

RESOLUTION NUMBER R- 299100

ADOPTED ON APR 19 2004

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH T.B. PENICK AND SONS, INC., FOR DESIGN BUILD SERVICES FOR THE MARTIN LUTHER KING JUNIOR COMMUNITY PARK – GEORGE L. STEVENS SENIOR CENTER AND PROVIDING FOR NECESSARY FUNDING.

WHEREAS, the Martin Luther King Junior Community Park is a thirty-five acre park located in the Southeastern San Diego community area at 6501 Skyline Drive which includes the following amenities: a recreation building, swimming pool facility, tennis courts, active and passive turf areas and parking; and

WHEREAS, the addition of an 11,300 square-foot George L. Stevens Senior Center within 1.3 acres of the Park would be a valuable addition to the community, disseminating information on nutrition and various services, as well as providing recreational, educational, and intergenerational activities; NOW, THEREFORE,

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

1. That the City Manager is authorized and empowered to execute, for and on behalf of said City, an agreement not to exceed \$4,347,176 with T.B. Penick and Sons, Inc., for design build services for the Martin Luther King Junior Community Park – George L. Stevens Senior Center, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 299100, contingent on the City Auditor and Comptroller first certifying that the funds necessary are or will be available on deposit with the City Treasurer.

2. That the City Auditor and Comptroller is authorized to appropriate and expend \$4,347,176 from Martin Luther King Junior Community Park - Senior Center, CIP No. 29-479.0, for the purpose of the design and construction of the George L. Stevens Senior Center, contingent on the City Auditor and Comptroller first certifying that the necessary funds are or will be available on deposit with the City Treasurer.

3. That the City Auditor and Comptroller is authorized to increase by \$3,000,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 18519, HUD Section 108 Loan.

4. That the City Auditor and Comptroller is authorized to appropriate and expend \$3,000,000 from the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 18519, HUD Section 108 Loan.

5. That the City Auditor and Comptroller is authorized to reprogram and transfer \$800,000 from District Four Reserves (4266/6604) to Martin Luther King Junior Community Park – George L. Stevens Senior Center (4253/5306), in Fund No. 18538, Community Development Block Grant funding.

6. That the City Auditor and Comptroller is authorized to increase by \$800,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 18538, Department No. 4253, Organization No. 5306, Community Development Block Grant funding.

7. That the City Auditor and Comptroller is authorized to appropriate and expend \$1,062,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center (4253/5306), in Fund No. 18538, Community Development Block Grant funding.

8. That the City Auditor and Comptroller is authorized to increase by \$154,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 10529, Council District Four Infrastructure funding.

9. That the City Auditor and Comptroller is authorized to appropriate and expend \$154,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 10529, Council District Four Infrastructure funding.

10. That the City Auditor and Comptroller is authorized to increase by \$85,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 41205, EDCO Recycling and Transfer Community Fund.

11. That the City Auditor and Comptroller is authorized to appropriate and expend \$85,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 41205, EDCO Recycling and Transfer Community Fund.

12. That the City Auditor and Comptroller is authorized to transfer \$80,000 of prior year General Fund match savings from 10365, Park and Recreation Community Matching Funds to 630221, Contribution from 100 fund.

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13. That the City Auditor and Comptroller is authorized to increase by \$80,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 630221, Contributions from 100 Fund.

14. That the City Auditor and Comptroller is authorized to appropriate and expend \$80,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No 630221, Contributions from 100 Fund.

15. That the City Auditor and Comptroller is authorized to increase by \$15,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 15000, Building Permit Fees.

16. That the City Auditor and Comptroller is authorized to appropriate and expend \$15,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 15000, Building Permit Fees.

17. That the City Auditor and Comptroller is authorized to increase by \$3,800 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 11680, Park Service District Fees.

18. That the City Auditor and Comptroller is authorized to appropriate and expend \$3,800 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 11680, Park Service District Fees.

19. That the City Auditor and Comptroller is authorized to transfer \$119,618 from CIP No. 29-521.0, John F. Kennedy Neighborhood Park – Play Area, Fund No. 38174, 2000 Park Bond per Capita, to CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, Fund No. 38174, 2000 Park Bond per Capita.

20. That the City Auditor and Comptroller is authorized to appropriate and expend \$119,618 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, Fund No. 38174, 2000 Park Bond per Capita.

21. That the City Auditor and Comptroller is authorized to transfer \$3,169 from CIP No. 29-518.0, Martin Luther King Junior Community Park – Play Area Upgrade, Fund No. 11680, Park Service District Fees, to CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, Fund No. 11680, Park Service District Fees.

22. That the City Auditor and Comptroller is authorized to appropriate and expend \$3,169 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, Fund No. 11680, Park Service District Fees.

23. That the City Auditor and Comptroller is authorized to increase by \$27,000 the Fiscal Year 2004 Capital Improvements Program Budget in CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 79511, Southeastern Development Impact Fees.

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24. That the City Auditor and Comptroller is authorized to appropriate and expend \$27,000 from CIP No. 29-479.0, Martin Luther King Junior Community Park – George L. Stevens Senior Center, in Fund No. 79511, Southeastern Development Impact Fees.

APPROVED: CASEY GWINN, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:cdk  
04/13/04  
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