



## **Staff Report**

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### RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT, SOUTH BAYSIDE SYSTEM AUTHORITY, SUPPLEMENTAL AGREEMENT V

Honorable Mayor and Council Members:

#### **Summary**

Approval of the attached resolution will authorize the City of Belmont to approve an amendment with the South Bayside System Authority (SBSA) Joint Exercise of Power Agreement, Section 3.5, which establishes limitations on the contracting and purchasing authority of the Manager of the Authority.

#### **Background**

The South Bayside System Authority was established by the Joint Exercise of Powers Agreement dated November 13, 1975. There have been four supplemental Agreements to date, dated June 8, 1977, June 1, 1983, April 26, 1984, and September 18, 1985. The Authority has four member agencies, including the Cities of Belmont, San Carlos and Redwood City and the West Bay Sanitary District. The four jurisdictions that own SBSA each appoint a member of their council or board to represent the jurisdiction on the SBSA Commission. SBSA provides wastewater treatment in accordance with the highest technical, environmental, and safety standards.

#### **Discussion**

The current agreement establishes monetary limits upon the manager's authority to enter into contracts for capital costs, costs of special services, equipment, materials, supplies, maintenance or repair or any contract and to approve demands for payment in Section 3.5 that are unnecessarily low. The SBSA Commission adopted Resolution No. SBSA 08-14 on March 13, 2008 recommending approval of Supplemental Agreement V to the Joint Exercise of Powers Agreement, South Bayside System Authority amending and updating the current limitations.

#### **General Plan/Vision Statement**

This approval is consistent with the General Plan Public Facilities and Services Goals section (Paragraph 2041), which states "To provide public services at a level adequate to ensure public safety, health and welfare at the lowest possible cost; to establish and maintain all essential public services and facilities in a manner that ensures continued operation in time of

emergency.”

**Fiscal Impact**

There is no fiscal impact.

**Public Contact**

The Council agenda was posted.

**Recommendation**

Staff recommends adoption of the resolution authorizing approval and execution of the Joint Exercise of Powers Agreement, South Bayside System Authority Supplemental, Agreement V.

**Alternatives**

1. Take no action.
2. Refer back to staff for further information.

**Attachments**

- A. Resolution
- B. Resolution No. SBSA 08-14 (Council only)
- C. Section 3.5 – Joint Exercise of Power Agreement, SBSA, Effective 4/3/08 (Council only)

Respectfully submitted,

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Karen Borrmann, PE  
City Engineer

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Raymond E. Davis, III, PE, PTOE  
Director of Public Works

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Jack Crist  
City Manager

**Staff Contact:**

Karen Borrmann  
650-595-7469

[kbormann@belmont.gov](mailto:kbormann@belmont.gov)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT  
AUTHORIZING APPROVAL AND EXECUTION OF A JOINT EXERCISE OF  
POWERS AGREEMENT, SOUTH BAYSIDE SYSTEM AUTHORITY,  
SUPPLEMENTAL AGREEMENT V**

**WHEREAS**, the South Bayside System Authority (SBSA) was established by the Joint Exercise of Powers Agreement dated November 13, 1975; and,

**WHEREAS**, there have been four supplemental Agreements to date, dated June 8, 1977, June 1, 1983, April 26, 1984, and September 18, 1985; and,

**WHEREAS**, the SBSA has four member agencies, including the Cities of Belmont, San Carlos and Redwood City and the West Bay Sanitary District; and,

**WHEREAS**, the four jurisdictions that own SBSA each appoint a member of their council or board to represent the jurisdiction on the SBSA Commission; and,

**WHEREAS**, the SBSA Joint Exercise of Power Agreement, Section 3.5 establishes limitations on the contracting and purchasing authority of the manager of the Authority; and,

**WHEREAS**, the SBSA Commission adopted Resolution No. SBSA 08-14 on March 13, 2008, recommending approval of Supplemental Agreement V to Joint Exercise of Powers Agreement, South Bayside System Authority amending Section 3.5; and,

**WHEREAS**, the Secretary of the SBSA was directed to transmit a certified copy of the resolution to the governing bodies of the Member agencies with the recommendation of the Commission for favorable action thereon; and,

**WHEREAS**, the Secretary of the SBSA transmitted a certified copy of the Resolution and Joint Exercise of Powers Agreement, South Bayside System Authority, Supplemental Agreement V to the City Clerk of the City of Belmont on April 3, 2008 with a recommendation for approval and execution of the Agreement; and,

**WHEREAS**, staff recommends adoption of this resolution authorizing approval and execution of the Supplemental Agreement.

**NOW, THEREFORE, BE IT RESOLVED:**

The City Council authorizes approval and execution of Joint Exercise of Powers Agreement, South Bayside System Authority, Supplemental Agreement V.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on May 13, 2008 by the following vote:

AYES, COUNCILMEMBERS: \_\_\_\_\_

NOES, COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN, COUNCILMEMBERS: \_\_\_\_\_

ABSENT, COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
CLERK of the City of Belmont

APPROVED:

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MAYOR of the City of Belmont