

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA AUTHORIZING THE
APPROVAL AND EXECUTION BY THE CITY OF
THE FIRST AMENDMENT TO THE WATER
SUPPLY AGREEMENT

WHEREAS, the Central Coast Water Authority (CCWA) and the City of Santa Barbara (City) entered into the Original Water Supply Agreement pursuant to which the City assigned to the CCWA its contractual rights to receive water from the State Water Project and to provide for the construction, operation and financing of the Project, for the sale by the CCWA to the City of the City's Project Allotment and certain other matters;

WHEREAS, subsequent to the execution of the Original Water Supply Agreement, the City established a Water Rate Stabilization Fund into which the City deposits and withdraws certain amounts to be included as revenues of the City Water System and which is available to make payments on Bonds and Contracts which are payable from such revenues on a parity with the Original Water Supply Agreement;

WHEREAS, in connection with the issuance of the CCWA's Refunding Revenue Bonds (State Water Project Regional Facilities) Series 2016A (the "2016 Bonds"), which 2016 Bonds constitute CCWA Bonds under the Water Supply Agreement and are being issued to refund in full all currently outstanding CCWA Bonds, the City and the CCWA seek to amend the Original Water Supply Agreement to incorporate the Water Rate Stabilization Fund into the Original Water Supply Agreement;

WHEREAS, Section 25(d) of the Original Water Supply Agreement allows the parties to make changes and modifications to the Original Water Supply Agreement without the consent of the Trustee for CCWA Bonds as necessary and appropriate in connection with the issuance of CCWA Bonds; and

WHEREAS, the City Council of the City (the "City Council") has been presented with the form of the First Amendment to the Water Supply Agreement ("First Amendment") and the City Council has examined and approved such document by ordinance as required by Charter Section 521 and desires to authorize and direct the execution of such document.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. All of the recitals herein contained are true and correct and the City Council so finds.

Section 2. The form of First Amendment, on file with the City Clerk, is hereby approved, and the City Administrator of the City and the Finance Director of the City, and any such other officer of the City as such City Administrator or Finance Director may designate (the "Authorized Officers"), are each hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the First Amendment in substantially said form with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Ordinance. All actions heretofore taken by the officers, employees and agents of the City with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 3. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Council hereby orders that, in lieu of the publication of this Ordinance once in the official newspaper of the City within 15 days after its adoption, this Ordinance shall be published by title only once in the official newspaper of the City within 15 days after its adoption, provided that the full text shall be available to the public at the City Clerk's Office, and such publication by title only shall so state. This Ordinance shall become effective 30 days from and after the date of its adoption.