

RESOLUTION NO. 2415

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
OLIVEHURST PUBLIC UTILITY DISTRICT
APPROVING THE AUTHORIZED REPRESENTATIVE FOR THE CITY
OF WHEATLAND AND THE OLIVEHURST PUBLIC UTILITY
DISTRICT REGIONAL WASTEWATER TRANSMISSION AND TREATMENT
FACILITIES PROJECT**

WHEREAS the City of Wheatland (City) has been in negotiation(s) with the Olivehurst Public Utility District (OPUD), serving the Community of Olivehurst, for the planning, design and construction of Regional Wastewater Transmission and Treatment Facilities (Project) and,

WHEREAS the Project includes the planning, design, and construction of new wastewater interceptor(s), pump stations, wastewater treatment plant upgrades (OPUD), and other required appurtenances, and

WHEREAS the City's existing wastewater treatment facility is both old and deteriorated and fails to meet current California Regional Water Quality Control Board (CRWQCB) Waste Discharge Standards and Requirements, and

WHEREAS the City has completed the planning and design of the wastewater infrastructure that will convey raw sewage from the City's proposed PS – W1 to the OPUD Wastewater Treatment Plant (WWTP) approximately 17.5 miles in length, and

WHEREAS portions of the Project will include improvements to existing wastewater transmission, pump stations and treatment facilities as currently owned and operated by OPUD, and

WHEREAS the OPUD, in good faith, has been working cooperatively with the City over the last 3 years in the development of strategies to cost-effectively transport its raw wastewater from its current wastewater treatment plant with a design capacity of .62 MGD to the OPUD WWTP, and

WHEREAS both OPUD and the City have contracted with environmental consulting firms to address all potential environmental impacts as created by the construction and operation of the new and or upgraded wastewater conveyance and treatment facilities from the City of Wheatland to the OPUD WWTP, and

WHEREAS plans and specifications (95% complete) have been prepared for the wastewater conveyance and treatment facilities from the City to OPUD's WWTP along with other required sewer system overflow pipeline improvements located within the Community of Olivehurst, and

WHEREAS the City and the OPUD are in negotiation(s) on various agreements, including and not limited to, Operations Agreement, Capacity and Purchase Agreement, and Delegation agreement, and

WHEREAS the City and OPUD have recently requested to the State Water Resources Control Board (SWRCB) that they will jointly be preparing one SWRCB SRF grant application with the intent of acquiring 100% grant funding for the City and OPUD, which are both considered Disadvantage Communities (DAC), under current SWRCB guidelines, and

WHEREAS both the City and OPUD will be preparing and submitting one (1) grant application for facilities as, described within Attachment A, under the SWRCB SRF FFAST Program, including required resolutions and documents for both agencies and on behalf of their customers, and

WHEREAS the project description and proposed costs have been completed for both the City and OPUD's required facilities with the total project cost being \$144,937,883 which includes the planning, design, and construction of City's regional pipeline and lift stations along with required improvements to the OPUD's existing facilities including OPUD's required Sewer System Overflow (SSO) pipeline improvements solely benefitting the Community of Olivehurst, and

WHEREAS OPUDS's share of the proposed project is \$27,313,362, which includes the upsizing of interceptor pipelines and pump stations, wastewater treatment plant improvements, and upgrades and improvements to portions of the OPUD existing wastewater transmission pipelines independent of the regional pipeline and benefitting the Community of Olivehurst, and

WHEREAS OPUD is anticipating a 100% grant eligibility due to the 2020 census designation of being a Disadvantaged Community, and

WHEREAS OPUD is requesting 100% grant eligibility for its share of the regional project totaling \$17,476,211 which includes it a non-grant eligible local match/cost share of \$9,836,752 for OPUD's share of the regional pipeline, WWTP, and other pipelines encountering SSO problems, and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OD DIRECTORS OF THE OLIVEHURST PUBLIC UTILITY DISTRICT, that the following recitals are true and correct:

1. The OPUD Board of Directors hereby authorizes and directs the General Manager to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Wheatland and the Olivehurst Public Utility District Regional Wastewater Transmission and Treatment Facilities Project, as the Authorized Representative for the its participation in the proposed grant funded project.
2. This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. The Authorized Representative, or his/her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.
4. The Board of Directors hereby approves those project costs as described within the Basis of Design Reports (BODR), with the final overall project approval being subject to the final environmental approvals under both CEQA and NEPA.

PASSED AND ADOPTED by the Board of Directors of Olivehurst Public Utility District, this 19th day of January 2023, by the following vote:

SO ORDERED.

OLIVEHURST PUBLIC UTILITY DISTRICT

President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

District Clerk and Ex-Officio Secretary

Deirdre Joan Cox, Legal Counsel

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I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 19th day of January 2023, by the following vote:

AYES, AND IN FAVOR THEREOF:

NOES:

ABSTAIN:

ABSENT:

District Clerk and ex-officio Secretary