

**RESOLUTION NO. 29-21**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF  
THE CALIFORNIA STATE REVOLVING FUND (SRF) LOAN IN THE AMOUNT OF  
\$50,000,000 AND THE ADJUSTMENT OF THE REVENUES AND EXPENDITURES  
IN THE 2020-21 WASTEWATER CAPITAL IMPROVEMENT PROGRAM  
BUDGET BY SUCH AMOUNT**

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**WHEREAS**, pursuant to the charter of the City of Richmond, California (the “City”) and Chapter 13.56 of Article 13 of the Richmond Municipal Code (the “Bond Law”), the City is authorized to issue revenue bonds to finance the acquisition, construction, improvement, furnishing, equipping, remodeling, repair, reconstruction or rehabilitation of the wastewater treatment and collection facilities of the City (the “Enterprise”) or for the purpose of refunding bonds issued for such purposes pursuant to the City's charter and the Bond Law; and

**WHEREAS**, the City has issued bonds pursuant a Wastewater Revenue Bond Indenture, dated as of October 1, 2006 (as amended and supplemented, the “Indenture”), by and between the City and the Bank of New York Mellon Trust Company, N.A. as successor trustee (the “Trustee”) including its Wastewater Revenue Bonds, Series 2010A and its Wastewater Revenue Bonds Taxable Build America Bonds, Series 2010B (the “Series 2010B Bonds”), of which the Series 2010B Bonds are currently outstanding (collectively, the “Series 2010 Bonds”) pursuant to a Fourth Supplemental Wastewater Revenue Bond Indenture, dated as of October 1, 2010, its Wastewater Revenue Bonds, Series 2017A (the “Series 2017A Bonds”) pursuant to a Sixth Supplemental Wastewater Revenue Bond Indenture, dated as of August 1, 2017 and its Wastewater Revenue Bonds, Series 2019A and its Wastewater Revenue Refunding Bonds, Series 2019B (collectively, the “Series 2019 Bonds” and together with the Series 2010 Bonds and the Series 2017A Bonds, the “Bonds”); and

**WHEREAS**, the proceeds of the Bonds have financed or refinanced the costs of the acquisition, construction, improvement, furnishing, equipping, remodeling, repair, reconstruction or rehabilitation of the Enterprise, including such costs referred to as the “Capital Improvements Program Project” (the “Project”); and

**WHEREAS**, the City requested financial assistance to finance a portion of the Project through the Clean Water State Revolving Fund program administered by the California State Water Resources Control Board (the “State Water Board”); and

**WHEREAS**, on January 28, 2021, the City received a tentative loan agreement from the State Waterboard in the amount of \$50,000,000, and

**WHEREAS**, on February 23, 2021, the City Council adopted Resolution 21-21 authorizing the City to approve the loan document issued by the State Water Board; and

**WHEREAS**, the proceeds of the loan will be used for the purpose of funding capital improvements to the Enterprise (the “Project”); and

**WHEREAS**, in connection with the Project, the City desires to adjust its 2020-21 Wastewater Capital Program Budget to add \$50,000,000 to revenue and \$50,000,000 to expenditures.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Richmond, as follows:

**Section 1.** The foregoing recitals are true and correct and this City Council hereby so finds and determines.

**Section 2.** The 2020-21 Wastewater Capital Program Budget is hereby adjusted to add \$50,000,000 to revenues and \$50,000,000 to expenditures.

**Section 3.** The officers and agents of the City are, and each of them hereby is, authorized and directed to do any and all things and to execute and deliver any and all documents which they or any of them deem necessary or advisable and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the City has approved in this Resolution.

**Section 4.** This resolution shall take effect immediately upon its passage.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held March 16, 2021, by the following vote:

AYES:	Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

THOMAS K. BUTT  
Mayor

Approved as to form:

TERESA STRICKER  
City Attorney

State of California            }  
County of Contra Costa        }       : ss.  
City of Richmond                }

I certify that the foregoing is a true copy of **Resolution No. 29-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 16, 2021.

  
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Pamela Christian, Clerk of the City of Richmond

CLERK'S  
CERTIFICATE

I, Pamela Christian, City Clerk of the City of Richmond, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a **Resolution No. 29-21** duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 16<sup>th</sup> day of March 2021, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES:	Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

An agenda of said meeting was posted before said meeting at City Hall, 440 Civic Center Plaza, Richmond, California 94804, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

Such agenda was further posted and such meeting was conducted in accordance with and pursuant to Executive Order N-29-20, signed by the Governor of the State of California on March 17, 2020 and Executive Order N-35-20, signed by the Governor of the State of California on March 21, 2020.

I have carefully compared the foregoing with the original on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: March 18, 2021.



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City Clerk of the City of Richmond

[SEAL]