

**RESOLUTION NUMBER 4864**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING AN AGREEMENT WITH PERRIS GROUP, LLC PROVIDING FOR THE PAYMENT AND WAIVER OF CERTAIN SPECIAL TAXES AND THE EXECUTION OF A LAND TRANSFER AGREEMENT IN CONNECTION WITH REVENUE AND TAXATION CODE SECTION 3698.5(A).**

**WHEREAS**, Perris Group, LLC, a California limited liability company (“**Owner**”) has acquired or is in the process of acquiring certain undeveloped parcels of land comprised of Assessor Parcel Nos. 305-080-044, 046, 047, 048, 049, 061 and 062 (“**Property**”) which is located within CFD No. 91-1 (“**Original District**”); and

**WHEREAS**, Owner acquired the Property at the time when it was delinquent as to both the special taxes under the Original District as well as ad valorem real property taxes making the Property uneconomical for development; and

**WHEREAS**, the Original District is not currently in default to the bondholders and all bond payments have been paid to date; and

**WHEREAS**, the City is in the process of refinancing the Original District pursuant to CFD District No. 2014-2 (“**New District**”); and

**WHEREAS**, Owner intends to apply for project approvals to develop the Property as an apartment project consisting of approximately 222 units (“**New Project**”) which will be required to pay taxes in the New District once developed as well as generating other revenue to the City; and

**WHEREAS**, Owner has requested that certain special taxes be waived under the Original District as well as the removal of delinquent ad valorem taxes from the Property; and

**WHEREAS**, Owner, Original District and the City have agreed to waive the delinquent special taxes and to cause the removal of the delinquent ad valorem taxes on the Property pursuant to the terms specified in an agreement entitled CFD Agreement and the payment of certain funds by Owner to pay down a portion of the bonds of the Original District (“**CFD Agreement**”); and

**WHEREAS**, the CFD Agreement also provides authority to the City Manager or his designee authority to execute documents on behalf of the City to effect the transaction contemplated therein.

***NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS***, for itself and as legislative body of CFD No. 91-1 (Perris Valley Spectrum) of the City of Perris, **does** resolve as follows:

*Section 1.* The above recitals are all true and correct and incorporated herein by reference.

*Section 2.* The City Council finds, based upon the information contained within the staff report and accompanying attachments that the CFD Agreement is in the best interests of the City and will encourage development in the CFD and improve the special tax situation. The CFD agreement will assist in implementing development of the property, and avoiding bond defaults in the future.

*Section 3.* The City Council hereby approves CFD Agreement in the form on file with the City Clerk based on the information and findings presented in the staff report and supporting exhibits.

*Section 4.* The City Council hereby authorizes the Mayor, City Manager or his designee to execute documents on behalf of the City as specified in the CFD Agreement. The Mayor or City Manager may make such changes to the CFD Agreement and its exhibits as is necessary to effectuate the transaction.

*Section 5.* The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

*Section 6.* The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED*** this 14<sup>th</sup> day of April, 2015.

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Daryl R. Busch, Mayor

ATTEST:

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Nancy Salazar, City Clerk

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

I, Nancy Salazar, City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number 4864 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 14<sup>th</sup> day of April 2015, by the following vote:

AYES: RODRIGUEZ, ROGERS, BURKE, RABB, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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Nancy Salazar, City Clerk