

RESOLUTION NUMBER R- 303907

ADOPTED ON JUN 15 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF FISCAL YEAR 2009 SERVICE AGREEMENTS WITH SELF-MANAGED MAINTENANCE ASSESSMENT DISTRICTS FOR ADMINISTRATION OF CONTRACTS FOR GOODS AND CONTRACTS FOR SERVICES; AND AUTHORIZING APPROPRIATION AND EXPENDITURE OF FUNDS FOR ADMINISTRATIVE FEES.

WHEREAS, the Landscape and Lighting Act of 1972 [the Act], codified at California Streets and Highways Code section 22500, *et seq.*, authorizes proceedings for the annual levy of assessments for a Maintenance Assessment District [M.A.D.]; and

WHEREAS, on June 23, 2008 by Resolution Numbers R-303871 and R-303872, the Council of the City of San Diego approved the annual assessment engineer reports and declared its intent to levy assessments for fiscal year 2009; 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 self-managed M.A.D. pursuant to San Diego Municipal Code section 65.0212 [Maintenance Agreement]; 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 pursuant to San Diego Municipal Code section 65.0212 [Maintenance Agreement] with the Adams Avenue Business Association for the Adams Avenue 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 Adams Avenue Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907-1.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$7,530 from Fund No. 70247 for administrative costs incurred by the Adams Avenue Business Association in the course of providing services under the Maintenance Agreement for the Adams Avenue 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 \$3,500 from Fund No. 70247 to Fund No. 70267 for administrative costs incurred by the City of San Diego [City] in the course of providing administrative services to the Adams Avenue 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the Central Commercial District Revitalization Corporation for the Central Commercial 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 Central Commercial Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907-2.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$32,782 from Fund No. 70260 for

administrative costs incurred by the Central Commercial District Revitalization Corporation in the course of providing services under the Maintenance Agreement for the Central Commercial 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 \$8,742 from Fund No. 70260 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Central Commercial 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the City Heights Business Association for the City Heights 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 City Heights Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907-3.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$45,314 from Fund No. 70268 for administrative costs incurred by the City Heights Business Association in the course of providing services under the Maintenance Agreement for the City Heights 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 \$12,084 from Fund No. 70268 to Fund No. 70267 for

administrative costs incurred by the City in the course of providing administrative services to the City Heights 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the College Area Economic Development Corporation for the College Heights 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 College Heights Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907-4.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$40,549 from Fund No. 70266 for administrative costs incurred by the College Area Economic Development Corporation in the course of providing services under the Maintenance Agreement for the College Heights 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 \$10,813 from Fund No. 70266 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the College Heights 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the Greater Golden Hill Community Development Corporation for the Greater Golden Hill 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 Greater Golden Hill Maintenance Assessment District is on file in the office of the City Clerk as Document No.

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BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$60,000 from Fund No. 70284 for administrative costs incurred by the Greater Golden Hill Community Development Corporation in the course of providing services under the Maintenance Agreement for the Greater Golden Hill 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 \$19,560 from Fund No. 70284 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Greater Golden Hill 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the Hillcrest Business Association for the Hillcrest Commercial Core 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 Hillcrest Commercial Core Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907 - 6

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$8,995 from Fund No. 70284 for administrative

costs incurred by the Hillcrest Business Association in the course of providing services under the Maintenance Agreement for the Hillcrest Commercial Core 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 \$3,598 from Fund No. 70284 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Hillcrest Commercial Core 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the Little Italy Association for the Little Italy 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 Little Italy Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907-7.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$111,940 from Fund No. 70261 for administrative costs incurred by the Little Italy Association in the course of providing services under the Maintenance Agreement for the Little Italy 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 \$29,851 from Fund No. 70261 to Fund No. 70267 for

administrative costs incurred by the City in the course of providing administrative services to the Little Italy 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 Mayor is authorized and empowered to execute a Maintenance Agreement with the Ocean Beach Main Street Association for the Newport 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 Newport Maintenance Assessment District is on file in the office of the City Clerk as Document No. RR 303907 - 8.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$8,565 from Fund No. 70241 for administrative costs incurred by the Ocean Beach Main Street Association in the course of providing services under the Maintenance Agreement for the Newport Maintenance Assessment District, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds are available.

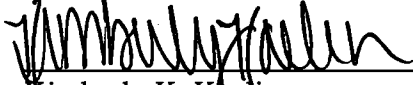
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$3,500 from Fund No. 70241 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the Newport Maintenance Assessment District, 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 \$130,000 from Fund No. 70241 to Fund No. 70267 for administrative costs incurred by the City in the course of providing administrative services to the

Downtown Property and Business Improvement 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 appropriate and expend an amount not to exceed \$221,648 from Fund No. 70267 for administrative costs incurred by the City in the administration of the Adams Avenue, Central Commercial, City Heights, College Heights, Greater Golden Hill, Hillcrest Commercial Core, Little Italy and Newport Avenue Maintenance Assessment Districts and the Downtown Property and Business Improvement District for Fiscal Year 2008, 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  
06/24/08  
Or.Dept: CP&CI  
R-2008-1150  
MMS #6425

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL - 8 2008

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7.15.08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



Passed by the Council of The City of San Diego on JUL 08 2008, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Scott Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 15 2008

AUTHENTICATED BY:

(Seal)

JERRY SANDERS  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R 303907

