

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A DESIGN BUILD CONTRACT WITH ALLIANCE BUILDING SOLUTIONS, INC., A LEASE PURCHASE AGREEMENT, AN ESCROW AGREEMENT AND EQUIPMENT SCHEDULE WITH METRO FUTURES, INC., SUBSTANTIALLY IN THE FORM ATTACHED AND SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY, AND ALL RELATED DOCUMENTS

WHEREAS, the Council of the City of Fresno (Council) desires to cause the City of Fresno (Lessee) to purchase, acquire and lease certain equipment constituting personal property (Equipment) necessary for the Lessee to perform essential governmental functions as deemed necessary and/or desirable by the City Manager or designee; and

WHEREAS, the Council desires to cause Lessee to enter into a design build contract with Alliance Building Solutions, Inc. not to exceed \$5,684,172 to be financed through a 20-year lease purchasing agreement, an escrow agreement, and equipment schedule, including a \$25,000 issuance cost and \$461,905.11 capitalized interest, for a total financed not to exceed \$6,171,077.11, and equipment schedule with Metro Futures, Inc. at a rate not to exceed 4.99% for a total loan payment not to exceed \$10,509,267.01; and

WHEREAS, in order to acquire such Equipment, the Lessee proposes to enter into one or more Lease Purchase Agreements (together with the Equipment Schedules

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Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____
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and all related exhibits, schedules, and certificates attached thereto, the Lease Agreements) with Metro Futures, Inc., a California corporation (Lessor) for the Financed Amount secured in part by the Equipment, and one Escrow Agreement (together the Disbursement/Payment Request Form and Acceptance Certificate, the Escrow Agreement) with the Lessor and an escrow agent (approved by Lessor); and

WHEREAS, the Council deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Lease Agreements and Escrow Agreement (Collectively, Transaction Documents) for the purchase, acquisition, and leasing of the Equipment to be therein described on the terms and conditions therein provided.

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

1. That the Council hereby authorizes and directs the City Manager or designee to execute and deliver the Transaction Documents.

2. That the execution of the Transaction Documents by the City Manager shall constitute conclusive evidence of such officer's and the Council's approval of any such changes, insertions, revisions, corrections, or amendments to the Transaction Documents.

3. That the officers and employees of the Lessee shall take all action necessary or reasonably required by the Transaction Documents to carry out, give effect to, and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith.

4. That the City Manager and all other officers and employees of the Lessee are hereby directed and authorized to take and shall take all action necessary or reasonably required in order to select, purchase, and take delivery of the Equipment.

5. That nothing contained in this Resolution or the Transaction Documents shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any provision contained in this Resolution or the Transaction Documents impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Transaction Documents are special limited obligations of the Lessee as provided therein.

6. That the City Manager is hereby designated to act as authorized representatives of the Lessee for purposes of the Transaction Documents until such time as the Council shall remove such designation.

7. That any actions authorized pursuant to the authority given hereunder and heretofore taken by the Lessee, or City Manager on behalf of the Lessee, in connection with the transactions contemplated by the foregoing resolutions be, and they hereby are, approved, ratified and confirmed in all respects.

8. This Written Consent may be executed in multiple counterparts, and all such executed counterparts shall constitute the same instrument.

9. This resolution shall be effective upon final approval.

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

I, AMY K. ALLER, 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2026
Mayor Approval/No Return: _____, 2026
Mayor Veto: _____, 2026
Council Override Vote: _____, 2026

AMY K. ALLER
City Clerk

By: _____ Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____ Date
Jennifer M. Wharton
Deputy City Attorney