## RESOLUTION NUMBER R- 294687 ADOPTED ON MAR 2 7 2001

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and empowered to negotiate and execute, for and on behalf of the City, a Participation Agreement with the La Jolla High School Facilities Expansion Foundation, a non profit entity, for the Fay Avenue Realignment Project [Foundation Agreement], which will contain substantially the same terms as the sample on file in the office of the City Clerk as Document No. 294687

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and empowered to negotiate and execute, for and on behalf of the City, an agreement and all documents necessary for an exchange of property for the Fay Avenue Realignment Project, with the San Diego Unified School District, under the terms and conditions described in the Foundation Agreement, provided that environmental review is completed prior to executing these documents and/or agreements and that the City Auditor certifies the availability of any funds required prior to the execution of these documents and/or agreements.

BE IT FURTHER RESOLVED, that the Fiscal Year Capital Improvement Budget, is hereby amended by adding CIP No. 52-690.0, Fay Avenue Realignment.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to deappropriate \$150,000, from Fund No. 30300, CIP No. 52-583.0, La Jolla Shores/

Torrey Pines Road/Ardath Road/Hidden Valley Road, and appropriate \$150,000 to CIP No. 52-690.0, Fay Avenue Realignment.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$150,000, from Fund No. 30300, CIP No. 52-690.0, Fay Avenue Realignment, for the purpose of the storm drain and roadway realignment and upgrades where necessary engineering and related City obligations of the Foundation Agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$138,750, from Fund No. 41506, CIP No. 44-001.0, Annual Allocation for Sewer Mains, for the purpose of realigning, and improving where necessary, the City's sewer utilities, engineering and related City obligations of the Foundation Agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$691,200, from Fund No. 41500, CIP No. 70-953.0, Torrey Pines Road/La Jolla Boulevard Main Replacement, for the purpose of realigning, and improving where necessary, the City's water utilities, engineering and related City obligations of the Foundation Agreement.

BE IT FURTHER RESOLVED, that the temporary closure of Fay Avenue is approved, from June 2001 to September 2001, for the purpose of constructing the Fay Avenue Realignment Project.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to accept funds from the Foundation to reimburse the City for design and other costs related to the Fay



Avenue Realignment Project, under the terms and conditions set forth in the Foundation

