

RESOLUTION NO. 08-10-878

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF WEST BASIN MUNICIPAL WATER DISTRICT
AUTHORIZING A FINANCIAL ASSISTANCE
APPLICATION FOR A LOAN/GRANT FROM
STATE WATER RESOURCES CONTROL BOARD**

BE IT RESOLVED by the *WEST BASIN MUNICIPAL WATER DISTRICT* that the *GENERAL MANAGER* is hereby authorized and directed to sign and file, for and on behalf of the *WEST BASIN MUNICIPAL WATER DISTRICT*, a Financial Assistance Application for a loan/grant from the State Water Resources Control Board in the amount not-to-exceed \$40,000,000, for the planning, design, and construction of *EDWARD C. LITTLE WATER RECYCLING FACILITY - PHASE V EXPANSION*, and

BE IT RESOLVED that the *WEST BASIN MUNICIPAL WATER DISTRICT* hereby agrees and further does authorize the aforementioned representative to certify that the Agency has and will comply with all applicable state and federal statutory and regulatory requirements related to any federal and state loan/grants received, and

BE IT FURTHER RESOLVED that the *GENERAL MANAGER* of the *WEST BASIN MUNICIPAL WATER DISTRICT* is hereby authorized to negotiate and execute a loan/grant contract and any amendments or change orders thereto and certify loan/grant disbursements on behalf of the *WEST BASIN MUNICIPAL WATER DISTRICT*.

PASSED, APPROVED, AND ADOPTED on the _____ day, October 2008.

President

ATTEST:

Secretary
(SEAL)

RESOLUTION NO. 08-10-879

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF WEST BASIN MUNICIPAL WATER DISTRICT
AUTHORIZATING WEST BASIN TO RECEIVE
FUNDING REIMBURSEMENTS FROM THE
STATE WATER RESOURCES CONTROL BOARD**

WHEREAS, the *WEST BASIN MUNICIPAL WATER DISTRICT* (the "Agency") desires to finance the costs of constructing and/or reconstructing certain public facilities and improvements relating to its water and wastewater system, including certain treatment facilities, pipelines and other infrastructure (the "Project" – Edward C. Little Water Recycling Facility - Phase V Expansion); and

WHEREAS, the Agency 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 (the "Board"); and

WHEREAS, the 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 Board of the Project Funds the Agency desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the Agency; and

WHEREAS, the Agency 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 Agency for the Expenditures from the proceeds of the Obligations;

NOW, THEREFORE, THE AGENCY DOES HEREBY RESOLVE, ORDER, AND DETERMINE AS FOLLOWS:

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

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is \$40,000,000

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

SECTION 4. Each Expenditure by the Agency will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of our knowledge, this Agency is not aware of the previous adoption of official intents by the Agency 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 Agency 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. All the recitals in this Resolution are true and correct and this Agency so finds, determines and represents.

AYES:

NOES:

ABSENT:

PASSED, APPROVED, AND ADOPTED on the _____ day, October 2008.

President

ATTEST:

Secretary

(SEAL)

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