

PUBLIC FACILITIES FINANCING AUTHORITY

RESOLUTION NUMBER FA-97-3

ADOPTED ON DECEMBER 10, 1996

BE IT RESOLVED, by the Board of Commissioners ("Commissioners") of the Public Facilities Financing Authority of the City of San Diego (the "Authority") that the City Manager of the City of San Diego be and he is hereby authorized and empowered to award and execute on behalf of the authority the design/build contract to construct improvements to San Diego Jack Murphy Stadium to be entered into between the Authority and Nielsen-Dillingham Builders in an amount of \$55,000,000, a copy of which is on file in the office of the City Clerk as Document No. RR-288213, with the City of San Diego (the "City") acting as contract administrator on behalf of the Authority, contingent upon appropriate financing under Article 4 of the Joint Powers Authority and provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure pursuant to the contract are, or will be on deposit in the City Treasury.

BE IT FURTHER RESOLVED, that the Commissioners hereby authorize the City Manager on behalf of the Authority to make any necessary and appropriate changes and/or amendments to the design/build contract to conform with this Authority Resolution No. FA-97-3.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to enter into any non-material, non-substantive changes or additions to the contract which the City Manager shall approve as being necessary or in the best interests of the City and the Authority, and which, in the opinion of the City Attorney do not increase the financial commitments or the scope of the obligations of the City.

APPROVED: CASEY GWINN, General Counsel

By

Kelly J. Salt
Deputy General Counsel

KJS:pev

12/6/96

Or.Dept:Fin.&Tech.Svcs

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