

(R-91-431)

RESOLUTION NUMBER R- 276546

ADOPTED ON SEP 17 1990

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE ANNUAL BUDGET FOR SAN DIEGO DATA PROCESSING CORPORATION, APPROVING AND AUTHORIZING A LEASE AGREEMENT, A SUBLEASE AGREEMENT, AND A CITY ASSIGNMENT AGREEMENT; AND MAKING CERTAIN OTHER FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH.

WHEREAS, Section 3(a) of the Operating Agreement between The City of San Diego (herein called "City") and the SAN DIEGO DATA PROCESSING CORPORATION (herein called "Corporation") requires that the annual budget of Corporation be submitted for review and approved by the City Council; and

WHEREAS, the Corporation has at this time, pursuant to the provisions of the Operating Agreement, submitted its FY 1990-1991 budget to Council for review and approval; and

WHEREAS, the City has determined that it is in the best interests of the City to finance the acquisition of telephone and telecommunication equipment and services ("Project") by leasing same from Corporation; and

WHEREAS, Corporation has commenced proceedings for the acquisition, installation and financing of the Project and for the leasing of same to the City; and

WHEREAS, there have been presented to the City certain documents relating to the leasing of such Project; including a Lease Agreement, a Sublease Agreement, and a City Assignment Agreement, all of which are hereby found to be satisfactory in form and substance; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, California, DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Recitals Correct. That the recitals set forth hereinabove are true and correct in all respects.

Section 2. That pursuant to Section 3(a) of the Operating Agreement between The City of San Diego and the San Diego Data Processing Corporation, the Council has reviewed and hereby approves the proposed FY 1990-1991 budget for said Corporation, a copy of which is on file in the office of the City Clerk as Document No. RR- 276546.

Section 3. Lease Agreement. That the Lease Agreement between the Corporation and the City, presented at this meeting is hereby approved, and the City Manager is hereby authorized and directed for and in the name of and on behalf of the City to execute, acknowledge, and deliver said Lease Agreement in substantially said form with such changes therein as the City Manager, with the advice of counsel, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof, a copy of which is on file in the office of the City Clerk as Document No. RR- 276546.

Section 4. Sublease Agreement. That the Sublease Agreement between the City and the Corporation presented at this meeting is hereby approved and the City Manager is hereby authorized and directed for and in the name of and on behalf of

the City to execute, acknowledge and deliver said Sublease Agreement in substantially said form with such changes therein as the City Manager, with the advice of counsel, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof, a copy of which is on file in the office of the City Clerk as Document No. RR- 276546.


Section 5. City Assignment Agreement. That the City Assignment Agreement between the City and Trustee as presented at this meeting is hereby approved and the City Manager is hereby authorized and directed for and in the name of the City to execute, acknowledge and deliver said City Assignment Agreement in substantially said form with such changes as the City Manager, with the advice of counsel, may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof, a copy of which is on file in the office of the City Clerk as Document No. RR- 276546.

Section 6. Further Actions. That the City Manager is hereby authorized and directed to do any and all things and to execute and deliver any and all documents at the request of counsel which they may deem necessary and advisable in order to effectuate the purposes of this resolution.

Section 7. Repeal of Inconsistent Resolutions. Any resolution of the city and any part of such resolution

inconsistent with this resolution is hereby repealed to the extent of such inconsistency.

APPROVED: JOHN W. WITT, City Attorney

By 
C. M. Fitzpatrick
Assistant City Attorney

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08/31/90
09/21/90 COR.COPY
Or.Dept:DPCorp.
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SEP 17 1990

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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California

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