

RESOLUTION NO.: \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF NOT TO EXCEED \$12,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY'S REVENUE BONDS FOR THE PURPOSE OF FINANCING THE COST OF DEVELOPING, CONSTRUCTING, INSTALLING, EQUIPPING AND FURNISHING TWO FACILITIES FOR THE BENEFIT OF UNITED HEALTH CENTERS OF THE SAN JOAQUIN VALLEY AND OTHER MATTERS RELATING THERETO HEREIN SPECIFIED

WHEREAS, United Health Centers of the San Joaquin Valley, a nonprofit public benefit corporation duly organized and existing under the laws of the State of California (the Borrower), has submitted and the California Enterprise Development Authority (the Authority) has accepted, an application requesting the Authority to issue, from time to time, pursuant to a plan of finance, of one or more series of its tax-exempt bonds, notes, or other evidence of indebtedness, in an amount not to exceed \$12,000,000 (the "Bonds") for the benefit of the Borrower pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the Act); and

WHEREAS, the proceeds of the Bonds will be used for the purpose of (1) financing the cost of the rehabilitation, construction and equipping of the health care centers located at 1110 North Blackstone Avenue, Fresno, California 93701 (the Blackstone Project) and 1780 East Bullard Avenue, Fresno, California 93710 (the Bullard Project, and together with the Blackstone Project, the Facilities), and (2) paying certain costs of issuance of the Bonds; and

Date Adopted:  
Date Approved:  
Effective Date:  
City Attorney Approval: \_\_\_\_\_



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WHEREAS, the issuance of the Bonds must be approved by the governmental unit on behalf of which the Bonds are issued and a governmental unit having jurisdiction over the territorial limits in which the Facilities are located pursuant to the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the Code); and

WHEREAS, the Facilities are located within the territorial limits of City of Fresno (the City) and the Council of the City of Fresno (the City Council) is the elected legislative body of the City; and

WHEREAS, the Authority and the Borrower have requested that the City Council approve the issuance of the Bonds by the Authority and the financing of the cost of the development, construction, installation, equipping and furnishing of the Facilities with the proceeds of the Bonds pursuant to Section 147(f) of the Code; and

WHEREAS, the Facilities will provide significant benefits to the City's residents through the comprehensive medical, dental and community health services provided by the Borrower to the City's residents and the Facilities will also create and retain employment opportunities for City's residents; and

WHEREAS, the Authority's issuance of the Bonds will result in a more economical and efficient issuance process because of the Authority's expertise in the issuance of conduit revenue obligations; and

WHEREAS, it is intended that this Resolution shall comply with the public approval requirements of Section 147(f) of the Code; provided, however, that this Resolution is neither intended to nor shall it constitute an approval by the City Council of the Facilities for any other purpose; and

WHEREAS, pursuant to Section 147(f) of the Code, the City Council of the City, following notice duly given, held a public hearing regarding the issuance of the Bonds and now desires to approve the issuance of the Bonds by the Authority.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Fresno as follows:

1. The City Council hereby finds and determines that all of the recitals are true and correct.

2. The City Council finds that the Facilities will provide the significant benefits set forth in the recitals above. The City Council hereby approves the issuance of the Bonds by the Authority, which Bonds may be tax-exempt and/or taxable as approved by the Authority in its resolution, in an amount not to exceed \$12,000,000 to finance the cost of developing, constructing, installing, equipping and furnishing the Facilities and to pay the costs of issuance of the Bonds. The Borrower, in its discretion, may apply an amount up to \$6,000,000 of the proceeds of the Bonds towards the Blackstone Project and an amount up to \$6,000,000 of the proceeds of the Bonds towards the Bullard Project. It is the purpose and intent of the Council that this resolution constitute “host” approval and “issuer” approval of the issuance of the Bonds within the meaning of Section 147(f) of the Code and shall constitute the approval of the issuance of the Bonds within the meaning of the Act; *provided, however*, that this Resolution shall not constitute an approval by the City Council of the Facilities for any other purpose. The City shall not bear any responsibility for the tax-exempt status of the Bonds, the repayment of the Bonds or any other matter related to the Bonds.

3. All actions heretofore taken by the officers, employees and agents of the City with respect to the approval of the Bonds are hereby approved, confirmed and ratified, and the officers and employees of the City and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or special counsel may deem necessary or advisable in order to consummate the Bonds and otherwise to effectuate the purposes of this Resolution.

4. This Resolution shall take effect from and after its adoption.

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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2019  
Mayor Approval/No Return: \_\_\_\_\_, 2019  
Mayor Veto: \_\_\_\_\_, 2019  
Council Override Vote: \_\_\_\_\_, 2019

YVONNE SPENCE, MMC CRM  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
JOHN HASTRUP Date  
Deputy City Attorney