

RESOLUTION NO. 2016-06
OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
AUTHORIZING THE GENERAL MANAGER TO SIGN, APPROVE, AND
EXECUTE CERTAIN DOCUMENTS AND PLEDGING AND DEDICATING
NET WATER REVENUES TO PAYMENT OF THE DRINKING WATER
STATE REVOLVING FUND FINANCING FOR THE AUBURN LAKE
TRAILS TREATMENT PLANT CONSTRUCTION PROJECT

WHEREAS, the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT (“District”) seeks financing from the State Water Resources Control Board (“SWRCB”) for a project commonly known as the Auburn Lake Trails Water Treatment Plant Construction Project (“Project”); and

WHEREAS, the District is required to comply with state regulations regarding the filtration of drinking water; and

WHEREAS, the District will comply with state regulations by implementing the Project; and

WHEREAS, the District plans to partially fund the Project with loan funding from the State Water Resources Control Board (SWRCB); and

WHEREAS, the SWRCB requires the District to designate an official with legal authority to sign and approve certain documents and claims;

NOW, THEREFORE, be it resolved and ordered by the Board of Directors that:

1. The General Manager is hereby authorized and directed to sign and file, for and on behalf of the District, a financial assistance application for a financing agreement from the SWRCB 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 therefore;
3. The General Manager or designee is hereby authorized to represent the District in 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 District does hereby dedicate and pledge its net water revenues and its water enterprise fund to payment of the Drinking Water State Revolving Fund ("DWSRF") financing for the Project. The District commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the District has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the SWRCB. So long as the financing agreement(s) are outstanding, the District pledge hereunder shall constitute a lien in favor of the SWRCB on the foregoing fund(s) and revenue(s) without any further action necessary. So long as the financing agreement(s) are outstanding, the 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

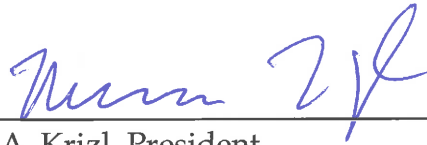
5. The authority granted hereunder shall be deemed retroactive. All acts authorized hereunder and performed prior to the date of this Resolution are hereby ratified and affirmed. The SWRCB is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by the SWRCB. The SWRCB shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents for the District or in any other document.

PASSED AND ADOPTED at a regularly held meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT this eighth day of March, 2016.

AYES: *Capraun, Hanschild, Hoelscher, Knizl, Usa*

NOES:

ABSENT/ABSTAIN:



Norman A. Krizl, President
Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

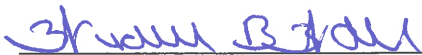
ATTEST:



Wendell B. Wall, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of **Resolution 2016-06** duly and regularly adopted by the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, County of El Dorado, State of California, on the 8th day of March, 2016.



Wendell B. Wall, Clerk and ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT