

RESOLUTION NUMBER R- 294624

ADOPTED ON MAR 5 2001

WHEREAS, historic records indicate that a burn dump was operated prior to 1938 in the vicinity of 38th and Redwood Streets; and

WHEREAS, the United States Environmental Protection Agency [USEPA] recently removed residual burn ash from and around properties located at 3084, 3090, 3103, 3108 and 3114 38th Street [the Properties] to eliminate the threat of exposure to elevated levels of lead within the top three feet of the soil on the Properties; and

WHEREAS, the City is advised by USEPA that burn ash poses no health risk if it remains covered and undisturbed; however, there is the potential for future contact with the burn ash by homeowners and contractors due to burn ash directly under the structures; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is authorized to acquire, on behalf of the City, interests in the Properties located at 3084, 3090, 3103, 3108 and 3114 38th Street to prevent and/or limit any future contact with burn ash on the sites.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to
expend an amount not to exceed \$690,000 from CIP 32-0100 for property rights and related costs
for the 38th and Redwood Streets property acquisition.

APPROVED: CASEY GWINN, City Attorney

By



Prescilla Dugard
Deputy City Attorney

PD:cdk:smf
02/07/01
02/20/01 COR. COPY 1
03/01/01 COR. COPY 2
Aud.Cert:2100846
Or.Dept:REA
R-2001-1129

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2100846
DEPT. NO.: 7521

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 \$ 800,000.00 Fund 30244

Purpose Authorize the acquisition of and expenditure for the potential purchase of five residential properties the 38th and Redwood burn site, as well as compensation for loss of use.

Date February 27, 2001 By: *Victoria DeLoza*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
001	0	30244	30244	113	4279	320100				\$800,000.00
TOTAL AMOUNT										\$800,000.00

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

AC-361 (REV 2-92)

AC 2100846

R-294624 to R-294626

MAR 5 2001