

RESOLUTION NUMBER 4783/PJPA 011

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2003-1 (CHAPARRAL RIDGE) OF THE CITY OF PERRIS AND THE PERRIS JOINT POWERS AUTHORITY AUTHORIZING THE EXECUTION OF A SUBORDINATION AND FUNDING AGREEMENT WITH THE ROMOLAND SCHOOL DISTRICT RELATING TO THE REFINANCING OF A PORTION OF THE DISTRICT'S SUBORDINATE BOND AND PROVIDING FOR CERTAIN MATTERS IN CONNECTION THEREWITH

WHEREAS, on September 30, 2014, pursuant to Resolution No. 4771 (the "District Resolution"), the City Council of the City of Perris, acting for itself and in its capacity as legislative body of Community Facilities District No. 2003-1 (Chaparral Ridge) of the City of Perris (the "District"), approved the issuance of its not to exceed \$4,000,000 of the Community Facilities District No. 2003-1 (Chaparral Ridge) of the City of Perris Special Tax Refunding Bonds, 2014 Series (the "District Bonds") to refund certain prior bonds of the District (the "2003 Prior Bonds") pursuant to the terms and provisions of the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, on September 30, 2014, pursuant to Resolution No. PJPA – 009 (the "Authority Resolution"), the Perris Joint Powers Authority (the "Authority"), in order to raise the funds to purchase the District Bonds, authorized the issuance of its not to exceed \$4,000,000 of Perris Joint Powers Authority Local Agency Revenue Bonds (CFD No. 2003-1, Refunding), 2014 Series G (the "Authority Bonds") pursuant to the Marks-Roos Local Bond Pooling Act of 1985, (constituting Sections 6584 *et seq.* of the California Government Code (the "Bond Law");

WHEREAS, pursuant to the District Resolution, the District approved a subordination agreement with Romoland School District (the "School District") relating to the funding of the District's outstanding Community Facilities District No. 2003-1 (Chaparral Ridge) of the City of Perris, Series 2003B (Subordinate) Special Tax Bond (the "Subordinate Bond") issued pursuant to the Subordinate Indenture, dated as of July 1, 2003 ("Subordinate Indenture"), by and among the District, the School District and Wells Fargo Bank, National Association, as trustee, as succeeded by U.S. Bank National Association, secured by the Special Taxes within the District for the purpose of financing the school facilities; and

WHEREAS, the School District has requested that the District refinance a portion of the Subordinate Bond by including a \$150,000 of proceeds for expenditure on school facilities as part of the District Bonds; and

WHEREAS, the District has determined it is in the public interest, a public purpose and prudent in the management of its fiscal affairs to refinance a portion of the Subordinate Bond to assist the School District; and

WHEREAS, the financing will not exceed any limitations on funding provided in the District Resolution or the Authority Resolution, and will provide for appropriate Special Taxes to cover debt service on the District Bonds;

WHEREAS, the Authority approves of the financing described herein; and

WHEREAS, the District shall enter into a Subordination and Funding Agreement with the School District in order to effectuate the subordination described in third whereas clause and the funding described herein, and shall make appropriate changes to the Fiscal Agent Agreement approved and defined in the District Resolution; and

WHEREAS, all actions required prior to approval of the items described herein have been taken and the District Resolution and the Authority Resolution remain in effect and are supplemented hereby.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, acting for itself and as the legislative body of Community Facilities District No. 2003-1 (Chaparral Ridge) of the City of Perris, and the Board of the Perris Joint Powers Authority, do hereby resolve, determine and order as follows:

Section 1. Each of the above recitals is true and correct and is adopted by the legislative body of the District.

Section 2. The District is authorized pursuant to the Act to issue the District Bonds for the purpose of refinancing a portion of the Subordinate Bond to finance school facilities.

Section 3. The form of the Fiscal Agent Agreement approved pursuant to the District Resolution may be supplemented to effectuate the purposes hereof.

Section 4. The form of the Subordination and Funding Agreement, by and between the District and the School District, a form of which is on file with the City Clerk, be and is hereby approved in substantially the form thereof or with such changes as may be approved by the Mayor, City Manager or Assistant City Manager, each an "Authorized Officer", said Authorized Officer's execution thereof to constitute conclusive evidence of said Authorized Officer's approval of all such changes, and each of said Authorized Officers be and is hereby authorized, together or alone to execute and deliver said Subordination Agreement.

Section 5. The City Council and the Authority approve of the financing described herein and hereby find that significant public benefits exist in undertaking the financing in accordance with the criteria set forth in Government Code Section 6586 and that said financing under the Bond Law is for school facilities pursuant to Government Code Section 6586.5(c).

Section 6. All conditions precedent to the financing pursuant to the City's policies relating to Mello-Roos Districts have been met or are hereby waived.

Section 7. Each Authorized Officer and the other officers and staff of the City and the District responsible for the fiscal affairs of the District are hereby authorized and directed to take any actions and execute and deliver any and all documents and certificates as are necessary to accomplish the issuance, sale and delivery of the District Bonds and to consummate the transactions contemplated by each aforesaid Agreement. In the event that the Mayor is unavailable to sign any document authorized for execution herein, any Authorized Officer may sign such document. Any document authorized herein to be signed by the City Clerk may be signed by a duly appointed deputy or assistant city clerk.

Section 8. This resolution shall take effect and be enforceable immediately upon its adoption.

ADOPTED, SIGNED and APPROVED this 28th day of October, 2014.

DARYL R. BUSCH, MAYOR
OF THE CITY OF PERRIS

ATTEST:

NANCY SALAZAR, CITY CLERK
OF THE CITY OF PERRIS

DARYL R. BUSCH, CHAIRMAN
OF THE PERRIS JOINT POWERS AUTHORITY

ATTEST:

NANCY SALAZAR, SECRETARY
OF THE PERRIS
JOINT POWERS AUTHORITY

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

I, Nancy Salazar, City Clerk/Secretary of the City of Perris/Perris Joint Powers Authority, do hereby certify that the foregoing Resolution Numbers 4783/PJPA 011 were duly adopted by the City Council of the City of Perris and the Perris Joint Powers Authority at a regular meeting of said Council/Authority on the 28th day of October, 2014, and that it was so adopted by the following vote:

AYES: ROGERS, YARBROUGH, LANDERS, RODRIGUEZ, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

By: _____
NANCY SALAZAR,
CITY CLERK/SECRETARY