

RESOLUTION 2021-64

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH RIDGELINE
MUNICIPAL STRATEGIES LLC TO PREPARE A FEASIBILITY AND FINANCIAL
PLAN TO FULFILL REQUIREMENTS SET FORTH BY THE ENVIRONMENTAL
PROTECTION AGENCY ADMINISTRATIVE ORDER ON CONSENT AND
TERMINATING ITS AGREEMENT WITH CALIFORNIA MUNICIPAL ADVISORS**

WHEREAS, on August 18, 2020, the City Council adopted Resolution 2020-42, and the City and EPA executed an Administrative Order on Consent, (“AOC”) agreeing that the City will bring its water systems into Permit compliance by December 31, 2023; and

WHEREAS, the AOC has three primary components consisting of two compliance projects, (one for drinking water, and a second for disposing of its waste water), and a third project completing a Feasibility Study and Financial Plan for each of the two projects; and

WHEREAS, specifically, Section IV (22) (a) of the AOC has several dates and milestones to be met by the City and consistent with subsection IV (22) (a) (v), the City will submit a schedule for the “completion of a Feasibility Study and Financial Plan” unique to those specifics required by the EPA; and

WHEREAS, working with Weist Law, City Bond Counsel, it became clear that the City needed a registered municipal advisor to perform its work related to the EPA Financial Plan; and

WHEREAS, Weist Law and Dmitry Semenov working for California Municipal Advisors (“Cal Muni”) have worked on several project together before, and Cal Muni is registered as a municipal advisor with Securities and Exchange Commission (“SEC”) and the Municipal Securities Rule Making Board (“MSRB”) and pursuant to the Securities Exchange Act of 1934 Rule 15Bal-2, is uniquely qualified to act as the City’s independent registered municipal advisor (“IRMA”) for the purpose of fulfilling the duties described in the “Scope of Work” attached to the professional services agreement and for the purposes of meeting those standards set forth in SEC Rule15Bal-1(d)(3)(vi)) (the IRMA Exemption); and

WHEREAS, at the City Council Meeting, the City agreed that the specific services provided by Dmitry Semenov, now working for and proprietor of Ridgeline Municipal Strategies would better serve the City to be in compliance with the EPA’s AOC to prepare financial plans for each compliance project that meets those standards set-forth by the SEC; and

WHEREAS, Ridgeline Municipal Strategies is registered as a municipal advisor with Securities and Exchange Commission (“SEC”) and the Municipal Securities Rule Making Board (“MSRB”) and pursuant to the Securities Exchange Act of 1934 Rule 15Bal-2, is uniquely qualified to act as the City’s independent registered municipal advisor (“IRMA”) for the purpose of fulfilling the duties described in the “Scope of Work” attached to the professional services agreement and for the purposes of meeting those standards set forth in SEC Rule15Bal-1(d)(3)(vi)) (the IRMA Exemption); and

WHEREAS, the City agreed that it will no longer require the services of California Municipal Advisors, and it will terminate this Agreement within the required 30 days.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. That the above recitals, associated staff report, and recommendation from staff are true and correct.

SECTION 2. The City Council of the City of San Juan Bautista, hereby selects Ridgeline Municipal Strategies as its Independent Registered Municipal Advisor to prepare the feasibility study and financial plans for the two compliance projects identified in the Administrative Order on Consent.

SECTION 3. The City Council, consistent with Section IV (22) (a) (v) of the AOC, hereby directs the City Manager to execute the Agreement with Ridgeline Municipal Strategies, attached hereto by reference, and submit this Resolution to the EPA for their consideration.

SECTION 4. The City no longer requires the services of California Municipal Advisors and directs the City Manager to send written notice terminating this Agreement within the 30-day time period, prior to December 1, 2021.

PASSED, APPROVED AND ADOPTED this 16th day of November, 2021, by the following roll call vote:

AYES: Jordan, Edge, Flores, Freels, Freeman

NOES: None

ABSENT: None

ABSTAIN: None

ATTESTED:


Trish Paetz, Deputy City Clerk


Leslie Q. Jordan, Mayor