

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO PLEDGE REVENUES AND FUND(S) TO SATISFY REPAYMENT OBLIGATIONS FOR THE FINANCIAL ASSISTANCE AGREEMENT WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD FOR THE TERTIARY TREATMENT FACILITY AND ASSOCIATED SOLAR ENERGY FACILITY

WHEREAS, the City of Fresno (the "City") desires to finance the cost of constructing certain public facilities and improvements relating to its Tertiary Treatment Facility and Associated Solar Energy Facility, including certain treatment facilities, pipelines and other infrastructure (the "Project");

WHEREAS, the City intends to finance the construction of the Project or portions of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board ("State Water Board"); and

WHEREAS, the City shall designate and maintain funding sources for its repayment obligation under the financial assistance agreement with the State Water Board.

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

1. The City hereby dedicates and pledges net Sewer Enterprise Fund revenues, collected through rate payers and revenues derived from the ownership and operation of the wastewater collection, wastewater treatment, and recycled water distribution systems and the Sewer Enterprise Fund to payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding Program financing for

Tertiary Treatment Facility and Associated Solar Energy Facility. The City commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the City has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the State Water Board. So long as the financial assistance agreement(s) are outstanding, the City's pledge hereunder shall constitute a lien in favor of the State Water Board on the foregoing fund(s) and revenue(s) without any further action necessary. So long as the financial assistance agreement(s) are outstanding, the City commits to maintaining the fund(s) and revenue(s) at levels sufficient to meet its obligations under the financial assistance agreement(s).

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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 _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Brandon M. Collet Date
Deputy

01-21-15