

RESOLUTION NUMBER R- 299708

ADOPTED ON OCT 04 2004

A RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING AN AGREEMENT WITH THE FIRST FIVE COMMISSION OF SAN DIEGO, ACCEPTANCE OF GRANT FUNDS, AND NECESSARY EXPENDITURES FOR SELECTED BRANCH LIBRARY CAPITAL IMPROVEMENT PROJECTS.

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager, or designee, is authorized and empowered for and on behalf of the City to make an application to the First Five Commission of San Diego for \$4,000,000 in grant funds [the Grant Funds] for library design and construction of preschool areas in College-Rolando, Logan Heights, Serra Mesa-Kearny Mesa and Skyline Hills branch libraries [the Projects].

BE IT FURTHER RESOLVED, that the City Manager or designee, is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with the First Five Commission of San Diego in an amount not to exceed \$4,000,000 for the Projects under the terms and conditions set forth in the Grant Agreement, on file in the office of the City Clerk as Document No. RR 299708 together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the Projects and the Agreement.

BE IT FURTHER RESOLVED, that the City Manager, or designee, is authorized and empowered to conduct all negotiations, execute and submit all documents, and to take all necessary actions to secure funds from the First Five Commission of San Diego for the Projects.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to accept and appropriate the Grant Funds in an amount not to exceed \$4,000,000, contingent upon receipt of the Grant Funds and a fully executed Grant Agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to establish a special interest-bearing account for the Grant Funds, in an amount not to exceed \$4,000,000.

BE IT FURTHER RESOLVED, that, contingent upon the receipt of a fully executed Grant Agreement and the Grant Funds, the City Auditor and Comptroller is authorized to amend the Fiscal Year 2005 Capital Improvements Program Budget to increase each of the following C.I.P Budgets by an amount not to exceed \$1,000,000: C.I.P 35-071.0 College Rolando, C.I.P. 35-101.0 Logan Heights, C.I.P. 35-089.0 Serra Mesa-Kearny Mesa, and C.I.P 35-107.0 Skyline Hills branch libraries.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend \$1 million for each of the following C.I.P.'s: C.I.P 35-071.0 College Rolando, C.I.P. 35-101.0 Logan Heights, C.I.P. 35-089.0 Serra Mesa-Kearny Mesa, and C.I.P 35-107.0 Skyline Hills branch libraries, Fund 30244, for the purpose of design, construction, contingency, and related costs for the Projects,

contingent upon receipt of a fully executed Grant Agreement, and contingent upon the City Auditor and Comptroller first furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By Eric A. Swenson
Eric A. Swenson
Deputy City Attorney

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