

CITY OF SAN CLEMENTE, STATE OF CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THE FOREGOING INSTRUMENT TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL NOW ON FILE IN MY OFFICE.

DATE: 2/13/09

JOANNE M. BAADE
CITY CLERK

BY: 

RESOLUTION NO. 09-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE ADVANCE OF FUNDS FOR EXPANSION OF THE CITY'S RECYLED WATER SYSTEM SUBJECT TO LATER REIMBURSEMENT OF CITY EXPENDITURES BY THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS, the City of San Clemente (the "City") desires to finance the costs of constructing and/or reconstructing-certain public facilities and improvements relating to its recycled water system, including certain treatment facilities, pipelines and other infrastructure (the "Project"); and

WHEREAS, the City intends to finance the construction and/or reconstruction of the Project or portions of the Project with monies ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board); and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations, the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"), and

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds, the City desires to incur certain capital Expenditures (the "Expenditures") with respect to the Project from available monies of the City; and

WHEREAS, the City has determined that those monies to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period, and it is necessary for the State Water Board to reimburse the City for the Expenditures from the proceeds of the Obligations.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. The City hereby states its intention to advance the required Expenditures for the Project based on the City's expectation that the State Water Board reimburse such Expenditures from the net proceeds of the Obligations.

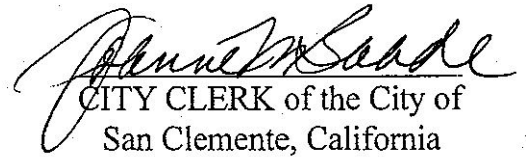
STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 09-07 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 20th day of January, 2009, by the following vote:

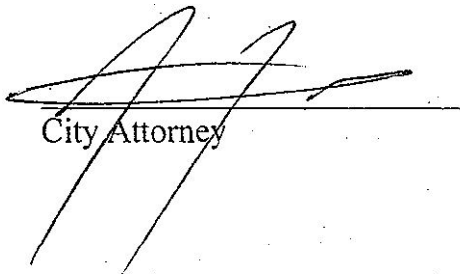
AYES: ANDERSON, BAKER, DAHL, EGGLESTON, MAYOR DONCHAK

NOES: NONE

ABSENT: NONE


CITY CLERK of the City of
San Clemente, California

Approved as to form:


City Attorney