279146 (R-92-860)

RESOLUTION NUMBER R-

ADOPTED ON \_\_\_\_\_\_DEC 0 9 1991

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. 4070 [Black Mountain Road])

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 acquisition of certain public works of improvement in a special assessment district, said assessment district known and designated as ASSESSMENT DISTRICT NO. 4070 (BLACK MOUNTAIN ROAD) (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 way 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

setting forth certain terms and conditions for consulting services to be performed and advances to be made in connection with this Assessment District; NOW, THEREFORE,

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

- That the above recitals are all true and correct.
- 2. That this legislative body hereby accepts from PARDEE CONSTRUCTION COMPANY the sum of \$165,000 as a cash advance for consulting services and City advances.
- 3. That the Agreement for Assessment Engineering Services in an amount not to exceed \$52,000, as submitted herewith, Document No. <u>D-2230-2</u>, by and between the City and DUDEK AND ASSOCIATES, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.
- 4. That the Agreement for Financial Consultant Services in an amount not to exceed \$33,000, as submitted herewith, Document No 2290-3, by and between the City and FIELDMAN, ROLAPP AND ASSOCIATES, is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.
- 5. That the Special Counsel Agreement for Bond Counsel Services in an amount not to exceed \$40,000, as submitted herewith, Document No. \( \bar{D}\_{=}^{2} \frac{2290-4}{2} \), by and between the City and GRANT AND DUNCAN, is hereby approved, and the City Attorney is hereby authorized to execute said Agreement on behalf of the City.
- 6. That the Auditor/Comptroller is hereby authorized to make appropriate payments from the established Black Mountain

Road Assessment Fund No. 4070.

APPROVED: John W. Witt, City Attorney

Rudolf Hradecky

Deputy City Attorney

RH:ps 11/26/91

Ву

Or.Dept:E&D

Aud.Cert:9200416

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## The City of San Diego

## CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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Passed and adopted by the Council of by the following vote:	The City of S	San Diego on		DEC 09	1991		
Council Members	Yeas	Nays	Not Present	Ineligible			
Abbe Wolfsheimer							
Ron Roberts							
John Hartley							
George Stevens							
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Valerie Stallings							
Judy McCarty	4						
Bob Filner							
Mayor Maureen O'Connor	ø						
AUTHENTICATED BY:		MAUREEN O'CONNOR  Mayor of The City of San Diego, California.					
(Seal)		CHARLES G. ABDELNOUR					
(ocal)		By Clerk of The City of San Diego, California.  By Mulls Jugaw, Deputy.					

Office of the City Clerk, San Diego, California

Resolution P 279146 DEC 09 1991
Number Adopted DEC 09 1991

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