

RESOLUTION NUMBER R- 303533

DATE OF FINAL PASSAGE APR 08 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT FOR PUBLIC IMPROVEMENTS RELATED TO THE THURGOOD MARSHALL MIDDLE SCHOOL AND THE EXPENDITURE OF FUNDS ASSOCIATED THEREWITH

WHEREAS, the San Diego Unified School District [SDUSD] recently completed construction of the Thurgood Marshall Middle School at the intersection of Pomerado Road and Willow Creek Road/Avenue of Nations in the community planning area of Scripps Miramar Ranch; and

WHEREAS, in order to accommodate the addition of the school, improvements were needed to Pomerado Road and the existing utility infrastructure to support the new school; and

WHEREAS, Project 34-14 in the City of San Diego Scripps Miramar Ranch Public Facilities Financing Plan, adopted by the City Council on March 5, 2007, by Resolution No. R-302405 [Financing Plan] provides for the improvements as set forth in the attached Reimbursement Agreement; and

WHEREAS, the improvements to Pomerado Road consisted of widening the road on both sides of the existing intersection; extending existing drainage infrastructure to accommodate the widening; re-stripping the widened road and intersection; constructing a new asphalt dike on the west side and curb and gutter on the east side; installation of guardrail on the east side; new street lights at the east and west intersections; relocation and reprogramming of the traffic signal;

construction of ADA compliant curb ramps at all four corners of the intersection; and landscaping and irrigation in the public right-of-way; and

WHEREAS, as detailed in the attached Reimbursement Agreement, the Financing Plan estimated the Facilities Benefit Assessment portion of the improvements at \$1,290,000; NOW, THEREFORE,

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

1. That the Mayor or his designated representative is authorized to enter into and execute the attached Reimbursement Agreement with the San Diego Unified School District for the improvements set forth therein to the intersection of Pomerado Road and Willow Creek Road/Avenue of Nations.

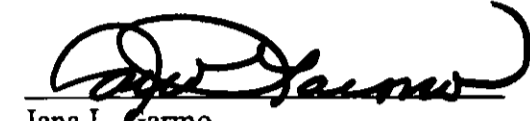
2. That the Fiscal Year 2008 Capital Improvements Program is amended by adding CIP No. 52-806.0, Pomerado Road at Willow Creek/Avenue of Nations Intersection Improvements.

3. That the Fiscal Year 2008 Capital Improvements Program Budget for CIP No. 52-806.0, Pomerado Road at Willow Creek/Avenue of Nations Intersection Improvements, Fund No. 79007, Scripps Miramar Ranch FBA is amended by increasing the budget amount by \$1,290,000.

4. That City Auditor and Comptroller is authorized to appropriate and expend the amount not to exceed \$1,290,000 from CIP No. 52-806.0, Pomerado Road at Willow Creek/Avenue of Nations Intersection Improvements, Fund No. 79007, Scripps Miramar Ranch FBA, for the purpose of reimbursing the cost of the improvements as set forth in the attached Reimbursement Agreement.

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


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Jana L. Garmo
Deputy City Attorney

JLG:als
02/25/08
Aud.Cert:2800439
Or.Dept:Planning
R-2008-597
MMS#5814

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 25 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4.8.08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2800439

DEPT
NO 446

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: \$1,290,000.00

Vendor: _____

Purpose: Authorizing the appropriation and expenditure for the costs of Pomerado Rd at Willow Creek/Ave improvements for the Thurgood Marshall Middle School Reimbursement Agreement. CIP 528060

Date: December 10, 2007 By: Rob Russett

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	79007			9544					\$1,290,000.00
TOTAL AMOUNT										\$1,290,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2800439

R- 303533

MAR 25 2008