

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,000,000 FOR THE PURPOSE OF FINANCING, REFINANCING, AND/OR REIMBURSING THE COST OF DESIGNING, DEVELOPING, CONSTRUCTING, INSTALLING, EQUIPPING, RENOVATING, AND REMODELING TWO FACILITIES FOR THE BENEFIT OF UNITED HEALTH CENTERS OF THE SAN JOAQUIN VALLEY AND OTHER MATTERS RELATING THERETO

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 financing providing for the issuance, 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 (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, refinancing and/or reimbursing to the Borrower (a) the cost of (i) designing, developing, constructing, installing, and equipping a 20,000 square foot health clinic to be located at 645 S. Minnewawa Avenue, Fresno, California 93727 (the Kings Canyon Project) and (ii) renovating and remodeling the Borrower's health clinic located at 6810 North Milburn Avenue, Fresno, California 93722 (the "Milburn Project, and together with

1 of 5

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

the Kings Canyon Project, the Facilities), and (2) paying certain costs of issuance of the Bonds; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the Code), the issuance of the Bonds must be approved by the governmental unit which issued the bond or on behalf of which the Bonds are issued and the “applicable elected representative” of the governmental unit having jurisdiction over the area in which the Facilities are located pursuant to the public approval requirements of Section 147(f) of the Code; and

WHEREAS, the City of Fresno (the City) is the governmental unit having jurisdiction over the area in which the Facilities are located 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 or refinancing of the cost of the design, development, construction, installation, equipping, renovating, and remodeling 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; and

WHEREAS, 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 above recitals are true and correct.
2. The City Council finds that the Facilities will provide the significant benefits set forth in the recitals above.
3. 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 designing, developing, constructing, installing, equipping renovating, and remodeling the Facilities and to pay the costs of issuance of the Bonds. The Borrower, in its discretion, may apply an amount up to \$9,500,000 of the proceeds of the Bonds towards the Kings Canyon Project and an amount up to \$2,500,000 of the proceeds of the Bonds towards the Milburn Project.
4. This resolution shall constitute 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.

5. The City Council expressly conditions its approval of this Resolution on its understanding that the City shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Bonds for the financing of the Project. 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.

6. 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.

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

* * * * *

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 _____ 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, CRM MMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Jennifer M. Quintanilla Date
Deputy City Attorney