

Meeting Date: 02/25/2025 (07)
Resolution No.: 25-010

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF EDCO REFUSE SERVICES, INC., AND/OR RELATED OR SUCCESSOR ENTITIES, IN AN AGGREGATE MAXIMUM STATED PRINCIPAL AMOUNT OF \$73,500,000 FOR THE PURPOSE OF FINANCING, REFINANCING AND/OR REIMBURSING THE COST OF ACQUISITION, CONSTRUCTION, INSTALLATION, IMPROVEMENT AND EQUIPPING OF SOLID WASTE DISPOSAL FACILITIES AND EQUIPMENT, PROVIDING THE TERMS AND CONDITIONS FOR SUCH REVENUE OBLIGATIONS AND OTHER MATTERS RELATING THERETO

WHEREAS, EDCO Refuse Services, Inc., Burrtec Waste & Recycling Services, LLC, Burrtec Environmental, LLC, Burrtec Recovery & Transfer, LLC, Jemco Equipment Corp., Sanco Services, L.P., and/or a related or successor entity (collectively, the "Borrower"), have requested that the California Enterprise Development Authority (the "Authority") issue, in one or more series, from time to time, pursuant to a plan of finance, its tax-exempt and/or taxable revenue obligations in an aggregate principal amount not to exceed \$73,500,000 (the "Revenue Obligations") for the benefit of the Borrower, pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the "Act") to: (1) finance, refinance and/or reimburse the cost of: (a) the acquisition, construction, installation, improvement and equipping of solid waste disposal facilities, including, but not limited to, improvements to existing buildings, conversion of the existing diesel fleet to renewable natural gas, transfer stations, waste and recycling terminals, organics facilities, anaerobic digester facilities, container yards, hauling yards, material recovery facilities, maintenance yards and administrative facilities; and (b) the acquisition of collection trucks, transfer trailers and loaders, carts, bins and other solid waste disposal machinery and equipment, all of which will be located at one or more of the addresses and in the approximate dollar amounts set forth on Exhibit A attached hereto (collectively, the "Facilities"); and (2) pay interest on the Revenue Obligations and the costs of issuance and other related costs in connection with the financing (collectively, the "Project"); and

WHEREAS, the Facilities will be owned and operated by the Borrower and will serve the needs of commercial and residential customers in San Diego County; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Revenue Obligations by the Authority must be approved by an applicable legislative body having jurisdiction over the area in which the Facilities are located; and

WHEREAS, the Facilities are located within the territorial limits of the County of San Diego (the "County"); and

WHEREAS, the Board of Supervisors of the County (the "Board") is the elected legislative body of the County and is one of the "applicable elected representatives" empowered to approve the issuance of the Revenue Obligations under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the Board approve the issuance of the Revenue Obligations by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code and Section 6586.5 of the Act, the Board has, following notice duly given, held a public hearing regarding the issuance of the Revenue Obligations, and now desires to approve the issuance of the Revenue Obligations by the Authority; and

WHEREAS, based on representations of the Borrower: (a) the Borrower and the Facilities provide significant benefits to the residents of the County through the waste collection, disposal, and recycling services provided by the Borrower; and (b) the financing or refinancing of and/or reimbursement to the Borrower for the cost of the Facilities through the Authority will result in demonstrable savings in effective interest rate.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of San Diego as follows:

Section 1. On information and belief, the foregoing recitals are true and correct.

Section 2. The Board hereby approves the issuance, in one or more series, from time to time, pursuant to a plan of finance, of tax-exempt and/or taxable Revenue Obligations by the Authority in an amount not to exceed \$73,500,000 for the financing or refinancing of and/or reimbursement to the Borrower for the costs of the Project. It is the purpose and intent of the Board that this resolution ~~constitutes approval of the issuance of the Revenue Obligations by the Authority for the purposes of~~ Section 147(f) of the Code by an applicable elected representative of the governmental unit having jurisdiction over the area in which the Facilities are located, in accordance with said Section 147(f). This resolution shall also constitute the approval of the issuance of the Revenue Obligations by the Authority within the meaning of the Act.

Section 3. The issuance of the Revenue Obligations shall be subject to the approval by the Authority of all financing documents relating thereto to which the Authority is a party. The County shall have no responsibility or liability whatsoever with respect to the Revenue Obligations.

Section 4. The adoption of this Resolution shall not obligate the County or any department thereof to: (a) provide any financing with respect to the Facilities or the Project; (b) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary with respect to the Facilities or the Project; (c) make any contribution or advance any funds whatsoever to the Authority or the Borrower; or (d) take any further action with respect to the Authority or its membership therein.

Section 5. The officers of the County are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

Section 6. This resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM AND LEGALITY
CLAUDIA SILVA, COUNTY COUNSEL
By: WALTER DE LORRELL, III, CHIEF DEPUTY

EXHIBIT A

<u>Property Addresses</u>	<u>Allocable Amounts</u>
1035 and 1044 West Washington Avenue, Escondido, California 92025	\$72,000,000
324 Maple Street, Ramona, California 92065	\$1,500,000
Total	\$73,500,000

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 25th day of February 2025, by the following vote:

AYES: Anderson, Lawson-Remer, Montgomery Steppe, Desmond

ABSENT: (District 1 Seat Vacant)

- - -

STATE OF CALIFORNIA)


County of San Diego) ^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

ANDREW POTTER

Clerk of the Board of Supervisors

By:


Nancy Vizcarra, Deputy



Resolution No. 25-010

Meeting Date: 02/25/2025 (7)