

(R-91-1653)

RESOLUTION NUMBER R- 277873

ADOPTED ON MAY 07 1991

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO OF INTENT TO OBTAIN REIMBURSEMENT
FOR COSTS RELATING TO ENHANCEMENTS TO THE
CITY WASTEWATER SYSTEM FROM THE PROCEEDS OF A
TAX-EXEMPT FINANCING.

WHEREAS, The City of San Diego ("City") intends to acquire,
construct and install enhancements ("Enhancements") to the
Wastewater System of the City ("System"); and

WHEREAS, with respect to certain Enhancements to the System
already acquired and with respect to Enhancements to the System
to be acquired, the City intends to undertake a plan of tax-
exempt financing in order to finance the same; and

WHEREAS, prior to undertaking any tax-exempt financing, the
City has incurred costs, and intends to incur additional costs,
in connection with the acquisition of Enhancements to the System;
and

WHEREAS, the City Council of the City hereby determines that
it is in the best interests of the City and its residents that
certain contracts relating to the acquisition, construction and
installation of portions of Enhancements to the System which have
been entered into as well as such contracts as may hereafter be
entered into and performed prior to undertaking any tax-exempt
financing be governed by the Agreement hereinafter described; and

WHEREAS, the City Council of the City hereby determines that
it is in the best interest of the City and its residents that, to
the extent that any of such contracts have been entered into by

the City or are to be entered into by the City prior to any tax-exempt financing, the City provide for the assignment of said contracts and the transfer of any components of the System purchased thereunder to the Public Facilities Financing Authority of The City of San Diego ("Authority") and provide for the purchase of the remainder of the Enhancements to the System by the Authority and to that end the City proposes to contract with the Authority to acquire Enhancements to the System pursuant to an Acquisition Agreement ("Agreement") and to undertake the other actions provided for herein; NOW, THEREFORE,

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

1. The recitals hereinabove set forth are true and correct, and this City Council so finds.
2. The City has advanced certain costs relating to the design, purchase and installation of components of Enhancements to the System, and intends to advance additional such costs, and the City intends to be reimbursed for such advances from a portion of the proceeds of one or more tax-exempt financings to be undertaken by the City in the future for the purpose of financing the System.
3. The form and content of the Agreement, a copy of which is before the City Council and is on file in the office of the City Clerk of the City, as Document No. RR-277873, is hereby approved. The City Manager of the City is hereby authorized and directed, for and in the name of and on behalf of the City, to execute and deliver the Agreement in substantially the form presented to and considered at this meeting, and the Clerk of the

City is authorized to attest thereto, with such additions and changes therein as the City Manager shall approve as being in the best interests of the City, and as is approved as to form and legality by the City Attorney, such approval to be conclusively evidenced by such Officer's execution and delivery of said Agreement, with such additions and changes.

APPROVED: JOHN W. WITT, City Attorney

By Marguerite S. Strand
Marguerite S. Strand
Deputy City Attorney

MSS:jrl:skc
04/03/91
04/11/91
Or.Dept:Fin.Mgmt.
R-91-1653
Form=r+t

MAY 07 1991

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 *Blonde R. Barnes* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R 277873* Adopted *MAY 07 1991*