

RESOLUTION NO. 4150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING A LOAN AGREEMENT BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS RELATING TO THE REDEVELOPMENT PROJECT-1994, THE ISSUANCE OF CERTAIN BONDS BY THE AUTHORITY, THE PUBLIC BENEFITS RELATING TO SAID FINANCING AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Redevelopment Agency of Perris (the "Agency") is a redevelopment agency authorized pursuant to the Community Redevelopment Law of the State of California, being Part 1 of Division 24 (commencing with Section 33000) of the California Health and Safety Code, as amended (the "Law") to incur indebtedness for the purpose of financing and refinancing certain redevelopment and low and moderate income housing activities within and for the benefit of its redevelopment project areas; and

WHEREAS, the redevelopment plan for the redevelopment project known and designated as the "Redevelopment Project-1994" (referred to herein as the "Redevelopment Project") has been adopted and approved and all requirements of the Law for, and precedent to, the adoption and approval of said plans have been duly complied with; and

WHEREAS, the redevelopment plan for the Redevelopment Project contemplates that the Agency would, from time to time, issue its bonds and/or loans to finance and refinance a portion of the cost of such redevelopment and public improvements of benefit to the Redevelopment Project and the Agency has from time to time issued obligations to finance and refinance such redevelopment activities; and

WHEREAS, in order to finance additional redevelopment activities with respect to the Redevelopment Project and to refinance the Perris Public Financing Authority's (the "Authority") outstanding \$1,280,000 Tax Allocation Revenue Bonds, 2001 Series B (the "2001 Bonds"), the proceeds of which made a loan to the Agency to finance redevelopment activities in the Redevelopment Project (the "2001 Loan"), the Agency has requested that the Perris Public Financing Authority make a loan to the Agency, pursuant to the Loan Agreement (Redevelopment Project-1994), dated as of October 1, 2008, between the Agency and the Authority in an aggregate principal amount not to exceed \$18,000,000 (the "Loan"); and

WHEREAS, in order to finance the Loan, the Authority is determined to issue not to exceed \$18,000,000 aggregate principal amount of Perris Public Financing Authority Tax Allocation Revenue Bonds (1994 Project Loan), 2008 Series C (the "2008 Bonds") pursuant to the terms of the Indenture of Trust, dated as of October 1, 2008 (the "Indenture"), by and between the Authority and Wells Fargo Bank, National Association, as trustee, and the Marks-Roos Local Bond Pooling Act of 1985, constituting Sections 6584 et. seq. of the California Government Code (the "Act"); and

WHEREAS, portions of the proceeds of the 2008 Bonds will be used to make the Loan to the Agency; and

WHEREAS, the Agency deems it necessary, desirable and feasible to enter into the Loan for the purpose of financing portions of the Redevelopment Project, including the provision of drainage, streets and other public capital improvements of benefit to the Redevelopment Project and refinancing the 2001 Bonds and 2001 Loan; and

WHEREAS, Section 33640 of the Law requires the Agency to obtain the approval of the City Council before entering into the Loan; and

WHEREAS, the City Council, with the aid of its staff, has reviewed the documentation relating to the Loan, and wishes to approve the Loan and the issuance of the 2008 Bonds; and

WHEREAS, the City Clerk has caused a notice of public hearing to be published pursuant to Section 6586.5 of the Act in connection with the financing by the Authority; and

WHEREAS, the City Council has held such public hearing; and

WHEREAS, the City Council approves of the Loan and the issuance of the 2008 Bonds by the Authority to provide proceeds to make the Loan to finance public capital improvements and projects, including drainage improvements, and has found that significant public benefits will occur as a result of the financing, including but not limited to demonstrable savings in effective interest rate, bond preparation, bond underwriting and financing costs, employment benefits from undertaking the projects, user charge reductions and efficient delivery of local services associated with the improvements as contemplated by Section 6586 of the Act;

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

Section 1. The City Council of the City of Perris finds that the above recitals are true and correct and are incorporated herein by reference.

Section 2. The entering into of the Loan by the Agency and the issuance of the 2008 Bonds by the Authority to finance the Loan and refinance the 2001 Bonds and payoff the 2001 Loan is hereby approved.

Section 3. The City Council finds that significant public benefits will occur as a result of the financing in accordance with Section 6586 of the Act.

Section 4. Each of the Mayor, the City Manager, Assistant City Manager and the City Clerk of the City and any person designated by any of them, is hereby authorized and directed, jointly and severally, to execute and deliver any and all documents and instruments and to do all things which they may deem necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 4. This Resolution shall be in full force and effect from its adoption.

ADOPTED, SIGNED and **APPROVED** this 30th day of September, 2008

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Judy L. Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4150 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 30th day of September, 2008, by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSTAIN:
ABSENT:

City Clerk, Judy L. Haughney