

ORDINANCE NUMBER O- 16329 (NEW SERIES)

ADOPTED ON NOV 19 1984

AN ORDINANCE PURSUANT TO SECTION 99 OF THE CITY CHARTER AUTHORIZING A LEASE AGREEMENT (SAN DIEGO POLICE HEAVY VEHICLE MAINTENANCE FACILITY) WITH RAUSCHER PIERCE REFSNES LEASING, INC., A TRUST AGREEMENT WITH BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION AND A FEE SCHEDULE FOR TRUST SERVICES RELATED TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,220,000.00 FOR A TERM NOT EXCEEDING 30 YEARS.

WHEREAS, it is necessary for The City of San Diego ("City") to acquire by lease a heavy vehicle maintenance facility for the San Diego Police Department (the "Project"); and

WHEREAS, Rauscher Pierce Refsnes Leasing, Inc. ("Lessor") is willing to assist the City by financing the construction of the Project, together with all structures, improvements and all facilities related thereto or provided therefor, and the outfitting thereof; and

WHEREAS, as a financing mechanism, Certificates of Participation will be executed and delivered evidencing proportionate interests of the owners thereof in lease payments (the "Lease Payments") to be made by the City to Lessor; and

WHEREAS, Bank of America National Trust and Savings Association ("Trustee") will be designated the Trustee to receive the Lease Payments and to pay the principal and interest to the holders of the Certificates of Participation; and

WHEREAS, pursuant to Section 99 of the Charter of The City of San Diego, a noticed hearing was held on November 5, 1984, regarding the acquisition and leasing of the Project and the agreements to be entered into to carry out the purposes of said Project 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 Agreement, dated as of January 1, 1985, by and between the City and Lessor, which is on file in the office of the City Clerk as Document No. 00-16329-1, is hereby approved. Lease Payments payable by the City in any calendar year over the term of the Lease Agreement shall not exceed the amount set forth in Exhibit A to the Lease Agreement, provided, however, that the Lease Payments set forth therein may be reduced when the interest component of the Lease Payments is determined. The City Manager and the City Clerk are authorized to execute said Lease Agreement on behalf of the City and to make any modifications in the Lease Payments in Exhibit A thereof when the interest component of the Lease Payments is determined.

Section 2. The proposed form of Trust Agreement, dated as of January 1, 1985, by and among Trustee, Lessor and City, which is on file in the office of the City Clerk as Document No. 00-16329-2, is hereby approved. The City Manager and the City Clerk are authorized to execute said Trust Agreement on behalf of the City, and to insert the appropriate interest rates and principal maturity schedule in Section 3.04 thereof after the interest component of the Lease Payments and such principal maturity schedule are determined.

Section 3. Trustee, as compensation for acting as Trustee pursuant to the aforesaid Trust Agreement, is hereby authorized to apply to itself out of the proceeds of the delivery of said Certificates of Participation such amounts to which it is entitled pursuant to its letter dated October 8, 1984, a copy of which is on file in the office of the City Clerk as Document No. 00-16329-3

Section 4. The Lease Agreement and Trust Agreement are subject to non-substantive changes not inconsistent with the essential terms thereof and which are approved by the City Manager. The City Manager's approval of such changes shall be conclusively established by his execution of the Lease Agreement and Trust Agreement.


Section 5. 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 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Section 7. Ordinance No. O-16200 (New Series) adopted May 7, 1984, is hereby rescinded.

APPROVED: John W. Witt, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

HOV:ta:277
10/23/84
10/29/84 REV.1
11/2/84 REV.2
11/5/84 REV.3
Or.Dept:Police
O-85-72
Form=o.none

Passed and adopted by the Council of The City of San Diego on NOV 19 1984,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<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 Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Mayfield L. Pontecorvo, 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

NOV 05 1984

NOV 19 1984

, 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 Mayfield L. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-16329 NOV 19 1984
 Number _____ Adopted _____

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C St., 12th Floor
San Diego, CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBAER O-16329

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(NEW SERIES)**

AN ORDINANCE PURSUANT TO SECTION 99 OF THE CITY CHARTER AUTHORIZING A LEASE AGREEMENT (SAN DIEGO POLICE HEAVY VEHICLE MAINTENANCE FACILITY) WITH RAUSCHER PIERCE REFSNES LEASING, INC., A TRUST AGREEMENT WITH BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION AND A FEE SCHEDULE FOR TRUST SERVICES RELATED TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,220,000.00 FOR A TERM NOT EXCEEDING 30 YEARS.

This ordinance authorizes a lease agreement with Raucher Pierce Refsnes Leasing, Inc.; a trust agreement with Bank of America National Trust and Savings Association, and a fee schedule for trust services related to the issuance of Certificates of Participation in an aggregate principal amount not to exceed \$5,220,000.00 for a term not to exceed 30 years, to assist in financing the construction of a heavy vehicle maintenance facility for the San Diego Police Department. The ordinance and related documents are on file in the office of the City Clerk for public inspection.

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 NOVEMBER 5, 1984.

Passed and adopted by the Council of The City of San Diego on NOVEMBER 19, 1984.

AUTHENTICATED BY:
ROGER HEDGECOCK
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.
Pub. Dec. 3 7288

I, Michael L. Ungashick, 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

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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:

December 3, 1984

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

Dated at San Diego, California this 3rd day of Dec., 19 84.

Michael L. Ungashick
Signature
01914

6.5" x 9.76 = 63.44