

ORDINANCE NO. _____

An ordinance providing for the lease/leaseback financing referred to as the Municipal Improvement Corporation of Los Angeles 2017 Streetlights Financing by approving the lease and sublease of certain property consisting of approximately 6,000 streetlight poles and the lamps installed therein and the other related items therein or attached thereto, by the City of Los Angeles, as lessor and sublessee, to and from the Municipal Improvement Corporation of Los Angeles, as lessee and sublessor.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. The Council of the City of Los Angeles (City) finds and determines that the public interest and convenience require the lease of certain property consisting of approximately 6,000 streetlight poles and the lamps installed therein and the other related items therein or attached thereto (Property), all as more particularly described in Exhibit A to the Sublease (defined below and further described in Section 3), to the Municipal Improvement Corporation of Los Angeles, a California non-profit public benefit corporation (MICLA) pursuant to a lease (Lease), and the subleasing of the Property by the City from MICLA pursuant to a sublease (Sublease). In connection therewith, the sublease rental payments shall be in amounts sufficient to establish the purchase price paid to MICLA for the purchase of substantially all of MICLA's right, title and interest in the Lease and Sublease, and to pay certain other related expenses.

Sec. 2. The Council approves the leasing of the Property by the City to MICLA pursuant to the Lease. The Lease shall be in consideration of MICLA agreeing to sublease the Property to the City pursuant to the Sublease.

Sec. 3. The Council approves the subleasing of the Property by the City from MICLA, in exchange for sublease rental payments in amounts sufficient to establish the purchase price paid to MICLA for the purchase of substantially all of MICLA's right, title and interest in the Lease and Sublease and to pay certain other related expenses. The Council also approves the Sublease, which contains a provision eliminating set-off rights of the City against MICLA for payments due under the Sublease.

Sec. 4. The City Attorney is authorized and directed to cause the appropriate Lease and Sublease (and any memoranda thereof) to be prepared by which the Property is leased to MICLA and subleased from MICLA. The City Administrative Officer, any Assistant City Administrative Officer and any of their designees are each authorized and directed, for and in the name of and on behalf of the City, to execute the Lease and Sublease (and any memoranda thereof).

Sec. 5. In accordance with Section 54241 of the California Government Code, the City is authorized to enter into formal agreements with MICLA with respect to the lease by the City to MICLA of the Property, and the leaseback by MICLA to the City of the Property.

Sec. 6. Pursuant to Section 7.27 of the Los Angeles Administrative Code, the Council hereby determines that the public interest and necessity require the lease of the Property to MICLA without notice of lease or advertisement for bids.

Sec. 7. This ordinance is subject to the provisions for referendum applicable to the City under Section 460 of the City Charter. This ordinance shall be published in the manner required by Section 251 of the City Charter for ordinances of the City.

Sec. 8. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting on _____.

HOLLY L. WOLCOTT, City Clerk


By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By: 
TIMOTHY J. FITZPATRICK
Deputy City Attorney

Date Feb 23 2017

File No. _____