WHEREAS, prior to the California Department of Public Health's issuance of said Funding Agreement, City of Yuba City City Council is required to pass a Resolution formally authorizing a person to execute said Funding Agreement and amendments, authorizing a person to execute all certifications and reports required of funding recipients under the California Safe Drinking Water State Revolving Fund and the Federal American Recovery and Reinvestment Act of 2009; designating a person to approve claims for reimbursement, designating a person (registered engineer) to sign

the Budget and Expenditure Summary, designating a person (registered engineer) to sign Certification of Project Completion, and designating a person to sign the Contractor's Release Form.

NOW, THEREFORE, BE IT RESOLVED that the Utilities Director, William P. Lewis is hereby authorized to sign the Safe Drinking Water State Revolving Fund and American Recovery and Reinvestment Act Funding Agreement and any amendments thereto; and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to sign all certifications and reports required of funding recipients under the California Safe Drinking Water State Revolving Fund program and/or the Federal American Recovery and Reinvestment Act of 2009, and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to approve Claims for Reimbursement of project costs submitted pursuant to the terms of said funding agreement; and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to execute the Budget and Expenditure Summary for said Project; and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to sign the Contractor's Release Form to be provided pursuant to requirements of said funding agreement; and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to certify that the project is complete and ready for final inspection; and

BE IT FURTHER RESOLVED AND ORDERED, that the Utilities Director, William P. Lewis is hereby authorized to sign any other documents required for Project funding under the Safe Drinking Water State Revolving Fund and American Recovery and Reinvestment Act; and

BE IT FURTHER RESOLVED AND ORDERED, that the Project infrastructure investment is an appropriate use of taxpayer dollars; and

BE IT FURTHER RESOLVED AND ORDERED, that upon City Attorney approval that non substantive changes to the Resolution and Funding Agreement may be made.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 6<sup>th</sup> day of October 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

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LESLIE MCBRIDE, MAYOR

ATTEST:

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TERREL LOCKE, CITY CLERK