

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY ON BEHALF OF HAZELDEN BETTY FORD FOUNDATION AND REQUESTING TO JOIN THE CALIFORNIA PUBLIC FINANCE AUTHORITY AS AN ADDITIONAL MEMBER

WHEREAS, Hazelden Betty Ford Foundation (the "Corporation"), a Minnesota nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code"), has requested that the California Public Finance Authority (the "Authority"), a political subdivision of the State of California organized under and pursuant to the provisions of Title 1, Division 7, Chapter 5 of the California Government Code, as amended (the "Act"), issue one or more series of health care facilities revenue bonds, in an aggregate principal amount not to exceed \$45,000,000 (the "Bonds"), and loan the proceeds thereof to the Corporation to finance, among other purposes (a) the improvement of the Corporation's facilities located at 74091, 74085, 74079, 74073, 74067, 74061, 74055, 74049, 74052, 74058, 74064, 74070, 74076, 74082, and 74088 Daisy Lane, in Palm Desert, California (the "City"), including routine capital improvements (the "Palm Desert Project"); (b) payment of capitalized interest, if any, on one or more series of the Bonds; and (c) payment of issuance costs of the Bonds; and

WHEREAS, proceeds of the Bonds in the approximate amount of \$1,000,000 will be allocated to the Palm Desert Project; and

WHEREAS, Section 147(f) of the Code requires that the issuance of the Bonds be approved by the applicable elected representative of each governmental unit having jurisdiction over the area in which the financed facility is located, after a public hearing following reasonable public notice; and

WHEREAS, the Palm Desert Project is located within the territorial limits of the City; and

WHEREAS, the members of this City Council are the applicable elected representatives of the City; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of the Joint Exercise of Powers Agreement relating to the California Public Finance Authority dated as of April 11, 2017 (the "Agreement"); and

WHEREAS, the City now desires to become an Additional Member (as defined in the Agreement) pursuant to the provisions of the Agreement; and

WHEREAS, this City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Palm Desert, California approves as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The City hereby requests to join the Authority as an Additional Member pursuant to the provisions of the Agreement.

SECTION 3. It is the purpose and intent of the City Council, as the "applicable elected representative" of the governmental unit having jurisdiction over the area in which the Project is located, that this Resolution constitutes: (a) "issuer" approval and "host" approval of the issuance of the Bonds, for the purposes of Section 147(f) of the Code and the Treasury Regulations thereunder, and (b) approval of the issuance of the Bonds for the purposes of the Agreement.

SECTION 4. The City hereby consents to and approves the issuance of the Bonds by the Authority, for the financing of the Palm Desert Project. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Bonds by the Authority for the purposes of Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Palm Desert Project is located, in accordance with said Section 147(f).

SECTION 5. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.

SECTION 6. The adoption of this Resolution shall not obligate the City or any department thereof to: (i) provide any financing with respect to the Palm Desert Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit, or other action necessary with respect to the Palm Desert Project; (iii) make any contribution or advance any funds whatsoever to the Authority or the Corporation; or (iv) take any further action with respect to the Authority or its membership therein, and the scope of the City's membership in the Authority is limited to approval of the Palm Desert Project and the Bonds.

SECTION 7. 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 8. This resolution shall take effect immediately upon its adoption.

ADOPTED ON _____ 2024.

JAN HARNIK
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2024-__ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
CITY CLERK