



RESOLUTION NO. 2013-166

RESOLUTION AMENDING THE BETTER BUSINESS ACT
(RESOLUTION NO. 2009-118) TO ADD AN EXCEPTION
WHEN THE CITY DOES NOT REASONABLY EXPECT
REPAYMENT OF A LOAN

WHEREAS, by Resolution No. 2009-118, the City adopted the Better Business Act (“Act”), effective May 28, 2009; and

WHEREAS, the Act applies to loan write-offs or write-downs in excess of \$1,000,000; and

WHEREAS, Council now wishes to amend the Act to allow for an exception when the City does not reasonably expect repayment of a loan, upon the terms and conditions set forth below.

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

1. The following language shall be added to Section 2 of the Act:

This Resolution does not apply if the Council, by super majority of five votes, approves an exception to this Resolution when one or more of the following factors exist:

- a) For legal or factual reasons, the City does not reasonably expect payment under the terms and conditions of a loan; or
- b) A loan was essentially a grant, but structured as a loan to ensure compliance with certain conditions.

2. This resolution shall take effect upon its adoption.

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

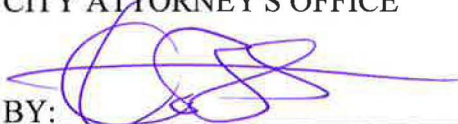
I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 26th day of September, 2013.

AYES : Baines, Brand, Brandau, Caprioglio, Quintero, Xiong
NOES : None
ABSENT : None
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

BY: *Yvonne Spence*
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: 
Katherine B. Doerr, Supervising Deputy

KBD:ns [62549ns/reso] 08/23/2013