

RESOLUTION NUMBER R- 297961

ADOPTED ON MAY 20 2003

WHEREAS the Logan Heights Branch Library [Project] was selected to receive a grant from the California Public Library Construction and Renovation Fund in December 2002; and

WHEREAS the State requires each grant recipient to provide matching funds from any available source; and

WHEREAS City Council Resolution Number R-296574 authorized the City to provide local matching funds in the amount of \$2,826,250; and

WHEREAS due to adjustments of the State budget, the City must increase its local matching funds to \$2,886,005; and

WHEREAS City Council Resolution Number R-29542 authorized the City to apply to the Department of Housing and Urban Development [HUD] for a Section 108 loan of up to \$3,030,000 for the Project; and

WHEREAS Project needs are such that an additional \$353,000 is required for the Project and the City may amend its loan application to HUD for these additional needs.

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

1. That the City Manager be and is hereby authorized and empowered to execute, for and on behalf of said City, a phase funded Fixed Fee Agreement with Martinez + Cutri Corporation in an amount not to exceed \$600,000, for the design of the Logan Heights Branch Library, CIP No. 35-101.0, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR- 297961.

2. That the expenditures of an amount not to exceed \$20,000 for Phase I and an amount not to exceed \$580,000 for Phase II from CIP No. 35-101.0, Logan Heights Branch Library Fund No. 30244, Dept. No. 30244, are hereby authorized, solely and exclusively for the purpose of providing funds for the above Project, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit with the City Treasurer.

3. That the City Manager is authorized to provide the local matching funds of \$2,886,005, identified in the Logan Heights Library Project Budget, as required by California Education Code [Code] section 19995(a), which includes and identifies amounts to be credited to local matching funds pursuant to Code section 19995(c) and (d).

4. That the use of local matching, supplemental, and ineligible cost funds of \$3,452,205 specified in the Logan Heights Branch Library Budget, is authorized when needed to meet cash flow requirements.

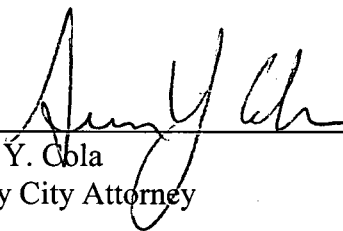
5. That the City Manager is authorized to amend the City's application to the Department of Housing and Urban Development [HUD] for a Section 108 loan for the purpose of requesting an additional \$353,500 for the Project.

6. That the City Manager is authorized to accept and expend additional funds, contingent upon receipt of an Auditor's Certificate to do so, and to appropriate such funds to CIP No. 35-101.0, Logan Heights Library Project, if HUD approves the additional amount.

7. That the City Manager is authorized to use District 8 Community Development Block Grant [CDBG] allocations as the source of repayment of this additional amount.

8. That the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By   
\_\_\_\_\_  
Susan Y. Cola  
Deputy City Attorney

SYC:lc  
04/29/03  
Aud.Cert:2301107  
Or.Dept:E&CP/PublicBldgs&Pks  
R-2003-1275  
Form=auagr.frm

R-297961

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2301107

ORIGINATING

DEPT. NO.: 545

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: \$20,000.00

Vendor: Martinez + Cutri Corporation

Purpose: Authorizing the expenditure of funds to Martinez + Cutri Corporation for Phase E of the design of the Logan Heights Library.

Date: April 18, 2003

By:   
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
01	0	30244	30244	106	4279	351010					\$20,000.00
TOTAL AMOUNT											\$20,000.00

FUND OVERRIDE

R

297961

MAY 20 2003