

(R-89-2509)

RESOLUTION NUMBER R-273852

ADOPTED ON JUN 26 1989

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, APPROVING CONTRACTS FOR OWNERSHIP OF IMPROVEMENTS AND AMENDING CERTAIN AGREEMENTS.

(ASSESSMENT DISTRICT NO. 4019  
[OTAY INTERNATIONAL CENTER, PHASE II])

WHEREAS, the Council of The City of San Diego, California, has, pursuant to the provisions of the Municipal Improvement Act of 1913, being Division 12 of the Streets and Highways Code of the State of California, by adoption of its Resolution of Intention, declared its intention to order the acquisition and construction of certain works of improvement, together with appurtenances, in a special assessment district known and designated as ASSESSMENT DISTRICT NO. 4019 (OTAY INTERNATIONAL CENTER, PHASE II) (hereinafter referred to as the "Assessment District"); and

WHEREAS, pursuant to Section 10110 of the Streets and Highways Code of the State of California, it is required that prior to the time that any works of improvement are ordered pursuant to said proceedings, the legislative body may, by contract, provide that certain works shall be performed by other public agencies or regulated public utilities who will have the legal title to the facilities, and further that said improvements shall thereafter constitute a part of their system; and

WHEREAS, it is further provided that any such agreement shall be made prior to the adoption of the Resolution Ordering Work under the assessment proceedings; and,

WHEREAS, at this time, contracts have been reviewed and submitted pursuant to the authorization of Section 10110 of said Streets and Highways Code; and,

WHEREAS, additionally at this time there has been submitted to this Council for review and approval, certain amendments and modifications to previously approved consulting agreements and a reimbursement agreement, for consideration and approval by this legislative body; NOW, THEREFORE,

IT IS HEREBY RESOLVED, by the Council of The City of San Diego, as follows:

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

2. That the agreements, herewith submitted, relating to the construction and installation of certain improvement facilities that will be under the ownership, management and control of other public agencies or regulated public utilities, are hereby submitted and herewith approved. The following listed agreements are hereby authorized for executive by the City Manager. Said Agreements relate to facilities to be owned by the respective public agencies or regulated public utilities:

A. Agreement by and among San Diego Gas & Electric, the City of San Diego, and Otay International Center, Document No. D-2276-15.

B. Agreement by and among Otay Municipal Water District, the City of San Diego, and Otay International Center, Document No. D-2276-13 and Document No. D-2276-14.

C. Agreement by and among Pacific Bell Telephone Company, the City of San Diego, and Otay International Center, Document No. D2276-11 and Document No. D2276-12

3. That immediately upon execution, conformed copiers of said contracts shall be transmitted to the offices of the respective public agency or utility company, together with a copy of this Resolution.

4. That the Amendment to Agreement for Assessment Engineering Services in an amount not to exceed \$32,500 submitted herewith, Document No. D-2276-10, by and between the City and Willdan Associates, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

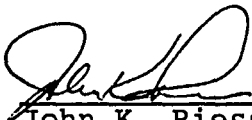
5. That the Amendment to Agreement for Financial Consulting Services in an amount not to exceed \$10,000 submitted herewith, Document No. D-2276-16, by and between the City and Kadie-Jensen, Johnson & Bodnar, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

6. That the Acquisition/Financing Agreement, as submitted herewith, Document No. D-2276-9, by and between the City and Otay International Center, a general partnership, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

7. That the Assessment District Reimbursement Agreement, Document No. D-2276-2, by and between the City and Otay

International Center, is hereby modified to reflect the amount  
to be advanced by Otay International Center to be \$42,500.

APPROVED: JOHN W. WITT, City Attorney

By   
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John K. Riess  
Deputy City Attorney

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Or.Dept:E&D  
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Passed and adopted by the Council of The City of San Diego on JUN 26 1989,  
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 Blonda R. Garner, Deputy.

Office of the City Clerk, San Diego, California

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