

ORDINANCE NUMBER O- 15903 (New Series)

Adopted on FEB 14 1983

AN ORDINANCE RELATING TO THE CONSTRUCTION OF THE WESTERN DIVISION POLICE STATION AUTHORIZING A LEASE PURCHASE AGREEMENT WITH IMPERIAL MUNICIPAL SERVICES GROUP, INC., AND A TRUST AGREEMENT WITH SECURITY PACIFIC NATIONAL BANK AND A FEE SCHEDULE FOR TRUST SERVICES RELATED TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,700,000 FOR A TERM NOT EXCEEDING 30 YEARS

WHEREAS, it is necessary for The City of San Diego ("City") to acquire, construct and operate a facility known as the Western Division Police Station ("Police Station"); and

WHEREAS, City owns land suitable for use as the site for the Police Station; and

WHEREAS, Imperial Municipal Services Group, Inc. ("Imperial") is willing to assist the City by financing the construction of the police station, together with all structures, improvements and all facilities related thereto or provided therefor, and the outfitting thereof ("Facilities"); and

WHEREAS, the City intends to lease the site for the police station to Imperial, and Imperial intends to construct the Facilities on the site and to lease the Facilities and the site back to the City; and

WHEREAS, as a financing mechanism Certificates of Participation will be issued evidencing a proportionate interest of the holder thereof in lease purchase payments to be made by the City to Imperial; and

WHEREAS, Security Pacific National Bank ("Security Pacific") will be designated the Trustee to receive the lease purchase payments and to pay the principal and interest to the owners of the Certificates of Participation; and

WHEREAS, pursuant to Section 99 of the Charter of the City of San Diego a hearing was held on January 31, 1983, regarding the acquisition and construction of the Facilities and the agreements to be entered into to carry out the purposes of said Facilities as referred to in the recitals hereof; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The proposed form of Lease Purchase Agreement dated as of March 1, 1983, by and between the City and Imperial, which is on file in the office of the City Clerk as Document No. 00-15903-1, is hereby approved. Base rental payments as set forth in Exhibit E thereof shall not be exceeded provided, however, the base rental payments set forth therein may be less based on when the interest rate to be paid on the Certificates of Participation is known. The City Manager and the City Clerk are authorized to execute said Lease Purchase Agreement on behalf of the City and to insert the appropriate advance rental figure in Section 4(g) of the Lease and to make any modifications in the base rental payments in Exhibit B thereof when the rates on the Certificates of Participation have been determined.

Section 2. The proposed form of Trust Agreement dated as of March 1, 1983, by and among Security Pacific, Imperial and

City, which is on file in the office of the City Clerk as Document No. 00-15903-2, is hereby approved. The City Manager and the City Clerk are authorized to execute said Trust Indenture on behalf of the City, and to insert the appropriate interest rates in Section 3.03 thereof after the interest rates on the Certificates of Participation are known and to insert the appropriate amount of title insurance in Section 6.03 thereof when said amount is ascertained.

Section 3. Security Pacific, in compensation for acting as Trustee, Registrar and Paying Agent pursuant to the aforesaid Trust Agreement, is hereby authorized to pay to itself out of the proceeds of the issuance of said Certificates of Participation such amounts to which it is entitled pursuant to its letter to Ms. Conny Jamison, City Treasurer, dated January 17, 1983, a form of which is on file in the office of the City Clerk as Document No. 00-15903-3.

Section 4. The Clerk is authorized and directed to cause a digest or copy of this ordinance to be published at least once in "The San Diego Daily Transcript" within fifteen (15) days after the adoption of this ordinance pursuant to Section 18 of the City Charter.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: John W. Witt, City Attorney

By *C. M. Fitzpatrick*  
C. M. Fitzpatrick  
Senior Chief Deputy

RST:CMF:ps  
1/26/83  
Revised 2/2/83  
Or. Dept: Fin. Mgmt  
Form=r.none

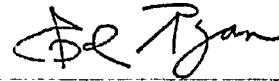
# CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

## CERTIFICATION OF UNALLOTTED BALANCE

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ 5,180,400.00 Fund 10355

Purpose Issuance of Bonds and Related Costs



Auditor and Comptroller of  
The City of San Diego, Calif.

Date January 20, 19 83

By Theresa J. Robinson

## CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said moneys now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to exceed \$ \_\_\_\_\_

Dated \_\_\_\_\_, 19 \_\_\_\_\_

Auditor and Comptroller of  
The City of San Diego, Calif.

BY \_\_\_\_\_

* FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT	FACILITY
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PURPOSE \_\_\_\_\_

VENDOR \_\_\_\_\_

\* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

FEB 14 1983

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

BILL CLEATOR  
Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By Raynell L. Postecow, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JAN 31 1983

FEB 14 1983

\_\_\_\_\_, and on \_\_\_\_\_.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By Raynell L. Postecow, Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1983 FEB -4 AM 9:37  
SAN DIEGO, CALIF.

CC-1288-A (REV. 1-82)

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0 - 15903</u>	<u>FEB 14 1983</u>
Adopted _____	

00142

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 'C' St. Twelfth Floor  
San Diego, CA 92101  
Re: Ord. #O-15903

RECEIVED  
CITY CLERK'S OFFICE  
1983 MAR -3 AM 10:44  
SAN DIEGO, CALIF.

IN THE MATTER OF

NO.

ORDINANCE NO. O-15903

**ORDINANCE NO. O-15903**

**(New Series)**

**AN ORDINANCE RELATING TO THE CONSTRUCTION OF THE WESTERN DIVISION POLICE STATION AUTHORIZING A LEASE PURCHASE AGREEMENT WITH IMPERIAL MUNICIPAL SERVICES GROUP, INC., AND A TRUST AGREEMENT WITH SECURITY PACIFIC NATIONAL BANK AND A FEE SCHEDULE FOR TRUST SERVICES RELATED TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,700,000 FOR A TERM NOT EXCEEDING 30 YEARS**  
Approves the form of Lease Purchase Agreement between the City and Imperial Municipal Services Group, Inc. and authorizes execution of said Lease on behalf of the City by the City Manager and City Clerk; approves the form of Trust Agreement between Security Pacific National Bank, Imperial Municipal Services Group, Inc. and the City of San Diego and authorizes execution of said Trust Indenture by the City Manager and City Clerk on behalf of the City; all in connection with the issuance of Certificates of Participation for construction of the Western Division Police Station.  
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 'C' Street, San Diego, CA 92101.  
Introduced on JANUARY 31, 1983.  
Passed and adopted by the Council of The City of San Diego on FEBRUARY 14, 1983.  
AUTHENTICATED BY:  
BILL CLEATOR, Deputy Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California.  
(SEAL)  
By MAYDELL L. PONTECORVO, Deputy.  
Publish February 28, 1983 80-2886

I, Shelley Samudio, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-15903  
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

February 28, 1983

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 28th day of Feb, 19 83

Shelley Samudio  
(Signature)

00143

6" x 2 x 8.87 = 53.22