

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING THE
ISSUANCE OF REVENUE OBLIGATIONS BY THE CALIFORNIA ENTERPRISE
DEVELOPMENT AUTHORITY FOR THE BENEFIT OF THE ROCKLIN ACADEMY FOR
THE PURPOSE OF FINANCING AND/OR REFINANCING THE COST OF ACQUISITION,
IMPROVEMENT AND EQUIPPING OF EDUCATIONAL FACILITIES AND RELATED
AND ANCILLARY FACILITIES.

WHEREAS, The Rocklin Academy, a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, duly organized and existing under the laws of the State of California (the "Borrower") has requested that the California Enterprise Development Authority (the "Authority") issue tax-exempt and/or taxable revenue obligations in an amount not to exceed \$11,300,000 (the "Obligations"), for and on behalf of the Borrower, pursuant to the provisions of 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 the costs of the acquisition, improvement and equipping of (i) charter school educational facilities known as Western Sierra Collegiate Academy serving approximately 800 students in grades 7-12, located at 660 Menlo Drive, Rocklin, California 95765, in an amount up to \$11,000,000, (ii) charter school educational facilities known as Rocklin Academy Gateway, serving approximately 1,140 students in grades TK-8, located at 6550 Lonetree Boulevard, Rocklin, California 95765, in an amount up to \$100,000, (iii) charter school educational facilities known as Rocklin Academy, serving approximately 558 students in grades K-6, located at 6532 Turnstone Way, Rocklin, California 95765, in an amount up to \$100,000, (iv) educational facilities known as Rocklin Academy Preschool, serving approximately 140 students ages 3-5, located at 6552 Lonetree Boulevard, Rocklin, California 95765, in an amount up to \$100,000 (collectively the "Facilities"), (b) funding a reserve fund and capitalized interest with respect to the Obligations, if necessary; and (c) paying certain expenses incurred in connection with the issuance of the Obligations; and

WHEREAS, the Borrower owns and operates the Facilities as educational institutions for students ages 3-5 and grades TK through 12; and

WHEREAS, the City of Rocklin is an Associate Member of the California Enterprise Development Authority and is eligible to participate in the Authority's programs; and

WHEREAS, the issuance of the Obligations by the California Enterprise Development Authority shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party; and

WHEREAS, the Facilities are located within the territorial limits of the City of Rocklin; and

WHEREAS, the interest on the Obligations may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Obligations are approved in accordance with Section 147(f) of the Code; and

WHEREAS, the City Council of the City of Rocklin is the elected legislative body of the City of Rocklin, and is the applicable elected representative required to approve the issue within the meaning of Section 147(f) of the Code; and

WHEREAS, the Borrower and the Authority have requested the City Council approve the issuance of the Obligations in order to satisfy the public approval requirements of Section 147(f) of the Code; 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; and

WHEREAS, it is in the public interest and for the public benefit that the Council approves the issuance of Obligations by the Authority for the aforesaid purposes; and

WHEREAS, a public hearing was held by the City Council on this 25th day of May, 2021, following a duly published notice thereof in a newspaper of general circulation in the City of Rocklin on May 14, 2021, and all persons desiring to be heard have been heard.

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

Section 1. The City Council hereby finds and determines that all of the recitals set forth above, are true and correct.

Section 2. The City Council hereby approves the issuance of the Obligations by the California Enterprise Development Authority, which Obligations may be tax-exempt and/or taxable as approved by the Authority in its resolution, in an amount not to exceed \$11,300,000 to finance and refinance the costs of the Facilities. This resolution shall constitute “host” 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 purpose. The City of Rocklin shall not bear any responsibility for the tax-exempt status of the interest on the Obligations, the payment of the principal of or interest on the Obligations or any other matter related to the Obligations. The City of Rocklin does not have any responsibility for the debt and is not pledging any assets as security for the debt. The City of Rocklin shall have no responsibility or liability whatsoever with respect to the Obligations.

Section 3. The officers and employees of the City of Rocklin are authorized jointly and severally, to execute and deliver any and all documents which they deem necessary or advisable in order to consummate the Obligations and otherwise to effectuate the purposes of this Resolution.

Section 4. 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 planning approval, permit or other action necessary for the acquisition, construction, rehabilitation or operation of the Facilities; or (iii) make any contribution or advance any funds whatsoever to the Authority or the Borrower.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 25th day of May, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jill Gayaldo, Mayor

ATTEST:

Hope Ithurburn, City Clerk