

MOTION

The City Attorney’s Office, in consultation with LA Sanitation (LASAN), is requesting authority to retain outside counsel (Downey Brand LLP) for legal services relating to *Los Angeles Waterkeeper v. Water Boards*, Los Angeles Superior Court Case No. BS163391. This litigation deals with the water-effect ratio for copper and lead in the LA River granted to LASAN by the State.

The above-referenced litigation is related to the 2012 Municipal Separate Storm Sewer System (MS4) permit where the litigation costs would normally be paid from the Stormwater Pollution Abatement Fund (SPAF). However, the Fiscal Year 2017-18 budget for the SPAF does not contain sufficient revenue nor appropriations to fund this work and existing funded programs cannot be deferred without incurring liability risk.

LA Sanitation proposes a loan in an amount up to \$100,000 to SPAF from another of its special funds, the Sewer Construction and Maintenance Fund (SCMF), to be repaid with interest.

I THEREFORE MOVE that the City Council, subject to the approval of the Mayor, authorize the Controller to transfer cash in an amount up to \$100,000 and create an appropriation as follows:

SCMF Appropriation

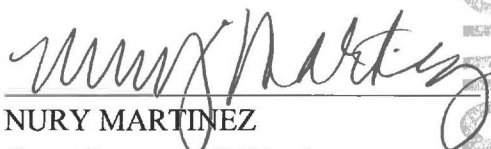
	<u>Fund No.</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
From	760 (SCMO)		Cash Balance	\$100,000
To:	760 (SCMO)	TBD	Loan to SPAF	\$100,000

SPAF Transfer

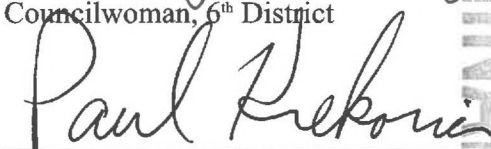
From:	760 (SCMO)	TBD	Loan to SPAF	\$100,000
To:	511 (SPAF)	50P565	Sanitation Contracts	\$100,000

I FURTHER MOVE that LA Sanitation be authorized to make any technical or accounting corrections or clarifications to the above instructions in order to effectuate the intent of this Motion.

PRESENTED BY:


 NURY MARTINEZ
 Councilwoman, 6th District

SECONDED BY:



OCT 13 2017



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