

RESOLUTION NUMBER R- 293493

ADOPTED ON JUL 18 2000

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE PHASED FUNDING OF THE CONTRACT FOR CONSTRUCTION OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE IMPERIAL MARKETPLACE PROJECT.

WHEREAS, on March 30, 1999, the Council of The City of San Diego [City Council] and the Redevelopment Agency of The City of San Diego [Agency] approved a Disposition and Development Agreement between the Agency and Pacific Development Partners for the development of the Imperial Marketplace Project, within the Central Imperial Redevelopment Project Area [Project Area] of the City; and

WHEREAS, the Disposition and Development Agreement contemplated the construction of certain public improvements within the Project Area; and

WHEREAS, the City is engaged in activities necessary to carry out and implement certain public improvements within the Project Area; and

WHEREAS, in conjunction with the public improvement activities, and in order to carry out and implement the Central Imperial Redevelopment Plan [Redevelopment Plan], the Agency by Resolution No. RA-03076, adopted November 23, 1999 authorized the transfer of \$5,885,000

from the Fiscal Year 1999/2000 Southeastern Economic Development Corporation [SEDC] Project Budget to the City for Capital Improvement Project No. 52-677.0 [Project]; and

WHEREAS, in order to carry out and implement the Project, the Council, by Resolution No. R-292483, adopted on November 23, 1999, authorized the City Manager or the President of SEDC to award a contract for the construction of the Project, provided that the City Auditor and Comptroller furnish a certificate showing that the funding is, or will be, on deposit in the City Treasury, expected to come from various sources, including funds provided by the Developer; and

WHEREAS, the City Auditor and Comptroller has issued the necessary certificate, and City has entered into a contract with Erreca Inc. for the construction of the Project [Contract]; and,

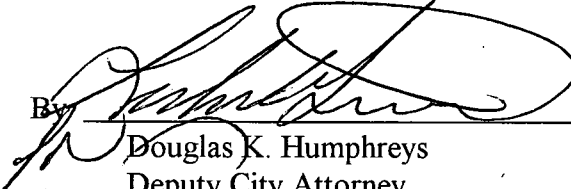
WHEREAS, not all funds necessary for the completion of the Project have become available, however it is desirable to cause phases of the Contract to be performed to accomplish the timely and efficient development of the Project; and

WHEREAS, in order to authorize the phased completion of the Contract it is now necessary and appropriate for the City to authorize the phased funding of the Contract; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller is hereby authorized to expend the funds previously authorized for the Project by Resolution No. R-292483 as they become available in the City Treasury, and as otherwise consistent with the Contract.

BE IT FURTHER RESOLVED, that the City Manager and City Auditor and Comptroller are hereby authorized to take all actions necessary or appropriate to implement the purposes and intent of this resolution, the Project and the Contract.

APPROVED: CASEY GWINN, City Attorney

By 

Douglas K. Humphreys
Deputy City Attorney

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Or.Dept:SEDC
Aud.Cert:N/A
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