

REIMBURSEMENT RESOLUTION No. _____

PASADENA NON-POTABLE WATER PROJECT

WHEREAS, the City of Pasadena, Water & Power Department ("the City") desires to finance the costs of constructing and/or reconstructing certain public facilities and improvements relating to its Phase 1 of the new non-potable water system, including certain facilities, pipelines and other infrastructure (the "Project"); and

WHEREAS, the City intends to finance the construction and/or reconstruction of the Project or portions of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board); and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"), and

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds the City desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the City; and

WHEREAS, the City has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the City for the Expenditures from the proceeds of the Obligations.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is \$25,235,000.00

SECTION 3. This resolution is being adopted no later than 60 days after the date on which the City will expend moneys for the construction portion of the Project costs to be reimbursed with Project Funds.

SECTION 4. Each City expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of its knowledge, City is not aware of the previous adoption of official intents by the City that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 6. This resolution is adopted as official intent of the City in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Project costs.

SECTION 7. The recitals in this resolution are true and correct and this City so finds, determines and represents.

Adopted at the regular meeting of the Pasadena City Council on the ____ day of ____ 2016, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Lisa Hosey, Deputy City Attorney

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. _____
adopted at a meeting of the Pasadena City Council held on _____.

Mark Jomsky,
(Name, Signature, and Seal of the City Clerk)

Dated: _____