

RESOLUTION NUMBER R- 284782
ADOPTED ON OCT 17 1994

BE IT RESOLVED, by the Council of The City of San Diego, that the expenditure of an amount not to exceed \$4,452,800 from the Mira Mesa Facilities Benefit Assessment Fund 79006, (C.I.P. 29-653.0 and 29-654.0) for the acquisition of property rights and related costs for the Carroll and Breen park sites as approved in the Memorandum of Understanding, December 8, 1992, by Resolution No. R-281240 between the City of San Diego and the San Diego Unified School District, is hereby authorized and approved.

BE IT FURTHER RESOLVED, that the \$4,452,800 funds shall be expended in the following manner:

	<u>C.I.P. 29-653.0</u>	<u>C.I.P. 29-654.0</u>
1995	\$2,072,000	
1995	93,000	\$ 86,600
1996	1,093,000	86,600
1997	<u> </u>	<u>1,021,600</u>
	\$3,258,000	\$1,194,800

BE IT FURTHER RESOLVED, that the funds from Fiscal Years 1996-1997 are contingent upon City Council approval for each year's consecutive budget.

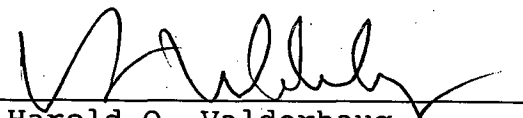
BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute a Promissory Note to the San Diego Unified School District as security for the balance of payment of funds for the two park sites, a copy of which Promissory Note is on

file in the office of the City Clerk as Document RR- 284782.

BE IT FURTHER RESOLVED, that payments under such Promissory Note shall be limited solely and exclusively to funds available from facilities benefit assessments and if amounts required for payment are not available from facilities benefit assessment funds, then solely and exclusively from lease income from the long term City lease with the Torrey Pines Hotel Associates.

APPROVED: JOHN W. WITT, City Attorney

By


Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps

10/04/94

Or.Dept:REA

Job:521564

R-95-592

Form=r-t

Aud cert. 9500309

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9500308

ORIGINATING DEPT. NO.: 070

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 \$ 4,452,800.00

Vendor San Diego Unified School District

Purpose Authorizing the expenditure of funds for an agreement to purchase property for Park Land

Purposes for the Carroll and Breen park sites.

Date October 5, 1994 By: *Nancy M. Quay*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			30244	105	4279	296530		79006		\$2,165,000.00
2			30244	105	4279	296540		79006		86,600.00
3		79006			9544					2,201,200.00
TOTAL AMOUNT										\$4,452,800.00

FUND OVERRIDE

AC-361 (REV 2-92)

Note: FY 96 & 97 funds are contingent upon approval of those years budgets. AC 9500308

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