

RESOLUTION NUMBER R- 306978

DATE OF FINAL PASSAGE AUG 4 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY ATTORNEY TO APPOINT THE LAW FIRM OF ORRICK, HERRINGTON & SUTCLIFFE LLP TO ASSIST THE CITY IN THE FORMATION OF A SPECIAL DISTRICT TO HELP FINANCE THE PROPOSED EXPANSION OF THE SAN DIEGO CONVENTION CENTER AND RELATED MATTERS.

WHEREAS, the City is considering the expansion of the San Diego Convention Center (Phase III Expansion); and

WHEREAS, the proposed financing of the Phase III Expansion includes the formation of a Convention Center Expansion District (District) that would place a levy on hotel rooms within certain zones of the City and this levy, along with other revenues, would be used to pay debt service on bonds that would be used to pay for the Phase III Expansion; and

WHEREAS, due to the unusual and complex nature of the legal issues involved the City Attorney's office does not have the necessary expertise to advise the City on the formation of the District; and

WHEREAS, the City Attorney's office solicited proposals to provide counsel to the City on the formation of the District and Orrick, Herrington & Sutcliffe LLP (Firm) was selected due to their competitive fee proposal and their expertise in special district formation, most notably the recent successful formation of a special district in the City of San Jose that is similar to the proposed District; and

WHEREAS, the initial requested amount for this engagement is \$70,000, including fees in an amount of \$60,000 and out of pocket expenses of \$10,000, to be paid from the General Fund; and

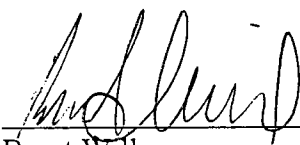
WHEREAS, additional funds may be necessary to complete for the formation and will be necessary for the judicial validation of the District; and

WHEREAS, once the District is formed and the levy is imposed the formation costs paid by the General Fund would be reimbursable from the revenues of the District or bond proceeds;
NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the City Attorney is authorized to appoint the Firm to advise the City regarding the formation of the District and the proposed Phase III Expansion.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$70,000, including fees of \$60,000 and out of pocket expenses of \$10,000 for the contract the Firm.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Brant Will
Deputy City Attorney

BCW:jdf
07/19/11
08/03/11 REV
Or.Dept:Mayor
Document No.:215861

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 2 2011

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8.4.11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor