

RESOLUTION NO. \_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE RELEASE OF FACILITIES AND AMENDMENT OF THE MASTER FACILITIES LEASE AND MASTER FACILITIES SUBLEASE RELATING TO THE FRESNO JOINT POWERS FINANCING AUTHORITY LEASE REVENUE BONDS (MASTER LEASE PROJECTS) AND APPROVING THE TAKING OF ALL NECESSARY OR DESIRABLE ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of Fresno is a charter city organized and validly existing under the Constitution of the State of California (the "City"); and

WHEREAS, the Fresno Joint Powers Financing Authority (the "Authority") is a joint exercise of powers entity created pursuant to a Joint Exercise of Powers Agreement, dated as of October 25, 1998, as amended, between the City and the Redevelopment Agency of the City; and

WHEREAS, the Authority and the City entered into a Master Facilities Lease (the "Facilities Lease") and a Master Facilities Sublease (the "Sublease"), each dated as of April 1, 2008, as heretofore amended and supplemented (as amended and supplemented, the "Leases") in connection with the issuance of the Authority's Lease Revenue Bonds (Master Lease Projects) from time to time (the "Bonds"); and

WHEREAS, the Bonds were issued pursuant to that certain Master Trust Agreement (the "Trust Agreement"), dated as of April 1, 2008, as heretofore supplemented and amended, between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee") for the Bonds; and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: BC

Resolution No.

WHEREAS, Section 2.03 of the Sublease provides that facilities may be released in accordance with the requirements of the Leases; and

WHEREAS, the City and the Authority desire to release the Municipal Services Center from the Leases pursuant to an Amendment to Master Facilities Lease and an Amendment to Master Facilities Sublease (the "Lease Amendments"), each by and between the City and the Authority; and

WHEREAS, the City has full legal right, power and authority under the laws of the State of California to enter into the agreements hereinafter authorized; and

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

1. The foregoing recitals are true and correct and this City Council hereby so finds and determines.

2. The proposed forms of the Amendment to Master Facilities Lease and the Amendment to Master Facilities Sublease, by and between the City and the Authority, on file with the City Clerk, and delivered to Council, are hereby approved. The Mayor, City Manager, or Controller (the "Authorized Officers"), jointly and severally, or any such officer's designee, are each hereby authorized and directed, on behalf of the City, to execute and deliver the Amendment to Master Facilities Lease and Amendment to Master Facilities Sublease in substantially said forms with such changes therein as such officer may require or approve, subject to review by the City Attorney's Office, such approval to be conclusively evidenced by the execution and delivery thereof.

3. The Authorized Officers, each acting alone, are hereby authorized and directed to do any and all things and to execute and deliver any and all documents

which they may deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution, including without limitation the execution and delivery of termination agreements, releases and certificates required in connection with the Lease Amendments. Such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

4. This Resolution shall take effect upon its adoption.

\* \* \* \* \*

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

I, TODD STERMER, 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 14<sup>th</sup> day of August, 2025.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Mayor Approval: \_\_\_\_\_, 2025  
Mayor Approval/No Return: \_\_\_\_\_, 2025  
Mayor Veto: \_\_\_\_\_, 2025  
Council Override Vote: \_\_\_\_\_, 2025

TODD STERMER, MMC  
City Clerk

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

APPROVED AS TO FORM  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Brandon M. Collet Date  
Chief Assistant City Attorney