

**CITY COUNCIL**  
**CITY OF EAST LANSING**  
**County of Ingham, Michigan**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO APPROVE A CAPITAL PROJECTS CONTRACT  
WITH THE EAST LANSING-MERIDIAN WATER AND SEWER AUTHORITY**

Minutes of a regular meeting of the City Council (the “City Council”) of the City of East Lansing, Ingham County, Michigan, held in the City Hall, 410 Abbot Road, East Lansing, Michigan, on \_\_\_\_\_, 2019, at \_\_\_\_\_ p.m., local time.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, City of East Lansing (the “City”) along with the Charter Township of Meridian (the “Township”) (collectively the “Constituent Municipalities”) have established the East Lansing-Meridian Waste Water and Sewer Authority (the “Authority”) pursuant to the Joint Sewage and Water Authority Act, Act 233, Public Acts of Michigan, 1955, as amended (“Act 233”); and

WHEREAS, the Authority operates a water system (the “System”) for the purpose of supplying water to the Constituent Municipalities; and

WHEREAS, the Authority’s Project Plan for Capital Improvements has identified capital projects that are necessary for the improvement and maintenance of the System (the “Improvements”); and

WHEREAS, Act 233 allows the Authority to finance Improvements with revenue bonds of the Authority if a contract is entered into by the Authority and the Constituent Municipalities providing for the payment of rates and charges for the use of the Improvements and the System; and

WHEREAS, to enable the Authority to issue revenue bonds for the Improvements, the Authority and the Constituent Municipalities must enter into a Capital Projects Contract whereby the Constituent Municipalities will pay the Authority rates and charges for the use of the Improvements and the System and any revenue bonds issued to finance the Improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The Capital Projects Contract by and between the Authority and the Constituent Municipalities (the "Contract") is approved in substantially the form attached as Exhibit A, with such changes as are approved by the officers of the City authorized to sign the Contract, such approval being evidenced by their signature thereon, and the Mayor and the Clerk are authorized and directed to sign the Contract for and on behalf of the City.

2. The Manager, the Mayor, the Clerk, the Treasurer, and the Finance Director of the City, or any one or more of them (the "Authorized Officer"), are hereby authorized to execute any documents and certificates on behalf of the City necessary for the issuance of any revenue bonds of the Authority, including but not limited to, any applications, security reports, receipts, orders, agreements, instruments or allocations or designations pursuant to the Internal Revenue Code of 1986, as amended.

YEAS: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

ABSTAIN: \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Jennifer Shuster, Clerk

Approved as to form:

\_\_\_\_\_  
\_\_\_\_\_, City Attorney  
City of East Lansing

**CERTIFICATION**

I, the undersigned duly qualified and acting Clerk of the City of East Lansing (the "City"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City at a regular meeting held on \_\_\_\_\_, 2019, the original of which is on file in my office, and that public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
Jennifer Shuster, Clerk

**EXHIBIT A**

**CAPITAL PROJECTS CONTRACT**

(See attached)