

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF LINFIELD CHRISTIAN SCHOOL AND/OR A RELATED ENTITY IN AN AGGREGATE AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE COST OF ACQUISITION, DEVELOPMENT, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN FACILITIES, AND OTHER MATTERS RELATING THERETO

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Linfield Christian School, a nonprofit religious corporation (the “Borrower”), duly organized and existing under the laws of the State of California (the “State”), has requested that the California Enterprise Development Authority (the “Authority”) issue, from time to time, pursuant to a plan of finance, its tax-exempt and/or taxable revenue obligations in an aggregate principal amount not to exceed \$25,000,000 (the “Obligations”) for the benefit of the Borrower, pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the “Act”) to (a) finance and refinance certain outstanding indebtedness of the Borrower incurred to finance and refinance the construction, acquisition, installation, renovation, rehabilitation, and improvement of real property, facilities, equipment, and improvements of the Borrower’s educational facilities located at 31950 Pauba Road, Temecula, California 92592 (the “Facilities”), and (b) pay certain costs of issuance in connection with such financing or refinancing; and

WHEREAS, the Borrower is an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) and will own and operate the Facilities in connection with its mission of providing an independent, college preparatory school that exists to develop and inspire students; and

WHEREAS, the issuance of the Obligations must be approved by the governmental unit on behalf of which the Obligations are issued and a governmental unit having jurisdiction over the territorial limits in which the Facilities are located pursuant to the public approval requirement of Section 147(f) of the Code; and

WHEREAS, the Facilities are located within the territorial limits of the City of Temecula (the “City”), and the City Council (the “City Council”) is the elected legislative body of the City and is the “applicable elected representative” required to approve the issuance of the Obligations under Section 147(f) of the Code; and

WHEREAS, the Authority and the Borrower have requested that the City Council approve the issuance of the Obligations and the financing or refinancing of the Facilities with the proceeds of the Obligations solely for purposes of complying with Section 147(f) of the Code; and

WHEREAS, a public hearing was held by the City Council on this 9th day of July, 2019, at the meeting which commenced at the hour of 7:00 p.m., at the City Council Chambers located at 41000 Main Street, Temecula, California 92590, following duly published notice thereof in a newspaper of general circulation in the City of Temecula, and all persons desiring to be heard have been heard; and

WHEREAS, it is intended that this Resolution shall comply with the public approval requirements of Section 147(f) of the Code; provided, however, that this Resolution is neither intended to nor shall it constitute an approval by the City Council of the Facilities for any other purpose, including, but not limited to, compliance with the California Environmental Quality Act (California Public Resources Code, Section 21100, et seq.) (“CEQA”);

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the City Council of the City of Temecula, State of California as follows:

Section 1. The City Council hereby finds and determines that all of the recitals are true and correct. The City Council, as the “applicable elected representative” of the governmental unit on behalf of which the Obligations will be issued and having jurisdiction over the area in which the Facilities are located, hereby approves the issuance of the Obligations by the Authority, which Obligations may be tax-exempt and/or taxable as approved by the Authority in its resolution, in an amount not to exceed \$25,000,000 to finance or refinance the costs of the Facilities. This resolution shall constitute approval of the issuance of the Obligations within the meaning of Section 147(f) of the Code and shall constitute the approval of the issuance of the Obligations within the meaning of the Act; provided, however, that this Resolution shall not constitute an approval by the City Council of the Facilities for any other purposes or land use entitlements for the Facilities, including compliance thereof with the California Environmental Quality Act (“CEQA”), nor does it constitute an approval of the underlying credit or financial structure of the Obligations. The City Council shall not bear any responsibility for the issuance of the Obligations, the tax-exempt status of the Obligations, the repayment of the Obligations or any other matter related to the Obligations.

Section 2. All actions heretofore taken by the officers, employees and agents of the City with respect to the approval of the issuance of the Obligations are hereby approved, confirmed and ratified, and the officers and employees of the City and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or bond counsel may deem necessary or advisable in order to consummate the issuance of the Obligations and in accordance with and otherwise to effectuate the purposes of this Resolution.

Section 3. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing for the Facilities; (ii) approve any application or

request for or take any other action in connection with any land use entitlements, permit or other action necessary for the acquisition, rehabilitation or operation of the Facilities; or (iii) make any contribution or advance any funds whatsoever to the Authority.

Section 4. This Resolution shall take effect from and after its adoption.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 9th day of July, 2019.

Michael S. Naggar, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 9th day of July, 2019, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk

CERTIFICATE OF THE CITY CLERK

I, Randi Johl, City Clerk of the City of Temecula, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at the meeting of the City Council of the City of Temecula duly and regularly held in Temecula, California, on July 9, 2019, of which meeting all of the members of said City Council had due notice.

I further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the City of Temecula hereto this 9th day of July, 2019.

Randi Johl, City Clerk