

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE COSTA MESA COMMUNITY ATHLETIC FOUNDATION AND ITS EFFORTS TO CONSTRUCT A STADIUM AT ESTANCIA HIGH SCHOOL AND AN AQUATICS COMPLEX AT COSTA MESA HIGH SCHOOL INCLUDING A FINANCIAL COMMITMENT OF ONE MILLION DOLLARS BY THE CITY OF COSTA MESA TO THESE FACILITIES AND ADOPTING TERMS AND CONDITIONS UNDER WHICH THE CITY OF COSTA MESA WILL MEET THIS COMMITMENT

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, members of the Costa Mesa community have organized in a cooperative effort in support of the construction of a Stadium at Estancia High School and an Aquatics Complex at Costa Mesa High School; and

WHEREAS, this community effort has resulted in the formation of a qualified not-for-profit corporation known as the Costa Mesa Community Athletic Foundation (referred to herein as the Foundation); and

WHEREAS, the Foundation has established a goal of raising \$7.5 million dollars through contributions from the private and public sectors for the construction of the aforementioned facilities; and

WHEREAS, the Foundation has expressed its desire that the City of Costa Mesa become a partner in this effort by contributing one million dollars towards the construction of the stadium and the aquatics complex; and

WHEREAS, members of the Costa Mesa City Council desire that the City enter into the requested partnership to aid in making Costa Mesa a more attractive community to families; to provide quality facilities for high school age students and to expand recreational opportunities to all Costa Mesa residents; and

WHEREAS, the City of Costa Mesa, as a public agency, also has fiduciary and legal obligations to members of the public and must govern the expenditure of any public funds with due care and consideration; and

WHEREAS, both the Foundation and the City of Costa Mesa believe it is timely to establish their mutual commitments and to establish terms and conditions governing those commitments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa that it fully supports and endorses the Costa Mesa Community Athletic Foundation in its efforts to raise funds to construct the aforementioned facilities.

BE IT FURTHER RESOLVED that the City Council supports a financial commitment of one million dollars to the construction of a Stadium at Estancia High School and an Aquatics Complex at Costa Mesa High School subject to budgetary consideration and separate action by the City Council authorizing appropriations for this effort and in accordance with all local, State and Federal regulations.

BE IT FURTHER RESOLVED that the City Council requires that specific terms and conditions be established regarding the use and expenditure of the public funds committed; that warranties be provided regarding the on-going maintenance of the facilities once constructed and commitments established regarding public access to the completed facilities.

BE IT FINALLY RESOLVED that the City Council hereby authorizes the City Manager or his designee to enter into negotiations with the Foundation and other parties as may be necessary to carry out the commitments established in this resolution and to prepare a financial plan and proposed terms and conditions for consideration by the full City Council.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:

\_\_\_\_\_  
Deputy City Clerk of the City of Costa Mesa

\_\_\_\_\_  
Mayor of the City of Costa Mesa

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. \_\_\_\_\_ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Deputy City Clerk and ex-officio Clerk of  
the City Council of the City of Costa Mesa