

COUNCIL AGENDA: OCTOBER 7, 2014

SUBJECT: VANDALIA MOBILE HOME PARK – RESOLUTION OF SUPPORT

SOURCE: Public Works Department - Engineering Division

COMMENT: In May 2014, Mr. Michael Colletto, owner of the 19-unit mobile home park known as Vandalia Mobile Home Park, approached the City requesting emergency connection to the City's water system due to the failure of his well. Approval was granted and the mobile home park was connected to City water via a direct connection to a nearby fire hydrant located at Vandalia and 3rd Street. This connection continues as of this writing.

The California Department of Public Health (CDPH) was made aware of the situation and offered a grant to the City to cover water connection fees in the amount of \$85,477.43. The grant does not cover private plumbing costs and, therefore, Mr. Colletto must pay his own on-site plumbing costs in the amount of \$27,874.70.

The attached resolution describes the conditions of the funding agreement between CDPH and the City of Porterville. The salient points include:

- A. Adoption of the attached resolution authorizing the project;
- B. Designating a City Official to approve claims for reimbursement;
- C. Designating a City Official to sign the Budget and Expenditure Summary;
- D. Designate a City Official to certify to the State that the project is Complete; and
- E. Designate a City Official to sign the Final Release form.

RECOMMENDATION: That the City Council:

- 1. Adopt and approve the attached Resolution of Support for the Vandalia Mobile Home Park Water Connection Project; and
- 2. Designate and authorize the City Manager to sign:
 - a) Claims for reimbursement;
 - b) Budget & Expenditure Summary Report;
 - c) Certify that project is complete; and

Dir BSC Appropriated/Funded MEB CM [Signature]

Item No. 14

d) Sign the Final Release form.

ATTACHMENT: Resolution Authorizing Project

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RESOLUTION NO. _____

**A RESOLUTION BY THE GOVERNING BODY OF THE CITY OF PORTERVILLE
AUTHORIZING THE CITY OF PORTERVILLE TO ENTER INTO A FUNDING
AGREEMENT AND DESIGNATING AUTHORITY TO SIGN A FUNDING AGREEMENT
AND RELATED DOCUMENTS FOR FUNDING UNDER THE PUBLIC WATER SYSTEM
DROUGHT EMERGENCY RESPONSE PROGRAM**

WHEREAS on or about August 26, 2014, the Michael Colletto Water System was identified by the State Water Resources Control Board (and hereinafter referred to as the "State") as experiencing a drought-related drinking water emergency; and

WHEREAS the City of Porterville requested funding from the State for a grant in the amount of \$85,477.43 under the Public Water System Drought Emergency Response Funding Program (hereinafter referred to as the "Drought Emergency Program"); and

WHEREAS, on September 25, 2014, a funding agreement was issued by the State to the City of Porterville for funding through the Drought Emergency Program for Project number PDE-5410010-001, (hereinafter referred to as the "Project") in the amount of \$85,477.43, (hereinafter referred to as "Grant Funding"); and

WHEREAS, the City of Porterville acknowledges and confirms that the total Project cost is estimated to be \$113,352.13, of which \$27,874.70 is to be funded by Michael Colletto, Property Owner, and \$85,477.43 is Grant Funding through the Drought Emergency Program; and

WHEREAS, prior to the State executing said Funding Agreement, the City of Porterville is required to adopt a resolution authorizing the Project and designating a person or persons to sign the funding agreement and any amendments, designating a person or persons to approve claims for reimbursement, designating a person or persons to sign the Budget and Expenditure Summary, designating a person or persons to certify to State that the Project is complete, and designating a person to sign the Final Release form.

NOW, THEREFORE BE IT RESOLVED AND ORDERED, that the City of Porterville is hereby authorized to carry out the Project, enter into a Funding Agreement with the State, accept and expend Drought Emergency Program funds for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, the City of Porterville has no funds available for the Project in excess of the Supplier's Cost prior to State's disbursement of Grant Funding; and

BE IT FURTHER RESOLVED AND ORDERED, that John D. Lollis, City Manager, is hereby authorized and designated to sign the Drought Emergency Program funding agreement for the Project and any amendments thereto; and

BE IT FURTHER RESOLVED AND ORDERED, that John D. Lollis, City Manager, is hereby authorized and designated to sign the claims for reimbursement requests under the Drought Emergency Program; and

BE IT FURTHER RESOLVED AND ORDERED, that John D. Lollis, City Manager, is hereby authorized and designated to certify that the Project is complete and ready for an inspection by the State of any Project construction; and

BE IT FURTHER RESOLVED AND ORDERED, that John D. Lollis, City Manager, is hereby authorized and designated to sign the Budget and Expenditure Summary for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, that John D. Lollis, City Manager, is hereby authorized and designated to sign a final release form for the Project; and

BE IT FURTHER RESOLVED AND ORDERED, the authority granted hereunder shall be deemed retroactive. All acts authorized hereunder and performed prior to the date of this Resolution are hereby ratified and affirmed. State is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by State. State shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation or governance documents of the City of Porterville or in any other document; and

BE IT FURTHER RESOLVED AND ORDERED, any and all actions, whether previously or subsequently taken by the City of Porterville, which are consistent with the intent and purposes of the foregoing resolutions, shall be, and hereby are, in all respects, ratified, approved and confirmed.

Passed, approved and adopted by the duly authorized governing body of the City of Porterville on the 7th day of October, 2014, by the following vote:

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk