

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE APPROVING THE ISSUANCE OF THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS (LANCER EDUCATIONAL HOUSING), SERIES 2019 IN ONE OR MORE SERIES PURSUANT TO A PLAN OF FINANCING AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF CERTAIN STUDENT HOUSING FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

WHEREAS, Lancer Educational Housing, LLC, a California limited liability company (the “Borrower”), the sole member of which is Lancer Educational Housing Corporation, a California nonprofit public benefit corporation, has requested that the California Statewide Communities Development Authority (the “Authority”) participate in the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$90,000,000 (the “Bonds”) pursuant to a plan of financing to: (1) finance and refinance the Series 2019 Project, defined below; (2) pay capitalized interest on the Bonds; (3) finance a debt service reserve fund for the Bonds; and (4) pay certain expenses incurred in connection with the issuance of the Bonds (collectively, the “Project”); and

WHEREAS, the term “Series 2019 Project” means financing and refinancing the acquisition, construction, improvement, renovation, furnishing and equipping of certain housing facilities for faculty, staff and students of California Baptist University (the “University”) by the Borrower, including related administrative and support facilities, site improvements, and parking located in the City of Riverside (the “City”), including but not limited to (1) a student residential complex comprising approximately 600 beds and related administrative and support facilities, site improvements, and parking to be constructed, improved and equipped on, or adjacent to, the main campus of the University, the primary address of which is 8432 Magnolia Avenue, Riverside California 92504, and which includes properties located at 3823, 3833 and 3853 Bel Air Street and property with the address 8775 Magnolia Avenue, Riverside, California 92503 (the “Campus”), and (2) other improvements to and equipment of existing housing facilities and related facilities located on or adjacent to the Campus (such existing facilities, together with the facilities described in the foregoing clause (1), the “Facilities”); and

WHEREAS, all of the Facilities are or will be owned and operated by the Borrower and located within the City; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the “Code”), the issuance of the Bonds by the Authority and the related plan of financing must be approved by the City because the Facilities are or will be located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the “City Council”) is the elected legislative body of the City and is one of the applicable elected representatives required to

approve the issuance of the Bonds and the related plan of financing under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority and the related plan of financing for the purposes of financing the Project, including the Facilities, in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 9 of the Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (as further amended from time to time, the "Agreement"), among certain local agencies, including the City; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed or refinanced the Facilities (the "Refunding Bonds"), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds and the related plan of financing, and now desires to approve the issuance of the Bonds by the Authority and the related plan of financing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Riverside, California, as follows:

Section 1. The City Council hereby approves the issuance of the Bonds and Refunding Bonds by the Authority and the related plan of financing for the purposes of financing the Project, including the Facilities. It is the purpose and intent of the City Council that this resolution constitute approval of the issuance of the Bonds and Refunding Bonds by the Authority and the related plan of financing for the purpose of financing of the Project, including the Facilities, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the issuer of the Bonds and the governmental unit having jurisdiction over the area in which the Facilities are or will be located, in accordance with said Section 147(f), and (b) Section 9 of the Agreement.

Section 2. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents 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.

Section 3. This resolution shall take effect immediately upon its adoption.

[Remainder of page intentionally left blank]

ADOPTED by the City Council this _____ day of _____, 2019.

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the _____ day of _____, 2019, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 2019.

COLLEEN J. NICOL
City Clerk of the City of Riverside