

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-56

AGREEMENT BETWEEN THE STATE WATER RESOURCES CONTROL BOARD, THE STATE CONTROLLER, AND NORTH TAHOE PUBLIC UTILITY DISTRICT REGARDING CERTAIN LOANS HERETOFORE MADE TO NORTH TAHOE PUBLIC UTILITY DISTRICT

WHEREAS:

1. The Water Quality Control Board, statutory predecessor to the State Water Resources Control Board, pursuant to a loan contract of October 10, 1967, as amended, has heretofore loaned to North Tahoe Public Utility District the sum of \$1,885,000.
2. The State Water Resources Control Board, pursuant to a loan contract of May 18, 1970, as amended, has heretofore loaned to North Tahoe Public Utility District the sum of \$500,000.
3. Chapter 913 of the Statutes of 1972 provides in part that portions of such loans need not be repaid provided that any federal funds received by North Tahoe Public Utility District which act as a reimbursement for state loan funds shall be paid into the State Water Quality Control Fund.
4. The State Water Resources Control Board has determined that, pursuant to Chapter 913 of the Statutes of 1972, the sum of \$722,741.12 need not be repaid on account of the aforementioned loans.
5. North Tahoe Public Utility District has received federal funds which act as a reimbursement for funds loaned by the State Water Resources Control Board.
6. A proposed written agreement has been developed which provides that North Tahoe Public Utility District need not repay the sum of \$722,741.12, and shall pay or provide for payment of a total of \$249,150.45 on account of federal reimbursements, which payment shall be made in the immediate future, and shall in addition pay over to the State Board additional federal reimbursements received, which agreement is satisfactory to the Office of the Attorney General, North Tahoe Public Utility District, the State Controller, and the State Board.

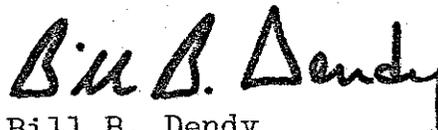
THEREFORE BE IT RESOLVED:

That the Board's Executive Officer, or any person delegated by the Executive Officer, be authorized to execute the proposed agreement with North Tahoe Public Utility District and the State Controller.

CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on

MAY 15 1975



Bill B. Dendy
Executive Officer

AGREEMENT

The State Water Resources Control Board, hereinafter referred to as the State Board, is the agency of the State of California administering the State Water Quality Control Fund, hereinafter referred to as Fund.

The State Controller, Kenneth Cory, hereinafter referred to as Controller, is the officer of the State of California directing and superintending the collection of all money due the State.

North Tahoe Public Utility District, hereinafter referred to as the District, is a public agency operating sewage collection and treatment facilities in the Lake Tahoe Basin.

The District has received \$2,385,000 from the Fund as a loan pursuant to contracts dated October 10, 1967, and May 18, 1970, for purposes of constructing certain projects. Portions of said projects have been jointly financed by the District with Tahoe City Public Utility District, a public agency.

Chapter 913 of the Statutes of 1972 provides in part that a portion of such loan need not be repaid provided any federal funds received by the District pursuant to any applicable federal act as a reimbursement for construction funds loaned by the State are deposited in the Fund and credited to the amount owed by the District under the loan contracts. The District has received federal funds as a reimbursement for construction funds loaned to the District

and anticipates receiving additional federal funds as further reimbursement.

A dispute has arisen among the parties to this agreement concerning the scope of the project for which loan funds were to be used and the amount of money to be immediately returned to the Fund by the District.

In full settlement of said dispute the parties hereto mutually agree as follows:

1. The amount of loan funds which need not be repaid by the District pursuant to chapter 913 of the Statutes of 1972 is \$722,741.12, or such different amount as may be agreed upon between the District and Tahoe City Public Utility District; provided that the total forgiveness shall not exceed the total amount which need not be repaid by both agencies under chapter 913, Statutes of 1972; provided further that in the absence of any agreement between the District and Tahoe City Public Utility District for an amount different than \$722,741.12, such amount shall be allocated \$644,655.61 to the loan contract dated October 10, 1967, and \$78,085.51 to the loan contract dated May 18, 1970.

2. On or before June 20, 1975, the District shall pay over to the State Board federal reimbursement funds in the amount of \$216,032.45 for credit against the amount owed by the District. Time is of the essence.

3. The additional amount of \$33,118 due the District as a federal reimbursement for the Dollar Hill expansion but retained by the State Board shall be applied as a credit against the amount owed by the District and loan interest on such amount shall be calculated as terminating on December 31, 1973.

4. The District shall pay over to the State Board any additional funds received from the federal government in reimbursement of costs for the following projects:

- (a) National Avenue-Dollar Point Export Line;
- (b) North Shore Export Line;
- (c) Initial Joint Sewerage Facilities Treatment Plant;
- (d) Interceptor (Stateline to National Avenue) including Secline Pump Station and Force Main to National Avenue.

5. All money received by the State Board pursuant to this agreement shall be deposited to the Fund for credit against the amount owed by the District pursuant to the loan contracts.

IN WITNESS WHEREOF the parties hereto affix their signatures this _____ day of _____, 1975.

KENNETH CORY, Controller

Deputy Controller

STATE WATER RESOURCES CONTROL BOARD

Bill B. Dendy, Executive Officer

NORTH TAHOE PUBLIC UTILITY DISTRICT

Manager