

AUTHORIZING RESOLUTION

RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE WATER RESOURCES CONTROL BOARD FOR THE PLANNING, DESIGN AND CONSTRUCTION OF A PROPOSED DONALD C. TILLMAN ADVANCED WASTEWATER PURIFICATION FACILITY PROJECT PLANNED TO BE LOCATED AT THE DONALD C. TILLMAN WATER RECLAMATION PLANT AND GROUNDWATER SPREADING BASINS

WHEREAS, the Bureau of Sanitation (“LA Sanitation”), acting on behalf of the City of Los Angeles (the “City”), intends to apply to the State Water Resources Control Board (the “SWRCB”) to obtain financial assistance that is expected to be in the form of a low interest rate loan to assist in financing the planning, design and construction of a proposed Donald C. Tillman Advanced Water Purification and Groundwater Replenishment Project (CWSRF Project No. 8063) to be located at the Donald C. Tillman Water Reclamation Plant and Groundwater Spreading Basins (collectively, the “Project”); and

WHEREAS, the SWRCB requires that the City’s legislative body designate a City representative (the “Authorized Representative”) and authorize the Authorized Representative to act on the City’s behalf in submitting an application for financial assistance for the Project to the SWRCB.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Los Angeles as follows:

Section 1. The foregoing recitals are true and the Council of the City (the “City Council”) so finds and determines.

Section 2. The Director of LA Sanitation or their designee shall be the Authorized Representative to execute and file, for and on behalf of the City, a financial assistance application (the “Application”) in the form of a loan evidenced by an installment sale agreement or other form of agreement (the “Financing Agreement”) from the SWRCB, for the financing, design and construction of the Project. The Authorized Representative is authorized to provide the assurances, certifications and commitments required by the SWRCB for the Application.

Section 3. In the event the SWRCB approves the Application, the Authorized Representative is further authorized to work with City staff, the City Attorney and Bond Counsel to prepare the necessary documents to assist in financing the Project, including but not limited to the form of Financing Agreement approved by the parties, and a supplemental resolution (the “Supplemental Resolution”) supplementing that certain Wastewater System Revenue Bonds General Resolution duly adopted by the City Council on November 10, 1987 (the “General Resolution”), as previously

supplemented and amended, pursuant to which Supplemental Resolution the City Council would approve the Financing Agreement as a "Bond" under the General Resolution. The City Council hereby confirms that pursuant to the General Resolution, and subject to, among other things, the approval by SWRCB of the financial assistance to be provided to the City for the Project and the execution of the Financing Agreement, the City shall pledge the Revenues (as defined in the General Resolution) to the repayment of debt service on all Bonds to be issued pursuant to the General Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED by the City council this _____ day of _____, 2018, by the following vote:


AYES:

NOES:

ABSENT:

APPROVED AS TO FORM

MICHAEL N. FEUER, City Attorney

By: 
Timothy J. Fitzpatrick
Deputy City Attorney

I certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting on _____, 2018.

HOLLY L. WOLCOTT, City Clerk

By: _____
City Clerk