

(R-99-971)

RESOLUTION NUMBER R- 291447

ADOPTED ON MAR 30 1999

WHEREAS, the Redevelopment Agency of The City of San Diego [the Agency] has or will enter into that certain Disposition and Development Agreement [the Agreement] with Pacific Development Partners, LLC, a Nevada Limited Liability Company [the Developer], for the sale of certain real property by the Agency [the Property] located within the Central Imperial Redevelopment Project [the Project] area of the City of San Diego to the Developer for the development of a retail center of between 200,000 and 300,000 square feet thereon [the Retail Center]; and

WHEREAS, as a condition of the development of the Retail Center, the City has requested certain off-site public improvements [the Improvements] be constructed to address certain infrastructure needs in and around the City of San Diego; and

WHEREAS, the City has agreed to provide all funding required for the construction of the Improvements by allocating certain Transnet funding available to the City; and

WHEREAS, pursuant to a Public Works Finance Agreement, which is to be entered into by the City and the Developer, a copy of which is attached to the Agreement as Attachment No. 9, the City desires to cause the Improvements to be financed and constructed with the Transnet funding; NOW, THEREFORE,

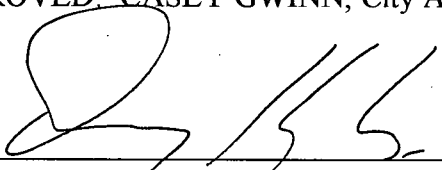
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the expenditure of \$2,423,963 from CIP 52-409.0 (43rd Street and Logan/National Avenue Intersection) be delayed and booked as a loan to the Agency.

2. That the FY 1999 Budget be amended to add CIP 52-677.0, Imperial Avenue/Oceanview Boulevard Street Improvements.
3. That the City Auditor and Comptroller is authorized to transfer \$300,000 from CIP 52-631.0 (Whitman Street Widening - 43rd Street to Highland Avenue) to CIP 52-672.0 (Imperial Avenue/Oceanview Boulevard Street Improvements).
3. That the expenditures in the amounts not to exceed \$300,000 in FY 1999 TransNet funds, \$2,123,963 in FY 2000 TransNet funds, and \$1,576,037 in SANDAG issued commercial paper backed by TransNet funds are approved.
4. That the Improvements be constructed in accordance with the terms established in the Public Works Finance Agreement, which is Attachment No. 9 to the Disposition and Development Agreement, a copy of which is on file in the office of the City Clerk as Document No. RR- 291445 [R-99-968].

APPROVED: CASEY GWINN, City Attorney

By

  
\_\_\_\_\_  
Douglas K. Humphreys  
Deputy City Attorney

DKH:lc  
03/23/99  
Or.Dept:SEDC  
Aud.Cert:9901009  
R-99-971  
Form=r-t.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9901009  
ORIGINATING DEPT. NO.: 940

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 300,000.00 Fund 30300

Purpose Authorize expenditure of funds for Imperial Ave and Oceanview Blvd Project.

Date March 22, 1999 By: *Victoria Chavez*

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	30244	30244	107	4279	526310				\$300,000.00
TOTAL AMOUNT										\$300,000.00

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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

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

*R-291447*

**MAR 30 1999**

AC

*Original not available RW*