

RESOLUTION NUMBER R- 282389

ADOPTED ON JUL 26 1993

A RESOLUTION OF THE CITY OF SAN DIEGO APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF AN IMPLEMENTATION AGREEMENT WITH THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD AND THE AUTHORIZATION FOR THE CITY OF SAN DIEGO/MTDB AUTHORITY TO ISSUE ITS REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$25,000,000 PERTAINING TO THE OLD TOWN LIGHT RAIL TRANSIT EXTENSION.

WHEREAS, the City of San Diego (the "City") and the San Diego Metropolitan Transit Development Board ("MTDB") formed the City of San Diego/MTDB Authority (the "Authority") to finance the construction of public capital improvements, including public mass, transit guideways, including public transit systems and related transportation facilities and services; and

WHEREAS, the City and MTDB desire that the Authority finance a portion of the acquisition and construction of the Old Town light Rail Transit ("LRT") Extension in a principal amount not to exceed eighteen million three hundred thousand dollars (\$18,300,000) (the "Project"); and

WHEREAS, the Project will be constructed by MTDB; and

WHEREAS, MTDB owns certain real property (the "Property") more fully described in a certain Property Lease which it proposes to lease to the Authority for further lease to the City; and

WHEREAS, the City will sublease the Property to MTDB for the purpose of maintenance and operation; and

WHEREAS, MTDB, the City and the Authority have the power to enter into leases for real and personal property; and

WHEREAS, the MTDB will cause the Project to be acquired and constructed from the proceeds of the Authority's revenue bonds to be issued pursuant to Article 4, Chapter 5, Division 7 of Title 1 (commencing at Section 6584) of the Government Code of the State of California, which will be secured by the lease payments to be received from the City pursuant to the Lease Agreement; and

WHEREAS, the Council has previously approved a certain Lease Agreement between the City and the Authority (the "Lease Agreement") and a Sublease Agreement between the City and MTDB, and the issuance of the Authority of its revenue bonds in the amount not to exceed twenty five million dollars (\$25,000,000) (the "Bonds"), on file in the Office of the City Clerk as Document No. 00-17942-land 00-17942-2, adopted on July 26, 1993 (the "Ordinance"); and

WHEREAS, the City Council wishes to approve certain aspects of the Bonds to be issued by the Authority for the Project, including the form of Official Statement to be utilized in connection with the offering of the Bonds (the "Official Statement") and the form of Implementation Agreement between the City and MTDB providing for the application of the proceeds of the Bonds to construct the Project; NOW , THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego
that:

1. The proposed form of the Implementation Agreement dated
as of August 1, 1993, by and between the City and MTDB, which is
on file with the Office of the City Clerk as Document No.

RR- 282389⁻¹, and the form of the official Bid Form and Notice
Inviting Bids, copies of which are on file with the Office of the
City Clerk as Document Nos. RR-282389⁻² and RR-282389⁻³, are
hereby approved. The City Manager is authorized to execute the
Implementation Agreement in substantially said form, with such
additions thereto or changes therein as such officers may require
or approve, such approval to be conclusively evidenced by the
execution and delivery thereof on behalf of the City.

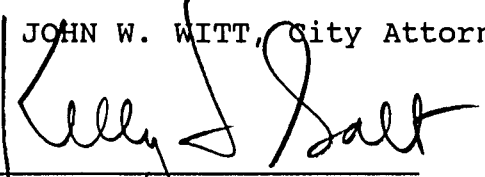
2. The proposed form of the Official Statement which is on
file with the Office of the City Clerk as Document No.

RR- 282389⁻⁴, is hereby approved. The City Manager is authorized
to execute the official Statement in substantially said form at
such time as he deems it final, with such additions thereto or
changes therein as such officer may require or approve, such
approval to be conclusively evidenced by the execution and
delivery thereof on behalf of the City.

3. The Mayor, City Manager, Director of Financial
Management, City Clerk, City Attorney, and any and all other
officers of the City are hereby authorized to make any and all
assignments, certificates, requisitions, agreements,

notices, consents, instruments of conveyance, warrants and other documents, which they may deem necessary or appropriate in order to consummate the execution and delivery of the documents approved herein by the Board.

APPROVED: | JOHN W. WITT, City Attorney

By 
Kelly J. Salt
Deputy City Attorney

KJS:jrl
07/14/93
Or.Dept:Fin.Mgt.
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Passed and adopted by the Council of The City of San Diego on JUL 26 1993
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"/>
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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By *Mayfield G. Portuondo* Deputy.

Office of the City Clerk, San Diego, California

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CITY CLERKS OFFICE
SAN DIEGO, CA