(R-2006-388)

RESOLUTION NUMBER R- 301104

DEC 0 5 2005

ADOPTED ON

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 . A GUIRRE, City Attorney

Deputy City Attorney

MDB:ai 10/18/05

Or.Dept:CM

R-2006-388

AC2600392

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2600392 DEPT. NO.: 45

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