

RESOLUTION NUMBER R- **297353**

ADOPTED ON **NOV 18 2002**

WHEREAS, on July 30, 2002, the City Council adopted Resolution Number R-296900 regarding the proposed construction of new, and improvements to existing, library facilities, including a new main library [Library System Improvements Program]; and

WHEREAS, the City Council directed the City Manager to return to the City Council in Fall 2002 with a proposed financing plan for the Library System Improvements Program; and

WHEREAS, the cash flow requirements and a conceptual financing schedule for the Library System Improvements Program have been developed; and

WHEREAS, based on the Library System Improvements Program adopted by the City Council on July 30, 2002, a conceptual financing plan [Conceptual Financing Plan] has been developed; and

WHEREAS, in order to finance a portion of the Library System Improvements Program, the Conceptual Financing Plan contemplates the issuance of lease revenue bonds; and

WHEREAS, it is now necessary and appropriate for this City Council to review and approve the Conceptual Financing Plan in order that the City Manager may receive appropriate direction regarding matters to be considered by this City Council in the future and in order to implement the Library System Improvements Program; and

WHEREAS, an Environmental Impact Report has previously been certified for the proposed Main Library; and

WHEREAS, appropriate environmental review pursuant to the California Environmental Quality Act [CEQA] has been performed for several of the branch library components of the Library System Improvements Program; and

WHEREAS, further implementation of the Library System Improvements Program will be subject to full CEQA compliance, including any necessary and required environmental review; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council hereby approves the Conceptual Financing Plan for the financing of the Library System Improvements Program as set forth in City Manager's Report No. 02- 264, and by this reference incorporated herein.

BE IT FURTHER RESOLVED, that the Council hereby directs the City Manager, the City Auditor and Comptroller, and the City Attorney to proceed with the preparation of the necessary documents to authorize a lease revenue financing to fund a portion of the Library System Improvements Program, as set forth in the Conceptual Financing Plan.

BE IT FURTHER RESOLVED, that the Council hereby directs the City Manager, where appropriate pursuant to the San Diego City Charter and the San Diego Municipal Code, to propose the use of design-build contracts for the construction of facilities set forth in the Conceptual Financing Plan. The City Manager is further directed to structure such design-build contracts, to the extent permitted by law, such that opportunities for participation by disadvantaged business entities is encouraged and maximized.

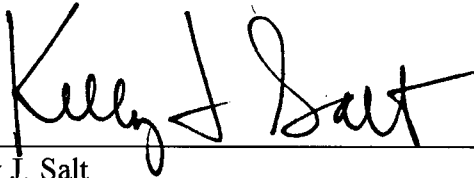
BE IT FURTHER RESOLVED, that the City Manager, and the City Auditor and Comptroller are authorized to appropriate and allocate to projects, as needed, and expend an

amount not to exceed \$16,904,138 from Fund 102216 for interim Capital Improvement Program expenses related to the Library System Improvements Program, to be reimbursed from the first phase of the bond financing.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to establish the New and Expanded Library Operation Fund (Fund No. 10180), for the purpose of funding the operation and maintenance expenses related to library system facilities constructed or expanded after December 2002 .

BE IT FURTHER RESOLVED, that further implementation of the Library System Improvements Program which has not yet been the subject of necessary environmental review is potentially conditioned upon appropriate compliance with CEQA.

APPROVED: CASEY GWINN, City Attorney

By 
Kelly J. Salt
Deputy City Attorney

KJS:pev
11/4/02
11/15/02 Cor.Copy
11/20/02 Rev.1
Or.Dept:FinSvcs.
Aud.Cert.: 2300528
R-2003-639
Form=r-t.frm

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2300528

DEPT. NO.: 056

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: \$16,904,138.00 Fund: 102216

Purpose: Interim funding for the Library System Improvements Program

Date: November 7, 2002 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	102216			9544					\$16,904,138.00
TOTAL AMOUNT										\$16,904,138.00

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: _____

Vendor: _____

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

AC-361 (REV 2-92)

AC 2300528

R-297353

NOV 18 2002