

**RESOLUTION NO. 16-083****A REIMBURSEMENT RESOLUTION OF THE FRESNO COUNTY BOARD OF SUPERVISORS, SITTING AS THE BOARD OF DIRECTORS FOR FRESNO COUNTY WATERWORKS DISTRICT NO. 38, INCREASING THE MAXIMUM PRINCIPAL AMOUNT WITH RESPECT TO FINANCIAL ASSISTANCE FROM STATE WATER RESOURCES CONTROL BOARD CLEAN WATER STATE REVOLVING FUND, FOR IMPROVEMENTS TO THE WASTEWATER TREATMENT FACILITY SERVING WATERWORKS DISTRICT NO. 38**

WHEREAS, the Fresno County Waterworks District No. 38 (Agency) desires to finance the costs of constructing and/or reconstructing certain public facilities and improvements relating to its wastewater system, including certain treatment facilities, pipelines, and other infrastructure (Project); and

WHEREAS, the Agency intends to finance the construction and/or reconstruction of the Project or portions of the Project with funds provided by the State of California, acting by and through the State Water Resources Control Board (SWRCB); and

WHEREAS, the SWRCB may finance the Project with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal tax purposes (Obligations), and

WHEREAS, prior to either the issuance of the Obligations or the approval by the SWRCB of the Project Funds the Agency desires to incur certain capital expenditures (Expenditures) with respect to the Project from available moneys of the Agency; and

WHEREAS, the Agency has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Agency for the Expenditures from the proceeds of the Obligations; and

WHEREAS, a prior Reimbursement Resolution (Resolution 13-460) was adopted December 10, 2013, with a principal limitation of \$500,000, which must be increased to \$600,000 to account for an increased project estimate due to changes in the original project scope and reapplication caused by a restructuring of SWRCB.

NOW, THEREFORE, THE FRESNO COUNTY BOARD OF SUPERVISORS, SITTING AS THE BOARD OF DIRECTORS FOR FRESNO COUNTY WATERWORKS DISTRICT NO. 38, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

**Section 1.** The Agency hereby restates its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Resource Control Board of the Project Funds.

**Section 2.** The reasonably expected maximum principal amount of the Project Funds is hereby increased from \$500,000 to \$600,000.

**Section 3.** This Resolution amends Resolution 13-460 (adopted December 10, 2013), with respect to the maximum principal amount. All other provisions of Resolution 13-460 remain in full force and effect

**Section 4.** This resolution is adopted as official intent of the Agency in order to comply with Treasury Regulation 1.150-2 and any other regulations of the Internal Revenue Service relating to the qualifications for reimbursement of Project costs.

**Section 5.** All the recitals in this Resolution are true and correct and this Agency so finds, determines, and represents.


PASSED AND ADOPTED this 1st day of March, 2016, by the following vote of the Fresno County Board of Supervisors, sitting as the Board of Directors of Fresno County Waterworks District No. 38, to wit:

AYES: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

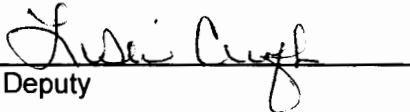
NOES: None

ABSENT: None

County of Fresno  
Board of Directors of Fresno County  
Waterworks District No. 38

  
Ernest Buddy Mendes, Chairman  
Board of Directors

ATTEST:  
Bernice E. Seidel, Clerk  
Board of Supervisors

By:   
Deputy