

**RESOLUTION NO. 2817-11**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
APPROVING AN INTERFUND LOAN FROM THE WATER RECLAMATION  
CAPITAL REPLACEMENT FUND TO THE WATER RECLAMATION  
CAPITAL FUND IN THE AMOUNT OF SIX HUNDRED FIFTY THREE  
THOUSAND, THREE HUNDRED AND TEN DOLLARS (\$653,310.00)**

**WHEREAS**, the Town Council of the Town of Windsor established the Water Reclamation Capital Replacement Fund for the purpose of providing funding for the replacement of capital improvements in the Water Reclamation Fund, and;

**WHEREAS**, revenues for the Water Reclamation Capital Replacement Fund are derived from operating transfers from the Water Reclamation Operations Fund, and;

**WHEREAS**, the purpose of the Water Reclamation Capital Fund is to provide for the construction and implementation of improvements to the water reclamation system to accommodate for the growth set forth in the General Plan, and;

**WHEREAS**, revenues for the Water Reclamation Capital Fund are derived from development impact fees that are levied on new development, and;

**WHEREAS**, the California Government Code authorizes loans between two public funds, and;

**WHEREAS**, the Town of Windsor desires to make a loan from the Water Reclamation Capital Replacement Fund to the Water Reclamation Capital Fund in the amount of \$653,310, and;

**WHEREAS**, the loan from the Water Reclamation Capital Replacement Fund to the Water Reclamation Capital Fund will be used to fund public improvements on Shiloh Road and to fund updates to the Urban Recycled Water Master Plan and the Sewer Master Plan, and;

**WHEREAS**, the public improvements on Shiloh Road and the updates to the Urban Recycled Water Master Plan and the Sewer Master Plan cannot be completed at this time without a loan from the Water Reclamation Capital Replacement Fund because there exists an insufficient balance in the Water Reclamation Capital Fund to complete these projects at this time, and;

**WHEREAS**, the loan will be repaid with anticipated Water Reclamation Capacity Fee revenue levied on new development, and;

**WHEREAS**, the loan is anticipated to be repaid by July 1, 2016, and;

**WHEREAS**, the rate of interest which the Water Reclamation Capital Replacement Fund will receive on the loan to the Water Reclamation Capital Fund will be one percent (1%).

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES RESOLVE AS FOLLOWS:**

Section 1. Interfund Loan. A loan is hereby approved in the amount of \$653,310 from the Water Reclamation Capital Replacement Fund to the Water Capital Fund.

Section 2. Incorporation and Adoption of Findings. The recitals set forth above are hereby incorporated into this Resolution by this reference and adopted as findings of the Town Council, and after consideration of staff's input, the testimony received at the public meeting, and all correspondence received, the Town Council hereby approves and adopts the loan.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution.

The Town Council hereby declares that it would have passed this Resolution and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared unconstitutional on their face as applied.

Section 4. Effective Date. This Resolution is effective on July 1, 2011.

**PASSED, APPROVED AND ADOPTED this 22<sup>nd</sup> of June 2011, by the following vote:**

**AYES: COUNCILMEMBERS FUDGE, GOBLE, SALMON, AND  
MAYOR ALLEN**  
**NOES: COUNCILMEMBER SCHOLAR**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

  
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**STEVE ALLEN, MAYOR**

**ATTEST:**

  
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**MARIA DE LA O, TOWN CLERK**