



Meeting Date: 06/20/06

| ACTION   | TYPE OF ITEM   |
|--|--|
| <input type="checkbox"/> Approved Recommendation | <input checked="" type="checkbox"/> Info/Consent       |
| <input type="checkbox"/> Ord. No(s). _____       | <input type="checkbox"/> Report                        |
| <input type="checkbox"/> Res. No(s). _____       | <input type="checkbox"/> Public Hearing (Info/consent) |
| <input type="checkbox"/> Other _____             | <input type="checkbox"/> Other _____                   |

Prepared By: Michael J. More *MJM* Agenda Item No. I-3

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) \_\_\_\_\_

**DATE:** June 8, 2006

**TO:** City Council

**FROM:** Michael More, Financial Services Manager *[Signature]*  
Finance Department

**SUBJECT:** Reimbursement Resolution – Civic Center Phase II Project

**RECOMMENDATION**

That City Council adopt a resolution declaring its intent to reimburse the City for capital expenditures related to the acquisition, construction, and improvement of an existing building located at 214 South "C" Street from proceeds of taxable or tax-exempt indebtedness.

**DISCUSSION**

On January 24, 2006, City Council approved the financing of the Civic Center Phase II Project (the "Project"), with the funding coming from a combination of cash on hand and a bond issue. Staff is currently working on bond documents and expects to seek City Council approval for the bond in September 2006. Adoption of the attached resolution (Attachment No. 1) allows the City to reimburse itself for payments made on the Project from bond proceeds. Upon approval of the resolution, the City can reimburse itself for expenditures incurred up to 60 days before adoption of the resolution and up to 3 years after the date of any expenditure of funds related to the Project.

**FINANCIAL IMPACT**

There is no financial impact relative to the adoption of the attached resolution.

MJM

Attachment #1 - Resolution declaring intent to reimburse the City for capital expenditures related to the acquisition, construction, and improvement of an existing building located at 214 South "C" Street from proceeds of taxable or tax-exempt indebtedness

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
OXNARD DECLARING ITS INTENT TO REIMBURSE THE  
CITY FOR CAPITAL EXPENDITURES RELATED TO THE  
ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF  
AN EXISTING BUILDING LOCATED AT 214 SOUTH "C"  
STREET FROM PROCEEDS OF TAXABLE OR TAX-EXEMPT  
INDEBTEDNESS

WHEREAS, the City of Oxnard (the "City") is duly organized and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the City Council of the City (the "City Council") is the governing body of the City; and

WHEREAS, the City Council has determined that it is in the best interest of the City to make certain capital expenditures on the Project, as defined in this Resolution; and

WHEREAS, the City Council currently intends and reasonably expects to participate in a taxable or tax-exempt borrowing within eighteen (18) months of the date of such capital expenditures or the placing in service of the Project, whichever is later (but in no event more than three (3) years after the date of the original expenditure of such moneys), the proceeds of such borrowing to be used to finance such capital expenditures, including an aggregate amount not to exceed \$25,500,000 for reimbursing the City for the portion of such capital expenditures incurred or to be incurred subsequent to the date that is sixty (60) days prior to the date hereof but before such borrowing; and

WHEREAS, the City Council hereby desires to declare its official intent, pursuant to 26 C.F.R. Section 1.150-2, to reimburse the City for such capital expenditures with the proceeds of the City's future taxable or tax-exempt borrowing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. *Declaration of Official Intent.* The City Council presently intends and reasonably expects to finance the acquisition, construction, and improvement of an existing building located at 214 South "C" Street that currently comprises approximately 17,000 square feet of floor space and that, upon the completion of the City's planned improvements, will comprise approximately 37,000 square feet of floor area and will house a development permit center and the Fire Department Administration, inclusive of appurtenances and appurtenant work (the "Project"), with moneys currently contained in the City's General Fund, Growth Capital Fee Funds, or other fund legally available to the City therefor.

SECTION 2. *Dates of Capital Expenditures.* All of the capital expenditures covered by this Resolution were made not earlier than sixty (60) days prior to the date of this Resolution.

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SECTION 3. *Issuance of Debt Obligations.* The City Council presently intends and reasonably expects to participate in a taxable or tax-exempt borrowing (in a principal amount not to exceed \$35,000,000) within eighteen (18) months of the date of the expenditure of moneys on the Project or the date upon which the Project is placed in service or abandoned, whichever is later (but in no event more than three (3) years after the date of the original expenditure of such moneys), and to allocate an amount not to exceed \$25,500,000 of the proceeds thereof to reimburse the City for its expenditures in connection with the Project.

APPROVED AND ADOPTED this \_\_\_th day of \_\_\_\_\_, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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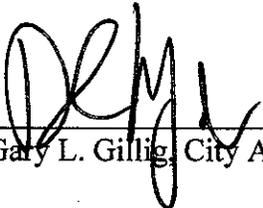
Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

APPROVED AS TO FORM:



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Gary L. Gillig, City Attorney

APPROVED AS TO CONTENT:



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Marcie Medina, Finance Director

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