

(R-89-31)

RESOLUTION NUMBER R- 271487

ADOPTED ON JUL 25 1988

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA, APPROVING AND
AUTHORIZING EXECUTION OF CERTAIN AGREEMENTS IN
A SPECIAL ASSESSMENT DISTRICT.

(Assessment District No. 4035 [Tierrasanta Norte])

WHEREAS, the City Council of The City of San Diego, California, is considering the formation of a special assessment district under 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 and/or acquisition of certain public works of improvement in a special assessment district, said assessment district known and designated as ASSESSMENT DISTRICT NO. 4035 (TIERRASANTA NORTE) (hereinafter referred to as the "Assessment District"); and

WHEREAS, the Streets and Highways Code of the State of California, specifically the "Municipal Improvement Act of 1913," expressly authorizes the acquisition of any improvements that are authorized to be constructed under said law, and the property owner, in order to proceed in a timely manner with his development, desires to commence construction and/or cause the construction of certain of the works of improvement prior to the formation of the Assessment District; and

WHEREAS, at this time there has been submitted to this City Council for review and approval, certain consulting agreements,

an Assessment District Reimbursement Agreement, and an Acquisition/Financing Agreement setting forth certain terms and conditions, as well as estimated prices and quantities of work to be installed and financed pursuant to the said Agreement; NOW, THEREFORE,

BE IT RESOLVED, as follows:

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

Section 2. That this legislative body hereby accepts from Tierrasanta Norte L-L Partnership, a California General Partnership, the sum of \$61,000.00 as a cash advance for consulting services and City advances.

Section 3. That the Assessment District Reimbursement Agreement, as submitted herewith, Document No. D2274-3, by and between the City and Tierrasanta Norte L-L Partnership, a California General Partnership, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

Section 4. That the Acquisition/Financing Agreement, as submitted herewith, Document No. D2274-2, by and between the City and Tierrasanta Norte L-L Partnership, a California General Partnership, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

Section 5. That the Agreement for Assessment Engineering Services in an amount not to exceed \$41,000.00 submitted herewith, Document No. D2274-4, by and between the City and NBS/Lowry, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

Section 6. That the Special Counsel Agreement for Bond Counsel Services in the minimum amount of \$5,000.00 submitted herewith, Document No. D2274-5, by and between the City and Brown & Diven, Attorneys at Law, is hereby approved, and the City Attorney is hereby authorized to execute said Agreement on behalf of the City.

Section 7. That the Auditor/Comptroller is hereby authorized to establish a special Assessment Fund No. 79460, and to make appropriate payments therefrom.

APPROVED: John W. Witt, City Attorney

By 

John K. Riess
Deputy City Attorney

JKR:wk
07/07/88
Or.Dept:E&D
Aud.Cert:8801124
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Passed and adopted by the Council of The City of San Diego on JUL 25 1988,
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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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"/>

AUTHENTICATED BY:

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

(Seal)

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

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R 271487 Adopted JUL 25 1988

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