

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

135



**FROM:** EXECUTIVE OFFICE

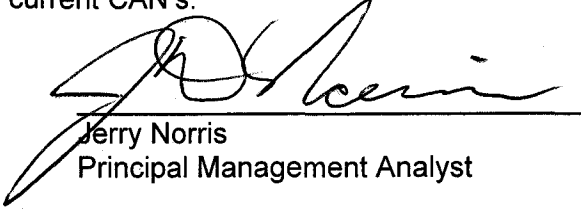
**SUBMITTAL DATE:**  
November 3, 2009

**SUBJECT:** Woodcrest Library Financing – Capital Anticipation Notes Extension

**RECOMMENDED MOTION:** That the Board of Supervisors approve Resolution 2009-328 providing for the extension of a Certificates of Participation Anticipation Note in an amount not to exceed \$6.5 million upon certain terms and conditions.

**BACKGROUND:** On November 7, 2006, the Board of Supervisors approved the issuance of Certificates of Participation Anticipation Note (CAN's) to facilitate the financing of the Woodcrest Library on an interim basis. The term of the notes was for 18 months, with an extension clause that allowed an additional 18 months upon the approval of the Treasurer. It was anticipated that the CAN's would be taken out through a long term CIP financing in either 2007 or 2008. Unfortunately, due to several factors, most importantly the collapsing economy, the county has been unable to issue any CIP notes to take out the CAN's prior to their expiration of November 10, 2009.

Staff is requesting a 12 month extension of the current CAN's, during which time we anticipate the completion of a current refunding of the 2007B Auction Rate Securities. This refunding provides us with the opportunity to take out the Woodcrest Library CAN's with long term bonds, however the process cannot be completed before the expiration of the current CAN's.

  
 Jerry Norris  
 Principal Management Analyst

FORM APPROVED COUNTY COUNSEL  
 BY: Dale A. Gardner 10/26/09  
 DATE: 10/26/09  
 CONCURRENCE:

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 6.0 mil	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009-10

<b>SOURCE OF FUNDS:</b> Capital Anticipation Notes issued by CORAL	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

**County Executive Office Signature** BY:   
Dean Deines

Policy  
 Policy  
 Consent  
 Consent

Dept's Recomm.:  
 Per Exec. Ofc.:

RESOLUTION NO. 2009-328

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE AUTHORIZING CERTAIN MATTERS RELATING TO THE EXTENSION OF A NOT TO EXCEED \$6.5 MILLION CERTIFICATES OF PARTICIPATION ANTICIPATION NOTE ISSUED BY THE COUNTY OF RIVERSIDE ASSET LEASING CORPORATION

WHEREAS, the County of Riverside (the "County"), a political subdivision of the State of California, required funds for the acquisition and construction of the Woodcrest Library adjacent to the Woodcrest Fire Station to serve the unincorporated community of Woodcrest (the "Project"); and

WHEREAS, the County has an ongoing program of financing capital improvement projects with the proceeds of certificates of participation lease financings through the County of Riverside Asset Leasing Corporation (the "Corporation"); and

WHEREAS, California Corporations Code Section 5140, et seq., authorizes the Corporation to issue bonds and notes, and such notes are permitted investments for the County Treasury Pool under the County's investment policy, and the Treasurer is authorized to purchase such notes; and

WHEREAS, in November 2006 the Corporation issued a certificates of participation anticipation note in an amount not to exceed \$6.5 million (the "Note") that was purchased by the Treasurer and Tax Collector of the County of Riverside (the "Purchaser") for the County Treasury Pool to temporarily finance the costs of acquisition and construction of the Project and the costs of issuance of the Note; and

WHEREAS, the County and the Corporation expect to enter into a certificates of participation lease financing to pay the Note within the next 12 months; and

FORM APPROVED COUNTY COUNSEL BY: [Signature] DATE: 10/26/09 DAVE A. GARDNER

1                   **WHEREAS**, the Note matures in November 2009 and must be extended;

2  
3                   **NOW, THEREFORE**, this Board does find, resolve, determine and order as follows:

4  
5                   Section 1. The County hereby acknowledges and consents to the extension of the  
6 Note for the purpose of assisting the County in temporarily financing the acquisition, design,  
7 delivery, construction and installation of the Project. The County acknowledges that the extended  
8 Note will be in the principal amount of not to exceed \$6.5 million, will have a maturity date of 12  
9 months from date of delivery of the amended and restated Note, will be prepayable at any time  
10 without penalty and shall bear interest at a rate per annum on outstanding advances thereunder equal  
11 to the average rate of return on amounts in the County Treasury Pool, plus 12.5 basis points, the  
12 actual rate to be reset monthly as announced by the Purchaser. Interest shall be calculated based on  
13 actual days elapsed over 365 or 366 days, as appropriate. The County covenants with the Purchaser  
14 that the County will use its best efforts, on or before the date which is 12 months from the date of  
15 delivery of the amended and restated Note, to authorize the execution and delivery of certificates of  
16 participation and all necessary related documents to effectuate a long term financing of the Project  
17 and to retire the Note.

18  
19                   Section 2. The County hereby agrees that if the long term financing of the Project  
20 referred to in Section 1 is not accomplished, the County will purchase the Note from the Purchaser  
21 not later than the maturity date thereof from amounts, if any, that may be legally available for such  
22 purpose.

