



Bond Ordinance Special Covenants
Section 33L Requirements
Pertaining to the Disposition of Tenaska Equity Funds

Bond Ordinance Section 33L Compliance Steps

1. Designated Financial Officer issues certificate attesting system will generate sufficient revenues to cover debt service obligations
2. Governing Body makes a finding and determination in alignment with the certificate issued by Designated Financial Officer
3. Board recommends action based on written certification from nationally recognized consulting engineering firm
4. Rating Agencies provide letters affirming action will not result in a withdrawal or lowering of rating

TENASKA EQUITY FUND DISTRIBUTION BOND ORDINANCE SECTION 33L COMPLIANCE PROCESS TIMETABLE

DRAFT

REF.	DATE	TASK	ACTION RESPONSIBILITY
1	January 1, 2023	Advertise Request for Proposals (RFQ) for Engineering Firm to perform review required by Section 33L of the Bond Ordinance	Purchasing Department
2	January 8, 2023	Advertise Request for Proposals (RFQ) for Engineering Firm to perform review required by Section 33L of the Bond Ordinance	Purchasing Department
3	January 18, 2023	Responses to RFQ due by 5 pm	Purchasing Department
4	January 19, 2023	Open Responses to RFQ at 11 am	Purchasing Department
5	January 23-27, 2023	Committee reviews and rates all eligible proposals	BPUB Staff, Financial Advisor, Bond Counsel
6	February 8, 2023	RFQ Responses and Committee Recommendations presented to Finance Committee	CFO
7	February 13, 2023	Finance Committee Recommendations presented to BPUB Board for selection of an Engineering Firm	CFO
8	March 31, 2023	Consulting Engineer Report with Written Certification is Finalized. Bond Ordinance requires Written Certification that implementation of the plan would not impair the reliability, efficiency or availability of utility service required to be delivered to the customers of the System.	Engineering Firm
9	March 31, 2023	Certificate of Designated Financial Officer finalized.	CFO
10	April 3-7 2023	Rating Agencies deliver letters to the effect that implementation of the TEF Rebate Plan will not cause withdrawal or lowering of ratings then in effect.	BPUB Staff, Financial Advisor, Bond Counsel
11	April 7, 2023	City Agenda Item packet due to City Secretary's Office	Finance Department
12	April 10, 2023	BPUB Board recommends by resolution that City Commission approve TEF Rebate Plan based upon a Written Certification of Consulting Engineer that implementation of the plan would not impair the reliability, efficiency or availability of utility service required to be delivered to the customers of the System. The Certificate of the Designated Financial Officer should be included as an Exhibit to the Resolution.	CFO
13	April 18, 2023	The City Commission approves the BPUB recommendation and adopts a resolution which makes a finding and determination that following implementation of TEF Rebate Plan by the Board, the BPUB System is expected to produce Gross Revenues in amounts sufficient in each Fiscal Year while any of the Senior Lien Obligations are to be outstanding to comply with the Bond Ordinance	CFO
14	April 19, 2023	File EMMA notice relating to TEF Rebate Plan	BPUB Staff, Financial Advisor, Bond Counsel