

PASSED FOR
PUBLICATION
& CONTINUED
TO 2/9/99



1.12

OFFICE OF THE
CITY MANAGER

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 101
915 I STREET
SACRAMENTO, CA
95814-2684

City Council
Sacramento, CA

PH 916-264-5704
FAX 916-264-7618
TDD (ONLY) 916-264-7227

Honorable Members in Session

SUBJECT: An Ordinance Adopting Procedures for Issuance of Revenue Bonds Providing For The City of Sacramento Nonprofit Public Benefit Corporation Facilities Financing Law Including General Provisions And Definitions, Powers And Procedures To Issue Revenue Bonds, Certificates of Participation or Other Evidences of Indebtedness For The Purpose of Providing Financing to Participating Parties For Specified Purposes, And Certain Other Supplemental Provisions

LOCATION: Citywide

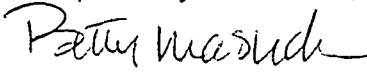
RECOMMENDATION: It is recommended that this item be passed for publication of title and continued to February 9, 1999.

CONTACT PERSON: Betty Masuoka, Deputy City Manager (264-5704)

FOR COUNCIL MEETING OF: February 2, 1999 (afternoon)

SUMMARY:

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 32. The ordinance will establish procedures for the Sacramento Financing Authority to issue revenue bonds.

Respectfully Submitted,

BETTY MASUOKA
Deputy City Manager

Recommendation Approved


WILLIAM H EDGAR
City Manager

1, 12

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING CITY ORDINANCE NO. 83-022 RELATING TO THE ISSUANCE OF REVENUE BONDS FOR THE PURPOSE OF PROVIDING FINANCING TO PARTICIPATING PARTIES FOR ECONOMIC DEVELOPMENT PURPOSES AND CERTAIN OTHER SUPPLEMENTAL PROVISIONS

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO AS
FOLLOWS:

Section 1. The first sentence of Section 3 of Ordinance No. 83-022 is hereby amended in full
as follows:

“The council hereby finds and declares that it is necessary and essential to
the well-being of the City and a public purpose and municipal affair for the
City to provide financial assistance to promote the economic development
of the City.”

Section 2. A new paragraph is hereby added to Section 3 of Ordinance No. 83-022 at
the end of the second paragraph as follows:

“In addition, the Council hereby finds and declares that it is
necessary, essential, a public purpose and a municipal affair for the
City to provide financial assistance to a Participating Party in
financing the acquisition, construction, installation, rehabilitation,
improvement and/or equipping of a convention center hotel within
the City limits.”

FOR CITY CLERK USE ONLY

ORDINANCE NO. _____

DATE ADOPTED: _____

Section 3. Section 4(c) of Ordinance No. 83-022 is hereby amended in full as follows:

“(c) “Cost” means the total of all costs incurred by or on behalf of a Participating-Party necessary or incident to acquisition, construction, rehabilitation, or improvement of a Facility or the refunding or refinancing of obligations incurred to finance such acquisition, construction, rehabilitation or improvement. “Cost” shall include working capital and all such costs which under generally accepted accounting principles are properly chargeable to a capital account (whether or not actually so charged), including, without limitation, the cost of all lands, structures, real or personal property, franchises, rights and interests acquired or used in connection with a Facility, the cost of demolishing or removing any structures (including the cost of acquiring any lands to which such structures may be moved), the cost of engineering, architectural, financial and legal services, plans, specifications, studies, surveys, estimates, administration expenses or other expenses necessary or incident to determining the feasibility of or to acquiring, constructing, rehabilitating, improving or financing a Facility, including all costs of issuance of bonds for such purposes, reserves for debt service and for repairs, replacements, additions and improvements, and capitalized bond interest for such period as the City may determine.”

Section 4. A new sentence is hereby added to the end of Section 6 of Ordinance No. 83-022 as follows:

“The City may make, purchase, or otherwise contract for the making of, a mortgage or other secured or unsecured loan, upon such terms and conditions as the City shall deem proper to any Participating Party to refund or refinance outstanding obligations of such Participating Party incurred to finance the cost of a Facility, including expenses incident to paying or otherwise discharging the obligations to be refunded or refinanced, whether such obligations were incurred prior to or after the enactment of this ordinance, if the City finds that such refunding or refinancing is in the public interest and either alleviates a financial or operating hardship of such Participating Party, or is in connection with

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

other financing by the City for such Participating Party.”

Section 5. Section 16 of Ordinance No. 83-022 is hereby amended in full as follows:

“Section 16. ISSUANCE OF BONDS. The City is hereby authorized to issue Bonds in an aggregate principal amount not to exceed \$125 million outstanding at any one time, and to issue such Bonds, from time to time, in such series and amounts as are determined by the Council to be necessary or appropriate to provide for the Costs of Facilities approved by the Council. Bonds shall be negotiable instruments for all purposes, subject only to the provisions of such Bonds for registration.”

Section 6. Section 24 of Ordinance No. 83-022 is hereby amended in full as follows:

“Section 24. REFUNDING BONDS. (a) The City may issue Bonds for the purpose of refunding any Bonds then outstanding including the payment of any redemption premiums thereof and any interest accrued or to accrue to the earliest or any subsequent date or dates of redemption, purchase, or maturity of such Bonds.

(b) The proceeds of Bonds issued for the purpose of refunding any outstanding Bonds may, in the discretion of the City, be applied to the purchase or retirement at maturity or redemption of such outstanding Bonds, either at their earliest or any subsequent redemption date or dates or upon the purchase or retirement at the maturity thereof and may, pending such application, be placed in escrow, to be applied to such purchase or retirement at maturity or redemption on such date or dates as may be determined by the City.

(c) Pending use for purchase, retirement at maturity or redemption of outstanding Bonds, any proceeds held in escrow pursuant to subdivision (b) may be invested and reinvested as provided in the resolution or indenture. Any interest or other increment earned or realized on any such investment may be applied to the payment of the outstanding Bonds to be refunded or to the payment of interest on the refunding Bonds.

(d) All Bonds issued pursuant to this section shall be subject to the provisions of this ordinance in the same manner and to the same extent as other Bonds issued pursuant to this ordinance.”

Section 7. As amended hereby, Ordinance No. 83-022 is in all respects ratified and confirmed and Ordinance No. 83-022 as so amended hereby shall be read and construed

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

as one and the same ordinance.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

From: Valerie Burrowes
To: Karla Rockberg, Lina Sime, Valerie Burrowes
Date: Thu, Jan 28, 1999 11:17 AM
Subject: agenda addition

Please add the following title to the CONSENT CALENDAR for Tuesday the 2nd

An ordinance adopting procedures for issuance of revenue bonds (PFP) (D-1)

RECOMMENDATION OF STAFF: PROVIDE FOR PUBLICATION AND CONTINUE TO 2-9-99 FOR ADOPTION

Report will not be ready or here until tomorrow morning.

Thanks