

## PLEDGED REVENUES AND FUND RESOLUTION

**RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES PLEDGING REVENUES HELD IN THE SEWER CONSTRUCTION AND MAINTENANCE CAPITAL FUND AND CERTAIN OTHER FUNDS ATTRIBUTABLE TO THE WASTEWATER SYSTEM SET FORTH UNDER THE HEREIN DESCRIBED GENERAL RESOLUTION IN CONNECTION WITH 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**, in the event the SWRCB approves the City's application for financial assistance for the Project on terms acceptable to the City, the City shall execute, among other things, a financing agreement approved by the parties ("Financing Agreement"), 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.

**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 City Council hereby dedicates and pledges the Revenues (as defined in the General Resolution) held in the Sewer Construction and Maintenance Capital Fund and certain other funds attributable to the wastewater system set forth under the General Resolution (collectively, the "Fund") to the payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding Program financing for the Project (the "SRF Loan").

**Section 3.** The City commits to collecting such Revenues and maintaining the Fund throughout the term of the SRF Loan and until the City has satisfied its repayment obligation thereunder, unless modification or change is approved by the SWRCB. So long as the SRF Loan and the Financing Agreement are outstanding, the City's pledge hereunder shall constitute a lien in favor of the SWRCB on the foregoing Fund and Revenues without any further action necessary. So long as the SRF Loan and the Financing Agreement are outstanding, the City commits to maintaining the Fund and Revenues at levels sufficient to meet its obligations under the Financing Agreement.

**Section 4.** This Resolution shall take effect upon the execution of the Financing Agreement.

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