



Meeting Date: 09/28/2010

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: Steven L. Kinney, EDCO President Agenda Item No. I-1

Reviewed By: City Manager _____ City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: September 20, 2010

TO: City Council

FROM: Edmund F. Sotelo, City Manager

SUBJECT: Approval of Associate Membership Agreement with the California Enterprise Development Authority

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution approving the execution and delivery of an Associate Membership Agreement with the California Enterprise Development Authority (“CEDA”).

DISCUSSION

The California Enterprise Development Authority (CEDA) is a joint powers authority (JPA) established by the California Association for Local Economic Development (CALED) whose purpose is to issue tax-exempt and taxable conduit revenue bonds to fund commercial and industrial development projects within member jurisdictions. Federal and state laws provide the ability for cities and counties to join together under cooperative agreements to form joint powers authorities to issue tax-exempt and taxable bonds to fund projects that provide a public benefit and serve the needs of residents within the jurisdictions of the participating members. All cities and counties in California have the ability to act as an issuer of conduit revenue bonds, but many jurisdictions utilize joint powers authorities primarily for economies of scale, to access specialized transaction knowledge and resources, and to avoid using valuable local staff time on these types of transactions.

CEDA is a joint powers authority created by the cities of Selma, Lancaster and Eureka. There are more than 30 cities and counties who are associate members of CEDA, including the counties of Alameda, Contra Costa, Imperial, Marin, Riverside, Sacramento, San Bernardino, Santa Clara, San Diego, Stanislaus, Sonoma, Ventura and Yolo, and many cities including Anaheim, City of Industry, Duarte, Irwindale, Pasadena and Riverside. CEDA’s activities are dedicated to providing economic development assistance to member jurisdictions as an extension of the economic development assistance provided by CALED to its members.

The JPA Agreement permits any other local agency in California to join CEDA as an “Associate Member.” The City of Oxnard (the “City”) has determined that it would assist the City’s economic development efforts to become an Associate Member of CEDA. Associate membership in CEDA will allow the City to facilitate financings for-profit and nonprofit organizations located within the City

through CEDA's bond program. The projects that can be financed include industrial and commercial projects and other public purpose projects within the City. CEDA's Associate Members enjoy nearly all the benefits of regular membership without the concomitant duties or obligations. Associate Members have ample opportunity to provide input on proposed or existing programs. Further, Associate Members are not restricted or inhibited in any way with respect to their independent ability to finance any project in any manner they deem appropriate, which may or may not involve or include CEDA.

In addition, federal law requires a public hearing before the City Council prior to any bond issuance by CEDA for projects under the City's jurisdiction. If the City Council does not approve the project, CEDA cannot issue bonds.

FINANCIAL IMPACT

There is no fiscal impact to the City. There is no cost to the City to join CEDA nor is there any ongoing cost for being an Associate Member of CEDA. The City does not bear any responsibility for any bonds issued by CEDA.

Attachment #1 – Resolution

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OXNARD APPROVING ASSOCIATE MEMBERSHIP BY THE CITY
OF OXNARD IN THE CALIFORNIA ENTERPRISE
DEVELOPMENT AUTHORITY AND THE EXECUTION OF AN
ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO
ASSOCIATE MEMBERSHIP OF THE CITY IN THE
AUTHORITY

WHEREAS, in furtherance of the City's economic development efforts, the City desires to become an associate member of the California Enterprise Development Authority (the "Authority"); and

WHEREAS, the form of associate membership agreement (the "Associate Membership Agreement") between the City and the Authority has been filed with the City, and the members of the City Council, with the aid of the City's staff, have reviewed the Associate Membership Agreement;

NOW, THEREFORE, the City Council of the City of Oxnard resolves as follows:

A. The City Council hereby approves associate membership by the City in the Authority.

B. The City Council hereby approves the form of, and authorizes the Mayor, the City Manager or any designee of such officers, to execute the Associate Membership Agreement and authorizes the City Clerk to attest to such signature, in substantially the form on file with the City Clerk, together with any changes therein deemed advisable by the official signing the Associate Membership Agreement.

C. The Mayor, the City Manger, the City Clerk and other officers and officials of the City, are hereby authorized and directed to take all actions and do all things necessary or desirable hereunder with respect to associate membership in the Authority including but not limited to the execution and delivery of any and all agreements, certificates instruments and other documents which they, or any of them, may deem necessary or desirable and not inconsistent with the purposes of this resolution.

D. This Resolution shall take effect upon its adoption by the City Council.

E. City Clerk of the City of Oxnard shall certify the adoption of this resolution, and thenceforth and thereafter the same shall be in full force and effect.

Resolution No.
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PASSED, APPROVED AND ADOPTED this 28th day of September, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

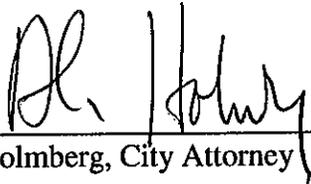
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

CERTIFICATE OF THE CITY CLERK

I, Daniel Martinez , City Clerk of the City of Oxnard, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at the meeting of the City Council of the City of Oxnard duly and regularly held in Oxnard, California, on September 28, 2010, of which meeting all of the members of said Board had due notice.

I further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the City of Oxnard hereto this September 28, 2010.

Daniel Martinez, City Clerk