

(R-94-666)

RESOLUTION NUMBER R- 282994

ADOPTED ON NOV 15 1993

BE IT RESOLVED, by the Council of The City of San Diego, that an agreement with Public Resources Advisory Group/E.J. De La Rosa (MBE) Municipal Capital Management (WBE) to provide financial advisory services for financially feasible bond refundings be and it is hereby approved for monetary consideration as follows:

1. Not to exceed \$55,000 for financial advisory services and \$4,000 for reimbursable expenses in connection with a master refunding of three outstanding bond issues and

2. Not to exceed \$32,500 for financial advisory services and \$2,000 for reimbursable expenses for each other individual bond refunding. A copy of this Agreement is on file in the Office of the City Clerk as Document No. RR-282994-1.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$172,500, the maximum contract amount, if all five bond issuances are refunded separately, provided that if the City does not proceed with any bond refunding, fees will be reimbursed on an hourly basis, not to exceed \$172,500, and will be paid from the various funding sources which service the debt associated with the five outstanding issuances.

BE IT FURTHER RESOLVED, that an agreement with Orrick, Herrington & Sutcliffe/Nelson & Williams (MBE) to provide bond counsel services for financially feasible bond refundings be and

it is hereby approved for monetary consideration as follows:

1. Not to exceed \$50,000 for bond counsel services in connection with a master refunding of three outstanding bond issuances, or

2. If individual issuances of outstanding Lease/Revenue Bonds and Certificates of Participation are necessary, not to exceed \$60,000 (or \$20,000 per refunded issue) and

3. Not to exceed \$30,000 for bond counsel services for the refunding of outstanding Stadium Bonds and

4. Not to exceed \$40,000 for bond counsel services for the refunding of three series of Open Space Bonds and

5. Not to exceed \$10,000 for all reimbursable expenses. A

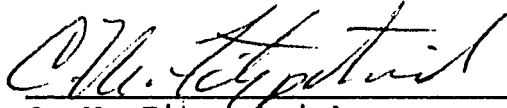
copy of this Agreement is on file in the Office of the City Clerk

as Document No. RE-282994-2.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$140,000, the maximum contract amount, if five outstanding issuances are refunded separately provided that if the City does not proceed with a refunding, fees will be reimbursed on an hourly basis, not to exceed \$140,000, and will be paid from the various funding sources which service the debt associated with the five outstanding issuances.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Assistant City Attorney

CMF:nrp
10/26/93
Aud.Cert:9400452/9400453
Or.Dept:Fin.Mgmt.
R-94-666
Form=r.auagr

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9400452

ORIGINATING DEPT. NO.: 055

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ _____ Fund _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 140,000.00

Vendor Orrick, Herrington & Sutcliffe/Nelson & Williams

Purpose Authorizing the expenditure of funds for bond counsel services for feasible refundings.

Date October 22, 1993 By: *Cecilia San Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	102249	9162	692	4222	069000				\$22,000.00
2	0	10226	918		4222	91811				22,000.00
3	0	10355	10355		4222	10355				22,000.00
4	0	10330	930		4222	93010				32,000.00
5	0	79103	79103		4222	79103				42,000.00
TOTAL AMOUNT										\$140,000.00

FUND OVERRIDE

R. 282994

NOV 15 1993

AC 9400452

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9400453

ORIGINATING DEPT. NO.: 055

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ _____ Fund _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 172,500.00

Vendor E.J. Dela Rosa/Municipal Capital Mgmt./Public Resources Advisory Group

Purpose Authorizing the expenditure of funds for financial advisory services for feasible refundings.

Date October 22, 1993 By: *Cecilia San Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	102242	9162	692	4222	069002				\$34,500.00
2	0	10226	916		4222	91811				34,500.00
3	0	10355	10355		4222	10355				34,500.00
4	0	79103	79103		4222	79103				34,500.00
5	0	10330	930		4222	93010				34,500.00
TOTAL AMOUNT										\$172,500.00

AC-361 (REV 2-92)

FUND OVERRIDE

R- 282994

NOV 15 1993

AC 9400453

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

NOV 15 1993

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

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

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

(Seal)

By *Linda Vargas*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R.* 282994 NOV 15 1993
Number Adopted

RECEIVED

93 NOV -5 PM 12:06

CITY CLERKS OFFICE
SAN DIEGO, CA

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93 NOV -5 PM 12:06
CITY CLERKS OFFICE
SAN DIEGO, CA