

RESOLUTION NO 1098

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES AUTHORIZING THE DIRECTOR OF SANTA ROSA WATER TO CONSENT TO AND SIGN DAIRY LOAN SUBORDINATION AGREEMENTS

WHEREAS, pursuant to City Council Resolution 22801 dated August 6, 1996, the City Council approved the Dairy Waste Management Assistance Program and authorized the Director of Utilities to execute loan agreements with participants in the loan program, but did not specifically authorize the Director to consent to subordination or to sign subordination agreements; and

WHEREAS, from time to time, the City is asked by Dairy Loan Program participants to agree to subordinate the City's loan to a commercial loan, the proceeds of which are to be expended to improve or continue the farming enterprise; and

WHEREAS, these the Dairy Waste Loan Agreements provide that if the participant obtains a commercial loan, the proceeds of which are to be expended to improve of continue the farming enterprise on which the dairy waste control facilities are constructed, the City shall make a determination as to whether its loan would be adequately protected if subordinate to the commercial loan obtained by the participant, and if so, the City will subordinate its loan to the commercial loan obtained by the participant; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities authorizes the Director of Santa Rosa Water to make the determination as to whether the City's Dairy Waste Loans would be adequately protected if made subordinate to new commercial loans obtained by the participants, and if so, authorizes the Director of Santa Rosa Water to sign Dairy Loan Subordination Agreements.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 17th day of September, 2015

AYES: (7) Galvin, Kaun, Arnone, Dowd, Holt, Steffensen, and Tibbetts

NOES: (0)

ABSENT: (0)

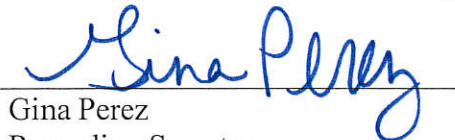
ABSTAIN: (0)

APPROVED:



Daniel J. Galvin III
Chair

ATTEST:



Gina Perez
Recording Secretary

APPROVED AS TO FORM:


City Attorney