

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, PURSUANT TO ARTICLE VI OF THE CITY OF FRESNO RESERVE MANAGEMENT ACT AND ARTICLE IV OF THE TAXPAYER PROTECTION ACT, PROVIDING FOR A LOAN FROM THE FIRE STATION 10 UGM FUND TO THE FIRE STATION UGM CITYWIDE FACILITY FUND

WHEREAS, to award the Construction Contract for the remodel of Fire Station No. 11, the Fire Station UGM Citywide Facility Fund desires to borrow \$154,000 from the Fire Station 10 UGM Fund; and

WHEREAS, the funds proposed to be borrowed from the Fire Station 10 UGM Fund are slated for future use, and are not anticipated to be needed within the next five years; and

WHEREAS, the funds proposed to be borrowed from the Fire Station 10 UGM Fund are currently earning interest at the rate paid on the City's pooled deposits and investments; and

WHEREAS, on December 3, 2009 the Council adopted the Taxpayer Protection Act, amended February 10, 2010, which provides in Article IV that borrowing between City funds requires a loan agreement with interest paid at the current investment pool rate and with a maximum repayment term of five years; and

WHEREAS, the City of Fresno on March 31, 2011, adopted the Reserve Management Act, amended May 26, 2015, which provides in Article VI that loans between UGM Funds require a loan agreement which shall be approved by majority vote of the Council; and

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: BC

Resolution No. _____

WHEREAS, to comply with the Taxpayer Protection Act and the Reserve Management Act, the Council desires to adopt this resolution which shall serve as a loan agreement between the Fire Station UGM Citywide Facility Fund, the Fire Station 10 UGM Fund.

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

1. The Council hereby approves a loan to the Fire Station UGM Citywide Facility Fund in the principal amount of \$154,000 from the Fire Station 10 UGM Fund.

2. Interest on the Loans shall accrue as of the date of this Resolution and continuing until such time as the Loans are repaid in full, at a rate equal to the interest rate paid on the City's pooled deposits and investments, compounded annually. All Loan payments shall first be used to pay all accrued interest and then to reduce the principal balance.

3. The term of the Loans commences as of the date of this Resolution and expires, unless sooner repaid, on the earlier of: a) the date that is five years after the date of this Resolution; or b) the date on which the funds borrowed are needed by either the Fire Station 10 UGM Fund for the purposes for which the funds are reserved. The Loans may be prepaid at any time.

4. The City shall annually appropriate and budget the monies required to repay the Loans. The Loans may be repaid from the Fire Departments annual operating budget over the five year repayment period.

5. If any paragraph, sentence, clause or phrase of this Resolution shall for any reason be held illegal, invalid or unenforceable, such holding shall not affect the

validity of the remaining portions of this Resolution. The City hereby declares that it would have adopted this Resolution and each and every other paragraph, sentence, clause or phrase hereof and authorized the Loans irrespective of the fact that any one or more paragraphs, sentences, clauses, or phrases of this Resolution may be held illegal, invalid or unenforceable.

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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 _____, 2017.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon M. Collet Date
Deputy