RESOLUTION NO. 3984-24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SERVE AS THE TOWN OF WINDSOR'S AUTHORIZED REPRESENTATIVE IN SEEKING FINANCIAL ASSISTANCE AND, IF AWARDED, AUTHORIZING THE ACCEPTANCE OF SUCH FINANCIAL ASSISTANCE ON BEHALF OF THE TOWN AND AMENDING THE BUDGET FOR THE APPLICABLE FISCAL YEAR ACCORDINGLY.

WHEREAS, the Town Council of the Town of Windsor (the "Agency") wishes to submit an application to the California State Water Resources Control Board (SWRCB) for Clean Water State Revolving Fund Financial Assistance ("Financial Assistance") to fund its aeration basins A and B upgrade/replacement project (the "Project") to address current deficiencies and improve the Water Reclamation Facility (WRF) capacity to treat current and projected future flows/loads and comply with effluent/phosphorus nutrient limits through 2040; enhance its recycle water quality; produce energy savings; and improve overall operational efficiency; and

WHEREAS, the SWRCB application requires a Certified Resolution of the Agency's Town Council (Town Council) (1) authorizing the submittal of the Financial Assistance application, (2) designating an Authorized Representative who is authorized and directed to sign an agreement establishing the terms of the Financial Assistance, and (3) authorizing the Authorized Representative to take actions required to receive and accept Financial Assistance; and

WHEREAS, the Agency is familiar with the terms, conditions, and limitations of SWRCB's agreement required for the Financial Assistance and is willing and able to conform to them; and

WHEREAS, the Agency desires to accept any such Financial Assistance that may be awarded; and

WHEREAS, the Agency desires to amend the annual budget as required to reflect and incorporate any Financial Assistance so awarded to the Agency and to increase the annual appropriations and expenditures in the appropriate Agency program to reflect such award.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Council hereby authorizes and directs the Public Works Director (Public Works Director), for and on behalf of the Agency, to sign and file a Financial Assistance Application for a financing agreement from the SWRCB for the Project.
2. The Town Council hereby designates the Public Works Director as the Agency's Authorized Representative for all Project purposes and authorizes the Public Works Director, or his designee, to provide the assurances, certifications, and commitments required for the Financial Assistance Application, including executing a Financial Assistance Agreement from SWRCB and any amendments or changes thereto.
3. The Town Council hereby authorizes the Public Works Director, or his designee, to represent the Town in carrying out the Town's responsibilities under the Financial Assistance Agreement, including certifying disbursement requests on behalf of the Agency and complying with applicable state and federal laws.

4. The Town Council hereby agrees to accept, and by this Resolution does accept, any Financial Assistance so awarded to the Agency without the need for further action by the Town Council.
5. Contingent upon the award of the funds to the Agency and the receipt of funds, the annual budgets of the Agency for the applicable fiscal year(s) are hereby amended by increasing the expense and/ or revenue appropriations as needed in an amount equal to the amount of funding received by the Agency.

PASSED, APPROVED AND ADOPTED this 20th day of November 2024, by the following vote:

AYES:	**COUNCILMEMBERS FUDGE, SALMON, WALL, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK