(R-99-854)

RESOLUTION NUMBER R- 291278

ADOPTED ON **FEB 1 6 1999**

WHEREAS, in 1992, the expansion of the Reuben H. Fleet Space Theater and Science Center [Fleet Center], operated by the San Diego Space and Science Foundation [Foundation], was approved by the City Council and the Park and Recreation Board as part of the Precise Plan for the Central Mesa of Balboa Park; and

WHEREAS, the \$6.5 million expansion financed by the Foundation was completed in May 1998 and more than doubled the size of the existing Fleet Center; and

WHEREAS, the 1996 Lease between the City and the Foundation [Lease] provides that the City is responsible for maintaining the exterior of the Fleet Center; and

WHEREAS, the Foundation expended \$24,000 to replace the exterior paving north of the Fleet Center theater lobby, and to paint the exterior of the existing Fleet Center building [Exterior Maintenance]; and

WHEREAS, the Foundation is requesting, in accordance with the terms of the Lease, reimbursement from the City for the Exterior Maintenance in the amount of \$24,000; and

WHEREAS, performance of the Exterior Maintenance conferred a public benefit on the City because the work was performed on City-owned property; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is authorized to execute a reimbursement agreement with the Foundation for the Exterior Maintenance, a copy of which is on file in the office of the City Clerk as Document No. RR-291278.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to expend an amount not to exceed \$24,000 from Fund 60252, Navy Hospital Building Demolition, to reimburse the Foundation for the work to the exterior of the Fleet Center.

APPROVED: CASEY GWINN, City Attorney

∠Lori W. Girard

Deputy City Attorney

 $LWG \\ : cdk \\$

02/02/99

Or.Dept:Pk.&Rec.

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CERTIFICATE OF UNALLOTTED BALANCE

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