

RESOLUTION NUMBER 2769

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AUTHORIZING THE CREATION OF THE PERRIS PUBLIC UTILITY AUTHORITY; APPROVING THE JOINT POWERS AGREEMENT FOR THE PERRIS PUBLIC UTILITY AUTHORITY; APPROVING A PURCHASE AGREEMENT FOR THE SALE OF THE CITY OF PERRIS SEWER AND WATER SYSTEM TO THE AUTHORITY; AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

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

WHEREAS, in order to assist the City of Perris, California (the "City") in its financing objectives, it has been proposed that the Agency and the City form a Joint Powers Authority (a public body, corporate and politic) pursuant to a Joint Exercise of Powers Agreement, dated as of December 28, 1999, (the "Joint Powers Agreement") by and between the Agency and the City, to be designated as the "Perris Public Utility Authority" (the "Authority"), duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Joint Powers Law (Articles 1 through 4 of Chapter 5, Division 7, Title 1, of the California Government Code) including the power to issue bonds for any of its corporate purposes; and

WHEREAS, it has been proposed that the Authority assist the City in its financing objectives by purchasing the sewage collection and treatment system from the City and by providing the financing needed to construct additional sewer facilities (the "Sewer Enterprise"); and

WHEREAS, in order to finance the Sewer Enterprise, the Authority intends to seek grants, loans and other feasible financing mechanisms; and

WHEREAS, the City Council has reviewed the Joint Powers Agreement and the City Council wishes to approve the Joint Powers Agreement and matters related thereto;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City hereby approves the creation of the "Perris Public Utility Authority," its membership therein and the Joint Powers Agreement related thereto, substantially in the form annexed hereto, marked "Exhibit A," with such revisions, amendments and completions as shall be approved by a responsible officer with the advice of the City's financial consultant and counsel to the City. A responsible officer shall include any member of the City Council, the City Manager, the City Clerk, the Deputy City Clerk or any official of the City designated by the Mayor or the City Manager as a responsible officer.

SECTION 2. The City hereby approves the sale of the Sewer Enterprise to the Authority as provided in the Purchase Agreement, dated as of December 28, 1999, by and between the City and the Authority, and approves said Purchase Agreement substantially in the form annexed hereto, marked "Exhibit B," with such revisions, amendments and completions as shall be approved by the City Manager or any other responsible officer with the advice of council to the City.

SECTION 3. The City Manager, the Finance Director, or any other responsible officer of the City is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution.

SECTION 4. The City Clerk shall certify to the adoption of this resolution which shall be in full force and effect immediately upon its adoption. Notwithstanding the foregoing, such certification and any of the other duties and responsibilities assigned to the City Clerk pursuant to this resolution may be performed by an Assistant City Clerk with the same force and effect as if performed by the City Clerk hereunder.

ADOPTED, SIGNED, and APPROVED this 28th day of December 1999.

MAYOR OF THE CITY OF PERRIS

Attest:

CITY CLERK
CITY OF PERRIS

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

I, Margaret Rey, duly elected City Clerk of the City of Perris, California, hereby certify that the foregoing Resolution Number 2769 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 28th day of December 1999, by the following called vote:

Ayes: Larios, Motte, Rogers, Yarbrough, Busch
Noes:
Absent:
Abstain:

Margaret Rey
CITY CLERK