

(R-92-860)

279146

RESOLUTION NUMBER R-_____

ADOPTED ON DEC 09 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

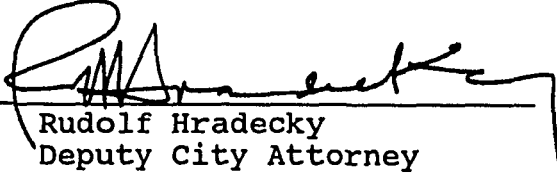
setting forth certain terms and conditions for consulting services to be performed and advances to be made in connection with this Assessment District; NOW, THEREFORE,

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

1. 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. D-2290-2, 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. D-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. D-2290-4, 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

By 
Rudolf Hradecky
Deputy City Attorney

RH:ps
11/26/91
Or. Dept: E&D
Aud. Cert: 9200416
R-92-860
Form=r.apagr

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200416

ORIGINATING DEPT. NO.: 542

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 \$ _____ Fund _____

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

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 \$ 165,000.00

Vendor Grant & Duncan \$40,000, Fieldman, Rolapp & Assoc. \$33,000, Dudek & Assoc. \$52,000, \$40,000 City Staff.

Purpose Executing agreements with Bond Counsel, Financial Consultant, and Assessment

Engineer for the Black Mountain Road Assessment District. Accepting \$165,000 cash advance from Pardee Construction.

Date November 26, 1991 By: *Diane Hoover*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		79650			9544					\$165,000.00
TOTAL AMOUNT										\$165,000.00

FUND OVERRIDE

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

DEC 09 1991

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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:

(Seal)

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

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

By *Luinda Luzano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-279146* Adopted **DEC 09 1991**
 Number.....