

381325

(R-93-1020)

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON JAN 11 1993

WHEREAS, in 1988 the City entered into a development agreement with Tierrasanta L-L Partnership for the development of certain property in Tierrasanta; and

WHEREAS, Section 6.1(b)(3) of that agreement required Tierrasanta L-L Partnership to construct Villa Norte Neighborhood Park in Tierrasanta, for which the City would reimburse Tierrasanta L-L Partnership for its costs out of FBA funds; and

WHEREAS, the initial estimate of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00) as provided in the agreement to build the park was significantly underestimated; and

WHEREAS, the Developer has submitted a comprehensive detailed accounting of the work performed and amounts paid during park construction; and

WHEREAS, the landscaping and park construction was completed in July 1991; and

WHEREAS, the additional funds are available in the Tierrasanta Facilities Benefit Assessment (FBA) Fund No. 79005;  
NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered, for and on behalf of the City, to enter into a reimbursement agreement with Tierrasanta L-L Partnership for landscaping and related improvements to the Villa Norte Neighborhood Park in Tierrasanta


Norte, under the terms and conditions set forth in the Park Landscape and Reimbursement Agreement on file in the office of the City Clerk as Document No. RR-281325, together with any reasonably necessary modifications or amendments thereto which do not increase this project's scope or cost and which the City Manager may deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$345,844.84 from FBA Fund 79005 to CIP 29-681.0, Tierrasanta Villa Norte Park - Development.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$345,844.84 from CIP 29-681.0, Tierrasanta Villa Norte Park - Development, is hereby authorized, as follows: \$335,844.84 for landscaping/park improvements, and \$10,000.00 for preliminary engineering.

APPROVED: JOHN W. WITT, City Attorney

By

  
\_\_\_\_\_  
Mary Kay Jackson  
Deputy City Attorney

MKJ:mb  
12/08/92  
Or. Dept: Pk. & Rec.  
Aud. Cert: 9300413  
R-93-1020  
Form=r-t

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9300413  
 ORIGINATING DEPT. NO.: 441

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 \_\_\_\_\_ 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 money 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 \$ 345,844.84

Vendor Lusk Company

Purpose Authorizing expenditure of funds for landscaping and related improvements to the Villa Note

Neighborhood Park.

Date October 22, 1992 By: *Verdiana Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	79005			9544					\$345,844.84
TOTAL AMOUNT										\$345,844.84

FUND OVERRIDE

AC-361 (REV 2-92)

AC 9300413

JAN 11 1993 *R* 11:32

104 AC

JAN 11 1993

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"/>
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"/>
District 8 - Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING  
 .....  
 Mayor of The City of San Diego, California.

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

By: *[Signature]*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-81325 Adopted JAN 11 1993