(R-2008-1075)

RESOLUTION NUMBER R- 303767

DATE OF FINAL PASSAGE JUN 0 2 2008

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RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR OR THE CHIEF FINANCIAL OFFICER TO SELECT AN ALTERNATIVE UNDERWRITER FOR COMMUNITIES FACILITIES DISTRICT NO. 4 (BLACK MOUNTAIN RANCH VILLAGES)

WHEREAS, on April 21, 2008, the Council adopted Resolution No. R-303603, such resolution being signed by the Mayor on April 22, 2008 [Resolution] authorizing the issuance of not to exceed \$13,000,000 of Communities Facilities District No. 4 (Black Mountain Ranch Villages) Special Tax Bonds Series A of 2008 [Bonds], together with approving the forms of financing documents in connection therewith; and

WHEREAS, pursuant to the Resolution, UBS Securities LLC [UBS] was appointed as underwriter for the Bonds; and

WHEREAS, on May 6, 2008, UBS's parent company announced that it was putting UBS up for sale, or would otherwise be discontinuing its municipal bond underwriting business; and

WHEREAS, in order to assure a orderly sale of the Bonds it is necessary and desirable to select another underwriter or underwriters for the Bonds; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN DIEGO, as follows:

1. The Mayor or the Chief Financial Officer is hereby authorized and directed to obtain other underwriting services from one or more firms for the Bonds through a competitive selection process, such underwriter or underwriters to assume the duties and obligations of UBS; provided however, the compensation payable to the firm or firms shall not exceed the amount specified in Resolution No. R-303603. Other than as specified herein, the terms and provisions

contained in Resolution No. R-303603 relative to the issuance of the Bonds and other matters are unchanged.

2. This Resolution shall take effect immediately.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Mark D. Blake

Chief Deputy City Attorney

MDB:jdf 05/15/2008

Or.Dept:Debt Management

R-2008-1075

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of <u>MAY 27 2008</u>.

ELIZABETH S. MALAND

City Clerk

Deputy City Clerk

Approved: <u>6.7.08</u>

(date)

JERRY SANDERS, Mayor

Vetoed:

(date)

JERRY SANDERS, Mayor

(R-2008-1045)

RESOLUTION NUMBER R- 303768

DATE OF FINAL PASSAGE JUN 0 2 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO AMEND THE AGREEMENT WITH MACIAS GINI & O'CONNELL LLP FOR AUDIT SERVICES FOR THE CITY OF SAN DIEGO FISCAL YEAR 2006 AND 2007 FINANCIAL STATEMENTS BY INCREASING THE TOTAL AMOUNT OF THE AGREEMENT NOT TO EXCEED \$1,380,000 AND TRANSFERRING AN AMOUNT UP TO \$979,800 FROM THE APPROPRIATED RESERVE TO PAY FOR THE EXPENDITURES.

BE IT RESOLVED, by the Council of the City of San Diego that the Mayor is hereby authorized and empowered to amend the agreement with Macias Gini & O'Connell LLP [Agreement], for audit services for the City of San Diego fiscal year 2006 and 2007 financial statements to allow for additional expenditures under the Agreement in an amount not to exceed \$1,380,000; and

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to transfer up to \$979,800 from the Appropriated Reserve, Dept 601, to the General Fund Citywide Department, Dept. 602, org. 2450, to pay the General Fund portion of the audit expenditures.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Chief Deputy City Attorney

BCW:jdf 05/08/08

Or.Dept:Finance R-2008-1045

I hereby certify that the foregoing Resolution Diego, at this meeting of WAY 27 2008	on was passed by the Council of the City of San
	ELIZABETH S. MALAND Cıty Clerk By Java Ruchands Deputy City Clerk
Approved: 6.2.08 (date)	JERRY SANDERS, Mayor
Vetoed:(date)	JERRY SANDERS, Mayor

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

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