

RESOLUTION NUMBER R- 297185

ADOPTED ON OCT 14 2002

WHEREAS, the right of way acquisition, design and construction of the Undercrossing beneath La Jolla Village Drive is a part of a programmed CIP project (NUC-33) in the FY 2003 North University City Public Facilities Financing Plan; and

WHEREAS, the project consists of the construction of Judicial Drive from Golden Haven Drive to Eastgate Mall as a four-lane major street, including the Undercrossing beneath La Jolla Village Drive; and

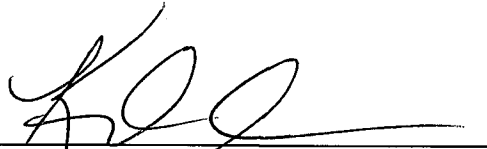
WHEREAS, Makallon La Jolla Properties, LLC, is willing to construct the Undercrossing and be reimbursed from the North University City Facilities Benefit Assessment (FBA); NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, a reimbursement agreement with Makallon La Jolla Properties, LLC for the right-of-way acquisition, design and construction of an Undercrossing beneath La Jolla Village Drive in North University City (Project NUC-33 in the North University City Public Facilities Financing Plan).

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Auditor and Comptroller is authorized to expend \$7,469,000 from CIP 52-678.0 (FBA Fund 79001), for right-of-way acquisition, design and construction of the Undercrossing, upon certification by the City Auditor and Comptroller that FBA revenues are available at the time reimbursement is scheduled.

APPROVED: CASEY GWINN, City Attorney

By



Kristin Schenone
Deputy City Attorney

KS:mm:cdk
09/16/02
Or.Dept:Plan.Dept.
R-2003-344
Form=fbaplanr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2300338
DEPT. _____
NO. 065

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: _____ Fund: _____

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

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: \$6,469,000.00

Vendor: Makallon La Jolla Properties, LLC

Purpose: Authorizing the expenditure of funds for the reimbursement agreement with Makallon for the design and construction of an undercrossing beneath La Jolla Village Drive in North University City

Date: September 23, 2002 By: _____
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	107	4279	526780					\$6,469,000.00
TOTAL AMOUNT											\$165,950.00

FUND OVERRIDE

R- 297185

OCT 14 2002

AC 2300338