

INTERFUND LOAN DOCUMENT ATTACHMENT

THIS ATTACHMENT TO INTERFUND LOAN AGREEMENT (Attachment) made and entered into as of this 16 day of November, 2023, supplements the Interfund Loan Agreement entered into between the City of Fresno (City), EPA Brownfield Revolving Loan Grant (Fund No 2030-0000 (Lender), and The City of Fresno (General Fund (Fund 1000-1001) (Borrower and Subrecipient). City and Subrecipient are collectively referred to as Parties.

RECITALS

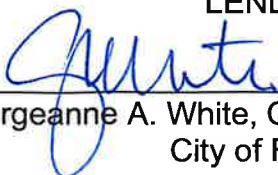
WHEREAS, City and Subrecipient entered into an Agreement, executed as of October 19, 2023 (Effective Date), for use of Program Year 2020 United States Environmental Protection Agency Revolving Loan Fund (EPA RLF, Grant Number 98T08001) for the H Street Warehouse located at 735 H Street in Fresno, California (Site) to demolish dangerous structures and remove hazardous building materials (Agreement);

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual premises herein contained, and for other good and valuable consideration hereby acknowledge, the Parties agree to include the following terms and conditions to the aforesaid Agreement:

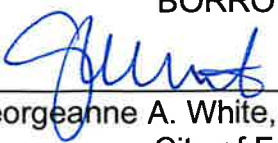
1. Except as otherwise provided herein, the Interfund Loan Agreement entered into by City and Subrecipient on the Effective Date, remains in full force and effect.
2. The City and Subrecipient will comply with the relevant requirements of CERCLA 104(k) and all applicable Federal and State laws during Site cleanup activities.
3. The City passed a resolution (No. 2023-279) providing the legal authority to enter into a legally binding obligation with the Subrecipient to repay the City the full loan amount plus interest by October 19, 2028 on a biannual payment schedule. The City authorizes the Controller (City Finance Director) to take all necessary actions to implement the Interfund Load Agreement.
4. The General Fund is under the control of the City Council and the main operating fund for the City. The General Fund will be used to repay the Interfund Loan Agreement. Repayment would occur to a City-managed interest bearing account.
5. The City and Subrecipient will consult with oversight agencies and the EPA to determine if the selected cleanup requires formal modification based on public comments received or new information found during cleanup.

LENDER



Georgeanne A. White, City Manager
City of Fresno

BORROWER



Georgeanne A. White, City Manager
City of Fresno