

(R-93-394)

RESOLUTION NUMBER R-280701

ADOPTED ON SEP 21 1992

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO APPROVING AN INSTALLMENT PURCHASE
FINANCING TO BE UNDERTAKEN BY THE CALIFORNIA
STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY
TO BENEFIT INSTITUTE FOR DEFENSE ANALYSES.

WHEREAS, Institute for Defense Analyses, a Delaware nonprofit corporation (the "Corporation"), has requested that the California Statewide Communities Development Authority (the "Issuer") participate in an installment purchase financing (the "Financing") for a research facility (the "Facility") located within the City of San Diego (the "City"), to refinance certain indebtedness of the Corporation incurred to acquire, construct and equip the Facility, and to finance certain capital projects with respect to the Facility; and

WHEREAS, in connection with the Financing, the Issuer and the Corporation will enter into an installment purchase agreement (the "Purchase Agreement") under which the Corporation will sell the Facility to the Issuer and the Issuer will agree to make payments (the "Installment Payments") to the Corporation for the purchase thereof; and

WHEREAS, certificates of participation (the "Certificates") in an aggregate principal amount not to exceed four million five hundred twenty-five thousand dollars (\$4,525,000), representing a proportionate undivided interest in the Installment Payments, will be executed, delivered and sold in connection with the

Financing; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code") the Financing and the issuance of the Purchase Agreement by the Issuer must be approved by the City because the Facility is located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the "Council") is the elected legislative body of the City and is one of the applicable elected representatives required to approve the Financing and the issuance of the Purchase Agreement under Section 147(f) of the Code; and

WHEREAS, the Issuer has requested that the Council approve the Financing and the issuance of the Purchase Agreement in order to satisfy the public approval requirement of Section 147(f) of the Code, and the requirements of Section 9 of the Amended and Restated Joint Exercise of Powers Agreement (the "Agreement"), dated as of June 1, 1988, among certain local agencies, including the City; and

WHEREAS, pursuant to Section 147(f) of the Code, the Council has, following notice duly given, held a public hearing regarding the Financing and the issuance of the Purchase Agreement, and now desires to approve the Financing and the issuance of the Purchase Agreement; NOW, THEREFORE,

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

1. The Council hereby approves the Financing and the Purchase Agreement. It is the purpose and intent of the Council that this resolution constitute approval of the Financing and the


issuance of the Purchase Agreement (and the execution and delivery of the certificates of participation related thereto) for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Facility is located, in accordance with said Section 147(f), and (b) Section 9 of the Agreement.

2. The officers of the City are hereby authorized, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

3. This resolution shall take effect immediately upon its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

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Or.Dept:Prop.
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Passed and adopted by the Council of The City of San Diego on SEP 21 1992
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<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"/>
Valerie Stallings	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

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

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

By Blonda L. Barnes Deputy.

Office of the City Clerk, San Diego, California

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