

7/9
200d

RESOLUTION NUMBER R- 307557

DATE OF FINAL PASSAGE JUL 12 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING ITS OFFICIAL INTENT TO
REIMBURSE ITSELF FROM PROCEEDS OF BONDED
INDEBTEDNESS.

WHEREAS, the Council of the City of San Diego, California (City) expects and intends to finance the construction of a public parking structure in Balboa Park (Project); and

WHEREAS, the City expects to issue debt to finance a significant portion of the cost of the Project on a permanent basis (Debt); and

WHEREAS, the City expects to expend moneys (other than moneys derived from the issuance of bonds) on expenditures relating to the costs of the Project prior to the issuance of the Debt, which expenditures will be properly chargeable to a capital account under general federal income tax principles; and

WHEREAS, the City reasonably expects to reimburse certain of such capital expenditures with the proceeds of the Debt; and

WHEREAS, the City expects that the maximum principal amount of Debt which will be issued to pay for the costs of the Project (and related issuance costs) will not exceed \$18 million; and

WHEREAS, at the time of the reimbursement, the City will evidence the reimbursement in a writing which identifies the allocation of the proceeds of the Debt to the City for the purpose of reimbursing the City for any of the capital expenditures made prior to the issuance of the Debt; and

WHEREAS, the City expects to make the reimbursement allocation no later than eighteen (18) months after the later of (i) the date on which the earliest original expenditure is paid of (ii) the date on which the Project is placed in service (or abandoned), but in no event later than three (3) years after the date on which the earliest original expenditure is paid; and

WHEREAS, the City will not, within one (1) year of the reimbursement allocation, use the proceeds of the Debt received in the reimbursement allocation in a manner that will result in the creation of replacement proceeds of the Debt or another issue (*e.g.*, the City will not pledge or use the proceeds received for the payment of debt service on the Debt or another issue, except that the proceeds of the Debt can be deposited in a bona fide debt service fund); and

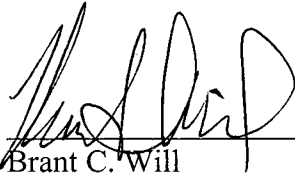
WHEREAS, the Resolution is intended to be a “declaration of official intent” in accordance with Section 1.150-2 of the Treasury Regulation; NOW, THEREFORE,

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

1. This City Council finds and determines that the forgoing recitals are true and correct.
2. That this Declaration of Intent is made solely for the purpose of establishing compliance with section 1.150-2 of the Treasury Regulations, and in accordance therewith the City declares its intention to issue Debt in a principal amount not to exceed \$18 million, the proceeds of which will be used to pay for the costs of the Project (and related issuance costs), including the reimbursement to the City for certain capital expenditures relating to the Project made prior to the issuance of the Debt, provided however that this Declaration of Intent does not bind the City to make any expenditure, incur any indebtedness, or proceed with the Project.

3. This Declaration of Intent shall take effect from and after the date of its adoption.

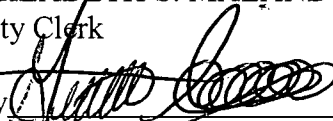
APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Brant C. Will
Deputy City Attorney

BW:jdf
06/19/12
Or.Dept:DM
Doc. No.: 388923_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 9 2012.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 7.12.12
(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor