RESOLUTION NUMBER R- 302010

DATE OF FINAL PASSAGE NOV 0 7 2006

AUTHORIZING THE EXPENDITURE OF UP TO \$1,100,000 IN SETTLEMENT OF CITY OF SAN DIEGO V. PACIFIC SOUTHWEST LAND COMPANY CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF THE NEW SKYLINE LIBRARY SITE.

WHEREAS, the Council of the City of San Diego has approved a settlement of certain condemnation proceedings entitled City of San Diego v. Pacific Southwest Land Company; and WHEREAS, funding in the amount of \$1,100,000 is required to acquire the new Skyline

Library site; and

WHEREAS, a First Amendment to Agreement with Manuel Oncina Architects, Inc. [Architects], has been negotiated for professional design services for the Skyline Hills Branch Library, which amendment increases, by Thirty Thousand Dollars (\$30,000), the compensation to Architects; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Auditor and Comptroller is hereby authorized to transfer Five Hundred Forty-Five Thousand Dollars (\$545,000) from Skyline/Paradise Hills DIF 79509 to C.I.P. 35-107.0, Skyline Hills Library Project, to supplement funds previously authorized by Resolution R-298611, dated November 18, 2003, for the Skyline Library Project;

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is hereby authorized to transfer Five Hundred Fifty-Five Thousand Dollars (\$555,000) from Fund 102216, Library Systems Improvement Program to C.I.P. 35-107.0, Skyline Hills Library Project, to supplement

funds previously authorized by Resolution R-298611, dated November 18, 2003, for the Skyline Library Project;

BE IT FURTHER RESOLVED, the Auditor and Comptroller is hereby authorized to expend an amount not to exceed One Million One Hundred Thousand Dollars (\$1,100,000) from C.I.P. 35-107.0, Skyline Hills Library Project, at the direction of the City Attorney, to settle the condemnation proceedings entitled *City of San Diego v. Pacific Southwest Land Company* to acquire the new Skyline Library site, and the Auditor and Comptroller is authorized to transfer any excess funds remaining after the close of the transaction back into the fund or funds deemed appropriate by the Auditor and Comptroller;

BE IT FURTHER RESOLVED, the First Amendment to Agreement between the City and Manuel Oncina Architects, Inc., a copy of which is filed in the Office of the City Clerk as Document No. 2010, for professional design services for the Skyline Hills Branch Library, CIP No. 35-107.0, in the amount not to exceed Two Hundred Seventy-Nine Thousand Four Hundred Seventy-Six Dollars (\$279,476) is authorized.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Bv

Brock Ladewig

Chief Deputy City Attorney

BL:jdf 9/26/06 01/18/07.COR.Copy Or.Dept:READ R-2007-303.COR.Copy MMS 3806

R-302010

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

		CERTIFICATE OF UNALLOTTED BALANCE									•
										AC	2700266
								ORIGINATI	NG	DEPT. NO.:	070
						allotment of fu asury, and is o				forth in the	foregoing resolution is
Amount	:			Fund:			79509 and 102216				
Purpose	∋:					7.0 Skyline H					
Date:		October 5, 2006 B									
				AUDITOR AND COMPTROLLER'S DEPARTMENT							
	<u>.</u>				AC	COUNTING DATA					
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001		79509			9544						\$545,000.00
002		102216			9544		• •				\$555,000.00
							•				
		•					······	T	OTAL A	AMOUNT	\$1,100,000.00
											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: Vendor: Purpose: Date: AUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCTG. OPERATION **FACILITY** AMOUNT FUND DEPT LINE TOTAL AMOUNT

1

AC-361 (REV 2-92)

302010 OCT 24 2006

FUND OVERRIDE

2700266

sed by the Council of The City	of San Diego on _	OCT 2	1 2006 by	the following vot	e:
Council Members	Yeas	Nays	Not Present	Ineligible	
Scott Peters	<b>D</b>				
Kevin Faulconer					•
Toni Atkins	Ø				
Anthony Young	U				
Brian Maienschein					••
Donna Frye					
Jim Madaffer				. 🗆	
Ben Hueso	<b>re</b>				
of final passageNOV	0 7/2006		રાજુ પ્રાપ્યક્રમના, રહેલા મહેલા છે. -	υ	i e sipiri y
•			JERRY SAN	IDERS	
AUTHENTICATED BY:		Mayor	of The City of San	Diego, California	
			ELIZABETH S.		
(Seal)		City Cle	rk of The City of Sa	n Diego, <del>Californ</del> //	ia.
	Ву	Delife	i Avense	n-Oruz	, Depu
		•*			

Office of the City Clerk, San Diego, California

Resolution Number

302010