23  
24                   Section 3. All actions heretofore taken by any officer or officers of the County with  
25 respect to the execution, sale, delivery, amendment and restatement of the Note or in connection with  
26 or related to any of the agreements referred to herein or the financing program hereby undertaken are  
27 hereby approved, confirmed and ratified.

1           Section 4. The officers of the County are, and each of them acting alone is, hereby  
2 authorized and directed to take such actions and to execute such documents as may be necessary to  
3 effectuate the purposes of this Resolution.

4  
5           Section 5. This Resolution shall take effect immediately.

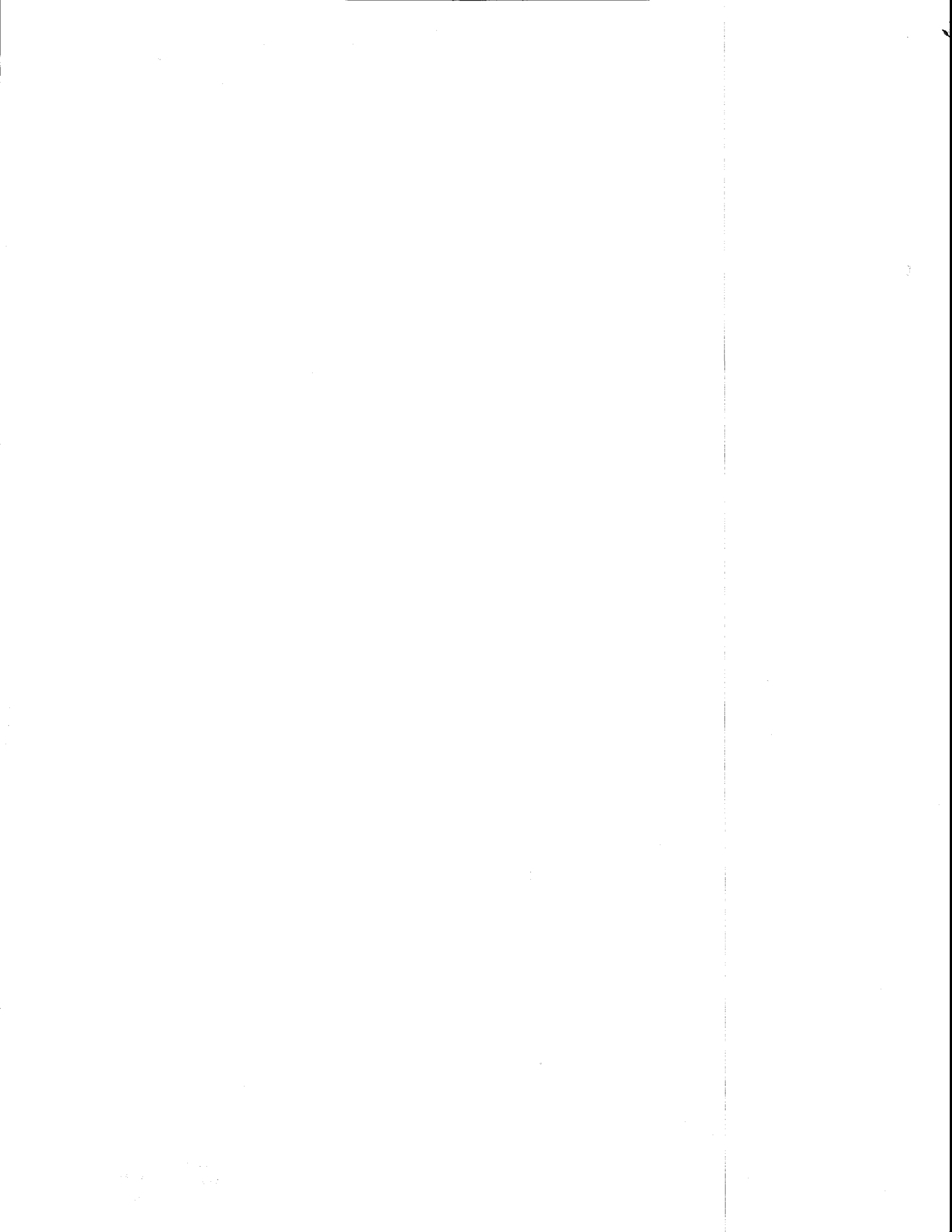
6  
7           **PASSED and ADOPTED** by the Board of Supervisors of the County of Riverside on  
8 the \_\_\_\_\_ day of November, 2009.

9  
10 \_\_\_\_\_  
11 Chairman of the Board of Supervisors

12  
13 (SEAL)

14  
15  
16  
17  
18 ATTEST:

19  
20 \_\_\_\_\_  
21 Clerk of the Board of Supervisors



CERTIFICATE OF CLERK

I, Kecia Harper-Ihem, Clerk of the Board of Supervisors of the County of Riverside, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Supervisors of the County of Riverside duly and regularly held at the regular meeting place thereof on November \_\_\_\_, 2009, of which meeting all of the members of said Board had due notice.

AYES: Supervisors \_\_\_\_\_

NAYS: Supervisors \_\_\_\_\_

ABSENT: Supervisors \_\_\_\_\_

I do hereby 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.

I do hereby further certify that an agenda for said meeting was posted at least seventy-two (72) hours before said meeting at 4080 Lemon Street, Riverside, California, a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

WITNESS my hand and the seal of the County of Riverside this \_\_\_\_ day of November, 2009.

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]