

WHEREAS, the City of Los Angeles, acting by and through its Los Angeles Department of Water and Power (LADWP), proposes to enter into a new Industry Track Agreement (Agreement) with Union Pacific Railroad Company (Railroad) to use a portion of Railroad's spur track approximately 175 feet in length to deliver chemicals to the Los Angeles Aqueduct Filtration Plant located in Sylmar, California; and

WHEREAS, LADWP desires to enter into the Agreement with Railroad to use its spur track at no rental cost, but an overhaul fee of \$5,000 annually if track usage is below 25 cars; and

WHEREAS, the Agreement with Railroad will be for a term of one year with automatic renewals; and

WHEREAS, City Council approval of the Agreement is required in accordance with Los Angeles City Charter Section 373.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves and authorizes the execution of the Agreement, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, and requests that the City Council approve the Agreement, with no rental obligation but an overhaul fee of \$5,000 per year if the number of cars shipping or receiving goods over the track is less than 25 cars per year.

BE IT FURTHER RESOLVED that, subject to City Council approval in accordance with Charter Section 373, the President, or the Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said Agreement for and on behalf of LADWP.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of LADWP, upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund for payment of the obligations arising under said Agreement.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held **AUG 15 2023**


Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

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BY 
JOHN BEATUM
DEPUTY CITY ATTORNEY