

RESOLUTION NO. 2018-061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF CHARTER SCHOOL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$6,400,000 FOR THE PURPOSE OF FINANCING IMPROVEMENTS AND THE ACQUISITION OF FURNITURE, FIXTURES AND EQUIPMENT FOR THE USE OF CREDO HIGH SCHOOL, REFINANCING CERTAIN OUTSTANDING BONDS, AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, Credo High School (the "Borrower"), a California nonprofit corporation (or any successor or assigns thereto), has requested that the California Public Finance Authority (the "Authority") participate in the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$6,400,000 (the "Bonds") and loan the proceeds of the Bonds to the Borrower to (i) finance tenant improvements and acquire furniture, fixtures and equipment for the use of newly expanded space for Credo High School located at 1300 Valley House Drive #100, Rohnert Park, California (the "2018 Project"); (ii) redeem the principal amount of existing Bonds previously issued by the Authority for the benefit of the Applicant, which were issued to finance tenant improvements and acquire furniture, fixtures and equipment for Credo High School (collectively, with the 2018 Project, referred to hereafter as the "Project"); (iii) make a deposit to a debt service reserve fund, and fund a capitalized interest account, if either or both is required; and (iv) pay the costs of issuance of the Bonds and certain other costs incurred in connection with the issuance of the Bonds; and

WHEREAS, the Project will be owned by the Borrower for federal income tax purposes and will be located at the address described in the Notice of Public Hearing attached as Exhibit "A" (the "Notice"); and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds must be approved by the "Applicable Elected Representative" of the City of Rohnert Park, California (the "City"), as the host jurisdiction for the Project; and

WHEREAS, the City Council of the City (the "City Council") is the elected legislative body of the City and is the "Applicable Elected Representative" of the City; and

WHEREAS, the City previously became an Additional Member of the Joint Exercise of Power Agreement Relating to the California Public Finance Authority pursuant to the California Government Code for purposes of this Approval; and

WHEREAS, the Borrower has requested that the City Council approve the financing of the Project and the issuance of the Bonds in order to satisfy the requirements of the Code; and

WHEREAS, in accordance with Section 147(f) of the Code, the City Council, as host jurisdiction for the Project, must provide public notice of and conduct a public hearing concerning the Authority's intention to issue the Bonds, and approve the issue; and

WHEREAS, the Notice was given as set forth in Exhibit A (the "Notice"), in the newspaper shown on Exhibit A; and

WHEREAS, the City Council conducted a public hearing, pursuant to the Notice, on Tuesday, April 24, 2018, at 6:00 p.m.; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park as follows:

Section 1. APPROVAL OF ISSUANCE OF BONDS: The City Council hereby approves the issuance of the Bonds by the Authority for the purpose of financing and refinancing the Project. It is the purpose and intent of the City Council that this Resolution constitute approval of the issuance of the Bonds by the City, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code.

Section 2. GENERAL AUTHORITY. The officers of the City Council are hereby authorized and directed, jointly and severally, to do any and all things and execute and deliver any and all documents, certificates and other instruments which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby. Any actions heretofore taken by such officers are hereby ratified and approved.

Section 3. LIMITATION. The City Council expressly conditions its approval of this Resolution on its understanding that the City shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Bonds for the financing of the Project.

Section 4. EFFECTIVE DATE. This Resolution shall take effect from and after its passage and approval.

Section 5. ENVIRONMENTAL REVIEW. This action is exempt from the California Environmental Quality Act pursuant to Public Resources Code section 21084 and Title 14 of the California Code of Regulations section 15301, which exempts interior alterations of existing facilities, and section 15302, which exempt projects involving the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and have substantially the same purpose and capacity as the structure replaced.

DULY AND REGULARLY ADOPTED this 24th day of April, 2018.

CITY OF ROHNERT PARK


Pam Stafford, Mayor

ATTEST:


JoAnne M. Buergler, City Clerk

Attachments: Exhibit A

AHANOTU: Aye BELFORTE: Aye MACKENZIE: Aye CALLINAN: Aye STAFFORD: Aye
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)

EXHIBIT "A"

NOTICE OF PUBLIC HEARING

LEGAL NOTICE

CALIFORNIA PUBLIC FINANCE AUTHORITY NOTICE OF PUBLIC HEARING

The City Council of Rohnert Park, California (the "City") will hold a public hearing on Tuesday, April 24, 2018 at 6:00 p.m., or as soon thereafter as possible, in the City Council Chambers located at 130 Avram Avenue, Rohnert Park, California 94928, to discuss a project involving a qualified private activity bond financing. Anyone having an interest in this matter may attend the meeting to give their comments.

Applicant: Credo High School
1300 Valley House Dr. #100
Rohnert Park, California 94928

Project Description: Charter School Revenue Bonds, in one or more series (the "Bonds"), expected to be issued by California Public Finance Authority (the "Authority"), and the proceeds loaned to the Applicant for the following:

- (a) finance facility tenant improvements and the acquisition of furniture, fixtures, and educational equipment and supplies for use of Applicant in newly leased space at Credo High School;
- (b) make a deposit to a debt service reserve fund, if required;
- (c) pay capitalized interest on the bonds, if required;
- (d) redeem (pay-off) the amount due under the Authority's previously issued Charter School Revenue Bonds ("Credo High School Project") Non-Taxable Series 2017A and Charter School Revenue Bonds ("Credo High School Project") Taxable Series 2017B, which were previously issued to finance certain costs of Tenant improvements, furniture, fixtures, and equipment at Applicant's Charter School located at 1300 Valley House Drive, #100 Rohnert Park, California, 94928.
- (e) pay the costs of issuance of the Bonds and certain other costs incurred in connection with the issuance of the Bonds.

Project Location: 1300 Valley House Dr. #100
Rohnert Park, California 94928

Project Owner: Applicant

Maximum Aggregate Face
Amount of Tax Exempt
Obligations Requested: Not to exceed \$6,400,000

The Bonds are expected to be issued by the Authority pursuant to the provisions of the Joint Exercise of Powers Act, comprising Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the Government Code of the State of California. The Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Applicant to the Authority, and certain funds and accounts held in trust under the bond agreement for the Bonds. All of the facilities to be financed with the proceeds of the Bonds will be owned by the Applicant.

Notice is further given that the Applicant has filed an application with the Authority in connection with the proposed issuance of the Bonds to finance the Project, and reference is hereby made to such application for further particulars.

Interested persons wishing to express their views on the issuance of the Bonds or the nature and location of the Project will be given an opportunity to do so at the public hearing, or may, prior to the time of the hearing, submit written comments to the City Clerk at the address above. The public hearing is being held in the City as the host jurisdiction pursuant to the Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code").

This notice is published in accordance with the public notice requirements of Section 147(f) of the Code and the Tax Equity and Fiscal Responsibility Act of 1982.

Dated: April __, 2018

JoAnne Buergler, City Clerk

Published: April 6, 2018