

RESOLUTION NUMBER R- 267772

ADOPTED ON FEB 23 1987

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, MAKING APPOINTMENTS IN SPECIAL ASSESSMENT DISTRICT PROCEEDINGS AND APPROVING AGREEMENTS.

(Assessment District No. 4010 [Otay International Center])

WHEREAS, the City Council of The City of San Diego, California, is considering the formation of a special assessment district, pursuant to the terms and provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, for the construction of certain public works of improvement, together with appurtenances and appurtenant work, said special assessment district to be known and designated as ASSESSMENT DISTRICT NO. 4010 (OTAY INTERNATIONAL CENTER) (hereinafter referred to as the "Assessment District"); and,

WHEREAS, at this time this City Council is desirous of making the required appointments and designating persons to perform certain duties, in order to allow the proceedings to go forward to completion in accordance with the provisions of law.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That THOMAS O. MEADE is hereby appointed to perform all of the duties and functions of the Superintendent of Streets as said duties are specified and designated in the "Municipal Improvement Act of 1913," being Division 12 of the

Streets and Highways Code of the State of California, for the above-referenced Assessment District.

SECTION 3. That the place for recordation of the assessment roll and diagram shall be in the Office of the Superintendent of Streets, and said assessment roll and diagram, upon recordation, shall be kept as a permanent record.

SECTION 4. That the DAILY TRANSCRIPT is hereby designated as the newspaper for all publications as required by law and as necessary for completion of this Assessment District.

SECTION 5. That the City Manager be and he is hereby authorized and empowered to execute an Agreement with WILLDAN & ASSOCIATES for services as the Assessment Engineer for said proceedings, and said Assessment Engineer shall perform all of the duties and responsibilities relating to the apportionment of assessments and required functions of the Assessment Engineer pursuant to the Agreement on file on the office of the City Clerk as Document No. D2264-3.

SECTION 6. That the City Attorney be and he is hereby authorized to appoint BROWN & DIVEN, Attorneys at Law, to act as Special Bond Counsel for the purposes of preparing proceedings and issuing an approving opinion attesting to the validity of the proceedings and the enforceability of the bonds pursuant to the Agreement on file in the office of the City Clerk as Document No.

D2264-2

SECTION 7. That the City Manager be and he is hereby authorized and empowered to execute an Agreement with KADIE-JENSEN & JOHNSON for services as FINANCIAL CONSULTANT and

directed to obtain a proposal or bid for the sale of bonds to be issued in order to finance said proceedings. Said bonds are to be issued pursuant to the terms and provisions of the City of San Diego Improvement District Procedural Ordinance of 1982 (Division 23, San Diego Municipal Code), and applicable Sections of the "Improvement Bond Act of 1915," being Division 10 of the Streets and Highways Code of the State of California, pursuant to the Agreement on file on the office of the City Clerk as Document No.

D2264-4

SECTION 8. That the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of the City an ASSESSMENT DISTRICT REIMBURSEMENT AGREEMENT, relating to the reimbursement for preliminary expenses, a copy of which is on file in the office of the City Clerk as Document No.

D2264-5

SECTION 9. That the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of the City an ACQUISITION/FINANCING AGREEMENT, relating to the ownership, management, maintenance and control of certain of the proposed improvements, a copy of which is on file in the office of the City Clerk as Document No. D2264-6.

SECTION 10. That this City Council hereby establishes a special IMPROVEMENT FUND designated by the name and number of the Assessment District, and into said fund shall be placed all proceeds from the sale of bonds and cash collections. In order to expedite the improvements or acquisition under these proceedings and as authorized by law, funds from any available

source may be transferred into said special fund. Any funds transferred are a loan to the fund and shall be repaid out of the proceeds of the sale of bonds, all as required and transferred into said special fund. Any funds transferred are a loan to the fund and shall be repaid out of the proceeds of the sale of bonds, all as required and authorized by law, and specifically Section 10210 of the Streets and Highways Code of the State of California.

APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

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Or.Dept:E&D
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FEB 23 1987

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Ellen Boward*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R 267772 Adopted FEB 23 1987

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