

RESOLUTION NUMBER R- **303882**

DATE OF FINAL PASSAGE JUN 26 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO: 1) AUTHORIZING THE EXECUTION OF A MAINTENANCE AGREEMENT WITH BIRD ROCK DEVELOPMENT CORPORATION FOR ADMINISTRATION OF CONTRACTS FOR GOODS AND SERVICES FOR THE BIRD ROCK MAINTENANCE ASSESSMENT DISTRICT; AND 2) AUTHORIZING APPROPRIATION AND EXPENDITURE OF FUNDS FOR ADMINISTRATIVE FEES THEREFORE.

WHEREAS, Resolution R-300746 approved the Bird Rock Maintenance Assessment District [District] on August 2, 2005; and

WHEREAS, the Mayor is authorized and empowered to execute a Maintenance Agreement for the administration of Contracts for Goods and Contracts for Services for a District pursuant to San Diego Municipal Code section 65.0212; NOW, THEREFORE,

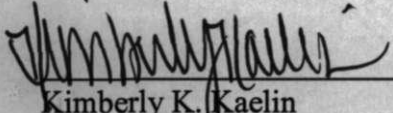
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor is authorized and empowered to execute a Maintenance Agreement for the administration of Contracts for Goods and Contracts for Services with the Bird Rock Development Corporation for the Bird Rock Maintenance Assessment District for a one year period beginning July 1, 2008 through June 30, 2009 in accordance with the San Diego Municipal Code section 65.0212. A copy of the Maintenance Agreement for the Bird Rock Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR_ **303882** .

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$24,750 from Fund No. 70281 for administrative costs incurred by the Bird Rock Development Corporation in the course of providing services under the Maintenance Agreement for the Bird Rock Maintenance

Assessment District, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are available.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer an amount not to exceed the greater of \$3,500 or four percent of annual assessments from Fund No. 70281 to Fund No. 70208 for administrative costs incurred by the City of San Diego [City] in the course of providing administrative services to the Bird Rock Maintenance Assessment District, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are available.

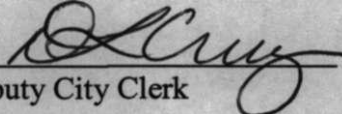
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Kimberly K. Kaelin
Deputy City Attorney

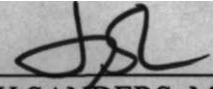
KKK:bas
06/10/08
Or.Dept: P&R
R-2008-1150

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

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6-26-08
(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 2800872

DEPT. NO.: 70281

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: \$24,750.00

Vendor: Bird Rock Development Corporation

Purpose: To authorize the expenditures of funds for the agreement with Bird Rock Development Corporation to expend and amount no to exceed \$24,750 for administrative fees incurred in the course of providing services under the Service Agreement..

Date: June 4, 2008

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	70281	70281	200 0	4151	950281				\$24,750.00
TOTAL AMOUNT										\$24,750.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2800872

£ 303882

JUN 24 2008