



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: June 9, 2020

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010		

SUBJECT: Termination Agreement related to the Financing Documents for the 1994 Yettem Water System Certificates of Participation with the United States Department of Agriculture

REQUEST(S):
That the Board of Supervisors sitting as the Board of Directors of the Tulare County Public Facilities Corporation:

1. Approve a Termination Agreement by and between the County of Tulare, the Tulare County Public Facilities Corporation, and the County of Tulare Treasurer-Tax Collector as Trust Administrator related to agreements providing for the financing of the 1994 Yettem Water Project upon payment in full of any and all outstanding balance by the County on the 1994 Certificates of Participation with the United States Department of Agriculture; and
2. Authorize the Chairman to sign the Termination Agreement upon payment in full of any and all outstanding balance by the County on the 1994 Certificates of Participation with the United States Department of Agriculture.

SUMMARY:
The Tulare County Public Facilities Corporation (the "Corporation") supported the County of Tulare (the "County") in issuing Certificates of Participation (the "COP") to United States Department of Agriculture (USDA) to help finance the 1994 Yettem Water Project (the "Project"), which provided for the construction of water system facilities and improvements (the "Facilities") in the unincorporated Community of Yettem in the northern part of the County. These water system improvements are part of the County's Yettem Water Zone of Benefit in County Service Area #1.

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In order to issue the COP, the Corporation, the County, and the County of Tulare Treasurer-Tax Collector as Trust Administrator entered into several agreements, including the following (collectively the “Financing Agreements”):

- **Installment Sale Agreement:** This agreement provided for the Corporation to sell the County certain improvements and facilities connected to the Yetem Water System in exchange for installment payments. This agreement also allows for the prepayment of the outstanding agreement.
- **Assignment Agreement:** In this agreement, the Corporation assigned its right to receive payments under the Installment Sale Agreement from the County to the Trust Administrator.
- **Trust Agreement:** This agreement between the County, the Corporation, and the Trust Administrator allowed the COP to be sold to the USDA [then the Farmers Home Administration, now USDA Rural Development].

The Termination Agreement, attached hereto as Exhibit A, would be exercised after the County has paid off any and all outstanding balance under the COP to reflect that the agreements and terms are no longer necessary.

The County has a remaining balance of \$30,000 plus interest on the COP.

Repayment of the COP by the County is necessary to allow for the forthcoming transfer of the Yetem Water System to the Yetem-Seville Community Services District as presented in a Separate Agenda Item for consideration by your Board on behalf of the County at this same meeting.

FISCAL IMPACT/FINANCING:

There is No Net County Cost to the General Fund other than minimal record keeping and filing costs so far as the Corporation’s involvement in the Termination Agreement is concerned.

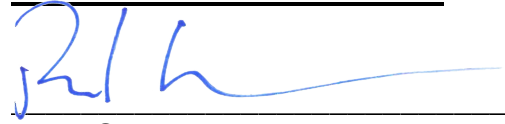
For cost impacts to the County, please refer to the corresponding Agenda Item relating to the same Certificates of Participation for the Yetem Water System and including approval of the same Termination Agreement on behalf of the County.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County’s strategic plan includes a Quality of Life initiative to provide an adequate and safe water supply. This project helps the water infrastructure in the Community of Yetem by allowing for the future transfer of the Yetem Water System to the Yetem-Seville Community Services District.

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ADMINISTRATIVE SIGN-OFF:



Reed Schenke
Director – Resource Management Agency

cc: County Administrative Office

Attachment(s) Attachment A – Termination Agreement

**BEFORE THE BOARD OF SUPERVISORS SITTING
AS THE BOARD OF DIRECTORS OF THE TULARE
COUNTY PUBLIC FACILITIES CORPORATION
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF TERMINATION)
 AGREEMENT RELATED TO THE) Resolution No. PFC-_____
 FINANCING DOCUMENTS FOR THE 1994) Agreement No. PFC-_____
 YETTEM WATER SYSTEM CERTIFICATES)
 OF PARTICIPATION WITH THE UNITED)
 STATES DEPARTMENT OF AGRICULTURE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
 SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
 BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 9, 2020, BY
 THE FOLLOWING VOTE:

AYES:
 NOES:
 ABSTAIN:
 ABSENT:

ATTEST: JASON T. BRITT
 COUNTY ADMINISTRATIVE OFFICER/
 CLERK, BOARD OF SUPERVISORS

BY: _____
 Deputy Clerk

* * * * *

1. Approved a Termination Agreement by and between the County of Tulare, the Tulare County Public Facilities Corporation, and the County of Tulare Treasurer-Tax Collector as Trust Administrator related to agreements providing for the financing of the 1994 Yettem Water Project upon payment in full of any and all outstanding balance by the County on the 1994 Certificates of Participation with the United States Department of Agriculture; and
2. Authorized the Chairman to sign the Termination Agreement upon payment in full of any and all outstanding balance by the County on the 1994 Certificates of Participation with the United States Department of Agriculture.