

(O-91-146 COR.)

ORDINANCE NUMBER O-17633 (NEW SERIES)

ADOPTED ON MAY 07 1991

AN EMERGENCY ORDINANCE AMENDING ORDINANCE
NUMBER O-17467, SECTION 10, TO EXTEND THE
DATE IT IS TO REMAIN IN EFFECT, RELATING TO
THE BARRIO LOGAN PLANNED DISTRICT.

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

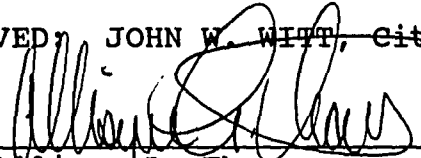
Section 1. That Ordinance Number O-17467 be and the same is
hereby amended by amending Section 10 to read as follows:

Section 10. This Emergency, Temporary Interim
Ordinance shall take effect and be in force on the day
of its adoption by the Council of The City of San Diego
and shall remain in effect up to and including May 11,
1992, or unless this Emergency, Temporary Interim
Ordinance is extended by the City Council.

Section 2. This amendment to Ordinance Number O-17467 shall
take effect and be in force on the day of its adoption by the
Council of The City of San Diego and shall remain in effect up to
and including December 31, 1991, or unless this amendment to
Ordinance Number O-17467 is extended by the City Council.

APPROVED, ~~JOHN W. WITT~~, City Attorney

By


Allisyn L. Thomas
Deputy City Attorney

ALT:lc
03/04/91
04/22/91 COR.COPY
Or.Dept:Prop.
O-91-146
Form=o+t

55000

Passed and adopted by the Council of The City of San Diego on MAY 07 1991,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Blondla R. Barnes, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on
MAY 07 1991, said ordinance being of the kind and character
authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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 Blondla R. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17538 Adopted MAY 07 1991

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
91 JUL 15 AM 10:48
SAN DIEGO, CALIF.

CITY CLERK'S OFFICE
CITY ADMIN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE PURSUANT TO SECTION 99 OF THE CITY
CHARTER AUTHORIZING A FACILITIES LEASE AND SITE AND...

ORDINANCE NUMBER 0-17639 (NEW SERIES)

AN ORDINANCE PURSUANT TO SECTION 99 OF THE CITY CHARTER AUTHORIZING A FACILITIES LEASE AND SITE AND FACILITIES LEASE WITH SAN DIEGO FACILITIES AND EQUIPMENT LEASING CORPORATION AND A TRUST AGREEMENT AND APPROVING THE FORM OF ASSIGNMENT AGREEMENT WITH BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION RELATING TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN AN AMOUNT NOT TO EXCEED \$12,500,000 FOR A TERM NOT EXCEEDING 30 YEARS (BALBOA PARK AND MISSION BAY PARK CAPITAL IMPROVEMENTS PROGRAM)

On June 24, 1991, the City Council of The City of San Diego (the "City") approved Ordinance No. 0-17639 (New Series) which authorizes the proposed form and execution of certain agreements relating to the issuance of approximately \$12,500,000 of Certificates of Participation by the City for a term not to exceed thirty years. The Certificates of Participation ("Series 1991 Certificates" or "Certificates") are being issued in connection with certain proposed public improvements in Balboa Park and Mission Bay Park (the "Balboa Park and Mission Bay Park Capital Improvements Program").

The City has proposed that the San Diego Facilities and Equipment Leasing Corporation (the "Corporation"), a nonprofit public benefit corporation, assist the City in the financing of the acquisition, construction and installation of a portion of the public improvements proposed in Balboa Park and Mission Bay Park, which portion financed by the Series 1991 Certificates shall constitute the "Project."

The ordinance authorizes the proposed form of a Site and Facilities Lease (Document No. 00-17639-3), dated as of July 15, 1991, by and between the City and the Corporation in which the City will lease certain land and improvements (the "Facilities") to the Corporation for a term not to exceed thirty years. In exchange for this right, the Corporation will make a lump sum advance rental payment which will be used by the City for the acquisition, construction and installation of the Project.

The ordinance authorizes the proposed form of a Facilities Lease (Document No. 00-17639-2), dated as of July 15, 1991, by and between the City and the Corporation in which the City will agree to lease back the Facilities from the Corporation and make certain lease payments for a term not to exceed thirty years. As a financing mechanism, the Certificates will be issued and delivered by the City evidencing the proportionate interests of the owners thereof in the lease payments to be made by the City to Corporation under the Facilities Lease.

The ordinance authorizes the proposed form of an Assignment Agreement (Document No. 00-17639-4), dated as of July 15, 1991, by and between the Corporation and Bank of America National Trust & Savings Association, as Trustee (the "Trustee") in which the Corporation will assign all of its right to receive lease payments from the City to the Trustee for the purpose of paying the Interest Components and Principal Components on the Certificates.

The ordinance authorizes the proposed form of a Trust Agreement (Document No. 00-17639-1), dated as of July 15, 1991, by and among the City, the Corporation and the Trustee. The ordinance also authorizes that the Trustee receive compensation for services rendered in connection with the Trust Agreement from the proceeds of the sale of the Certificates.

The ordinance authorizes the execution of the Site and Facilities Lease, the Facilities Lease, and the Trust Agreement by the City Manager in June 10, 1991, as approved by the City Council. The ordinance to be entered into carry out the purposes of said other officials of the published pursuant to Section 18 of the Charter of The City of San Diego. This ordinance shall take effect and be in force on July 25, 1991.

A complete copy of this ordinance is available in the City Clerk's office, 202 C Street, San Diego, 2nd floor, for inspection.

INTRODUCED ON JUN 10 1991
Passed and Adopted by the Council of The City of San Diego on JUN 24 1991

AUTHENTICATED BY:
MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA

(SEAL)

By Linda Lugano, Deputy.

Pub. July 9

22531

I, Thomas D. Kelleher, 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

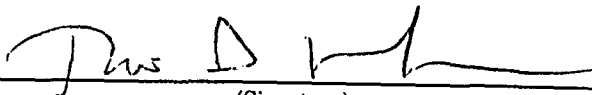
ORDINANCE NUMBER 0-17639

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:

JULY 9

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

Dated at San Diego, California this 9TH day of JULY, 1991.



(Signature)

Page 1 of 1
15" = 186.96