

RESOLUTION NUMBER R- 302155

DATE OF FINAL PASSAGE DEC 15 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING THE THIRD AMENDED AND RESTATED OPERATING AGREEMENT OF SAN DIEGO MEDICAL SERVICES ENTERPRISE, LLC TO CHANGE THE PROFIT DISTRIBUTION POLICY OF THE COMPANY.

WHEREAS, San Diego Medical Services Enterprise, LLC [SDMSE] is the EMS system provider for the City of San Diego; and

WHEREAS, SDMSE is a limited liability company whose members are the City of San Diego and Rural-Metro of San Diego; and

WHEREAS, the City Council passed a resolution, on file in the office of the City Clerk as Resolution No. R-299840, authorizing and directing the Mayor to enter into a Third Amended and Restated Operating Agreement [Operating Agreement], between the City and Rural-Metro of San Diego on November 15, 2004 and such Operating Agreement was entered into between the City and Rural Metro of San Diego, on file in the office of the City Clerk as Document No. RR.299840.1, on November 30, 2004; and

WHEREAS, the officers of SDMSE recommended and the Board of Managers of SDMSE approved the modification of the profit distribution policy of SDMSE contained in the Operating Agreement in the manner described in Staff report; and

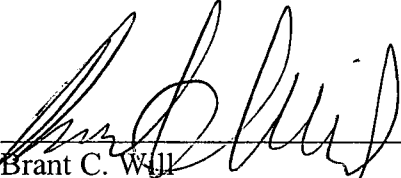
WHEREAS, the president of Rural Metro of San Diego has approved the modification of the profit distribution policy of SDMSE contained in the Operating Agreement in the manner described in the Staff report; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that the Council hereby approves the recommendation of Staff regarding the amendment to the Operating Agreement.

BE IT FURTHER RESOLVED, that Mayor be and is hereby authorized and empowered for and on behalf of the City to amend the Operating Agreement to change the profit distribution of SDMSE, the form of which is on file in the office of the City Clerk as Document No.

RR- Report No: 06-184

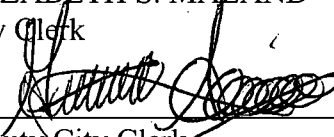
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Brant C. Will  
Deputy City Attorney

BCW:ai  
09/05/06  
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Or.Dept:SDMSE  
R-2007-258

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 04 2006

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 12.15.06  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Passed by the Council of The City of San Diego on DEC 04 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 15 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Mary Zamora*, Deputy

Office of the City Clerk, San Diego, California

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