Agreement, and on file in the Office of the City Clerk as Document No. RR-\_

APPROVED: CASEY GWINN, City Attorney

Ву

Keri Katz

Deputy City Attorney

KK:mr:pev 03/15/01

03/23/01 CorCopy

Or.Dept:Eng&CP

R-2001-1267

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

•			,	CERTIF	ICATE OF U	JNALLOT	IED BALA	ORI	GINATING —	2100991	
orth in t								llotment o		the purpose set into the Treasury,	
and is otl							3,			,	
Amount		979,950.00				Fund		,	30300,41500,41506		
Purpos	se	Auhtoriz	ing the a	appropri	ation and ex	penditure o	of funds for	the Fay A	venue Real	ignment -	
		Participa	ation Agr	eement			1,7,40,7,10				
Date <sup>-</sup>		March 16, 2001				By: Bust					
					A	CCOUNTING DA		DITOR AND CO	OMPTROLLER'S	S DEPARTMENT	
	CY	ELINID	DEDT	ODC		JOB	OPERATION	BENF/			
	PY 0	5UND 30244	DEPT 30244	ORG	4279	ORDER 525830	ACCOUNT	EQUIP 30300	FACILITY	\$150,000.00\(\sqrt{1}\)	
	0	41500	760	391	4278	186240		30300		691,200.00	
	0	41506	773	960	4278	176400	-			138,750.00	
		71300	113	300	4270	170400				130,730.00	
		l						TOTAL A	MOUNT	\$979,950.00	
			Minkon II.				<del></del>	TOTALA	MOUNT	FUND OVERRIDE	
rovision equirem	ent a ns c nent	authorize of the Cl s of the	ed by the narter of Charter	e hereto the Cit of the C	attached roy y of San D City of San I	esolution, o iego; and Diego, that	can be incu I do hereb sufficient i	urred witho y further o moneys ha	out the viola certify, in co ove been ap	y the contract or ation of any of the onformity with the oppropriated for the are actually in the	
rovision equirement urpose reasury ame are nticipate Not to Vendo	ent and a content of the total of the total end of total end of the total end of total e	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached roy of San Dity of San I lient moneys ne into the said money, to the creater	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient i the obligati to the crec ctually in th	urred without further of the common of said of the common of said of the common of the	out the violater tify, in converse to a contract a contract appropriation, together	ation of any of the conformity with the ppropriated for the are actually in the conform which the with the moneys	
erovision equirement ourpose reasury ame are inticipate	ent and a content of the total of the total end of total end of the total end of total e	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached roy of San D City of San I ient moneys ne into the ne said mon	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient i the obligati to the crec ctually in th	urred without further of the common of said of the common of said of the common of the	out the violater tify, in converse to a contract a contract appropriation, together	ation of any of the conformity with the ppropriated for the are actually in the conform which the with the moneys	
orovision equiremourpose reasury ame are inticipate Not to Vendo Purpos	ent and a content of the total of the total end of total end of the total end of total e	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached roy of San Dity of San I lient moneys ne into the said money, to the creater	esolution, of iego; and Diego, that is to meet to Treasury, ey now action of said a	can be incu I do hereb sufficient in the obligati to the crece ctually in the appropriation	urred withor of further of moneys had ons of said dit of the ane Treasuren, are other	out the violater tify, in converse to a contract a contract appropriation, together	ation of any of the conformity with the ppropriated for the are actually in the conform which the with the moneys	
rovision equirement urpose reasury ame are nticipate Not to Vendo	ent and a content of the total of the total end of total end of the total end of total e	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached roy of San Dity of San I lient moneys ne into the said money, to the creater	esolution, of iego; and Diego, that is to meet to Treasury, ey now action of said a	can be incu I do hereb sufficient in the obligati to the crec ctually in the appropriation	urred without further of the constant of the c	out the violater tify, in converse to a contract a contract appropriation, together	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys noumbered.	
rovision equirement urpose reasury ame are nticipate Not to Vendo Purpose	ent and content of of of the total of t	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached rely of San Dity of San Dity of San Dient moneys ne into the se said money, to the cred	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient in the obligati to the crec ctually in the appropriation	urred withor or further or moneys had ons of said tof the area or moneys are other or moneys.	but the violaterify, in converted appropriation, together erwise uner	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys noumbered.	
rovision equirement urpose reasury ame are nticipate Not to Vendo Purpose Date	ent and a content of the total of the total end of total end of the total end of total e	authorize of the CI as of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cithe Cither of the Cather at suffich to combite the that the Treasury	o attached rely of San Dity of San Dity of San Dient moneys ne into the se said money, to the cred	esolution, of iego; and Diego, that is to meet to Treasury, ey now action of said a	can be incu I do hereb sufficient in the obligati to the crece ctually in the appropriation	urred without further of the constant of the c	but the violaterify, in converted appropriation, together erwise uner	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys noumbered.	
rovision equirement urpose freasury ame are nticipate.  Not to Vendo  Purpose  Date	ent and content of of the content of of the content	authorize of the CI is of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cit of the Cit of the Cit at suffice I to condition that the Treasury	o attached rely of San D Dity of San I ient moneys ne into the ne said mon y, to the cree	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient it the obligati to the crec ctually in the appropriation  AU TA OPERATION	urred withor or further or moneys had ons of said tof the area treasured, are other or are other	put the violaterify, in converted appropriation of the propriation of	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys incumbered.	
rovision equirement of the equ	ent and content of of the content of of the content	authorize of the CI is of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cit of the Cit of the Cit at suffice I to condition that the Treasury	o attached rely of San D Dity of San I ient moneys ne into the ne said mon y, to the cree	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient it the obligati to the crec ctually in the appropriation  AU TA OPERATION	urred withor or further or moneys had ons of said tof the area treasured, are other or are other	put the violaterify, in converted appropriation of the propriation of	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys incumbered.	
rovision equirement of the equ	ent and content of of the content of of the content	authorize of the CI is of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cit of the Cit of the Cit at suffice I to condition that the Treasury	o attached rely of San D Dity of San I ient moneys ne into the ne said mon y, to the cree	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient it the obligati to the crec ctually in the appropriation  AU TA OPERATION	urred withor or further or moneys had ons of said dit of the ane Treasuren, are other on, are other beauty and the BENF/EQUIP	put the violaterify, in converted appropriation of the propriation of the propriation of the properties of the propertie	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys incumbered.	
provision equirement ourpose reasury ame are anticipated. Not to Vendo Purpose Date	ent and content of of the total	authorize of the CI is of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cit of the Cit of the Cit at suffice I to condition that the Treasury	o attached rely of San D Dity of San I ient moneys ne into the ne said mon y, to the cree	esolution, of iego; and Diego, that is to meet to Treasury, ey now acdit of said a	can be incu I do hereb sufficient it the obligati to the crec ctually in the appropriation  AU TA OPERATION	urred withor or further or moneys had ons of said tof the area treasured, are other or are other	put the violaterify, in converted appropriation of the propriation of the propriation of the properties of the propertie	ation of any of the conformity with the conformity with the conformity with the conformity in the conformity in the conformity in the conformity in the conformity which the conformity with the moneys incumbered.	
provision equirement ourpose Freasury same are anticipate Not to Vendo Purpose Date	ent and content of of the total	authorize of the CI is of the said con r are an o be dra to come ceed \$	ed by the narter of Charter tract, the ticipated wn, and into the	e hereton the Cit of the Cit of the Cit at suffice I to condition that the Treasury	o attached rely of San D Dity of San I ient moneys ne into the ne said mon y, to the cree	By  CCOUNTING DA  ORDER	can be incu I do hereb sufficient it the obligati to the crec ctually in the appropriation  AU TA OPERATION	urred withor or further or moneys had ons of said dit of the ane Treasuren, are other on, are other beauty and the BENF/EQUIP	put the violaterify, in converted appropriation of the propriation of the propriation of the properties of the propertie	ation of any of the conformity with the oppropriated for the are actually in the on from which the with the moneys incumbered.	