

(R-91-429)

RESOLUTION NUMBER R- 276577

ADOPTED ON SEP 18 1990

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA, MAKING APPOINTMENTS
AND APPROVING AGREEMENTS.

(Community Facilities District No. 1 [Miramar Ranch North])

WHEREAS, the Council of The City of San Diego, California, (hereinafter referred to as the "legislative body of the local agency"), desires to initiate proceedings to create a Community Facilities District pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," (the "Act") being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District shall hereinafter be referred to as COMMUNITY FACILITIES DISTRICT NO. 1 (MIRAMAR RANCH NORTH) (hereinafter referred to as the "District"); and

WHEREAS, at this time the legislative body is desirous of making the require appointments and designating persons to perform certain duties, in order to allow the proceedings to go forward to completion in accordance with the provision of law; and

WHEREAS, a Reimbursement Agreement to provide for preliminary financing of administrative and consulting costs and expenses, and Agreements for consulting services have also been submitted for consideration; NOW, THEREFORE,

Corrected 09/12/90

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

1. That the above recitals are all true and correct.
2. That throughout the course of these proceedings, the City Council of The City of San Diego will be acting as the legislative body of the Community Facilities District No. 1 (Miramar Ranch North), a legally constituted governmental entity as defined by Section 53317 of the Government Code of the State of California.
3. That all regulatory rules of the city, including date, time and place of meeting, as well as notice requirements, shall be applicable for all proceedings conducted by this legislative body as the governing body of the Community facilities District.
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 District.
5. That the Reimbursement Agreement, as submitted herewith, Document No. D2288-1, is hereby accepted and approved for execution.
6. That WILLDAN ASSOCIATES is hereby appointed the Special Tax Consultant for said proceedings, and said Special Tax Consultant shall perform all of the duties and responsibilities as set forth by law as they relate to said District, pursuant to the terms and conditions of an amended agreement for Special Tax Consultant Services submitted herewith as Document No. D2288-2, which Agreement is hereby accepted and approved for execution.

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7. That BROWN, HARPER, BURNS & HENTSCHKE, Attorneys at Law, is hereby appointed to act as 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 terms and conditions of a Special Counsel Agreement submitted herewith as Document No. D2288-3, which Agreement is hereby accepted and approved for execution.

8. That EVENSEN-DODGE, INC., is hereby appointed the Financial Consultant for said proceedings, and said Financial Consultant shall perform all of the duties and responsibilities as set forth by law as they relate to said District, pursuant to the terms and conditions of an Amended Agreement for Financial Consulting Services submitted herewith as Document No. D2288-4, which Agreement is hereby accepted and approved for execution.

9. That the project shall hereinafter be known and designated as COMMUNITY FACILITIES DISTRICT NO. 1 (MIRAMAR RANCH NORTH).

10. That the estimated acquisition and construction fund proceeds for the facilities within the District is approximately \$55,000,000 (1990 Dollars).

11. That, without waiving the right of the City Council to approve, to conditionally approve or disapprove the actual formation of the District, the levy of special taxes or the issuance of special tax bonds following such public hearings as may be required by the Act, the City Council does hereby conceptually approve the financing of the facilities on the amount stated in this resolution through the formation of the

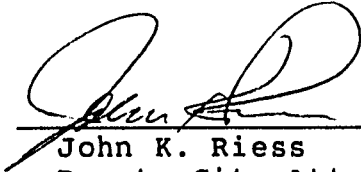
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District. That the above-referenced consultants and staff members are hereby directed and authorized to proceed to prepare documentation for implementation and formation of the Community Facilities District.

12. That there is hereby authorized and established a special revolving fund designated by the name of the District. Available monies, including property owner advances, may be transferred to said fund to pay for current expenses, as well as the acquisition and construction of facilities, including engineering services, and said fund shall be reimbursed from tax revenues, bond proceeds or other monies available from said District, including any available contribution funds.

APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

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SEP 18 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 *Linda Sugaw*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 2-276577 Adopted SEP 18 1990

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