

ORDINANCE NUMBER O- 20384 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 30 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CONTINUED ENGAGEMENT OF HAWKINS, DELAFIELD & WOOD LLP AS THE CITY'S GENERAL DISCLOSURE COUNSEL FOR A PERIOD OF FIVE YEARS AND AUTHORIZING FUNDING FOR SUCH ENGAGEMENT IN AN AMOUNT NOT TO EXCEED \$250,000 WITH FUNDS TO BE ALLOCATED CITYWIDE ON AN FTE BASIS

WHEREAS, in March 2004, the City retained the law firm of Hawkins, Delafield & Wood LLP [Firm] to serve as the City's general disclosure counsel. In that capacity, the Firm has provided securities law advice to City staff regarding the requirements of federal and state securities laws for private placements and public offerings, continuing disclosure agreements and other disclosure matters; and

WHEREAS, the Firm, particularly John McNally, the City's engagement partner, prepared the City's Disclosure Ordinance and the Disclosure Controls and Procedures of the Disclosure Practices Working Group (DPWG), and has served as a member of DPWG since its inception; and

WHEREAS, in February 2009, the City Council authorized the current agreement with Firm and has increase funding for such agreement from time to time including \$180,000 in Fiscal Year 2009, \$50,000 in Fiscal Year 2012 and \$40,000 in Fiscal Year 2013; and

WHEREAS, the City Attorney's office recommends the retention of Hawkins on a sole source basis based on their expertise in securities laws as they apply to municipal issuers and the Firm's extensive knowledge of the City, its financial operations and its disclosure procedures; and

WHEREAS, this agreement would extend the City's engagement with the firm beyond five years and Charter section 99 requires that contracts extending beyond a period of five years must be authorized by Ordinance adopted by a two-thirds' majority vote; NOW THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his designee is authorized and directed to execute, for and on behalf of the City of San Diego, an agreement with Hawkins Delafield and Wood LLP to provide General Disclosure Counsel services.

Section 2. That the Comptroller is authorized to expend an amount up to \$250,000 for General Disclosure Counsel Services allocated on an FTE basis.

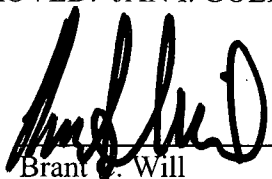
Section 3. That the Comptroller is authorized and directed to allocate other funding sources among appropriate bond finance projects, as may be required based upon actual billings.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Brant L. Will
Deputy City Attorney

BCW:jdf
04/02/14
Or.Dept: City Attorney
Doc. No.: 758955

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~JUL 15 2014~~

ELIZABETH S. MALAND

City Clerk

By 
Deputy City Clerk

Approved: 7/30/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 15 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 30 2014

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

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

By *Janette J. [Signature]*, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 24 2014

JUL 30 2014

, and on _____

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By *Janette J. [Signature]*, Deputy

Office of the City Clerk, San Diego, California

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