

RESOLUTION NUMBER R- **302756**DATE OF FINAL PASSAGE **JUN 27 2007**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A CALIFORNIA TRANSPORTATION DEPARTMENT DIRECTOR'S DEED, APPLY FOR AND ACCEPT A GRANT FROM THE PER CAPITA PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, AND AUTHORIZING THE AUDITOR AND COMPTROLLER TO ACCEPT, APPROPRIATE AND EXPEND FUNDS FOR THE ACQUISITION OF EXCESS CALTRANS PROPERTY IN CITY HEIGHTS FOR THE FUTURE CENTRAL AVENUE MINI PARK.

WHEREAS, the State of California Department of Transportation [CALTRANS] has designated certain excess State lands for sale, one being Disposal Parcel No. 13909-01-01 [Parcel] totaling approximately 16,096 square feet, or 0.37 acres, located at 3648 Central Avenue (east of Interstate-15 and just south of the pedestrian bridge over Interstate-15), and as more particularly described in the CALTRANS Director's Deed and shown on Director's Deed Map DD13909-01-01 (Right-of-Way Map No. 55519); and

WHEREAS, the negotiated purchase price for the Parcel is Five Hundred Twenty Thousand Dollars (\$520,000); and

WHEREAS, the Parcel is intended to be used for the future Central Avenue Mini Park in City Heights; and

WHEREAS, the Central Avenue Mini Park will reduce the park deficiency in the City Heights community, and will benefit the public health, safety, or general welfare;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized and empowered for and on behalf of the City to accept a Director's Deed, executed by the State of California Department of Transportation, for the opportunity purchase of an approximately 0.37-acre parcel of land (APN 454-161-36-42) [Parcel] located in City Heights as a public property;

BE IT FURTHER RESOLVED, the Mayor or his designee is authorized to apply for and accept a \$56,000 grant from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to establish a special, interest-bearing fund for the grant, contingent upon receipt of a fully-executed grant agreement;

BE IT FURTHER RESOLVED, One Hundred Thirty-Five Thousand Dollars (\$135,000) shall be reallocated from Fund 630221, General Fund Contributions to the CIP, from CIP 20-013.0, Park & Rec Grant Match Funding, to CIP 29-002.0, Central Avenue Mini Park – Acquisition, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, the Fiscal Year 2007 Capital Improvements Program Budget within CIP No. 29-002.0, Central Avenue Mini Park – Acquisition, shall be increased by Two Hundred Seventy-Six Thousand Two Hundred Dollars (\$276,200), contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

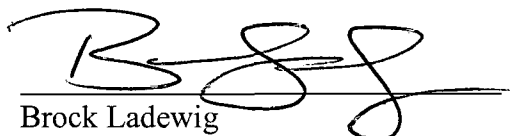
BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to appropriate One Hundred Fifty Thousand Dollars (\$150,000) from Fund 10529, Infrastructure Improvement Fund, to CIP 29-002.0, Central Avenue Mini Park - Acquisition, and Fifty-Six Thousand Dollars (\$56,000) from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 grant fund to CIP 29-002.0, Central Avenue Mini Park - Acquisition, and Seventy Thousand Two Hundred Dollars (\$70,200) from Fund 39094, Mid-City Park Development Fund, to CIP 29-002.0, Central Avenue Mini Park - Acquisition, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

BE IT FURTHER RESOLVED, the City Auditor and Comptroller is authorized to expend amounts not to exceed One Hundred Seventy-Nine Thousand Dollars (\$179,000) from Fund 39094, Mid-City Park Development Fund, One Hundred Fifty Thousand Dollars (\$150,000) from Fund 10529, Infrastructure Improvement Fund, One Hundred Thirty-Five Thousand Dollars (\$135,000) from Fund 630221, General Fund Contributions to CIP, and Fifty-Six Thousand Dollars (\$56,000) from the Per Capita Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002, for a total expenditure not to exceed Five Hundred Twenty Thousand Dollars (\$520,000) for the purpose of purchasing the Parcel, contingent upon the Auditor and Comptroller first certifying that the funds are, or will be, on deposit with the City Treasurer;

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

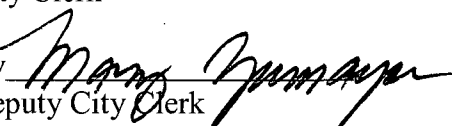
By


Brock Ladewig
Chief Deputy City Attorney

BL:jdf
08/16/06
Or.Dept:READ
R-2007-223
MMS #3659

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 19 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____

(date)

6.27.07


JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700825

ORIGINATING

DEPT. NO.: 70

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: \$464,000.00 Fund: various

Purpose: To authorize the transfer of funds from CIP 200130 to CIP 290020 for the purpose of funding the Central Avenue Mini Park Land Acquisition. To authorize the appropriation of new funds to CIP 290020 for the purpose of funding the Central Avenue Mini Park Land Acquisition. Additional State Grant funding must first be secured before fully funding the Central

Date: June 12, 2007 By: Caryn McGriff

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	30244	30244	105	4279	200130		630221		\$135,000.00
2	0	30244	30244	105	4279	290020		39094		\$108,800.00
3	0	10529			9544					\$150,000.00
4	0	39094			9544					\$70,200.00
TOTAL AMOUNT										\$464,000.00

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: _____ 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										

AC-361 (REV 2-92)

FUND OVERRIDE ☐

AC 2700825

R- 302756

JUN 19 2007