

(O-2001-92)

ORDINANCE NUMBER O-**18903** (NEW SERIES)

ADOPTED ON **DEC 05 2000**

AN ORDINANCE PURSUANT TO CITY OF SAN DIEGO  
CHARTER SECTION 99 AUTHORIZING AND ACCEPTING  
STATE REVOLVING FUND LOAN PROGRAM CONTRACTS

WHEREAS, on March 17, 1997, the San Diego City Council adopted Resolution No. R-288425, authorizing the City Manager or, at his designation, the Metropolitan Wastewater Department Director or Assistant Director, to conduct all negotiations and submit all documents necessary to apply for and obtain loans from the State Water Resources Control Board [SWRCB] for the construction of wastewater infrastructure, pursuant to the SWRCB State Revolving Fund [SRF] Loan Program; and

WHEREAS, the City Manager and the Metropolitan Wastewater Department Director have accordingly applied to the SWRCB and qualified the City to receive twenty-year zero percent interest SRF loans; and

WHEREAS, on June 21, 1999, the City Council adopted Ordinance No. O-18655 and on February 22, 2000 adopted Ordinance No. O-18781 which authorized the specified projects for specified SRF loans; and

WHEREAS, as a condition of making such loans, the SWRCB requires the recipient to certify a dedicated source of revenue for repayment of the loans; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, that the City Manager and his duly designated representative, the Deputy City Manager for Public Works, are hereby authorized

to apply for, enter into, conduct all negotiations for, and execute and comply with all loan requirements regarding matching to fund a zero-interest SRF loan, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the necessary matching funds are, or will be, on deposit in the City Treasury.

BE IT FURTHER ORDAINED, that the City Manager or his duly authorized representative are hereby authorized to enter into a specified SRF loan in the specified sum for the Point Loma Wastewater Treatment Plant Digester C1/C2 Upgrade Project, CIP No. 46-170.0, for a sum not to exceed \$9,800,000 and pursuant to terms and conditions set forth in the form of the documents on file in the office of the San Diego City Clerk as Document No. OO- 18903

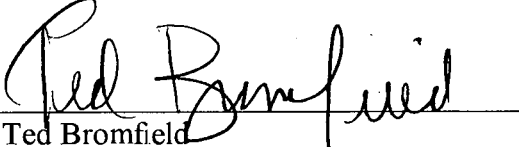
BE IT FURTHER ORDAINED, that the Net System Revenues (as defined in the Master Installment Purchase Agreement, dated as of September 1, 1993, between the City and the Public Facilities Financing Authority of the City of San Diego, as originally executed and as it may from time to time be amended or supplemented in accordance with the provisions thereof), are hereby designated as the dedicated source of funds for repayment of the above SRF loan made by the SWRCB, and shall remain so until such time as the loan is fully repaid, unless change of such dedication is approved by the SWRCB.

BE IT FURTHER ORDAINED, that consistent with the authority granted by Resolution No. R-288425, the City Manager or the Deputy City Manager for Public Works may execute the documents for the loan accepted by this ordinance.

BE IT FURTHER ORDAINED, that a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

BE IT FURTHER ORDAINED, that this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Ted Bromfield  
Senior Deputy City Attorney

TB:mb  
10/31/00  
Or.Dept:MWWD  
Aud.Cert:N/A  
O-2001-92  
Form=o&t.frm