

RESOLUTION NO. 4149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING A HOUSING FUND LOAN AGREEMENT BETWEEN THE PERRIS PUBLIC FINANCING AUTHORITY AND THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS, 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 projects known and designated as the “Redevelopment Project-1994,” the “Redevelopment Project-1987” and the “Central Perris and North Perris Redevelopment Projects” (referred to herein as the “Redevelopment Projects”) have 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 plans for the Redevelopment Projects contemplate 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 housing activities and public improvements associated therewith and the Agency has from time to time issued obligations to finance and refinance such housing activities; and

WHEREAS, in order to finance additional housing activities and public improvements associated therewith with respect to the Redevelopment Projects, the Agency has requested that the Perris Public Financing Authority make a loan to the Agency, pursuant to the Housing Fund Loan Agreement between the Agency and the Authority in an aggregate principal amount not to exceed \$11,000,000 (the “Loan”); and

WHEREAS, in order to finance the Loan, the Perris Public Financing Authority (the “Authority”) is determined to issue not to exceed \$11,000,000 aggregate principal amount of Perris Public Financing Authority Taxable Tax Allocation Revenue Bonds (Housing Loan), 2008 Series D (the “2008 Bonds”) pursuant to the terms of the Indenture of Trust (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 housing activities of benefit to the Redevelopment Projects, including the provision public capital improvements related thereto; and

WHEREAS, Section 33640 of the Law requires the Agency to obtain the approval of the City Council before the making of 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 housing activities and public capital improvements of benefit to the Redevelopment Projects 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 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, the 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 5. 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 4149 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