

(R-86-1831)

RESOLUTION NUMBER R- 265437

ADOPTED ON APR 14 1986

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, MAKING APPOINTMENTS IN SPECIAL ASSESSMENT PROCEEDINGS AND APPROVING AGREEMENTS. (Calle Cristobal Assessment District.)

WHEREAS, the CITY COUNCIL of THE CITY OF SAN DIEGO, CALIFORNIA, is considering the formation of a special assessment district, pursuant to the terms and provisions of the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, for the construction of certain public works of improvement, together with appurtenances and appurtenant work, said special assessment district to be known and designated as CALLE CRISTOBAL ASSESSMENT DISTRICT (hereinafter referred to as the "Assessment District"); and

WHEREAS, at this time, this City Council is desirous of making the required appointments and designating persons to perform certain duties, in order to allow the proceedings to go forward to completion in accordance with the provisions of law.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That THOMAS O. MEADE is hereby appointed to perform all of the duties and functions of the Superintendent of Streets as said duties are specified and designated in the "Municipal Improvement Act of 1913," being Division 12 of the Streets and Highways Code of the State of California, for the

above referenced Assessment District, and the Superintendent of Streets shall be the person who shall submit to the City Council the "Report" as required pursuant to the "Municipal Improvement Act of 1913."

SECTION 3. That the place for recordation of the assessment roll and diagram shall be in the Office of the Superintendent of Streets, and said assessment roll and diagram, upon recordation, shall be kept as a permanent record.

SECTION 4. That the DAILY TRANSCRIPT is hereby designated as the newspaper for all publications as required by law and as necessary for completion of this Assessment District.

SECTION 5. That VTN PACIFIC, INC. is hereby appointed the Design Engineer for said proceedings pursuant to the terms and conditions of a Design Engineering Agreement submitted herewith, which Agreement is hereby accepted and approved for execution, and the Design Engineer is hereby authorized to proceed to immediately prepare and finalize the plans and specifications for the works of improvement.

SECTION 6. That WILLDAN ASSOCIATES is hereby appointed as Assessment Engineer for said proceedings pursuant to the terms and conditions of an Assessment Engineering Agreement submitted herewith, which Agreement is hereby accepted and approved for execution. The Assessment Engineer of Work shall perform all of the duties and responsibilities as set forth by law as they relate to said Assessment.

SECTION 7. That KADIE-JENSEN & JOHNSON is hereby appointed the Financial Consultant for said proceedings pursuant to the

terms and conditions of a Financial Consultant Agreement submitted herewith, which Agreement is hereby accepted and approved for execution, and the Financial Consultant is hereby appointed to obtain a proposal or bid for the sale of bonds to be issued in order to finance said proceedings, and said bonds are to be issued pursuant to the terms and provisions of the City of San Diego Improvement District Procedural Ordinance of 1982 (Division 23, San Diego Municipal Code), and applicable Sections of the "Improvement Bond Act of 1915," being Division 10 of the Streets and Highways Code of the State of California.

SECTION 8. That F. MACKENZIE BROWN, INC., Attorneys at Law, is hereby appointed to act as Bond Counsel for the purposes of preparing proceedings and issuing an approving opinion attesting to the validity of the proceedings and the enforceability of the bonds, pursuant to the terms and conditions of a Special Counsel Agreement submitted within, which Agreement is hereby accepted and approved for execution.

SECTION 9. That the REIMBURSEMENT AGREEMENTS, as submitted herewith, relating to the reimbursement for preliminary expenses, are hereby approved and authorized for execution. Said Agreements are between the City and the following entities:


- A. GENSTAR DEVELOPMENT, INC.
- B. THE FIELDSTONE COMPANY
- C. LUSK-SMITH/MIRA MESA NORTH

SECTION 10. That the ACQUISITION/FINANCING AGREEMENT between the City and THE FIELDSTONE COMPANY, as hereby submitted, is hereby approved and authorized for execution.

SECTION 11. That this City Council hereby establishes a special IMPROVEMENT FUND designated by the name and number of the Assessment District, and into said fund shall be placed all proceeds from the sale of bonds and cash collections. In order to expedite the improvements or acquisition under these proceedings and as authorized by law, funds from any available source may be transferred into said special fund. Any funds transferred are a loan to the fund and shall be repaid out of the proceeds of the sale of bonds, all as required and authorized by law, and specifically Section 10210 of the Streets and Highways Code of the State of California.

APPROVED: John W. Witt, City Attorney

By

  
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Janis Sammartino Gardner  
Deputy City Attorney

JSG:ta:832  
03/31/86  
Or.Dept:E&D  
R-86-1931  
Form=r.none  
PREPARED BY OUTSIDE COUNSEL

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Passed and adopted by the Council of The City of San Diego on APR 14 1986,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Barbara Bayter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265437 Adopted APR 14 1986

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