

RESOLUTION NO 1091

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES APPROVING THE PRODUCER/DISTRIBUTOR AGREEMENT FOR TRANSFER OF THE ROHNERT PARK URBAN REUSE SYSTEM AND SUPPLY OF RECYCLED WATER BETWEEN THE CITY OF SANTA ROSA AND THE CITY OF ROHNERT PARK

WHEREAS, since 1989, the City of Santa Rosa, as managing partner of the Subregional Water Reuse System, has owned, operated, and maintained the Rohnert Park Urban Reuse System to dispose of recycled water at urban irrigation sites within Rohnert Park; and

WHEREAS, recycled water produced at the Laguna Treatment plant and delivered to Rohnert Park has offset water supply demand within Rohnert Park and has become an integral part of Rohnert Park's water supply portfolio; and

WHEREAS, the purpose of the Rohnert Park Urban Reuse system has shifted from disposal to a valuable non-potable water supply system that offsets potable water demand in Rohnert Park; and

WHEREAS, Santa Rosa Water Department staff and Rohnert Park staff have negotiated and recommend the proposed "Producer/Distributor Agreement for Transfer of the Rohnert Park Urban Reuse System and Supply of Recycled Water between the City of Santa Rosa and the City of Rohnert Park" (Agreement); and

WHEREAS, Rohnert Park is willing and capable of being a distributor of recycled water for recycled water customers in Rohnert Park currently served by Santa Rosa as part of the Subregional System, as well as Sonoma State University; and

WHEREAS, recycled water service to customers in Rohnert Park is currently governed by individual User Agreements between Santa Rosa and individual customers; and

WHEREAS, the proposed Agreement anticipates the assignment of the individual User Agreements from Santa Rosa to Rohnert Park; and

WHEREAS, a form of assignment agreement has been developed to transfer each User Agreement from Santa Rosa to Rohnert Park; and

WHEREAS, the proposed Agreement defines the terms and conditions of the transfer of the Rohnert Park Urban Reuse System from the Subregional System to Rohnert Park as well as the terms and conditions for the Subregional System as a producer of recycled water and for Rohnert Park as the distributor of recycled water; and

WHEREAS, On June 15, 2015, the Subregional Technical Advisory Committee reviewed the proposed Agreement and unanimously recommended approval of the proposed Agreement; and

WHEREAS, on July 8, 2015, the Contract Review Subcommittee of the Board of Public Utilities reviewed the proposed Agreement and recommended approval of the proposed Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities approves the Producer/Distributor Agreement for Transfer of the Rohnert Park Urban Reuse System and Supply of Recycled Water between the City of Santa Rosa and the City of Rohnert Park and authorizes the Chair to sign the Agreement.

BE IT FURTHER RESOLVED that the Board of Public Utilities authorizes the Director of the Santa Rosa Water Department to sign all assignment of user agreement related to the Agreement.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 16th day of July, 2015.

AYES: (6) Galvin, Kaun, Dowd, Holt, Steffensen, and Tibbetts

NOES: (0)

ABSENT: (1) Arnone

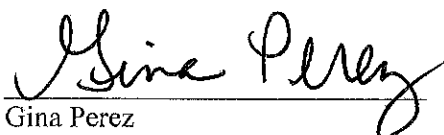
ABSTAIN: (0)

APPROVED:



Daniel J. Galvin III
Chairman

ATTEST:



Gina Perez
Recording Secretary

APPROVED AS TO FORM:



City Attorney