

(R-2006-388)

RESOLUTION NUMBER R- 301104
ADOPTED ON DEC 05 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING PAYMENT OF ATTORNEY FEES TO QUATEMAN & ZIDELL LLP FOR SERVICES PROVIDED WITH RESPECT TO THE REFUNDING OF THE SAN DIEGO OPEN SPACE PARK FACILITIES DISTRICT NO. 1 REFUNDING BONDS.

WHEREAS, in February 1978, the City Council formed the San Diego Open Space Park Facilities District 1 [District] and in 1978, 1986 and 1994, the District issued the San Diego Open Space Park Facilities General Obligation Bonds [Open Space Bonds]; and

WHEREAS, the District determined to refund a portion of the Open Space Bonds through the issuance of its refunding bonds; and

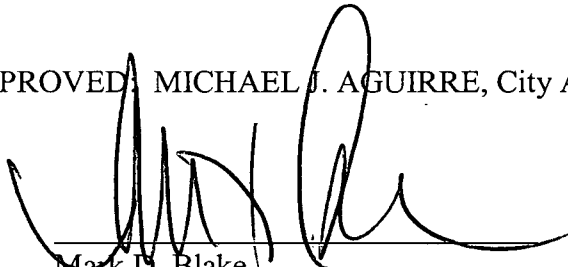
WHEREAS, the law firm of Quateman & Zidell LLP [Firm] was retained pursuant to an agreement for bond counsel and disclosure counsel services, dated October 17, 2003, as amended July 23, 2004, [Agreement] with respect to the refunding of the San Diego Open Space Park Facilities District No. 1 Refunding Bonds; and

WHEREAS, the Agreement provides that the Firm be compensated up to 50 percent of the fees for services rendered in connection with the preparation of documents with respect to the bonds and the Firm has submitted an invoice for the payment of \$46,000 in accordance with the Agreement; NOW THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the Council authorizes the expenditure an amount not to exceed \$46,000, for the above-described purpose, such amount to be derived from \$37,000 from the Capital Outlay Fund (30352) and \$9,000 from the Environmental Growth Fund (105052) provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Mark D. Blake
Deputy City Attorney

MDB:ai
10/18/05
Or.Dept:CM
R-2006-388
AC2600392

R-301104

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2600392
DEPT. _____
NO. 45

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: _____

Purpose: _____

Date: November 9, 2005

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: \$46,000.00

Vendor: Quateman and Zidell LLP

Authorizing the appropriation and expenditures of funds from 30252, Capital Outlay-Open Space and 105052 EGF 2/3 fund balances for bond counsel services related to the Open Space Bond Refunding.

Date: November 9, 2005

By: *Maureen McManes*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
1		30252			9544						\$37,000.00
2		105052			9544						9,000.00
TOTAL											\$46,000.00

FUND OVERRIDE

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