

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, DECLARING ITS OFFICIAL INTENT TO REIMBURSE QUALIFIED CAPITAL EXPENDITURES RELATING TO THE ELECTRIC UTILITY'S FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FROM ANTICIPATED BOND PROCEEDS AND AMENDING RESOLUTION NO. 22992

WHEREAS, the City Council of the City of Riverside ("City"), through its Department of Public Utilities, intends to undertake construction of various facilities for its Electric Utility as set forth in the Electric Utility's five-year capital improvement program ("CIP Project"); and

WHEREAS, the City intends to issue debt to finance the costs of the CIP Project on a permanent basis ("Debt"); and

WHEREAS, the City intends to expend monies for the CIP Project from the Electric Utility Fund prior to issuance of the Debt; and

WHEREAS, the City reasonably intends to reimburse the Electric Utility Fund for the amounts advanced for the CIP Project from proceeds of the Debt; and

WHEREAS, the City expects that the maximum principal amount of the Debt to be issued to pay for the CIP Project and related costs of issuance and the Debt will be in an amount not to exceed the sum of One Hundred Four Million Dollars (\$104,000,000.00); and

WHEREAS, at the time of reimbursement, the City will evidence the reimbursement in a writing which identifies the allocation of the proceeds of the Debt to the City for the purpose of reimbursing the Electric Utility operating fund for the capital expenditures made prior to the issuance of the Debt; and

WHEREAS, the City expects to make the reimbursement allocation no later than eighteen (18) months after the later of (i) the date on which the earliest original expenditure is paid, or (ii) the date the CIP Project is complete and placed in service, but in no event later than three (3) years after the date on which the earliest original expenditure is paid; and

WHEREAS, the City will not, within one (1) year of the reimbursement allocation, use the proceeds of the Debt received in the reimbursement allocation in a manner that will result in the creation of replacement proceeds of the Debt or another issue (e.g., the City will not pledge or use the

1 proceeds of Debt received for the payment of debt service on the Debt of another issue, except that  
2 the proceeds of the Debt can be deposited in a bona fide debt service fund); and

3 WHEREAS, this Resolution is intended to be a “declaration of official intent” in accordance  
4 with Section 1.150-2 of the Treasury Regulations; and

5 WHEREAS, on April 26, 2018, the City Council adopted Resolution No. 22992, declaring its  
6 official intent to issue debt in a maximum principal amount of not to exceed One Hundred Million  
7 Dollars (\$100,000,000.00), the proceeds of which will be used to pay the costs of the CIP Project, and  
8 which will include reimbursement to the City’s Electric Fund for certain capital expenditures made  
9 for the CIP Project prior to issuance of the Debt; and

10 WHEREAS, the City now wishes to amend Resolution No. 22992 to reflect its official intent  
11 to issue such debt in a maximum principal amount of not to exceed One Hundred and Four Million  
12 Dollars (\$104,000,000.00) and to reflect changes to the CIP Project since the date of adoption of  
13 Resolution No. 22992.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
15 California, that in accordance with Treasury Regulation Section 1.150-2, the City hereby amends  
16 Resolution No. 22992 and states its declaration of official intent to issue the Debt in a maximum  
17 principal amount of not to exceed One Hundred Four Million Dollars (\$104,000,000.00)), the proceeds  
18 of which will be used to pay the costs of the CIP Project, and which will include reimbursement to the  
19 City’s Electric Fund for certain capital expenditures made for the CIP Project prior to issuance of the  
20 Debt.

21 ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2018.

22  
23 \_\_\_\_\_  
24 WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

25 Attest:

26  
27 \_\_\_\_\_  
28 COLLEEN J. NICOL  
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council on the \_\_\_\_  
3 day of \_\_\_\_\_, 2018, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
9 City of Riverside, California, this \_\_\_\_ day of \_\_\_\_\_, 2018.

10  
11 \_\_\_\_\_  
12 COLLEEN J. NICOL  
13 City Clerk of the City of Riverside  
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