

(R-88-671)

RESOLUTION NUMBER R- 269506

ADOPTED ON OCT 19 1987

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
MAKING PRELIMINARY DETERMINATIONS AND APPOINTMENTS  
RELATING TO A PUBLIC FINANCING FEASIBILITY STUDY.

WHEREAS, the City Council of The City of San Diego is at this time considering the formation of a special district for financing public improvements under the provisions of either the "Municipal Improvement Act of 1913", being Division 12 of the Streets and Highways Code of the State of California, or the "Mellos-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, said special district hereinafter to be known and designated as STONECREST (hereinafter referred to as the "District"; and,

WHEREAS, certain consulting contracts for engineering and legal services have been submitted relating to the public financing study; and,

WHEREAS, the property owners have also advanced a cash deposit for purposes of funding the above referenced study, and this legislative body is now desirous to proceed to approve the necessary preliminary consulting contracts, authorize the preparation of the feasibility study and accept the cash monies as deposited by the property owner; NOW THEREFORE

BE IT RESOLVED, by the Council of The City of San Diego, that the above recitals are all true and correct.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to prepare, for and on behalf of said City, a Public Financing Feasibility Study for the proposed Stonecrest development.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with NBS/Lowry for consulting services in conjunction with the Public Financing Feasibility Study in an amount not to exceed \$25,000.00, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 269506-1

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Brown & Diven for Special Counsel and Bond Counsel services in conjunction with the Public Financing Feasibility Study in an amount not to exceed \$7,500.00, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 269506-2

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to accept the cash advance in the amount of \$40,000.00 from Stonecrest Associates for the purpose of funding the Public Financing Feasibility Study, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 269506-3

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$40,000.00 from Trust Fund 63021 to Fund 79430.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$40,000.00 from Fund 79430, is hereby authorized, solely and exclusively for the purpose of funding the Public Financing Feasibility Study for the above described agreements and all related expenses.

APPROVED: John W. Witt, City Attorney

By

  
\_\_\_\_\_  
John K. Riess  
Deputy City Attorney

JKR:wk  
10/05/87  
Aud.Cert:8800321  
Or.Dept:E&D  
R-88-671  
Form=r.auagr

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

CERTIFICATE OF UNALLOTTED BALANCE AC 8800321

ORIGINATING DEPT. NO. 540

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 \$ 40,000.00 Fund 63021

Purpose Authorizing the transfer of funds from Fund 63021 to Fund 79430 and authorizing the expenditure of these funds for Stonecrest Development Public Financing Feasibility Study and related costs

Date September 25, 19 87

By: William Reese  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		63021			9544					\$40,000.00
TOTAL AMOUNT										\$40,000.00

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 moneys 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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

Date \_\_\_\_\_, 19 \_\_\_\_\_

By: \_\_\_\_\_  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

OCT 19 1987

R-269506 AC 8800321  
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OCT 19 1987

Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 4	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

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

(Seal)

By *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-269506* Adopted *OCT 19 1987*