

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO APPROVING, AUTHORIZING, AND DIRECTING THE EXECUTION AND DELIVERY OF THE AGREEMENT TO TERMINATE THE CENTRAL CALIFORNIA JOINT POWERS HEALTH FINANCING AUTHORITY BETWEEN THE CITY OF FRESNO AND THE CITY OF CLOVIS AND ACTIONS RELATED THERETO

WHEREAS, the City of Fresno and the City of Clovis (the "Members") are parties to that certain Joint Exercise of Powers Agreement, dated July 15, 1993 (the "Agreement"), which is attached hereto as **Exhibit "A;"** and

WHEREAS, the Agreement was authorized via City of Fresno Resolution No. 93-214 and City of Clovis Resolution No. 93-92 and established the Central California Joint Powers Health Financing Authority (the "Authority") to finance projects for Community Hospital of Central California, Fresno Community Hospital and Medical Center, and Sierra Hospital Foundation; and

WHEREAS, the Members amended the Agreement by a First Amendment to Joint Exercise of Powers Agreement, dated January 1, 2000, attached hereto as **Exhibit "B,"** to update the makeup of the Authority's Governing Board in light of the elimination of the Mayor Pro Tempore position in the City of Fresno; and

WHEREAS, as of the date of this Termination Agreement (1) the Authority has fulfilled the purposes for which it was formed and is no longer necessary, (2) there are no Certificates of Participation outstanding under the terms of any indenture, resolution, trust agreement, or other instrument entered into or executed pursuant to the Agreement, and (3) the Authority has no assets; and

WHEREAS, the Members now wish to terminate the Agreement and dissolve the Authority; and

WHEREAS, pursuant to Section 3 of the Agreement, the Agreement may be terminated at any time by a supplemental written agreement of the Members; and

WHEREAS, pursuant to Section 17 of the Agreement, approval for the Agreement shall be authorized by a resolution of the City Council of the City of Fresno

Date Adopted:

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Resolution No.

Date Approved:

Effective Date:

City Attorney Approval:



NOW THEREFORE, the City Council of the City of Fresno does resolve as follows:

1. The attached Termination Agreement is hereby approved and the Mayor or her designate are hereby authorized to take all steps necessary to execute and deliver the Termination Agreement.
2. This resolution shall take effect upon its passage.

\* \* \* \* \*

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 \_\_\_\_\_, 2016.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

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

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_ [Date]  
Raj Singh Badhesha  
Deputy City Attorney