

RESOLUTION NO. 2025-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON BEACH, AUTHORIZING THE EXECUTION
AND DELIVERY OF A LEASE AGREEMENT, AN ESCROW
AGREEMENT AND EQUIPMENT SCHEDULE

WHEREAS The City Council of the City of Huntington Beach (the "*Lessee*"), a body politic and corporate duly organized and existing as a municipal corporation and Charter City of the State of California, does hereby consent to the taking of the following actions by the Lessee as of the date hereof;

The City Council desires to cause the Lessee and hereby authorizes the Lessee by the laws of the State of California to purchase, acquire, and lease personal property for the benefit of the Lessee and those it provides services to and to enter into contracts with respect thereto;

The City Council desires to cause Lessee to purchase, acquire and lease certain equipment constituting personal property (the "*Equipment*") necessary for the Lessee to perform essential governmental functions as deemed necessary and/or desirable by its Designated Officers (defined below);

The City Council desires to cause Lessee to finance the Equipment an amount not to exceed \$7,383,861 (the "*Financed Amount*");

In order to acquire such Equipment, the Lessee proposes to enter into one or more Lease Purchase Agreements (together with the Equipment Schedules and all related exhibits, schedules, and certificates attached thereto, the "*Lease Agreements*") with Metro Futures, Inc., a California corporation (the "*Lessor*") for the Financed Amount secured in part by the Equipment, and one Escrow Agreement (together the Disbursement/Payment Request Form and Acceptance Certificate, the "*Escrow Agreement*") with the Lessor and an escrow agent (approved by Lessor), the forms of which have been presented to the governing body of the Lessee at this meeting;

The governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Transaction Documents for the purchase, acquisition, and leasing of the Equipment to be therein described on the terms and conditions therein provided;

NOW, THEREFORE, the City Council of the City of Huntington Beach hereby resolves as follows:

SECTION 1. That the City Council hereby approves the form, terms and provisions of the Transaction Documents in substantially the forms presented to the City Council on or about the date hereof;

SECTION 2. That the governing body of the Lessee hereby authorizes and directs Travis Hopkins, the City Manager of the Lessee, and such other persons as he/she/they may

delegate (the "Designated Officers"), and each of them individually, on behalf of the Lessee, to execute and deliver the Transaction Documents

SECTION 3. That the execution of the Transaction Documents by any Designated Officer shall constitute conclusive evidence of such officer's and the governing body's approval of any such changes, insertions, revisions, corrections, or amendments to the Transaction Documents;

SECTION 4. That the officers and employees of the Lessee shall take all action necessary or reasonably required by the Transaction Documents to carry out, give effect to, and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith;

SECTION 5. That the Designated Officers and all other officers and employees of the Lessee are hereby directed and authorized to take and shall take all action necessary or reasonably required in order to select, purchase, and take delivery of the Equipment;

SECTION 6. That Nothing contained in this Resolution or the Transaction Documents shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any provision contained in this Resolution or the Transaction Documents impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Transaction Documents are special limited obligations of the Lessee as provided therein;

SECTION 7. That the Designated Officers are each hereby designated to act as authorized representatives of the Lessee for purposes of the Transaction Documents until such time as the governing body of the Lessee shall remove such designation;

SECTION 8. That any actions authorized pursuant to the authority given hereunder and heretofore taken by the Lessee, or any Designated Officer on behalf of the Lessee, in connection with the transactions contemplated by the foregoing resolutions be, and they hereby are, approved, ratified and confirmed in all respects

SECTION 9. This Written Consent may be executed in multiple counterparts, and all such executed counterparts shall constitute the same instrument.

SECTION 10. This Resolution shall take effect and be in full force immediately after its adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 2025.

Mayor

REVIEWED AND APPROVED:

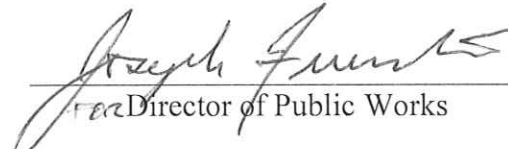
APPROVED AS TO FORM:

City Manager



City Attorney

INITIATED AND APPROVED:



Director of Public Works