

RESOLUTION 2021-03

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

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 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 Cal Muni Advisors is required by 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.

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 California Municipal Advisors 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 an Agreement with Cal Muni, attached hereto by reference, and submit this Resolution to the EPA on or before January 22, 2021 for the EPA's consideration.

PASSED, APPROVED AND ADOPTED this 19th day of January, 2021, by the following roll call vote:

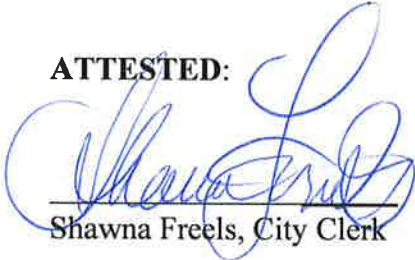
AYES: Jordan, Flores, Edge, Freels, Freeman

NOES: None

ABSENT: None

ABSTAIN: None

ATTESTED:


Shawna Freels, City Clerk


Leslie Q. Jordan, Mayor