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707

RESOLUTION NUMBER R- 303767

DATE OF FINAL PASSAGE JUN 0 2 2008

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:

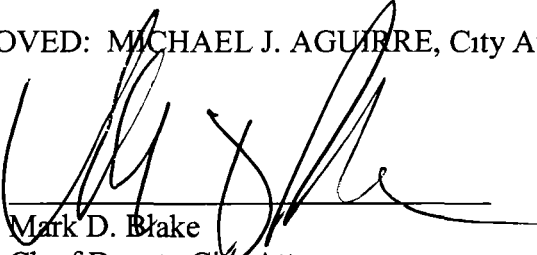
1. The Mayor or the Chief Financial Officer is hereby authorized and directed to obtain other underwriting services from one or more firms for the Bonds through a competitive selection process, such underwriter or underwriters to assume the duties and obligations of UBS; provided however, the compensation 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 MAY 27 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.2.08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 303768

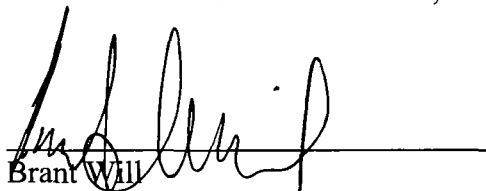
DATE OF FINAL PASSAGE JUN 0 2 2008

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 
Brant Will
Chief Deputy City Attorney

BCW:jdf
05/08/08
Or.Dept:Finance
R-2008-1045

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

ELIZABETH S. MALAND
City Clerk

By *Jana Richards*
Deputy City Clerk

Approved: 6.2.08
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2800679

DEPT

NO

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 _____ Fund _____

Purpose _____

Date _____ By _____

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 \$ 1,380,000

Vendor Macias Gini O'Connell LLP

Purpose Authorizing contracts amendments for fiscal years ending June 30, 2004, 2005 2006 and 2007 for audit services related to the City's Comprehensive Annual Financial reports, Single Audits and the Component unit audits for the City of San Diego

Date March 27, 2008 By *Tracy McCraner*

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	602		48818	000602				979,800 00
2		41500	760	163	4151	002093				124,200 00
3		41506	776	455	4151	776260				96,600 00
4		105051	9321	2004	4151	002004				8,280 00
5		10226	918		4151	091811				9,660 00
6		102211	102211	300	4151	000300				9,660 00
7		98805	97481	1002	4151	001002				151,800 00
TOTAL										\$1,380,000 00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2800679

R 303768

MAY 27 2008